



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

November 12, 2014

Ms. Heather Silver
Assistant City Attorney
City of Dallas
1500 Marilla Street
Dallas, Texas 75201

OR2014-20590

Dear Ms. Silver:

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# 546168.

The City of Dallas (the "city") received a request for information pertaining to data or technology breaches or attempted breaches on systems maintained by Dallas Love Field Airport (the "airport") since January 1, 2012.¹ The city claims the requested information is excepted from disclosure under sections 552.101 and 552.139 of the Government Code. We have considered the claimed exceptions and reviewed the submitted representative sample of information.²

¹The city sought and received clarification of the information requested. *See* Gov't Code § 552.222 (if request for information is unclear, governmental body may ask requestor to clarify request); *see also* *City of Dallas v. Abbott*, 304 S.W.3d 380, 387 (Tex. 2010) (if governmental entity, acting in good faith, requests clarification of unclear or over-broad request, ten-day period to request attorney general ruling is measured from date request is clarified).

²We assume 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 those records contain substantially different types of information than that submitted to this office.

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

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

(b) The following information is confidential:

(1) a computer network vulnerability report; [and]

(2) any other assessment of the extent to which data processing operations, a computer, 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)(1)-(2). We understand the submitted information lists incidents related to malware attacks and other cyber security breaches in the airport's computer security systems. You assert release of this information "will enable adversaries, cyber attackers, and/or cyber activists to obtain and learn the city's cyber defensive strategies, products[,] and tactics that are used to protect the city's information systems and assets." You also argue the "information could then be used to devise counter attack strategies that could adversely affect the city's information security[.]" Upon review, we find the submitted information relates to computer network security. *See id.* § 552.139(a). Therefore, the city must withhold the submitted information under section 552.139 of the Government Code.³

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/orl_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

³As our ruling is dispositive, we do not address your other arguments to withhold this information.

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/cbz

Ref: ID# 546168

Enc. Submitted documents

c: Requestor
(w/o enclosures)