



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

June 10, 2019

Ms. Jennifer Slack  
Assistant District Attorney  
Lubbock County  
P.O. Box 10536  
Lubbock, Texas 79408-3536

OR2019-15494

Dear Ms. Slack:

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# 769777 (ORR. Nos. 1396 & 1423).

Lubbock County (the "county") and the Lubbock County District Attorney's Office (the "district attorney's office") each received a request for specified information pertaining to a named Lubbock County employee. The district attorney's office briefs on behalf of the county and the district attorney's office. The county and the district attorney's office claim the submitted information is excepted from disclosure under sections 552.101, 552.102, 552.117, 552.130, 552.137, 552.139, and 552.147 of the Government Code. We have considered the claimed exceptions and reviewed the submitted information.

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 encompasses section 1324a of title 8 of the United States Code. Section 1324a governs I-9 forms and their related documents. This section provides an I-9 form and "any information contained in or appended to such form, may not be used for purposes other than for enforcement of this chapter" and for enforcement of other federal statutes governing crime and criminal investigations. *See* 8 U.S.C. § 1324a(b)(5); *see also* 8 C.F.R. § 274a.2(b)(4). In this instance, release of the submitted I-9 forms would be "for purposes other than for enforcement" of the referenced federal statutes. Thus, we find the submitted I-9 forms are confidential pursuant to section 1324a of title 8 of the United States

Code. Accordingly, the district attorney's office must withhold the submitted I-9 forms under section 552.101 of the Government Code in conjunction with section 1324a of title 8 of the United States Code.<sup>1</sup>

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](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,



Lecelle Clarke  
Attorney  
Open Records Division

LC/gw

Ref: ID# 769777

Enc. Submitted documents

c: 2 Requestors  
(w/o enclosures)

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<sup>1</sup>As our ruling is dispositive, we need not address the remaining arguments against disclosure of this information.