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Appraisal Subcommittee
Federal Financial Institutions Examination Council

March 20, 2000

Sarah Levitan Kaatz, Esq.
Lozano Smith
Attorneys at Law
20 Ragsdale Drive, Suite 201
Monterey, CA 93940-5758

Dear Ms. Kaatz:

This letter responds to your March 7, 2000 request under the Freedom of Information Act ("FOIA") and Appraisal Subcommittee ("ASC") rules thereunder ("Request"). We received your Request on March 8, 2000. Please understand that early this year, the ASC wholly revised its FOIA rules at 12 CFR part 1102, subpart D, and we are processing your request under those new rules.

You requested five items. The first two items concerned the ASC's study and report of findings under 12 U.S.C. 3351(f)(1) and (2). In response, enclosed is a copy of the ASC's August 1990 Appraisal Data Availability Study, that was prepared under 12 U.S.C. 3351(f)(1) and (2). Because we are in the process of making this document available to the public at no charge through our World Wide Web site, <http://www.asc.gov>, we have waived copying fees.

The balance of items requested any and all communications between the ASC and the U.S. Department of Housing and Urban Development ("HUD") or The Appraisal Foundation ("AF") regarding down payment assistance programs, particularly the Nehemiah down payment assistance program. Please be advised that no such ASC records exist.

Finally, in connection with your request for communications between HUD and the AF, you asked us to forward the request, if necessary, pursuant to 12 CFR 1101.4(b)(6) (now 12 CFR 1102.306(h)). That paragraph, in general, applies if a requested record is the property of another Federal agency or department. We, however, cannot forward your request under this paragraph because, as noted above, no records exist.

If you consider any of the above actions to be an improper denial of your requests, you may appeal to the ASC's Chairman under 12 CFR 1102.306(g), within 30 business days after receipt of this letter.

Please contact us if you have further questions.

Sincerely,



Ben Henson
Executive Director

Enclosure