



October 4, 1999

Ms. Katherine Minter Cary
Assistant Attorney General
Public Information Coordinator
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR99-2813

Dear Ms. Cary:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 127751.

The Office of the Attorney General (the OAG) received a request for statistical information concerning the “pre-review, Simple files, EZ files, and Quick Response Teams.” The request also seeks information reflecting the requestor’s participation in these processes. You seek to withhold eight documents from disclosure under section 552.116 of the Government Code. We have considered the exception you claim and have reviewed the documents at issue.

You explain that the submitted documents are maintained by the OAG’s Internal Audit Division and involve project number SP99-28, an audit of the Open Records Division Processes. You indicate that the information was obtained and compiled by the Internal Audit Division for the purposes of the audit. You argue that the information is protected by section 552.116 as audit working papers. Section 552.116 of the Government Code excepts from disclosure

an audit working paper or draft audit report of the state auditor or of another state agency or institution of higher education as defined by Section 61.003, Education Code.

The legislation enacting section 552.116 also defines the term "audit working paper" as

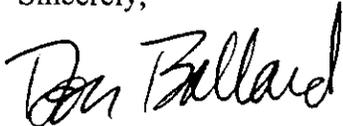
all documentary and other information prepared or maintained in conducting an audit or investigation, including all intra-agency and interagency communications relating to an audit or investigation and all draft reports or portions thereof.

Act of May 29, 1997, 75th Leg., R.S., ch. 1122, § 2, 1997 Tex. Gen. Laws 4266, 4267 (amending Gov't Code 321.001).

We have reviewed the submitted information and have considered your arguments. We agree that the submitted information may be withheld under section 552.116 of the Government Code. Gov't Code 2102.003(2); Gov't Code 2102.007(6).

We are resolving this matter with an 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 should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,



Don Ballard
Assistant Attorney General
Open Records Division

JDB\ch

Ref: ID# 127751

Encl. Submitted documents