



April 24, 2025

Mr. Peter Simshauser  
Chief Counsel  
National Highway Traffic Safety Administration  
NHTSA West Building W41-227  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

G249459

PE25-001

**Subject: Request for Confidential Treatment of Certain Information Submitted by General Motors LLC to the National Highway Traffic Safety Administration on April 24, 2025.**

Dear Mr. Simshauser:

This letter requests confidential treatment under 49 C.F.R. part 512 and Exemption 4 of the Freedom of Information Act (5 U.S.C. § 552(b)(4)) (“FOIA”) for certain confidential materials submitted by General Motors LLC (“GM”) to the National Highway Traffic Safety Administration (“NHTSA”) on April 24, 2025.

**A. Description of the Confidential Information (49 C.F.R. § 512.8(a))**

On April 24, 2025, GM transferred certain confidential materials (the “Confidential Information”) electronically to the NHTSA CBI Portal and SDI Portal. GM’s submission relates to Preliminary Evaluation (PE) 25-001.

**B. Production format (49 C.F.R. §§ 512.5 and 512.6)**

- **Public copy:** GM’s electronic submission contains a public copy of the requested information. These documents are designated by \_NONCONF or \_PUBLIC. GM has redacted files in this folder to remove the Confidential Information.
- **Nonpublic copy:** GM’s electronic submission also contain an unredacted nonpublic confidential PDF copy of the requested information. Any PDF files in GM’s nonpublic production have been stamped either (a) “Entire Page GM Confidential Business Information” or (b) “[ ] Indicates GM Confidential Business Information,” depending on whether the page is fully or partially confidential. As directed by the NHTSA Chief Counsel’s office on May 31, 2024, GM has marked any Excel files in the nonpublic production by modifying a row in the first sheet of the native file either (a) “Entire File GM Confidential Business Information” or (b) “[ ] Indicates GM Confidential Business Information,” depending on whether the Excel file is fully or partially confidential. Any other native files in the nonpublic production that cannot be internally marked have been designated as Confidential Information by including “CONF” in the file name.

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**general motors**

29427 Louis Chevrolet Rd. / Warren, MI 48093 / [www.gm.com](http://www.gm.com)

**C. Basis for confidential treatment (49 C.F.R. §§ 512.8(b) and 512.8(c))**

GM's request for confidential treatment is governed by FOIA Exemption 4, which shields from mandatory disclosure "confidential" commercial or financial information. 5 U.S.C. § 552(b)(4); *see also* 49 C.F.R. § 512.15(d). The Confidential Information qualifies as "confidential" under FOIA Exemption 4 because GM does not customarily release or otherwise provide the Confidential Information or information like the Confidential Information to the public. *See Food Mktg. Inst. v. Argus Leader Media*, 139 S. Ct. 2356 (2019).

GM treats the Confidential Information as confidential and proprietary, and makes it available only on an as-needed basis to authorized GM and supplier personnel. GM utilizes numerous systems and processes that limit access to and prevent unauthorized disclosures of the Confidential Information, including: (i) password-protected electronic record-keeping systems; (ii) security systems that limit physical access to GM electronic and hard-copy record-storage facilities; and (iii) information-security training that emphasizes the importance of preventing unauthorized disclosures of information like the Confidential Information. Based on past experience with NHTSA, and the agency's long-standing treatment of such information under FOIA and Part 512, it is GM's expectation that NHTSA will keep the Confidential Information confidential, in accordance with *Food Marketing Institute*.

The documents in GM's submission may also contain personally identifiable information ("PII") (e.g., vehicle registration information or VIN, employee names, and customer/employee contact information) that is exempt from public disclosure under FOIA exemptions three and six. 5 U.S.C. § 552(b)(3); *id.* at § 552(b)(6). Consistent with long-standing practice, GM is submitting these documents with unredacted PII with the understanding that NHTSA (or GM, if NHTSA prefers) will redact any PII before disclosing these documents to the public.

**D. Information obtained from a third party (49 C.F.R. § 512.9)**

Certain portions of the Confidential Information were created by and provided to GM by Tenneco and Questum Macimex (collectively the "Suppliers"). This material discloses the analysis and evaluation methodology performed by Suppliers for GM at GM's direction; it is highly sensitive information that, like the other Confidential Information in the presentation, GM does not customarily provide to the public. As required by 49 CFR § 512.9, GM has enclosed a third-party certification signed by Tenneco and Questum Macimex. The Suppliers' Confidential Information has been marked either "Entire Page Supplier Confidential Information" or "Entire File Supplier Confidential Information," as applicable, in the form and manner described in Section B above.

**E. Applicable class determinations (49 C.F.R. § 512.8(d))**

The Confidential Information is not subject to a Class Determination.

**F. Duration of confidential treatment (49 C.F.R. § 512.8(e))**

Because GM does not anticipate ever customarily disclosing this kind of information to the public, GM requests that NHTSA treat the Confidential Information as confidential without a time limitation.

**G. Contact information (49 C.F.R. § 512.8(f))**

Please direct all inquiries and responses to this request to: Tim Cochran ([tim.cochran@gm.com](mailto:tim.cochran@gm.com)), General Motors LLC, Cole Engineering Center, 29427 Louis Chevrolet Rd., Warren, MI 48093, 586-441-8004.

If NHTSA receives a request to disclose the Confidential Information, GM respectfully requests notification and an opportunity to provide, if necessary, additional support for its position that the Confidential Information is entitled to confidential treatment under FOIA.

Sincerely,



Timothy Cochran  
Senior Manager  
External Investigations

cc: Sharon Yukevich  
Steve Perry

**Enclosures**

Supporting Certificate of Timothy Cochran  
Supporting Certificate of Tenneco  
Supporting Certificate of Questum Macimex