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APPENDIX: V

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DESCRIPTION OF DOCUMENT: Telecopier Transmittal Form, Air Line Pilots Association (ALPA), Engineering & Accident Investigation Department

The NTSB received this document from an employee of the Air Line Pilots Association, Engineering and Accident Investigation Department. The document was intended to relay to the NTSB investigative team ALPA's comments concerning the NTSB Trajectory Study, portions of which were employed in the creation of the simulation of the flight of TWA 800. The Trajectory Study was included in the public docket concerning TWA 800 at Exhibit 22A. The supporting data for the study is found at Exhibit 22B. The comments from ALPA regarding the Trajectory Study are found at NTSB Record No. 26.

The name and telephone number for the ALPA employees were redacted pursuant to exemption (b) (4). The redacted

information, voluntarily submitted by ALPA, is considered by ALPA to be commercial in nature and it is related to ALPA's commercial operations, which from ALPA's perspective, makes the withheld information confidential in nature.

ALPA's employees, particularly its engineers and technical staff, are vital to ALPA's monitoring and review of certification, testing and maintenance of aircraft, which are some of the primary areas where ALPA speaks on behalf of its members. ALPA engineers, like those in the manufacturing industry, require a great deal of education and training in order to enter the technical aviation career field and to maintain currency and proficiency. ALPA funds much of the training and education to maintain proficiency and develop specialized knowledge. Disclosure of the withheld information concerning ALPA's employee would identify a member of the professional staff of ALPA that is involved in the technical and professional activities of its Engineering and Accident Investigation Department, which would link a particular employee with a particular commercial operation of ALPA. Additionally, it would identify and disclose an employee of ALPA that is in possession of and familiar with the proprietary information of Boeing that was used in the Trajectory Study. ALPA

clearly, therefore, has a commercial interest in withholding from disclosure the identifying information concerning its employee.

If the withheld information were released, the name and contact information for an employee who has access to or knowledge of commercially valuable proprietary data would be available to the public in general and to ALPA's competitors in particular. Armed with the basic knowledge of the employee's knowledge, skills, and responsibilities, ALPA's competitors could attempt to hire this individual away from ALPA or otherwise seek to gain information from him or her. In short, public disclosure of the withheld information, to the extent that it may cause substantial harm to ALPA's competitive position, would also be likely to impair the NTSB's ability to have direct access and information from the professional and technical staff of ALPA.

If, as a result of disclosure of identifying information concerning its employee, the employee was subject to burdensome or improper contact, it would be more difficult and expensive for ALPA to offer its most experienced and knowledgeable employees to support NTSB investigations. Concerned about the vulnerability of its workforce, ALPA may be reticent to allow access to its employees, whose

knowledge and resources are vital to the NTSB's ability to complete its accident investigation work. Loss of members of its highly skilled workforce clearly would have a detrimental effect on ALPA's ability to provide representation to the NTSB on behalf of the air line pilots. Loss of the investigative asset that ALPA's employees represent would significantly impair the NTSB's ability to complete its accident investigation work while, for ALPA, loss of members of its highly skilled workforce would have a detrimental effect on its ability to compete in the marketplace.

The name and telephone number of the ALPA employee were also withheld pursuant to exemption (b) (6). This individual is not a government employee; rather, he or she is an employee of a private corporation. Given the commercial value of the information that is in the possession of this individual and the curiosity that has arisen surrounding the accident investigation of the crash of TWA Flight 800, release of the name and telephone number of this ALPA employee would permit the invasion of the employee's personal privacy and would make him or her subject to unwanted and possibly unmanageable contact from a host of individuals unknown to him or her. It is clear, therefore,

that this employee of ALPA has a privacy interest in his/her name and other identifying information and in the non-disclosure of his/her name and other identifying information.

Taking into consideration the public interest in the disclosure of the material withheld under (b)(6), as public interest is defined in the FOIA, it does not appear that the withheld information is of the type in which there is a public interest or, if an interest exists, it is minimal. That is, the name and telephone number of this ALPA employee do not shed light on the agency's performance of its statutory duties. Thus, it appears that there is little to no public interest in the disclosure of this information and that the ALPA employee's right to privacy outweighs any such interest. The disclosure of the information, without revealing information concerning how the NTSB performs its statutory duties, would constitute a clearly unwarranted invasion of the personal privacy of the ALPA employee.

This document, when originally released in redacted form to the plaintiff in response to a former FOIA request, had, in addition to the redactions presently found on the document, a redaction of the Office and room number of the NTSB employee cited on the document. The redaction of the

Office and room number was inadvertent; this information on this record was originally released in the Vaughn index filed in CV 02-8708-AHM.

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TELECOPIER TRANSMITTAL FORM

[Redacted] Staff Engineer [Redacted] (b)(4)  
(b)(6)

DATE: October 15, 1997  
TO: DENNIS CRIDER  
VEHICLE PERFORMANCE  
LOCATION: NTSB, ROOM 5230  
FAX: 202-314-6597

TRANSMITTAL FORM ONLY       
TRANSMITTAL FORM PLUS 2 PAGE(S)

MESSAGE:

The attached 2 pages are for Mr. Dennis Crider, RE-60 Room 5230.