



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 3, 2015

Ms. Lauren Downey
Assistant Attorney General
Public Information Coordinator
General Counsel Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2015-18505

Dear Ms. Downey:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 579021 (OAG PIR No. 15-41780).

The Office of the Attorney General (the "OAG") received a request for semi-annual reviews of TXCSES 2.0, otherwise known as the T2 Initiative, by The University of Texas at Austin's Advanced Research in Software Engineering Center ("UT-ARiSE") and monthly T2 Initiative Status Reports.¹ You state the OAG will continue to rely on Open Records Letter Nos. 2014-07517 (2014) and 2015-07384 (2015) with respect to some of the requested information.² See Open Records Decision No. 673 at 6-7 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body,

¹We note the requestor narrowed the scope of the information requested. See Gov't Code § 552.222 (providing that if request for information is unclear, governmental body may ask requestor to clarify request); see also *City of Dallas v. Abbott*, 304 S.W.3d 380, 387 (Tex. 2010) (holding that when a governmental entity, acting in good faith, requests clarification or narrowing of an unclear or over-broad request for public information, the ten-day period to request an attorney general ruling is measured from the date the request is clarified or narrowed).

²In these rulings, this office held the OAG must withhold certain information under section 552.139 of the Government Code and must release the remaining information.

and ruling concludes information is or is not excepted from disclosure). You state the OAG will release some of the requested information. You claim some of the remaining requested information is excepted from disclosure under section 552.139 of the Government Code. We have considered the exception you claim and reviewed the submitted representative sample of information.³

Section 552.139 of the Government Code provides, in part:

(a) Information is excepted from [required public disclosure] if it is information that relates to computer network security, to restricted information under Section 2059.055 [of the Government Code], or to the design, operation, or defense of a computer network.

(b) The following information is confidential:

...

(2) any other assessment of the extent to which data processing operations, a computer, a computer program, network, system, or system interface, or software of a governmental body or of a contractor of a governmental body is vulnerable to unauthorized access or harm, including an assessment of the extent to which the governmental body's or contractor's electronically stored information containing sensitive or critical information is vulnerable to alteration, damage, erasure, or inappropriate use[.]

Gov't Code § 552.139(a), (b)(2). You state the OAG's Child Support Division is implementing a new automated child support enforcement system, the T2 Initiative, and substantial controls have been implemented. You explain UT-ARiSE, which created one of the submitted reports, assesses whether the system is adhering to and using the industry's best standards and practices. You state the submitted information also includes a T2 Initiative Status Report. You explain the marked portions of the submitted reports relate to computer network security and reveal the potential vulnerabilities in the system's design, operation, or defense. Based on these representations and our review of the information, we find the OAG has demonstrated the information you marked relates to computer network security; the design, operation, or defense of a computer network; or an assessment of the extent to which software of a contractor of a governmental body is vulnerable to

³This letter ruling assumes the submitted representative sample of information is truly representative of the requested information as a whole. This ruling does not reach, and therefore does not authorize, the withholding of any other requested information to the extent the other information is substantially different than that submitted to this office. See Gov't Code §§ 552.301(e)(1)(D), .302; Open Records Decision Nos. 499 at 6 (1988), 497 at 4 (1988).

unauthorized access or harm. Accordingly, the OAG must withhold the information you marked under section 552.139. As you raise no further exceptions to disclosure of the remaining information, the OAG must release it.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kristi L. Godden', written over a horizontal line.

Kristi L. Godden
Assistant Attorney General
Open Records Division

KLG/cz

Ref: ID# 579021

Enc. Submitted documents

c: Requestor
(w/o enclosures)