

McGrath, Kathleen (ELECTIONS)

From: McGrath, Kathleen (ELECTIONS)
Sent: Friday, March 28, 2025 11:14 AM
To: Gormley, Michael
Cc: Wilson, Jennifer (ELECTIONS)
Subject: RE: Trump executive order

Hi there!

Nothing to provide as an update; we are still reviewing.

Best,

Kathleen R. McGrath
Director of Public Information

New York State Board of Elections

40 North Pearl Street, Suite 5
Albany, NY 12207-2729

(518) 474-1953 | Kathleen.McGrath@elections.ny.gov
www.elections.ny.gov

From: Gormley, Michael <Michael.Gormley@newsday.com>
Sent: Thursday, March 27, 2025 3:51 PM
To: McGrath, Kathleen (ELECTIONS) <Kathleen.McGrath@elections.ny.gov>
Cc: Wilson, Jennifer (ELECTIONS) <Jennifer.Wilson@elections.ny.gov>
Subject: RE: Trump executive order

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Hello. Checking to see if there has been any update on this order might impact NY operations.

Thank you.



Michael Gormley
State Capitol Correspondent | Newsday Media Group
Mobile: 518-813-2890
Office: 518-465-2311
State Capitol, LCA
Capitol Station
Albany NY 12222
6 Corporate Center Drive
Melville NY 11747

Newsday.com | NewsdayTV



From: McGrath, Kathleen (ELECTIONS) <Kathleen.McGrath@elections.ny.gov>
Sent: Wednesday, March 26, 2025 2:19 PM
To: Gormley, Michael <Michael.Gormley@newsday.com>
Cc: Wilson, Jennifer (ELECTIONS) <Jennifer.Wilson@elections.ny.gov>
Subject: RE: Trump executive order

Hi Mike –

The New York State Board of Elections is in the process of reviewing the Executive Order issued by President Trump yesterday.

Best,

Kathleen R. McGrath
Director of Public Information

New York State Board of Elections
40 North Pearl Street, Suite 5
Albany, NY 12207-2729

(518) 474-1953 | Kathleen.McGrath@elections.ny.gov
www.elections.ny.gov

From: Gormley, Michael <Michael.Gormley@newsday.com>
Sent: Wednesday, March 26, 2025 12:03 PM
To: McGrath, Kathleen (ELECTIONS) <Kathleen.McGrath@elections.ny.gov>
Subject: Trump executive order

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Hello. Do you have any statement on the Trump order's impact on NY's election systems? Thank you.

Mike Gormley, Newsday

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McGrath, Kathleen (ELECTIONS)

From: McGrath, Kathleen (ELECTIONS)
Sent: Friday, March 28, 2025 1:27 PM
To: Ashley Lopez
Cc: Wilson, Jennifer (ELECTIONS)
Subject: RE: Media Request - NPR

Hi Ashley –

The New York State Board of Elections is in the process of reviewing the Executive Order issued by President Trump earlier this week.

Best,

Kathleen R. McGrath
Director of Public Information

New York State Board of Elections
40 North Pearl Street, Suite 5
Albany, NY 12207-2729

(518) 474-1953 | Kathleen.McGrath@elections.ny.gov
www.elections.ny.gov

From: Ashley Lopez <ALopez@npr.org>
Sent: Thursday, March 27, 2025 3:25 PM
To: McGrath, Kathleen (ELECTIONS) <Kathleen.McGrath@elections.ny.gov>
Subject: Media Request - NPR

You don't often get email from alopez@npr.org. [Learn why this is important](#)

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hey there,

I am hoping someone in your office can please help provide data on the past presidential election in your state.

In particular, is it possible to get the number of postmarked mail ballots in the 2024 general election that were counted that were received by election officials after Election Day?

I am trying to figure out the possible impact of the [president's executive order](#) prohibiting states from counting ballots that are received after Election Day.

If possible, I would also like a statement from your director of elections on what this EO could mean for your state's voters.

