



# The Attorney General of Texas

March 11, 1983

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Open Records Decision No. 363

Re: Whether files on employees  
of Sabine River Authority are  
open

Dear Mr. Roberts:

As attorney for the Sabine River Authority you have requested an  
decision under the Open Records Act, article 6252-17a, V.T.C.S., as to  
whether records relating to employees of the Sabine River Authority  
are available to the public. Your letter of request contends that the  
material you have furnished us is excepted from disclosure by sections  
3(a)(2), 3(a)(3) and 3(a)(11) of the act. Since it was not apparent  
from our examination of the documents submitted that any of the  
claimed exceptions were clearly applicable, we attempted unsuccessfully  
fully to contact you by phone. We have also written to you twice  
asking you to clarify your contentions, but have received no reply.

As this office has frequently noted:

A general claim that an exception applies to an  
entire file or report, when the exception clearly  
is not applicable to all of the information in the  
file or report, simply does not comport with the  
procedural requirements of the Act.

Open Records Decision No. 150 (1977). The Open Records Act makes  
governmental records open unless they fall within one of the  
particular exceptions applicable. See Attorney General Opinion H-4  
(1974); Open Records Decision Nos. 339 (1982); 150 (1977); 91 (1975)

If an agency does not establish how and why a particular  
exception applies to requested information, we have no basis upon  
which to pronounce it protected. Since you have failed to make a  
such showing, we can only conclude that the records at issue here  
relating to employees of the Sabine River Authority, are not excepted  
from disclosure. See Open Records Decision No. 216 (1978).

Very truly yours

JIM MATTOX  
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