Exhibit 5
August 10, 2006

TRANSMITTED BY FEDERAL EXPRESS

Callista M. Freedman
General Counsel
Maryland Transit Administration
6 St. Paul St., 12th Floor
Baltimore, MD 21202

Re: MTA’s Regulation of Free Speech Activities

Dear Ms. Freedman:

As you know, I wrote to you on July 11 regarding the invalidity of Maryland’s Free Speech Activities on Mass Transit Administration Premises Regulation, COMAR 11.06.01 (“Regulation”), both on its face and as applied to The Association of Community Organizations for Reform Now (“ACORN”). As discussed in that letter, registering voters on MTA property is essential to ACORN’s mission, but the Regulation has served – particularly in light of MTA’s refusal to issue ACORN any further permits – as a significant impediment to ACORN’s efforts in that regard. For many of the reasons discussed in my July 11 letter, we believe that the regulation is an overly broad and vague prior restraint on free speech, and MTA’s enforcement of it as to ACORN is improper. The Regulation clearly cannot withstand either a facial or an as applied challenge.

As we have not yet received any response to my letter, we are left to conclude that MTA agrees with our position and will no longer enforce the Regulation, particularly as to ACORN. ACORN therefore intends to continue its voter registration campaigns on MTA property. We expect that ACORN representatives will not encounter any challenge from MTA police or other personnel for peaceably engaging in these activities. If our understanding is incorrect, please inform me by August 18, 2006.

Sincerely yours,

[Signature]

David M. Schnorrenberg

cc: Deborah A. Jeon