Thanks so much for your help and please let me know if you have any questions about my request,

Ashley Lopez
political correspondent, NPR
c: 202-924-2759

McGrath, Kathleen (ELECTIONS)

From: McGrath, Kathleen (ELECTIONS)
Sent: Wednesday, May 21, 2025 11:09 AM
To: Vee, Barry
Cc: Wilson, Jennifer (ELECTIONS)
Subject: RE: Spectrum News 1 Inquiry Follow

Hi Barry –

It is State Board practice to not comment on matters under pending litigation.

In the future, please feel free to email me directly.

Best,

Kathleen R. McGrath
Director of Public Information

New York State Board of Elections
40 North Pearl Street, Suite 5
Albany, NY 12207-2729

(518) 474-1953 | Kathleen.McGrath@elections.ny.gov
www.elections.ny.gov

From: Vee, Barry <Barry.Vee@charter.com>
Sent: Tuesday, May 20, 2025 12:10 PM
To: ele.sm.info <info@elections.ny.gov>
Subject: Spectrum News 1 Inquiry Follow

You don't often get email from barry.vee@charter.com. Learn why this is important

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

From: Vee, Barry <Barry.Vee@charter.com>
Sent: Monday, May 19, 2025 3:43 PM
To: INFO@elections.ny.gov <INFO@elections.ny.gov>
Subject: Spectrum News 1 inquiry -- Voting Machines

Good Afternoon,

We are reaching out to ask if President Trump's executive order seeking to overhaul how U.S. elections are run, the way votes are counted & voting equipment used affects the way elections are done in New York State, especially in light of the new voting machines being rolled out in some areas. Some of the new machines are actually being used for school budget votes tomorrow.

Do you have anyone who can comment or provide a statement?

Thank You

Barry Vee
Spectrum News
Planning Editor - MMJ
Mobile: (585) 313-2688

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McGrath, Kathleen (ELECTIONS)

From: McGrath, Kathleen (ELECTIONS)
Sent: Tuesday, July 22, 2025 9:11 PM
To: BJ Mendelson
Cc: Wilson, Jennifer (ELECTIONS)
Subject: RE: PRESS: Trump Board of Election Request

There have been several lawsuits/legal actions taken across the country in various judicial venues related to the Executive Order you referenced.

You may wish to contact the **Office of the NYS Attorney General** with any questions.

There are search engines and databases online you can use to find pending litigation cases (and parties thereto).

It remains Board practice to not comment on issues with pending litigation.

Best,

Kathleen R. McGrath
Director of Public Information

New York State Board of Elections
40 North Pearl Street, Suite 5
Albany, NY 12207-2729

(518) 474-1953 | Kathleen.McGrath@elections.ny.gov
www.elections.ny.gov

From: BJ Mendelson <BJ@bjmendelson.com>
Sent: Tuesday, July 22, 2025 4:14 PM
To: McGrath, Kathleen (ELECTIONS) <Kathleen.McGrath@elections.ny.gov>
Cc: Wilson, Jennifer (ELECTIONS) <Jennifer.Wilson@elections.ny.gov>
Subject: RE: PRESS: Trump Board of Election Request

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Hi Kathleen,

Thank you for this response. We've completed our FOILs on this as well. I wanted to ask if you could clarify: Is the AG's office filing suit specifically on this Executive Order (which the DOJ request falls under) or is NYS BOE filing suit itself?

-B.J. Mendelson
Producer, Stupid Sexy Privacy
646-331-8341
<https://www.stupidsexyprivacy.com/about/> <--Original Series & Previous Guests can be found here.

Sent with Proton Mail secure email.

On Wednesday, July 16th, 2025 at 12:02 PM, McGrath, Kathleen (ELECTIONS) <Kathleen.McGrath@elections.ny.gov> wrote:

I can confirm we received a letter from the Voting Section of the Department of Justice with a list of requests that included one for the current statewide voter registration list. We are currently reviewing all of the requests contained within the letter and will respond accordingly.

The statewide voter list is available to anyone via FOIL request in New York State. Requesters must agree to an attestation that they understand the information from voter registration records may only be used for election purposes. NYS Election Law Sec 3-103(5) prohibits using information derived from voter registration records for non-election purposes.

