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**ASSEMBLY  
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August 20, 2004

Senator Wes Chesbro  
Chairman, Joint Legislative Budget Committee  
State Capitol, Room 5100  
Sacramento, CA 95814

Dear Senator Chesbro:

On August 5, 2003 the California Secretary of State's Office submitted a Section 28.00 request to the Department of Finance for \$84,469,000 to implement the Help America Vote Act (HAVA) for fiscal year 2003-04. Recent news articles detail disturbing and questionable use of these funds, including the hiring of a partisan political consultant whose apparent job was to boost voter turnout in at least one Democratic Assembly district.

It is my understanding that the California Legislature will soon be in receipt of a Section 28.00 application from the Secretary of State's Office requesting an augmentation to implement the Help America Vote Act (HAVA) for fiscal year 2004-05. Given recent media accounts of questionable uses of HAVA funding, it is essential that the Legislature thoroughly review specific program requests by the Secretary of State's Office to maintain the integrity of the election process.

Given the reality that only ten weeks remain before California holds a Presidential election, there is a responsibility to ensure timely disbursement of funds. However, it is equally important that the Legislature be assured that any disbursements are used in the appropriate manner. Accordingly, I am requesting a special hearing of the Joint Legislative Budget Committee during the week of September 6<sup>th</sup> to examine forthcoming HAVA requests, and determine what additional actions may be necessary.

Until such a hearing on any forthcoming request is held, the Department of Finance should withhold any and all funds requested to implement HAVA for the 04/05 budget year.

In addition, I have requested the Joint Legislative Audit Committee convene to examine the Secretary of State's 2003-04 budget request and verify that all components of HAVA grants were implemented within the spirit and the letter of the law.

Sincerely,

DAVE COX  
Assemblymember, 5<sup>th</sup> District

Cc: Senators Alpert, Battin, Dunn, Johnson, McClintock, Scott & Vasconcellos;  
Assemblymembers Chu, Goldberg, Hancock, Keene, Laird, McCarthy, Runner &  
Steinberg

ATTACHMENT: August 20, 2004 Letter to Joint Legislative Audit Committee