

Christopher T. Sandvig  
Gen. Mgr. Compliance/TREAD  
Volkswagen Group of America, Inc.  
3800 Hamlin Road  
Auburn Hills, MI 48326

FEB 24 2011

Re: Request for Confidential Treatment/PE10-027

Dear Mr. Sandvig:

This responds to your October 1, 2010 request for confidential treatment for Volkswagen Group of America, Inc. (Volkswagen) information submitted in response to an information request from the National Highway Traffic Safety Administration's Office of Defects Investigation. Specifically, Volkswagen requests confidential treatment for six documents that are attached to your request as Attachments 10-01 through 10-06. Volkswagen requests confidential treatment for a period of ten (10) years (i.e., October 1, 2020).

Your request is granted.

The information provided by Volkswagen was requested pursuant to 49 USC § 30166, which authorizes the agency to conduct investigations and require manufacturers to submit reports. Because Volkswagen 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 Attachments 10-01 through 10-06 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