It is Board practice to not comment on issues with pending litigation.

Best,

Kathleen R. McGrath

Director of Public Information

New York State Board of Elections

40 North Pearl Street, Suite 5
Albany, NY 12207-2729

(518) 474-1953 | Kathleen.McGrath@elections.ny.gov

www.elections.ny.gov

From: BJ Mendelson <BJ@bjmendelson.com>
Sent: Wednesday, July 16, 2025 10:09 AM
To: Wilson, Jennifer (ELECTIONS) <Jennifer.Wilson@elections.ny.gov>; McGrath, Kathleen (ELECTIONS) <Kathleen.McGrath@elections.ny.gov>
Subject: PRESS: Trump Board of Election Requestdts

You don't often get email from bj@bjmendelson.com. [Learn why this is important](#)

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi Kathleen,

I was hoping you can help address some of the concerns that have been reported on in the Washington Post concerning the Trump Administration's efforts to interfere with the 2026 elections.

1. Has the Department of Justice requested voter roles from New York State. If not, would the Board of Elections cooperate with such a request?
2. Has any representative from the White House, whether it be officially or in their capacity as a consultant, been in touch with the Board of Elections about seeking physical access to inspect New York's voting machines?
3. Can you comment on Trump's executive order which requires proof of citizenship at the time of voter registration, bans voting systems that rely on barcodes or QR codes, and impose strict deadlines on mail-in ballots?
4. The Trump Administration has gutted key federal units that protect U.S. Elections from cyber attacks and foreign interference. For example, The FBI's election integrity task force has been shut down, and teams at the Cybersecurity and Infrastructure Security Agency (CISA) have been downsized or reassigned. What steps is the Board of Elections taking to protect the integrity of our Fall 2025 and Fall 2026 elections from cyber attacks and foreign interference?

-B.J. Mendelson

Editor, The Monroe Gazette

646-331-8341

<https://www.monroegazette.com>

"It is difficult to get a man to understand something, when his salary depends on his not understanding it." - Upton Sinclair

Sent with [Proton Mail](#) secure email.

McGrath, Kathleen (ELECTIONS)

From: Ryan Mott <RMott@news10.com>
Sent: Wednesday, August 20, 2025 8:53 AM
To: McGrath, Kathleen (ELECTIONS); Wilson, Jennifer (ELECTIONS)
Subject: WTN Check-In

Follow Up Flag: Follow up
Flag Status: Completed

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Good Morning Kathleen and Jennifer,

Just floating one out this morning following Monday's press conference at the WH regarding Mail-In Voting.
No actual Executive Order yet so we're not going all-in.

Just wanted to check the temperature at Board of Elections to see what the conversation is regarding federal election powers versus state election protocols.

Would an EO have any impact?

Only on federal races?

Please and thank you for any notes or background.

Ryan Mott
News Director
WTEN/WXXA
341 Northern Boulevard
Albany, NY 12204
518-433-4210 Office
315-532-2337 Cell
rmott@news10.com
www.news10.com



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McGrath, Kathleen (ELECTIONS)

From: Brianna Schletz <BSchletz@eac.gov>
Sent: Friday, April 11, 2025 3:33 PM
Cc: NVRAUpdates;Camden Kelliher
Subject: Chief Election Official - Consultation Letter
Attachments: April 11 2025 EAC Consultation Letter (002).pdf

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good afternoon,

On behalf of the Commission, please find attached a consultation request in your capacity as State Chief Election Official. Please send your input to NVRAUpdates@eac.gov.

Best,

Brianna

Brianna Schletz | Executive Director
U.S. Election Assistance Commission
633 3rd Street NW, Suite 200 | Washington, DC 20001
www.eac.gov



U.S. ELECTION ASSISTANCE COMMISSION
633 3rd St. NW, Suite 200
Washington, DC 20001

VIA EMAIL

April 11, 2025

Dear Chief Election Officials,

Consistent with 52 U.S.C. § 20508(a)(2), the U.S. Election Assistance Commission (“EAC”) is seeking consultation on development of the national mail voter registration form.

