



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 19, 2011

Mr. Martin H. Zelinsky
General Counsel
Texas Department of Information Resources
P.O. Box 13564
Austin, Texas 78711

OR2011-10241

Dear Mr. Zelinsky:

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# 424285.

The Texas Department of Information Resources (the "department") received a request for names of state agencies that have reported security data breaches and hacking issues to the department within the last two years. 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 provides that information is excepted from required public disclosure "if it is information that relates to computer network security, to restricted information under Section 2059.055, or to the design, operation, or defense of a computer network." Gov't Code § 552.139(a). You indicate the submitted information consists of a list of names of state agencies who have reported "Unauthorized Information Access or Theft of Information" within the last two years[.] You explain this information is "disclosed to [the department] in its statutorily authorized capacity of providing security services to other state agencies and the State of Texas." You further explain this information "could be used to analyze and compromise the security posture of the State and subject the information resources of the State to further attack or unauthorized access if published." Based on your representations and our review, we find you have demonstrated the submitted information relates to computer network security. Accordingly, the department must withhold the submitted information under section 552.139(a) 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, toll free at (888) 672-6787.

Sincerely,

A handwritten signature in blue ink, appearing to read 'VB', with a long horizontal flourish extending to the right.

Vanessa Burgess
Assistant Attorney General
Open Records Division

VB/dls

Ref: ID# 424285

Enc. Submitted documents

c: Requestor
(w/o enclosures)