

APR 17 2007

Christopher Tinto  
Vice President  
Toyota Motor North America, Inc.  
601 Thirteenth Street, N.W., Suite 910 South  
Washington, DC 20005

Re: Request for Confidential Treatment/EA06-020

Dear Mr. Tinto:

This responds to your March 23, 2007, letter requesting confidential treatment for information submitted by Toyota Motor North America, Inc. (Toyota) in response to the above agency information request. Toyota identifies its submission as marked portions contained in "Attachment-Response 9" and requests confidential treatment indefinitely.

Toyota contends this information contains confidential and proprietary information, specifically the detailed manufacturing process and engineering change information for the liftgate support system, including quality control improvements and proprietary design. Toyota asserts that this information would aid competitors in learning details of Toyota's design and quality improvement methodologies for the liftgate support system, which qualifies as closely guarded information in the motor vehicle industry and, if released, would likely result in competitive harm to Toyota.

I have decided to grant your request.

Because this information was not submitted voluntarily, I have reviewed your submission under the competitive harm standard announced in *National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974) and its progeny. Under that test, information is confidential under Exemption 4 of the Freedom of Information Act, 5 U.S.C. § 552(b)(4), 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.

The marked information in "Attachment-Response 9" contains details of Toyota's design and quality improvement methodologies for the liftgate support system. This information is reflective of Toyota's significant technological and intellectual investment and would not be available to others without similar efforts. The release of this information would be likely to cause Toyota competitive harm.

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

This information may be disclosed, however, 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,

Otto G. Matheke, III  
Senior Attorney

NHTSA:NCC-111dwc:4/16/07:pll  
NCC-113 Subj/Chron, dwc **NCC07-001718**  
NVS-212, Michael Lee w/enclosure  
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