Executive Order 14248 of March 25, 2025, “Preserving and Protecting the Integrity of American Elections” (“EO 14248”) provides instruction to the EAC. Section 2 of EO 14248 instructs the following be required in the national mail voter registration form:

- (A) documentary proof of United States citizenship, consistent with 52 U.S.C. 20508(b)(3); and
- (B) a State or local official to record on the form the type of document that the applicant presented as documentary proof of United States citizenship, including the date of the document's issuance, the date of the document's expiration (if any), the office that issued the document, and any unique identification number associated with the document as required by the criteria in 52 U.S.C. 21083(a)(5)(A), while taking appropriate measures to ensure information security.

Section 2 of EO 14248 also instructs that "documentary proof of United States citizenship" shall include a copy of:

- (A) a United States passport;
- (B) an identification document compliant with the requirements of the REAL ID Act of 2005 (Public Law 109-13, Div. B) that indicates the applicant is a citizen of the United States;
- (C) an official military identification card that indicates the applicant is a citizen of the United States; or
- (D) a valid Federal or State government-issued photo identification if such identification indicates that the applicant is a United States citizen or if such identification is otherwise accompanied by proof of United States citizenship.

A current copy of the national mail voter registration form is available here:

https://www.eac.gov/sites/default/files/eac_assets/1/6/Federal_Voter_Registration_ENG.pdf.

The EAC is seeking consultation on how states would propose to implement Section 2 of EO 14248, if required. The EAC is also seeking feedback on the impact of implementation on voter registration in your state. As required by 52 U.S.C. § 20508, the EAC will consider responses in any amendments to the national mail voter registration form or EAC implementing regulations.

The EAC looks forward to your input. Comments may be sent to NVRAUpdates@eac.gov or by mail at 633 3rd Street NW, Suite 200 Washington, DC 20001.

Thank you,

Brianna Schletz

Brianna Schletz
EAC Executive Director

McGrath, Kathleen (ELECTIONS)

From: Brianna Schletz <BSchletz@eac.gov>
Sent: Wednesday, April 16, 2025 12:10 PM
Cc: NVRAUpdates;Camden Kelliher;Reynolds, Leslie;Lindsey Forson;Maria Benson;Amy Cohen
Subject: RE: Chief Election Official - Consultation Letter
Attachments: April 11 2025 EAC Consultation Letter (002).pdf

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good afternoon,

On April 11, 2025, the EAC sent the attached consultation request.

The EAC is still seeking consultation as described. However, some recipients have expressed concern over a lack of a deadline for feedback. The EAC will accept feedback received by Friday, May 2, 2025. Please note that this is an initial consultation. Chief Election Officials will also be consulted on any proposed changes to the EAC implementing regulations or the form prior to implementation. The purpose of this initial consultation is to guide the EAC in any proposed changes, which require further comment.

Best,

Brianna

Brianna Schletz | Executive Director
U.S. Election Assistance Commission
633 3rd Street NW, Suite 200 | Washington, DC 20001
www.eac.gov



U.S. ELECTION ASSISTANCE COMMISSION
633 3rd St. NW, Suite 200
Washington, DC 20001

VIA EMAIL

April 11, 2025

Dear Chief Election Officials,

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- (A) documentary proof of United States citizenship, consistent with 52 U.S.C. 20508(b)(3); and
- (B) a State or local official to record on the form the type of document that the applicant presented as documentary proof of United States citizenship, including the date of the document's issuance, the date of the document's expiration (if any), the office that issued the document, and any unique identification number associated with the document as required by the criteria in 52 U.S.C. 21083(a)(5)(A), while taking appropriate measures to ensure information security.

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- (A) a United States passport;
- (B) an identification document compliant with the requirements of the REAL ID Act of 2005 (Public Law 109-13, Div. B) that indicates the applicant is a citizen of the United States;
- (C) an official military identification card that indicates the applicant is a citizen of the United States; or
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A current copy of the national mail voter registration form is available here:

https://www.eac.gov/sites/default/files/eac_assets/1/6/Federal_Voter_Registration_ENG.pdf.

