



CARL E. HEASTIE  
Speaker

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

Room 932  
Legislative Office Building  
Albany, New York 12248  
(518) 455-3791

July 6, 2017

Douglas A. Kellner, Co-Chair  
Peter S. Kosinski, Co-Chair  
Andrew J. Spano, Commissioner  
Gregory P. Peterson, Commissioner  
New York State Board of Elections  
40 North Pearl Street, Suite 5  
Albany, NY 12207

Dear Messrs. Kellner, Kosinski, Spano and Peterson,

On June 28, 2017, the Presidential Advisory Commission on Election Integrity issued a request to all states for voter registration data.

The request indicates that any voter registration documents submitted to the Commission, including identification information, political affiliation, voter history and citizenship status, will be made available to the public. This has justifiably resulted in serious concerns among New York's registered voters and I share these concerns.

In New York, the voter registration list is subject to the Freedom of Information Law. However, the type of data that can be shared and the legitimate use of such data are limited by New York State Election Law. Specifically, personal identification information, including voter's driver's license number, department of motor vehicle non-driver photo ID number, social security number and facsimile number, is protected from public inspection by New York State Election Law §3-220 and the data that may be shared shall not be used for any non-election purposes, per New York State Election Law § 3-103(5).

The Commission is charged with studying the integrity of the registration and voting processes used in federal elections. The New York State Assembly Majority interprets that to mean their mission is not specific to any election and, therefore, New York's voter registration data cannot be shared with the Commission.

It should be noted that in 2005, New York adopted a comprehensive statute to comply with the Help America Vote Act which includes extensive steps to maintain the accuracy of the statewide voter registration list. We are confident that this process not only minimizes fraud and abuse, but also protects the rights of New Yorkers to participate in our electoral process free from discrimination or attempts at unlawful voter suppression.

Rather than expend resources trying to disenfranchise registered voters, the Commission should instead focus their efforts on making the process more accessible and fair through the adoption

of early voting practices and the elimination of special interests influence and dark money on elections.

On behalf of all registered voters in New York, the Assembly Majority calls on the State Board of Elections to deny this request for New York voter registration data.

Sincerely,

A handwritten signature in black ink, reading "Carl E. Heastie". The signature is written in a cursive style with a large initial "C" and "H".

Carl E. Heastie  
Speaker

CC: Robert A. Brehm, Co-Executive Director, New York State Board of Elections  
Todd D. Valentine, Co-Executive Director, New York State Board of Elections