

Congress of the United States

Washington, DC 20515

December 15, 2020

Keeley Martin Bosler
Finance Director
California Department of Finance
State Capitol Office, Room 1145
Sacramento, CA 95814

Dear Director Bosler:

We are continuing oversight of the highly questionable \$35 million voter contact contract the California Secretary of State's Office awarded to SKD Knickbocker (SKD), Joe Biden's main election campaign advisory firm. Instead of using taxpayer money to enrich political allies of Secretary Alex Padilla with a contract that likely violates the law, we request that you immediately return the federal money to the United States Treasury.

According to the *Sacramento Bee*, Secretary Padilla has received \$34 million worth of invoices from SKD for the voter contact contract.¹ The no-bid contract was awarded behind closed doors to a firm that employs the "mastermind" of Joe Biden's presidential campaign and recently added a banner to its website with pictures of Joe Biden and Kamala Harris thanking them for "fighting for the soul of the nation."² SKD also worked on five California congressional races for Democratic candidates during the 2020 election.³ Now, Secretary Padilla is reportedly the front-runner to be appointed to California's potentially open United States Senate seat.⁴ It is clearly a conflict of interest to provide SKD with millions of dollars in taxpayer money to contact voters while they were not only advising Joe Biden's presidential campaign but also supporting Democrats in congressional races across California.

The Secretary's attempt to pay SKD with federal money appears to be unlawful and an effort to influence the federal election. Documents reviewed by Committee Republicans and provided to the U.S. Election Assistance Commission Office of Inspector General show that the Secretary of State's Office plans to use Help America Vote Act (HAVA) grant money from the CARES Act to fund the contract. According to the U.S. Election Assistance Commission (EAC), HAVA grants cannot be used to get out the vote (GOTV) or to encourage voting.⁵ Further, the CARES Act is very specific about the use of these funds, which must be used to

¹ Lara Korte, *California owes \$34 million on a voter outreach contract it can't pay for*, *The Sacramento Bee*, Dec. 4, 2020, available at <https://www.sacbee.com/news/politics-government/capitol-alert/article247538215.html>.

² *Id.*

³ *Id.*

⁴ Shawn Hubler & Alexander Burns, *One Seat, Competing Pressures as Newsom Considers Senate Pick*, *NY TIMES*, Nov 29, 2020, available at <https://nytimes.com/2020/11/29/us/California-senate-seat-padilla-newsom.html>.

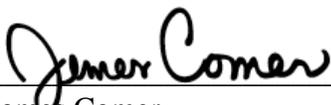
⁵ U.S. Election Ass't Commission, *Grants Frequently Asked Questions*, available at <https://www.eac.gov/payments-and-grants/grants-faqs>.

“prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle.”⁶

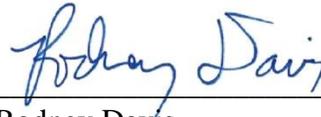
Instead of using federal grant money to benefit all Californians during the COVID-19 pandemic, the Secretary has decided to skirt the law by pushing an unnecessary and frivolous contract for his political allies to influence the federal election. The \$400 million supplemental appropriation funding, distributed by the EAC, was designed to provide states with additional resources to carry out the 2020 election during the pandemic. As it stands, the Secretary’s decisions ensured no Californians benefited from this appropriation. We respectfully request that you immediately refund federal taxpayers the millions of dollars the Secretary of State’s Office is attempting to use from the CARES Act to pay SKD.

The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

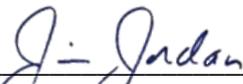
Sincerely,



James Comer
Ranking Member
House Committee on Oversight
and Reform



Rodney Davis
Ranking Member
House Committee on
Administration



Jim Jordan
Ranking Member
House Committee on the Judiciary



Jody Hice
Ranking Member
Subcommittee on Government
Operations

cc: The Honorable Carolyn B. Maloney, Chairwoman, House Committee on Oversight and Reform

The Honorable Zoe Lofgren, Chairwoman, House Committee on Administration

The Honorable Jerrold Nadler, Chairman, House Committee on the Judiciary

The Honorable Gerry Connolly, Chairman, Subcommittee on Government Operations

⁶ U.S. Election Ass’t Commission, Guidance on Use of HAVA Funds for Expenses Related to COVID-19, <https://www.eac.gov/election-officials/guidance-use-hava-funds-expenses-related-covid-19>.