The EAC is seeking consultation on how states would propose to implement Section 2 of EO 14248, if required. The EAC is also seeking feedback on the impact of implementation on voter registration in your state. As required by 52 U.S.C. § 20508, the EAC will consider responses in any amendments to the national mail voter registration form or EAC implementing regulations.

The EAC looks forward to your input. Comments may be sent to NVRAUpdates@eac.gov or by mail at 633 3rd Street NW, Suite 200 Washington, DC 20001.

Thank you,

Brianna Schletz

Brianna Schletz
EAC Executive Director

McGrath, Kathleen (ELECTIONS)

From: Brianna Schletz <BSchletz@eac.gov>
Sent: Wednesday, April 30, 2025 12:22 PM
Cc: NVRAUpdates;Camden Kelliher;Reynolds, Leslie;Lindsey Forson;Maria Benson;Amy Cohen;Kristen Muthig
Subject: RE: RE: Chief Election Official - Consultation Letter

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good afternoon,

On April 24, 2025, the U.S. District Court for the District of Columbia issued a ruling which preliminarily enjoined the U.S. Election Assistance Commission (EAC) from taking any action to implement or give effect to Section 2(a) of Executive Order 14248, “Preserving and Protecting the Integrity of American Elections.” This includes taking any action based on the Executive Order to modify the content of the federal voter registration application form described in 52 U.S.C. § 20508(a)(2). Pursuant to this ruling by the District Court, the solicitation of communications in response to the correspondence from the EAC dated April 11, 2025, regarding Section 2(a) of Executive Order 14248, is hereby paused.

The EAC is committed to transparency and keeping you informed through this process. The EAC will continue to provide updates if there are changes based on the continuing litigation. Additionally, we anticipate future communication on unrelated or other updates to the form. For any potential changes to the form, know the EAC values your input and shall thoroughly consider it consistent with the requirements set out in the National Voter Registration Act.

Brianna Schletz | Executive Director
U.S. Election Assistance Commission
633 3rd Street NW, Suite 200 | Washington, DC 20001
www.eac.gov
Cell: 202-740-6910

From: Brianna Schletz
Sent: Wednesday, April 16, 2025 12:10 PM
Cc: NVRAUpdates <NVRAUpdates@eac.gov>; Camden Kelliher <ckelliher@eac.gov>; Reynolds, Leslie <reynolds@nass.org>; Lindsey Forson <lforson@nass.org>; Maria Benson <mbenson@nass.org>; acohen@nased.org
Subject: RE: Chief Election Official - Consultation Letter

Good afternoon,

On April 11, 2025, the EAC sent the attached consultation request.

The EAC is still seeking consultation as described. However, some recipients have expressed concern over a lack of a deadline for feedback. The EAC will accept feedback received by Friday, May 2, 2025. Please note that this is an initial consultation. Chief Election Officials will also be consulted on any proposed changes to the EAC implementing regulations or the form prior to implementation. The purpose of this initial consultation is to guide the EAC in any proposed changes, which require further comment.

Best,

Brianna

Brianna Schletz | Executive Director
U.S. Election Assistance Commission
633 3rd Street NW, Suite 200 | Washington, DC 20001
www.eac.gov

McGrath, Kathleen (ELECTIONS)

From: Zebrowski.Stavisky, Kristen (ELECTIONS)
Sent: Friday, May 2, 2025 2:41 PM
To: NVRAUpdates@eac.gov
Subject: New York
Attachments: NYS Chief Election Official Letter to EAC 5.2.2025.pdf

Please see attached.

