



July 14, 1999

Mr. Scott Fawcett  
Legal Counsel  
Open Records Division  
Comptroller of Public Accounts  
State of Texas  
Austin, Texas 78774-0100

OR99-1952

Dear Mr. Fawcett:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 124928.

The Comptroller of Public Accounts (the "comptroller") received a request for a copy of the Technical Update No. T99-20 (the "technical update") concerning the Uniform Statewide Accounting System ("USAS"). You claim that the technical update is not public information and need not be disclosed to the requestor. Alternatively, you argue that the document is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and have reviewed the document at issue.

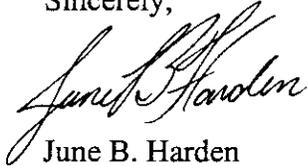
In Open Records Decision No. 581 (1990), this office addressed the availability of computer source code and program documentation under chapter 552 of the Government Code, and concluded that where information has no significance other than its use as a tool for the maintenance, manipulation, or protection of public information, it is not the kind of information made public by section 552.021 of the Government Code. *See* Attorney General Opinion DM-41 (1992) (concluding that formatting instructions that allow conversion of magnetic computer tape to microfiche is not "information" subject to chapter 552).

Although you state that the comptroller makes the Notices to State Agencies available on its website, you claim that the submitted attachments were not released. You explain that the attachments contain information on how data must be transmitted to USAS to initiate a payment transaction. You further explain that by utilizing the information contained in the

attachments, a party could “extract information, sabotage information or otherwise disrupt state operations.” After reviewing your arguments, we conclude that the submitted attachments are not the kind of information that is subject to the provisions of chapter 552. Rather, the attachments are a tool for the maintenance, manipulation, and protection of public information. Therefore, the comptroller need not release the attachments to the requestor. The comptroller must, however, release the Notice to State Agencies.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Sincerely,



June B. Harden  
Assistant Attorney General  
Open Records Division

JBH/ch

Ref: ID# 124928

Encl. Submitted documents

cc: Mr. Mark Johnson    Via Facsimile: (530) 891-5011  
Bi-Tech Software  
(w/o enclosures)