



Office of the Attorney General  
State of Texas

June 4, 1992

DAN MORALES  
ATTORNEY GENERAL

Mr. Peter S. Hanke  
The University of Texas System  
Office of General Counsel  
201 West Seventh Street  
Austin, Texas 78701-2981

OR92-299

Dear Mr. Hanke:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 15876.

You have received a request for information relating to contracts entered into by the University of Texas System (the "university") involving asbestos removal. Specifically, the requestor seeks:

1. A list of construction projects with the University of Texas as a party, involving asbestos abatement removal or having the same specifications as the Olmos contract entered into by U.T. on or after January 2, 1988 (hereinafter collectively referred to as the "Contracts");
2. Copies or access to copies of the asbestos abatement specifications incorporated within or employed by the Contracts; and
3. Copies of any change orders relating to the asbestos abatement and removal portions of the Contracts.

You claim that the requested information is excepted from required public disclosure by section 3(a)(3) of the Open Records Act. You also claim that the request is vague and that disclosure of the information in the form requested would require research and the preparation of new information.

The Open Records Act applies only to information in existence and does not require a governmental body to prepare new information. Open Records Decision No. 572 (1990). Accordingly, you are not obligated under the Open Records Act to provide the requestor with the requested list of contracts. A governmental body, however, is obligated to make a good faith effort to relate a request to information which it holds. Open Records Decision No. 561 (1990) at 8. When a governmental body is presented with an unclear request for information rather than for specific records, it should advise the requestor of the types of information available so that he may narrow his request. *Id.* at 9. Once you have clarified the intent of the request, you must release the requested information within ten days or request an open records decision from this office.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR92-299.

Yours very truly,



Kay Guajardo  
Assistant Attorney General  
Opinion Committee

KHG/GCK/lmm

Ref.: ID# 15876

cc: Mr. Christopher T. Wilson  
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