



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 16, 2015

Ms. June Harden
Assistant Attorney General
Assistant Public Information Coordinator
General Counsel Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2015-07384

Dear Ms. Harden:

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# 560292 (OAG PIR Nos. 15-40761 and 15-40896).

The Office of the Attorney General (the "OAG") received a request for a report by the University of Texas at Austin Advanced Research in Software Engineering Center regarding the Texas Child Support Enforcement System issued to the OAG in 2014. The OAG received a second request for the same information requested by the first requestor, as well as a copy of the most recent T2 QAT monitoring report. You state the OAG will continue to rely on Open Records Letter No. 2014-07517 (2014) with respect to a portion of the requested information. *See* Open Records Decision No. 673 at 6-7 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes information is or is not excepted from disclosure). You further state the OAG will release some of the remaining requested information. You claim some of the submitted information is excepted from disclosure under section 552.139 of the

Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.139 of the Government Code provides, in part:

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

(b) The following information is confidential:

...

(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)(2). You state the OAG's Child Support Division is implementing a new automated child support enforcement system, and substantial controls have been implemented. You explain the University of Texas at Austin's Advanced Research in Software Engineering Center, which created one of the submitted reports, assesses whether the system is adhering to and using the industry's best standards and practices. Additionally, you state the other submitted report was created by the OAG's Child Support Division for the purposes of updating the Legislative Budget Board on the progress of the new system implementation. You explain the marked portions of the submitted reports relate to computer network security and reveal the potential vulnerabilities in the system's design, operation, or defense. Based on these representations and our review of the information, we find the OAG has demonstrated the information it marked relates to computer network security; the design, operation, or defense of a computer network; or an assessment of the extent to which software of a contractor of a governmental body is vulnerable to unauthorized access or harm. Accordingly, the OAG must withhold the information it marked under section 552.139.

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 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

KLK/cz

Ref: ID# 560292

Enc. Submitted documents

c: 2 Requestors
(w/o enclosures)