

James P. Vondale
Automotive Safety Office
Environmental & Safety Engineering
Ford Motor Company
330 Town Center Drive
Dearborn, MI 48126-2738

APR - 6 2010

Re: Request for Confidential Treatment / PE09-031

Dear Mr. Vondale:

This responds to your November 9, 2009 letter requesting confidential treatment for Ford Motor Company (Ford) engineering drawings submitted in response to an Office of Defects Investigation information request in investigation PE09-031.

You requested that certain documents be afforded confidential treatment for ten years on the grounds that release would be likely to cause substantial harm to Ford's competitive position. You submitted two DVD discs containing the information for which you requested confidential treatment.

I am granting your request.

Ford submitted this information in response to an agency information request. Since Ford was required to submit this information, I reviewed your claim for confidential treatment under the test set forth in *National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974) and its progeny. Under the *National Parks* decision, information concerning a commercial or financial matter may be withheld under Exemption 4 of the Freedom of Information Act if disclosure of the information would be likely to cause substantial competitive harm to the competitive position of the submitter, or would be likely to impair the Government's ability to obtain necessary information in the future. *Id.* at 770.

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. Examination of this material indicates that release of the information contained within it would be likely to cause Ford to suffer significant competitive harm. Therefore,

this information is entitled to confidential treatment pursuant to Exemption 4 of the Freedom of Information Act, 5 U.S.C. § 552(b)(4). The documents will be afforded confidential treatment for ten years.

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).

Sincerely,

Original Signed By

Otto G. Matheke, III
Senior Attorney

