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BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

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Letter to New York Elected Officials Regarding Absentee and Federal Ballot Mailings

On behalf of the Board of Elections in the City of New York, we would like to clarify recent reports regarding Absentee and Federal Ballot Mailings. Contrary to some reports, the Board of Elections in the City of New York completed these mailings on October 10 for the General Election on November 2.

The results of New York City's Primary Election were certified Tuesday, October 5, which allowed for the printing and subsequent mailing of absentee ballots last week and over the weekend. This year, the certification process took longer than normal due to the implementation of requirements in State law related to the new voting system in New York City. As this was the first time the City has voted with paper ballots, the requirements necessitated a required three percent audit of the new voting machines before completing certification, which included for the first time a mandated hand count of ballots.

Although the 2009 Military and Overseas Voters Empowerment Act (MOVE Act) requires military ballots be mailed 45 days prior to an election, New York State as a whole received a deadline waiver to October 1.

In New York City, this year's primary election was required by New York State Election Law to be held on September 14, 2010. New York Election Law also mandates a seven day post election period during which military and absentee ballots are to be received and canvassed prior to certification of election results. Therefore, the earliest possible date for certification of primary results was September 22nd. Board Executive Management has expressed concern about the conflict of New York State Election Laws and the Federal Move Act, and has referred this matter to the New York State Senate and Assembly for review.

As this was the first time New York City went through the three percent auditing process with the paper ballots, the process was time consuming and resource intensive. The Primary results were certified by the Board of Elections on October 5th, and the Board acted immediately to print and distribute ballots overseas, distributing all 5,145 military ballots (as well as 26,748 federal ballots) starting on October 7 and completed by October 10.

The Board anticipates that this will allow for time for NYC service members to cast their vote for the General Election, particularly since New York State allows for absentee ballots to be counted up to 13 days after Election Day.

In addition, on October 15, the New York State Board of Elections announced a 9-day extension in the deadline for the acceptance of all absentee ballots from U.S. military personnel and non-military U.S. citizens living overseas for the State of New York for the November 2nd General Elections. All military and overseas ballots must be postmarked by November 1, 2010 and must be received by the appropriate county board of elections by November 24, 2010 to be accepted and counted. This represents an additional 9 days added to the original deadline of November 15th.

Below, please find a chart which details per borough the distribution of NYC ballots.

Borough	Mail Date – Federal	Mail Date – Military	Amount – Federal	Amount – Military
Manhattan	10/7 – 10/9/2010	10/9/2010	13,673	513
Bronx	10/8/2010	10/8/20	621	1,467
Brooklyn	10/7 – 10/10/2010	10/8 – 10/10/2010	6,615	1,651
Queens	10/7 – 10/8/2010	10/9/2010	5,247	1,196
Staten Island	10/7/2010	10/7/2010	592	318

Please feel free to reach out to our offices should you have any questions or concerns.

Sincerely,

Julie Dent
President, Board of Elections

J.C. Polanco
Secretary, Board of Elections