



November 10, 1999

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

OR99-3194

Dear Ms. Holt:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 130587.

The Office of the Attorney General (the "OAG") received a request for information on October 6, 1999 from Joanne Savage of Texans for Public Justice regarding Mr. Jack Ratliff and his position as Deputy Attorney General for Administration. You indicate you released responsive information to the requestor on October 20, 1999, and you indicate that certain personal information was redacted, which you maintain is excepted from disclosure under sections 552.024, 552.101 and 552.117 of the Government Code. You have submitted for our review redacted copies of the remaining information. In the future, you should submit the information in its entirety, without any redactions, in order for this office to properly review the information and make a determination. We have considered the exceptions you claim and reviewed the information you have submitted.

Section 552.117 of the Government Code excepts from required public disclosure the home addresses, home telephone numbers, social security numbers, or personal family members information of public employees who request that this information be kept confidential under section 552.024. Therefore, section 552.117 requires you to withhold this information if a current or former employee or official requested that this information be kept confidential under section 552.024. *See* Open Records Decision Nos. 622 (1994), 455 (1987). You may not, however, withhold this information of a current or former employee who made the

request for confidentiality under section 552.024 after this request for information was made. Whether a particular piece of information is public must be determined at the time the request for it is made. Open Records Decision No. 530 at 5 (1989).

The documents confirm your assertion that the employee at issue requested under section 552.024 that his personal information not be released to the public, and did so prior to the date of the request for information. Therefore, section 552.117 requires you to withhold the home address, home telephone number, social security number, and personal family members information of Mr. Ratliff.

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,



Michael Garbarino
Assistant Attorney General
Open Records Division

MG/jc

Ref: ID# 130587

Encl. Submitted documents

cc: Joanne Savage
Research Analyst
Texans for Public Justice
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(w/o enclosures)