NHTSA
WASHINGTON, DC 20590
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OFFICE OF CHIEF COUNSEL

James P. Vondale, Director
Automotive Safety Office
Environmental & Safety Engineering

Fairlane Plaza South
330 Town Center Drive
Dearborn, MI 48126-2738 USA

June 27, 2007

Mr. Anthony M. Cooke
Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Cooke:

Subject: Request Under 49 CFR Part 512 for Confidential Treatment of Information

Copies of a presentation and video used during a June 21, 2007, meeting between Ford Motor Company (Ford) personnel and representatives from NHTSA (filenames: "2007-06-21 Confidential CPS Presentation.pdf" and "2007-06-27 Confidential Stall Evaluation.wmv") concerning EA06-012 are provided in Appendix A on the attached compact disc. This letter provides support for Ford's claim of confidentiality, in accordance with 49 CFR Part 512.8 and 512.15., for portions of the document and the video.

Support for this claim of confidentiality is provided below, and in the attachment to this letter, a Certificate of R. A. Nevi, Assistant Director, Global Automotive Safety Compliance, Automotive Safety Office.

Ford is entitled to confidential treatment of this information because it contains confidential and commercially sensitive information that is being provided to NHTSA voluntarily and is not customarily released to the public by Ford.

Ford asserts that this information is being produced voluntarily because the production is not required by any inquiry directed to Ford. Nevertheless, Ford believes that NHTSA's possession of this record will facilitate its analysis in this investigation. Moreover, as commercially sensitive documents, Ford states that records of this type are not customarily disclosed to the public.

Pursuant to NHTSA's regulations, each page for which Ford seeks confidential treatment has been marked "CONFIDENTIAL" in the top margin.

Ford information of this type is maintained under a record keeping system which is intended to control dissemination of this material within Ford and to assure that the material is not disseminated to the public, except as described in the attached certification, which is made pursuant to 49 CFR Part 512.4(b).

Ford requests that this information be granted confidential treatment by the agency for a period of ten years. Earlier disclosure, in Ford's opinion, would result in substantial competitive harm.

In the event that the agency should conclude that all or part of the submitted information is not to be given confidential treatment, Ford asks the agency to provide reasonable notice of not less than ten working days prior to any contemplated disclosure in order that Ford may pursue such legal remedies as it may choose. Please direct all written notices to me at Ford Motor Company, Suite 500, Fairlane Plaza South, 330 Town Center Drive, Dearborn, Michigan 48126. Please direct all non-written communication to Mr. Paul Fabien who may be contacted by telephone at (313) 621-1656.

Thank you for your continuing courtesy.

Sincerely,

James P. Vondale

Attachment

CERTIFICATE IN SUPPORT OF REQUEST FOR CONFIDENTIALITY

I, R. A. Nevi, pursuant to the provisions of 49 CFR Part 512, state as follows:

1. I am Assistant Director, Global Automotive Safety Compliance, Automotive Safety Office, and I am authorized by Ford Motor Company (Ford) to execute documents of this nature on behalf of Ford;

2. The information contained in the attachment to Ford's letter to NHTSA's Office of the Chief Counsel dated June 27, 2007, contains confidential and proprietary data and is submitted with the claim that it is entitled to confidential treatment under 5 U.S.C., § 552(b)(4);

3. A member of my staff has inquired of the responsible Ford personnel who have authority in the normal course of business to release the type of information for which a claim of confidentiality has been made to ascertain whether such information has ever been released to the public;

4. Based upon such inquiries, to the best of my knowledge, information and belief, the information for which Ford has claimed confidential treatment has never been released or become available to the public except as hereinafter specified:

   - Portions of these documents may have been or may be shared with Ford suppliers with the expectation that they will be kept confidential.
   - During the course of defending itself in litigation, Ford may have been, or may be required to produce such information.

5. I make no representations beyond those contained in this certificate and, in particular, I make no representations as to whether this information may become available to the public because of unauthorized or inadvertent disclosure, except as stated in Paragraph 4; and

6. I certify under penalty of perjury that the foregoing is true and correct. Executed on this the 27th day of June 2007.

R. A. Nevi

R. A. Nevi