



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

November 18, 2014

Mr. Ted Murphree  
Assistant City Attorney  
City of San Antonio  
P.O. Box 839966  
San Antonio, Texas 78283-3966

OR2014-20940

Dear Mr. Murphree:

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# 543496 (COSA File No. W031338-082714).

The City of San Antonio (the "city") received a request for the blueprints for the Alamodome. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. Additionally, you contend the submitted information is protected by copyright. We have considered the submitted arguments and reviewed the submitted representative sample of information.<sup>1</sup>

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. You raise section 552.101 in conjunction with section 418.181 of the Government Code, which was added to chapter 418 of the Government Code as part of the Texas Homeland Security Act (the "HSA"). Section 418.181 provides, "[t]hose documents or portions of documents in the possession of a governmental entity are confidential if they

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<sup>1</sup>We 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.

identify the technical details of particular vulnerabilities of critical infrastructure to an act of terrorism.” *Id.* § 418.181. The fact that information may generally be related to vulnerabilities of critical infrastructure does not make the information *per se* confidential under the HSA. *See* Open Records Decision No. 649 at 3 (1996) (language of confidentiality provision controls scope of its protection). As with any exception to disclosure, a governmental body asserting one of the confidentiality provisions of the HSA must adequately explain how the responsive information falls within the scope of the provision. *See* Gov’t Code § 552.301(e)(1)(A) (governmental body must explain how claimed exception to disclosure applies).

You contend the Alamodome is “critical infrastructure” for the purposes of section 418.181 because the facility is “a public asset” with a reported seating capacity of 65,000-75,000 visitors and an upcoming event schedule guaranteed to “lure a significant public presence including football and basketball games, music concerts” and other entertainment events. You contend the Alamodome would be “an attractive and tempting target to terrorists as a means to inflict violence in order to intimidate or coerce [the city’s] population and significantly impact [the city’s] economy as well as morale[.]” You further inform us the Alamodome has been designated as “Critical Infrastructure/Key Resource” by the United States Department of Homeland Security and the city’s Office of Emergency Management. Based on these representations, we find the Alamodome is “critical infrastructure” for the purposes of section 418.181. *See generally id.* § 421.001 (defining “critical infrastructure” to include all public or private assets, systems, and functions vital to security, governance, public health and safety, economy, or morale of state or nation).

The submitted information consists of blueprints detailing the construction and plans for major utilities, columns and seating, the roof structure, stairwells, the mast structure, cables, the sprinkler system, the fire suppression system, the emergency generator room, air handlers and chillers, HVAC systems, security systems, duct plans, and electricity distribution. You have provided an affidavit from the Department Facility Coordinator for the Alamodome Convention Sports and Entertainment Facilities (the “coordinator”). In his affidavit, the coordinator explains how the requested blueprints reveal the vulnerabilities of the Alamodome and how a would-be terrorist could use such information to his advantage. After reviewing the submitted arguments and the information at issue, we conclude the city has demonstrated how the information identifies the technical details of particular vulnerabilities of critical infrastructure to an act of terrorism. Accordingly, the city must withhold the requested information under section 552.101 of the Government Code in conjunction with section 418.181 of the Government Code.<sup>2</sup>

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<sup>2</sup>As our ruling is dispositive, we need not address your argument that the submitted information is protected by copyright.

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](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 providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Kristi L. Godden  
Assistant Attorney General  
Open Records Division

KLG/cz

Ref: ID# 543496

Enc. Submitted documents

c: Requestor  
(w/o enclosures)