



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

October 9, 2015

Ms. Mary Ann Powell  
Counsel for the Galveston County Water and Improvement District #1  
Olson & Olson, L.L.P.  
2727 Allen Parkway, Suite 600  
Houston, Texas 77019

OR2015-21300

Dear Ms. Powell:

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# 582678 (Ref: WFCID15-006).

The Galveston County Water and Improvement District #1 (the "district"), which you represent, received a request for information regarding unemployment compensation claims involving the district during a specified period of time. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.101 of the Government Code excepts "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 encompasses section 603.4 of title 20 of the Code of Federal Regulations.<sup>1</sup> Pursuant to section 603.4, state unemployment compensation agencies, such as the Texas Workforce Commission, must protect the confidentiality of information that "reveals the name or any identifying particular about any individual or any past or present employer or employing unit, or [that] could foreseeably be combined with other publicly available information to reveal any such particulars, and must include provision for barring the

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<sup>1</sup>Although you raise section 603.7 of title 20 of the Code of Federal Regulations in your brief, we note section 603.4 governs the confidentiality of state and federal unemployment compensation information. See 20 C.F.R. § 603.4.

disclosure of any such information[.]” 20 C.F.R. § 603.4(b). However, the confidentiality provision of section 603.4 applies to “States and State [unemployment compensation] agencies.” *See id.* §§ 603.1, 603.2(f), (g). You do not demonstrate how this provision is applicable to the district. Thus, no part of the submitted information is made confidential by section 603.4 of title 20 of the Code of Federal Regulations, and it may not be withheld under section 552.101 of the Government Code on that basis. As you raise no further exceptions to disclosure, the district must release the submitted information.<sup>2</sup>

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,



Joseph Keeney  
Assistant Attorney General  
Open Records Division

JDK/dls

Ref: ID# 582678

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>2</sup>We note the information being released contains social security numbers. Section 552.147(b) of the Government Code authorizes a governmental body to redact a living person’s social security number from public release without the necessity of requesting a decision from this office. *See Gov’t Code § 552.147(b).*