

12325 Hymeadow Drive  
Suite 2-100  
Austin, Texas 78750



Phone: (512) 250-0411  
Fax: (512) 250-0749  
TexasMunicipalLawyers.com

[DATE]

[REQUESTOR]  
[ADDRESS]  
[CITY, STATE, ZIP]

VIA [METHOD OF DELIVERY]:

**RE: REQUEST FOR PUBLIC INFORMATION**

**Entity:** [CITY OF \_\_\_\_\_]

**Date Request Received:**

Dear [REQUESTOR]:

On [DATE OF REQUEST], the City received a public information request from you for:

[QUOTE REQUEST]

We note that you are requesting this information in your official capacity as [POSITION, IF KNOWN] with [STATE AGENCY] and have requested this information for use an official purpose. Accordingly, the City has the discretion to release the information pursuant to an intergovernmental transfer.

The Attorney General's has concluded that information subject to the Act may be transferred between governmental bodies without waiving exceptions to the public disclosure of that information or affecting its confidentiality. See Tex. Att'y Gen. Op. JM-590 (1986); Tex. Att'y Gen. ORD 655 (1997), 567 (1990), 561 (1990), 516 (1989). These decisions are based on the well-settled policy of this state that governmental agencies should cooperate with each other in the interest of the efficient and economical administration of their statutory duties. See Tex. Atty' Gen. ORD 516 (1989).

However, the transfer of confidential information from one governmental body to another is prohibited where a relevant confidentiality statute authorizes release of the confidential information only to specific entities, and the requesting governmental body is not among the statute's enumerated entities. See Tex. Att'y Gen. Op. DM-353 at 4 n.6 (1995) (intergovernmental transfer permitted under statutory confidentiality provision only where disclosure to another governmental agency is required or authorized by law); JM-590 at 4-5 (1986) (where governmental body is not included among expressly enumerated entities to which confidential information may be disclosed, information may not be transferred to that

governmental body); *see also* Tex. Att’y Gen. ORD 655, 650 (1996) (transfer of confidential information to federal agency impermissible unless federal law requires its disclosure).

The City does not believe that the documents requested are subject to any specific confidentiality statutes limiting release to only specific entities. Therefore, pursuant to the intergovernmental transfer doctrine, the City has the discretion to release the requested information to you pursuant to an intergovernmental transfer. Please note that this does not constitute a release of information to the public for purposes of section 552.007 of the Act. *See, e.g.*, Tex. Att’y Gen. Op. H-917 at 1 (1976), H-242 (1974); *see also* Tex. Gov’t Code §§ 552.007, .352.

The City does not waive its interest in withholding this information by exercising its discretion under the interagency transfer doctrine. If you receive a request for the information provided, please notify the City immediately so we may determine if the information should be released to the public.

Unredacted copies of the information you have requested are enclosed. Should you have any questions or concerns, please do not hesitate to contact me by telephone at [PHONE NUMBER] or by email at [EMAIL ADDRESS].

Sincerely,