



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 27, 2009

Mr. Renaldo Stowers
Senior Associate General Counsel
The University of North Texas
P. O. Box 310907
Denton, Texas 76203-0907

OR2009-05465

Dear Mr. Stowers:

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# 341014 (UNT PIR No. 09-068).

The University of North Texas (the "university") received a request for information; specifically including (1) all of the university's expenses pertaining to individuals attending the presidential inauguration, such as travel, lodging, food, and other possible expenses; (2) the number of people that the university sent to the presidential inauguration; (3) any expenses related to events or booths conducted by the university in Washington D.C. during the month of January 2009; (4) any sponsorships or donations or lobbying given by the university during the month of January 2009; and (5) an outline of where the money associated with items 1-4 of the request is supplied from. You state some of the responsive information will be released to the requestor. You claim portions of the submitted information are excepted from disclosure under sections 552.117, 552.130, and 552.136 of

the Government Code.¹ We have considered the exceptions you claim and reviewed the submitted representative sample of information.²

Section 552.117(a)(1) of the Government Code excepts from disclosure the home addresses and telephone numbers, social security numbers, and family member information of current or former officials or employees of a governmental body who request that this information be kept confidential under section 552.024. *See* Gov't Code § 552.117(a)(1). Whether a particular piece of information is protected by section 552.117 must be determined at the time the request for it is received. *See* Open Records Decision No. 530 at 5 (1989). Therefore, the university may only withhold information under section 552.117 on behalf of current or former officials or employees who made a request for confidentiality under section 552.024 prior to the date on which the request for information was received. In this instance, you state, and provide documentation showing, that the employees whose information is at issue timely elected confidentiality under section 552.024. Thus, the university must withhold the employee information we have marked under section 552.117(a)(1) of the Government Code.

Section 552.130 excepts from disclosure "information [that] relates to: (1) a motor vehicle operator's or driver's license or permit issued by an agency of this state; (2) a motor vehicle title or registration issued by an agency of this state; or (3) a personal identification document issued by an agency of this state or a local agency authorized to issue an identification document." Gov't Code § 552.130(a). Accordingly, the university must withhold the Texas motor vehicle record information you have marked under section 552.130 of the Government Code.

Section 552.136 provides that "[n]otwithstanding any other provision of this chapter, a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential." Gov't Code § 552.136(b); *see also* § 552.136(a) (definition of "access device number" includes account numbers). The university must withhold the credit card account numbers you have marked pursuant to section 552.136 of the Government Code.

In summary, the university must withhold the employee information we have marked under section 552.117 of the Government Code, the Texas motor vehicle record information you have marked under section 552.130 of the Government Code, and the credit card account

¹We note that in your brief dated February 18, 2009, you withdraw your assertions of sections 552.1235 and 552.137 of the Government Code.

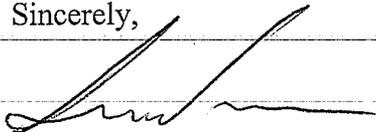
²We assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

numbers you have marked under section 552.136 of the Government Code. The remaining information must be released to the requestor.

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 at (512) 475-2497.

Sincerely,



Ana Carolina Vieira
Assistant Attorney General
Open Records Division

ACV/eeg

Ref: ID# 341014

Enc. Submitted documents

c: Requestor
(w/o enclosures)