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APR 26 2006

Mr. James P. Vondale, Director
Automotive Safety Office
Environmental & Safety Engineering
Ford Motor Co.
Fairlane Plaza South
330 Town Center Drive
Dearborn, MI 48126-2738

RE: Confidentiality Determination EA05-015

Dear Mr. Vondale,

This responds to your February 17, 2006 letter requesting confidential treatment for certain documents relating to National Highway Traffic Safety Administration (NHTSA) EA05-015, an investigation into a possible safety defect involving windshield leaks in certain Model Year 1999-2001 Ford Expedition vehicles. Specifically, Ford Motor Co. (Ford) requests confidential treatment for information contained in "Appendices D, E, G, and H" on a CD-ROM submitted to NHTSA. Ford requests confidential treatment for a period of 10 years.

Ford states that the information contained in the Appendices is confidential business information that, if disclosed, would be likely to cause Ford to suffer substantial competitive harm. Ford contends that the disclosure of this information, which they assert is not customarily released to the public, would reveal, among other things, engineering design specifications, engineering design and manufacturing processes, internal test procedures, specifications and design/engineering specifications, and cost information. According to Ford, the disclosure of this information would assist competitors to develop and improve their own products and processes without making the investment in resources that Ford made.

Ford submitted this data in response to a formal NHTSA request for information. Because Ford was required to submit this information, I reviewed your claim for confidential treatment under the test announced in National Parks & Conservation Ass'n v. Morton, 498 F.2d 765 (D.C. Cir. 1974), and its progeny. Under National Parks, information is confidential if its disclosure would be likely to cause substantial competitive harm to the submitter or to impair the government's ability to collect the information in the future.

I am granting your request.

As described above, Ford's submission includes engineering design specifications, engineering design and manufacturing processes, internal test procedures, specifications and design/engineering specifications, and cost information. The agency believes that the disclosure of this detailed information would be likely to cause Ford to suffer substantial competitive harm. Accordingly, I am granting confidential treatment to the materials that you have identified as confidential in the Appendices.

Subject to the conditions below, this grant of confidential treatment will remain in effect for ten years.

This grant of confidential treatment is subject to certain conditions. The information may be disclosed under 49 CFR § 512.22 based upon newly discovered or changed facts, and you must inform the agency of any changed circumstances that may affect the protection of the information (49 CFR § 512.10). If necessary, you will be notified prior to the release of any information under the procedures established by our regulations (49 CFR § 512.22(b)).

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized letter 'G' enclosed within a circle.

Otto G. Matheke, III
Senior Attorney

NHTSA:NCC-111:MGoode:4/17/06:
NCC-Subj/Chron: mg
Info: NVS-212: Cynthia Glass w/enclose.
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