

Federal Express

September 6, 2012

Office of the Chief Counsel
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
1200 New Jersey Ave., SE
Washington, DC 20590**Subject: EA11-012 Model Years 2002 – 2004 Honda CR-V Low Beam Headlights
Request for Confidentiality
Model Years 2003 – 2008 Honda Element Information**

Dear Chief Counsel:

Enclosed for your consideration is a Request for Confidentiality for information related to the matter referenced above. The specified information was requested by Mr. Scott Yon, Vehicle Integrity Division, Office of Defects Investigation of the National Highway Traffic Safety Administration (NHTSA). This submission pertains to our voluntary response to his request.

Our response to Mr. Yon's request contains certain confidential business and proprietary data. Therefore, this information is being submitted under a Request for Confidentiality, and we are requesting that NHTSA not release the confidential information for public record for an indefinite period of time.

The specific information for which confidentiality is requested is:

Confidential Information	Pages	Reason for Confidentiality
Claim and Case Data and Analyses	Page 1	Proprietary Information Voluntarily Provided
Rigidity Specifications and Analyses	Page 1	Proprietary Information Voluntarily Provided

In compliance with 49 CFR section 512.8(a), justification for this Request for Confidentiality is as follows:

- Honda is voluntarily providing this confidential information solely in response to NHTSA's request, which was not made pursuant to NHTSA's power to compel the production of information. This information is not being provided in response to any regulatory requirement or NHTSA's power to compel the production of information.
- Honda does not customarily release this confidential information to the public nor can this information be determined by analyzing publicly available Honda products. Further, Honda measures to protect the confidentiality of this information include physical, information systems, process, and management controls that limit access to this information to authorized personnel only. Additionally, company and departmental restrictions prevent disclosure of this information to individuals within and outside of Honda who do not have a need to know it.

This information is therefore entitled to confidential treatment pursuant to 49 CFR section 512.15(d).

Although not required for the confidentiality determination of voluntarily provided material, Honda also notes that public disclosure of the specified information would cause substantial competitive harm to the position of Honda in the marketplace. This confidential information, which results from significant investments Honda has made in research, development, intellectual property, and human resources over an extensive period of time, has independent economic value and affects the financial position, business operations, and strategic plans of Honda. Release of this information would give current or future competitors the unfair advantage of free access to Honda-specific knowledge that was acquired at great expense to Honda. Public disclosure thus would unjustly enrich Honda competitors, who could quickly adopt the Honda-proven procedures and standards in lieu of investing the time and resources required to independently develop their own processes and gain unearned insight into the impact possible future regulations may have on certain Honda vehicles. As noted above, this information is not customarily released to the public and Honda takes numerous steps to keep the information from being known or released (even within Honda.) Hence, in addition to being entitled to confidential treatment under 49 CFR section 512.15(d), the information also is entitled to protection pursuant to sections 512.15(a) & (b).

As a result of the foregoing, Honda requests that NHTSA ensure this information is accorded confidential treatment and not released to the public for an indefinite period of time.

Please advise me of your decision on this matter at your earliest convenience.

Very truly yours,

AMERICAN HONDA MOTOR CO., INC.



Jay Joseph
Senior Manager
Product Regulatory Office

JWJ:dj

Enclosures

cc: John Abbott, NHTSA
D. Scott Yon, NHTSA