



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

June 30, 1993

Mr. Rodman C. Johnson  
Staff Attorney  
Texas Air Control Board  
12124 Park 35 Circle  
Austin, Texas 78753

OR93-391

Dear Mr. Johnson:

You have asked this office whether certain information is subject to required public disclosure under the Open Records Act (the "act"), article 6252-17a, V.T.C.S. Your request was assigned ID# 19720.

The Texas Air Control Board ("TACB") has received an open records request for any files regarding a particular individual and any complaints made by that individual to TACB from 1988 to the present. You advise us that "TACB complaint files are organized by the investigated facility/regulated entity against which the complaint is lodged, not by individual complainant name"; consequently, the requested information may only be retrieved by a search of every TACB complaint file. You further state that "[b]ecause the data is not maintained on computer, on a statewide basis the request would require a hand search of thousands of files." You contend that such a search would impose an undue burden on TACB. Alternatively, you argue that the requested information is excepted from required disclosure by section 3(a)(1) of the act.

Under the act, a governmental body must make a good faith effort to relate an open records request to existing information that it holds. See Open Records Decision Nos. 561 (1990) at 8; 31 (1974) at 4. In making this determination, however, a governmental body may properly seek clarification of an ambiguous or overly broad request and may advise the requestor as to the types of information that the governmental body maintains so that the requestor can narrow the request to fit the available information. See, e.g., Open Records Decision Nos. 561 at 8-9; 23 (1974). In your case, you apparently discussed the scope of the request with the requestor, but she was "unable to provide any documentation to support that [the relevant individual] did, in fact, issue any complaints with the Texas Air Control Board," and she did not provide you with any specific information other than the name of the individual.

The act does not require a governmental body to arrange records in an order or form dictated by the requestor. See Attorney General Opinion JM-672 (1987) at 5; Open Records Decision No. 467 (1987). In past decisions involving searches of vast amounts of information, we have ruled that where a governmental body can compile the requested information with a *minimal* computer search, it must do so. See Attorney General Opinion JM-672; Open Records Decision No. 465 (1987). Even where the relevant records are stored in computer form, however, the act does not require a governmental body to prepare an *extensive* new computer program in order to extract the requested information. See Attorney General Opinion JM-672 at 5. In contrast to these cases, TACB does not maintain its files on computer, and your requestor has been unable to relate her request to TACB files as they are currently organized. Under these circumstances, we conclude that the Open Records Act does not require you to undertake the extensive search you have described.<sup>1</sup>

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please contact this office.

Yours very truly,



Angela M. Stepherson  
Assistant Attorney General  
Opinion Committee

AMS/JET/jmn

Ref: ID# 19720  
ID# 19748

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<sup>1</sup>In addition, TACB need not allow the requestor to perform the search herself if to do so would give the requestor access to information that is excepted from disclosure under the act. See Attorney General Opinion JM-672 at 6; Open Records Decision No. 401 (1983) at 5-6. You have argued that the information sought by the requestor, if it exists, is excepted from required public disclosure by section 3(a)(1) of the act. Because we rule that TACB is unable to comply with the request in its current form, we need not determine the applicability of section 3(a)(1) to your case. We caution, however, that if you seek to withhold specific information from disclosure, you must submit copies of the relevant documents to this office for review with the portions that you seek to withhold marked, and you must state with particularity which of the act's exceptions to disclosure apply to the marked information. See Attorney General Opinion JM-672 at 2.; Open Records Decision No. 419 (1984).

cc: Ms. Jo Ann Goodwin  
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