

NVS-212
S. Yon

SEP 21 2012

David D. Dillon, Sr. Manager
Product Investigations & Campaigns
Chrysler Group LLC
800 Chrysler Drive
CIMS 482-00-91
Auburn Hills, MI 48326-2757

Re: Confidentiality Determination/PE-10-031 Digital Film Analysis

Dear Mr. Dillon:

This responds to your May 8, 2012 request for confidential treatment for Chrysler Group LLC (Chrysler) information submitted in response to an informal request by Scott Yon of the National Highway Traffic Safety Administration. Specifically, Chrysler requests confidential treatment for a report of a 2-D digital film analysis of a crash test relating to the above-referenced investigation. Chrysler requests confidential treatment on a permanent basis.

Your request is granted.

Chrysler provided this information voluntarily. Accordingly, I have reviewed your request under the principles set forth in *Critical Mass Energy Project v. Nuclear Regulatory Comm'n*, 975 F.2d 871 (D.C.Cir.1992). Under the test set forth in *Critical Mass*, financial or commercial information provided to the government on a voluntary basis is "confidential" for purposes of Exemption 4 of the Freedom of Information Act (5 U.S.C. § 552(b)(4)) if it is the kind of information that would customarily not be released to the public by the submitter. Your request indicates that the information contained in the materials you submitted is information that Chrysler would not customarily release to the public. Review of the information indicates that these analyses are not publicly available. Accordingly, I am granting your request for confidential treatment to the information contained in your submission.

Subject to the conditions below, this grant will remain in effect indefinitely.

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). Furthermore, this information may be disclosed if such

disclosure would be in the public interest, pursuant to the procedures established in 49 CFR § 512.23. 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,

Otto G. Matheke, III
Senior Attorney

NCC-111: Matheke: 65263:08/17/11:cyt:9/20/12

NCC-111: subj, om, cyt

NCC12-002670

NVS-212: Scott Yon - w/enclosures

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