



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 28, 2017

Ms. Michelle Buendia
Assistant City Attorney
Criminal Law and Police Section
City of Dallas
1400 South Lamar, 6TH Floor, 6w
Dallas, Texas 75215

OR2017-27042

Dear Ms. Buendia:

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# 685626 (ORR# 2017-18509).

The City of Dallas (the "city") received a request for contracts with any federal agency for equipment, supplies, or personnel for a specified period of time. Although you take no position as to whether the submitted information is excepted under the Act, you state release of this information may implicate the proprietary interests of the Federal Bureau of Investigation (the "FBI"). Accordingly, you state, and provide documentation showing, you notified the FBI of the request for information and of its right to submit arguments to this office as to why the information at issue should not be released.¹ *See* Gov't Code § 552.304 (interested third party may submit comments stating why information should or should not be released). We have reviewed the submitted information.

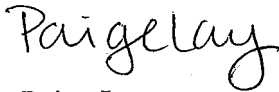
¹We note the city failed to comply with the procedural requirements of section 552.301 of the Government Code in requesting a decision from this office. *See* Gov't Code § 552.301(b), (e). Nonetheless, third party interests can provide a compelling reason to overcome the presumption of openness caused by failure to comply with section 552.301. *See id.* § 552.302. Thus, we will consider whether the submitted information is excepted from disclosure under the Act, notwithstanding the city's violation of section 552.301 in requesting this decision.

As of the date of this letter, we have not received any comments from the FBI explaining why any of the submitted information should not be released. Therefore, we have no basis to conclude the FBI has protected interests in the information. Consequently, the city may not withhold any of the submitted information on the basis of any interests the FBI may have in the information and it must be released.

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,



Paige Lay
Assistant Attorney General
Open Records Division

PL/gw

Ref: ID# 685626

Enc. Submitted documents

cc: Requestor
(w/o enclosures)

cc: Third Party
(w/o enclosures)