



DEBRA BOWEN | SECRETARY OF STATE | STATE OF CALIFORNIA

1500 11th Street, 6th floor | Sacramento, CA 95814 | Tel (916) 653-7244 | Fax (916) 653-4620 | www.sos.ca.gov

April 19, 2013

Mr. Daniel Newman, President
MapLight
2223 Shattuck Avenue
Berkeley, CA 94704

Ms. Kathay Feng, Executive Director
California Common Cause
1005 12th Street #C
Sacramento, CA 95814

Dear Mr. Newman and Ms. Feng:

Thank you for your recent letter requesting direct Internet access to a copy of the Cal-ACCESS database that houses information reported to the Secretary of State's office.

As you know, this information is currently available to anyone requesting a copy of the database on a CD-ROM. My office provides a copy of this data for \$5 and there is no limit to the number of requests any entity can make per day or per week.

As my staff has communicated to Mr. Ung of Common Cause several times since this issue was first raised in 2011, providing Internet access to these reports is prohibited by current law. Specifically, Government Code section 84602(d) (a provision of the Online Disclosure Act) states:

"The data made available on the Internet shall not contain the street name and building number of the persons or entity representatives listed on the electronically filed forms or any bank account number required to be disclosed pursuant to this title."

While the 14-year-old Cal-ACCESS system can do many things, it does not contain a design component that redacts, blocks or filters this information from the data you would like to see posted on the Internet. It is not clear to me that creating such a "filter" is cost-effective when designing, developing and deploying it would divert limited information technology resources from other high-priority responsibilities. This cost-benefit analysis would be different if the data was not readily available in another medium, but it is readily available on a CD-ROM, as your letter notes.

If you truly are experiencing a delay between the time you request a CD-ROM of this information and the time it arrives to you in the mail, that is absolutely unacceptable. If you would like, I can direct my staff to provide a daily copy of the CD-ROM, at the current \$5 rate,

Mr. Daniel Newman
Ms. Kathay Feng
April 19, 2013
Page 2

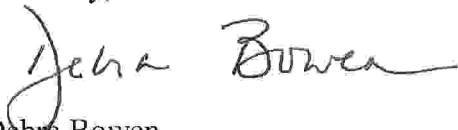
that can be picked up by someone from one of your organizations at an agreed-upon time during regular business hours on workdays to eliminate the delays inherent in mail delivery.

One alternative to this daily CD-ROM pick-up that has been discussed is a daily download of the same information to an external hard drive or thumb drive that a person may bring to the Secretary of State's office. The problem with this approach is that any "foreign" media that is plugged into the Secretary of State's system may contain malware or viruses, which could damage the entire Cal-ACCESS or other Secretary of State information technology systems. This concern is one shared by many state agencies and it is why many agencies, including my office, has adopted a policy that prohibits employees from connecting personal media devices to PCs and laptops that connect, or will connect, to the Secretary of State network.

If you would like to arrange for a daily pick-up of a CD-ROM that contains all the information you are seeking, please contact my Political Reform Division Chief Chris Reynolds at (916) 653-0296 or chris.reynolds@sos.ca.gov.

I look forward to creating a workable partnership with your organizations on this endeavor because I wholeheartedly support the goal you are working to reach.

Sincerely,



Debra Bowen
Secretary of State

DB:elg:cr:op