



KEN PAXTON  
ATTORNEY GENERAL OF TEXAS

April 17, 2020

Mr. Joseph Behnke  
Assistant General Counsel  
Office of the Governor  
P.O. Box 12428  
Austin, Texas 78711

OR2020-11280

Dear Mr. Behnke:

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# 823083 (OOG# 041-20).

The Office of the Governor (the "governor's office") received a request for e-mails between named governor's office employees and employees of the White House during a stated period of time, as well as all e-mails between named governor's office employees and employees of certain departments within the White House pertaining to a specified topic during a stated period of time. You indicate the governor's office is redacting certain information pursuant to section 552.136(c) of the Government Code.<sup>1</sup> You state the governor's office is releasing some information to the requestor. Although, you take no position as to whether the submitted information is excepted under the Act, you state release of the information at issue may implicate the interests of the White House Office of Intergovernmental Affairs (the "IGA"). Accordingly, you state the governor's office notified the IGA of the request for information and of its right to submit arguments to this office as to why the submitted information should not be released. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released). We have reviewed the submitted information.

As of the date of this letter, we have not received any comments from the IGA explaining why any portion of the submitted information should not be released to the requestor. Therefore, the governor's office may not withhold the submitted information based on any

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<sup>1</sup> Section 552.136 of the Government Code permits a governmental body to withhold the information described in section 552.136(b) without the necessity of seeking a decision from this office. *See* Gov't Code § 552.136(c). If a governmental body redacts such information, it must notify the requestor in accordance with section 552.136(e). *See id.* § 552.136(d), (e).

interest the IGA may have in the information. As no exceptions to disclosure have been raised, the governor's office must release the submitted information.

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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

Blake Brennan  
Assistant Attorney General  
Open Records Division

BBX/eb

Ref: ID# 823083

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

c: Third Party  
(w/o enclosures)