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July 19, 2020

The Honorable Andrew M. Cuomo
Governor of New York State
NY State Capitol Building
Albany, NY 12224

Re: Disenfranchisement of Thousands of Voters Over Postmark Problems On Absentee Ballots. Please Do Right By Them.

Dear Governor Cuomo:

The American Hindu Coalition (AHC) is a non-profit organization whose primary objective is to promote the interests of five million American Hindus and Americans who subscribe to Hindu enlightenment principles in the field of **politics, public policy and legislation**. Our membership is growing and now the organization also represents the three million Buddhist American citizens as well as Hindus of Caribbean origin living in the Northern part of New York City. **We, American Hindu Coalition, write to you on behalf of the one million American Hindu constituents of the State of New York, and the New York voters at large in support of the principles of democracy.** Please take responsibility for the ongoing disenfranchisement of thousands of voters through no fault of their own currently taking place in New York City and specifically in Brooklyn and Queens. We come to you as your constituents and as citizens of our democracy, asking you to use your executive authority to do right by these voters and include all ballots received by June 30th in the official voter count.

Due to the Covid-19 public health emergency, you rightly used your executive authority to require the Board of Elections statewide to send voters a postage-paid absentee ballot envelope. We are grateful to you for this.

Postage-paid envelopes do not typically require postmarks by the United States Postal Service (USPS). But under state election law, in order for a ballot to be counted, it must be postmarked by June 23rd or before, and received by the Board of Elections by June 30th. Whether or not an individual USPS office was successful in postmarking all postage-paid ballots varied, in this case, by zip code. This amounts to systematic discrimination against residents and deprivation of their right to vote.

This year's unprecedented volumes of absentee ballots were handled inconsistently as a result of the state's partnership with the USPS. Two votes could be cast across New York City, at the same time, on the same day, yet be treated differently by the Board of Elections due to the persuasions of the given USPS the voters used.

In Brooklyn alone, nearly 16,000 people will lose their vote. Punishing an entire borough of voters due to the failures of its post office, an underfunded government establishment, serves as de facto suppression of minority votes - something the State of New York must not be complicit in.

We ask you as Governor of the great State of New York to ensure every ballot that was mailed in is counted as long as it was received by the June 30th cutoff date at the Board of Elections, regardless of whether or not the United States Postal Service postmarked it in a timely fashion. The post mark requirement serves no narrowly tailored state interest, and we urge you to ensure the integrity of this election.

You have stated that "[t]he date for the ballots to be eligible is in the law." We do not question the law, but instead argue that 16,000 New Yorkers are legal voters, many of them seniors or immunocompromised, who likely heeded your daily warnings to stay at home, voted by mail as it was the safest option for them. They requested mail-in ballots out of respect for their health, their neighbors, and respect for our State. The Board of Elections is responsible for the failure to implement a functional voting system, and action should be taken to remedy this failure. The people of New York have been disenfranchised in a public health emergency through no fault of their own and deserve to have their votes counted.

CC: Sonali Gupta, Associate Legal Counsel; Dr. Alok Srivastava, Chief of Staff; Anna Ahlund, Coalition's Public Affairs Coordinator

Sincerely,

Shekhar Tiwari, Chairman

Harsh Sethi, President

American Hindu Coalition

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