



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

February 27, 2009

Ms. Melanie L. Hollmann
Atkins, Hollman, Jones, Peacock, Lewis & Lyon
3800 East 42nd Street, Suite 500
Odessa, Texas 79762

OR2009-02598

Dear Ms. Hollmann:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 335959.

The Ector County Independent School District (the "district"), which you represent, received a request for the board packet from a specified date. You state most of the requested information has already been released to the requestor. You claim that the submitted information is excepted from disclosure under section 552.139 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.139 of the Government Code provides the following:

- (a) Information is excepted from the requirements of Section 552.021 if it is information that relates to computer network security or to the design, operation, or defense of a computer network.
- (b) The following information is confidential:
 - (1) a computer network vulnerability report; and
 - (2) any other assessment of the extent to which data processing operations, a computer, or a computer program, network, system, or software of a governmental body or of a contractor of a governmental

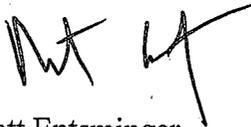
body is vulnerable to unauthorized access or harm, including an assessment of the extent to which the governmental body's or contractor's electronically stored information is vulnerable to alteration, damage, or erasure.

Gov't Code § 552.139. You assert that the submitted information relates directly to computer network security, and that it "describes vulnerabilities in the [district's] network and backup storage programs, as well as potential vulnerabilities, in e-mail archiving and the storage of other electronic data." You further argue that disclosure of the information "would provide hackers . . . a road map for how to disrupt the information operations of the [d]istrict." Based on your representations, we agree that the district must withhold the submitted information pursuant to section 552.139 of the Government Code.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General at (512) 475-2497.

Sincerely,



Matt Entsminger
Assistant Attorney General
Open Records Division

MRE/jb

Ref: ID# 335959

Enc. Submitted documents

cc: Requestor
(w/o enclosures)