



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

February 4, 2014

Ms. Molly Shortall  
Assistant City Attorney  
City of Arlington  
P.O. Box 90231  
Arlington, Texas 76004-3231

OR2014-02110

Dear Ms. Shortall:

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# 515313.

The City of Arlington (the "city") received a request for recommendations resulting from a network security assessment by CliftonLarsonAllen, LLP. The city claims the requested information is excepted from disclosure under section 552.139 of the Government Code.<sup>1</sup> We have considered the claimed exception and reviewed the submitted information.

Section 552.139 of the Government Code, which provides in relevant part the following:

(a) Information is excepted from the requirements of Section 552.021 if it is information that relates to computer network security, to restricted information under Section 2059.055 [of the Government Code], or to the design, operation, or defense of a computer network.

(b) The following information is confidential:

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<sup>1</sup>Although you also raise section 552.101 of the Government Code, you have not submitted arguments explaining how this exception applies to the submitted information. Therefore, we presume the city no longer asserts this exception. *See* Gov't Code §§ 552.301, .302.

- (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 system interface, 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 containing sensitive or critical information is vulnerable to alteration, damage, erasure, or inappropriate use.

Gov't Code § 552.139(a)-(b). Section 2059.055(b) of the Government Code reads as follows:

Network security information is confidential under this section if the information is:

- (1) related to passwords, personal identification numbers, access codes, encryption, or other components of the security system of a state agency;
- (2) collected, assembled, or maintained by or for a governmental entity to prevent, detect, or investigate criminal activity; or
- (3) related to an assessment, made by or for a governmental entity or maintained by a governmental entity, of the vulnerability of a network to criminal activity.

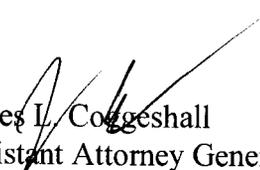
*Id.*, § 2059.055(b). You assert the submitted information consists of reviews, evaluations, and assessments of the city's general information technology controls and wireless networks. You also argue these records reveal technical details of particular vulnerabilities of the city's computer network. Based on your representations and our review, we find you have established the submitted information relates to computer network security. Therefore, the city must withhold the submitted information under 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.texasattorneygeneral.gov/open/>

[url\\_ruling\\_info.shtml](#), 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

  
James L. Coggeshall  
Assistant Attorney General  
Open Records Division

JLC/tch

Ref: ID# 515313

Enc. Submitted documents

c: Requestor  
(w/o enclosures)