



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

October 6, 2010

Ms. Neera Chatterjee
Office of General Counsel
The University of Texas System
201 West Seventh Street
Austin, Texas 78701-2902

OR2010-15247

Dear Ms. Chatterjee:

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# 395958 (OGC# 131453).

The University of Texas System (the "system") received a request for 1) information pertaining to a named individual's single merged prioritized Permanent University Fund allocation distribution list, and 2) information pertaining to the University of Texas Institute of Advanced Technology Biological and Chemical Countermeasures Program or Texas Tech's Institute for Environmental Health-led National Center for Countermeasures to Biological and Chemical Threats. You state you are releasing some information to the requestor. You claim that the submitted information is excepted from disclosure under section 552.111 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

We note the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2010-13215 (2010). In that decision, we ruled the system may withhold most of the submitted information under section 552.111 of the Government Code but must release the remaining information to the requestor. As we have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based, we conclude the system may continue to rely on Open Records Letter No. 2010-13215 as a previous determination and withhold or release the submitted information in accordance with that ruling. *See* Open Records

Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).¹

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, toll free, at (888) 672-6787.

Sincerely,



James McGuire
Assistant Attorney General
Open Records Division

JM/dls

Ref: ID# 395958

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As we are able to make this determination, we do not address your argument against disclosure.