Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

July 21, 1997

Mr. Kevin D. Pagan
Assistant City Attorney
City of McAllen
P.O. Box 220
McAllen, Texas 78505-0220

OR97-1648

Dear Mr. Pagan:

You ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 107300.

The City of McAllen (the "city") received a request for a variety of information relating to the efficiency and technological benefits of the city's mainframe computer system. The requestor specifically asks these three questions:

> How the mainframe computer system of McAllen city government has led to a better and more efficient running of city government. [sic] How has this technology helped the city of McAllen? How will it change city government, if any?

You contend that "the request does not specifically request 'Public Information' as contemplated by Sections 552.002, 552.003, and 552.021," or 552.022. You state that "the City is unable to ascertain what documents (if any) or other Public Information is requested." You also indicate that you have sought clarification, with respect to the general inquiries made by the requestor. We have considered the arguments and issues you have raised.

We note that when a governmental body is presented with a broad request for information rather than for specific records, it should advise the requestor of the types of information available so that she may narrow or clarify her request. Open Records Decision Nos. 563 (1990), 561 (1990). Furthermore, although the Open Records Act does not require a governmental body to answer factual questions, a governmental body must make a good

faith effort to relate a request to information which it holds. Open Records Decision Nos. 561 (1990), 555 (1990), 379 (1983), 347 (1982). In other words, if the city is able to identify documents in its possession from which the requestor could ascertain the answers that he is seeking, the city must provide the requestor access to those documents. At this time, considering the requestor's request we agree that clarification is properly sought. We assume that if the city receives a clarified request and responsive records do exist, then you will either release the records or seek a ruling from our office.[1]

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

Sam Haddad
Assistant Attorney General
Open Records Division

SH/rho

Ref.: ID# 107300

Enclosures: Submitted documents

cc: Mr. Freddy De Leon
3701 Kathleen
McAllen, Texas 78501
(w/o enclosures)

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[1]We note that chapter 552 does not apply to information that does not exist. *See* Open Records Decision No. 555 (1990). Nor does chapter 552 require a governmental body to prepare new information in response to a request. *Economic Opportunities Dev. Corp. v. Bustamante,* 562 S.W.2d 266 (Tex. Civ. App.--San Antonio, 1978, *writ dism'd*); *see also* Open Records Decision No. 87 (1975).