

Ray A. Nevi, Assistant Director
Global Automotive Safety Compliance
Automotive Safety Office
Ford Motor Company
330 Town Center Drive
Dearborn, MI 48126-2738

MAR 17 2011

Re: Confidentiality Determination/EA10-001

Dear Mr. Nevi:

This responds to your August 6, 2010 request for confidential treatment for Ford Motor Company (Ford) information submitted in response to two e-mail information requests from the National Highway Traffic Safety Administration's Office of Defects Investigation (ODI). Specifically, Ford requests confidential treatment for the documents included in Appendices A, B, and C of its August 6, 2010 request. Ford requests confidential treatment for these items until August 6, 2020.

Your request is granted.

The information provided by Ford was requested pursuant to 49 USC § 30166, which authorizes the agency to conduct investigations and require manufacturers to submit reports. Because Ford was required to submit this information, I have examined your submission using the competitive harm standard set forth in *National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974).

I have reviewed your submission, including the materials that you claim are entitled to confidential treatment and the arguments that you assert in support of your claim. I have concluded that the public release of the air bag testing results contained in Appendices A, B, and C would be likely to cause substantial competitive harm to your company and, therefore, that this information is entitled to confidential treatment pursuant to Exemption 4 of the Freedom of Information Act, 5 USC § 552(b)(4).

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)). Furthermore, this information may be disclosed if such disclosure would be in the public interest, pursuant to the procedures established in 49 C.F.R. § 512.23.

Sincerely,

Original Signed By

Otto G. Matheke, III
Senior Attorney