Thank you,
Kristen

Kristen Zebrowski Stavisky
Chief Election Official, New York State
Co-Executive Director



40 North Pearl Street, Suite 5
Albany, NY 12207-2729

(518) 474-8100 | Kristen.Zebrowski.Stavisky@elections.ny.gov
www.elections.ny.gov



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Co-Executive Director

Henry T. Berger
Co-Chair

Essma Bagnuola
Commissioner

Kristen Zebrowski Stavisky
Co-Executive Director

40 NORTH PEARL STREET, SUITE 5
ALBANY, N.Y. 12207-2109
Phone: 518/474-8100 Fax: 518/486-4068
<http://www.elections.ny.gov>

May 2, 2025

Brianna Schletz, Executive Director
United States Election Assistance Commission
633 3rd St. NW, Suite 200
Washington, DC 20001

NVRAUpdates@eac.gov

Dear Director Schletz,

On April 11, 2025 you solicited my consultation as the Chief State Election Official pursuant to 52 § U.S.C. 20509, regarding the development of the national mail voter registration form pursuant to 52 U.S.C. § 20508 (a) (2). Thank you for the opportunity to provide input regarding Executive Order 14248 and its potential impact on the National Mail Voter Registration Form.

It is clear implementation of Section 2 of Executive Order 14248 would be ill-conceived and illegal.

New York fully complies with the National Voter Registration Act of 1993 (NVRA), which prohibits additional documentation requirements beyond the attestation of eligibility under penalty of perjury (see 52 U.S.C. § 20507(a)(5)). The proposed requirements under EO 14248 not only contravene this statutory framework but would also harm the work of State and local election officials, and result in massive disenfranchisement.

Current provisions of Federal and New York law have been sufficient to prevent noncitizen voting. I will not recount the substantial list maintenance measures required by Federal law of which the EAC is well aware that New York not only complies with but exceeds.

Importantly, the crime of noncitizen voting cannot be hidden in New York which is why it is rare. New York records each instance of a voter's participation in an election and ensures the transparency and wide dissemination of that voter participation data. As a result, illegal voting attempts would always be traceable and thus redressable under criminal statutes, both state and federal.

As one commentator describes, there are “vanishingly few” instances where noncitizens have voted illegally in New York – or anywhere else. And when this does occur, there are swift criminal and civil consequences waiting. I can also assert with confidence that noncitizen voting *has never* determined an election outcome in New York.

In contrast to the imaginary nature of widespread noncitizen voting, there are real disenfranchising consequences to EO 14248. Peer-reviewed research demonstrates that barriers like those the EO attempts to erect will burden and disenfranchise voters.¹ Indeed, the barriers contemplated by the Executive Order will actually end voter registration by mail because voter registration under the Executive Order can only be completed by the in-person tender of original identification documents that validate citizenship.

Inasmuch as the vast majority of New Yorkers do not have any single document that would satisfy the documentation requirements of the Executive Order, applicants will typically need to provide multiple documents, one that identifies the voter and one that verifies citizenship. And in circumstances where the voter simply has no locatable qualifying documents, either by virtue of life circumstances or perhaps recent calamity like a house fire or dislocation from natural disaster, voter registration for an imminent election will often be effectively denied. These changes would also disproportionately affect voters without ready access to such documents, including many senior citizens, naturalized citizens, rural residents, and low-income individuals. This raises serious equity and compliance concerns under both the NVRA and the Voting Rights Act.

Furthermore, New York operates a bottom-up voter registration system, in which each of our 58 county and city boards of elections maintains and administers its own voter registration database, sharing data with the state database. Each county utilizes vendor-developed systems that are approved for use at the state level but are independently managed and supported. Requiring counties to implement bifurcated processes to differentiate between federal and state registration

¹ <https://www.brennancenter.org/our-work/research-reports/research-voter-id>

eligibility—or to capture, store, and secure scanned documentary proof of citizenship and associated metadata—would create a substantial administrative burden, necessitate costly and potentially infeasible technical upgrades across multiple disparate systems, and of course introduce unnecessary voter confusion.

I respectfully urge the Election Assistance Commission to not proceed with any changes to the federal voter registration form that incorporate the illegal and disenfranchising documentary proof of citizenship provisions described in EO 14248.

I appreciate the EAC's commitment to collaborative consultation and welcome continued dialogue on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristen Zebrowski Stavisky".

Kristen Zebrowski Stavisky
Chief Election Official, State Of New York