

**ERVIN and
ASSOCIATES**
INCORPORATED

FI-111619

January 16, 1997

SENT VIA FACSIMILE

Ms. Ann Aldrich
Executive Secretariat
U.S. Department of Housing and Urban Development
Room 10139
451 Seventh Street, SW
Washington, D.C. 20410-3000

Re: Freedom of Information Act Request
Equity Monitoring Presentation Transcripts

Dear Ms. Aldrich:

On July 8, 1996, HUD accepted oral presentations from two firms who were interested in becoming HUD's equity monitor under contract DU100C000018545. At these presentations, a court reporter was present.

Under the Freedom of Information Act, please provide us with the transcripts of the two presentations that were given. Please do not attempt to justify withholding this information under section 821 of Public Law 104-201, as in that law a "proposal" is defined as "any proposal. . . submitted by a contractor in response to the requirements of a solicitation for a competitive proposal." Since these transcripts were created by HUD and not "submitted by a contractor" (emphasis added), the exemption should not apply in this case.

Ervin and Associates agrees to pay all fees associated with the processing of this request up to \$100. If the anticipated fees exceed \$100, please call me so I can make a determination as to whether or not to amend the request. I can be reached at (301) 469-3422.

Very truly yours,
ERVIN and ASSOCIATES, INCORPORATED


David J. Ervin

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