

UNITED STATES CAPITOL POLICE

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September 5, 2023

OGC 2023-228

Attorney General of Texas
Open Records Division
PO Box 12548
Austin, Texas 78711-2548

RE: DPD PIR #23-2287

To Whom it May Concern:


The United States Capitol Police (USCP) has reviewed the provided documents identified by the Texas Department of Public Safety as responsive to DPD PIR # 23-2287, and determined that all the information contained therein is information relating to the protection and safety of individuals, including Members of Congress, under the jurisdiction of the USCP. Such information is statutorily protected under 2 USC §1979, and therefore, cannot be disclosed. Specifically, 2 USC §1979 prohibits the release of “any security information in the possession of the Capitol Police” absent the approval of the Capitol Police Board. 2 U.S.C. § 1979(b). Congress defined “security information” broadly to mean information that:

- (1) is sensitive with respect to the policing, protection, physical security, intelligence, counterterrorism actions, or emergency preparedness and response relating to Congress, any statutory protectee of the Capitol Police, and the Capitol buildings and grounds; and
- (2) is obtained by, on behalf of, or concerning the Capitol Police Board, the Capitol Police, or any incident command relating to emergency response.

Id. § 1979(a). Based on the determination that the USCP information within the documents identified as responsive to DPS PIR # 23-2287 constitute security information protected by the 2 U.S.C. § 1979 this information is excepted from release by Texas Department of Public Safety pursuant to Section 552.101: Information Made Confidential by Law.

Please contact my office should you have any questions.

Sincerely,



Karen D. Miller
Deputy General Counsel
General Law Division

cc: Robert Montoya
Investigative Reporter
Texas Scorecard
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