

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

STATE OF CALIFORNIA, et al.,

*Plaintiffs,*

v.

DONALD J. TRUMP, in his official capacity as  
President of the United States, et al.,

*Defendants.*

Case No. 1:26-cv-11581-IT

**PLAINTIFF STATES' L.R. 56.1 STATEMENT OF UNDISPUTED MATERIAL FACTS**

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Pursuant to Federal Rule of Civil Procedure 56 and Local Rule 56.1, Plaintiff States set forth the following undisputed facts material to their Motion for Summary Judgment.

1. On August 18, 2025, President Trump published a post on the social network Truth Social stating, “I am going to lead a movement to get rid of MAIL-IN BALLOTS” and “Remember, the States are merely an ‘agent’ for the Federal Government in counting and tabulating the votes. They must do what the Federal Government, as represented by the President of the United States, tells them, FOR THE GOOD OF OUR COUNTRY, to do.” Exhibit A to the Declaration of Michael S. Cohen (“Cohen Decl.”), Truth Social Post, Doc. No. 103-1 at 1 (Aug. 18, 2025 Truth Social post); Request for Judicial Notice (“RJN”), Doc. No. 104 at 3.

2. On February 2, 2026, during an interview with former Deputy Director of the FBI Dan Bongino, President Trump stated, “The Republicans should say, ‘We want to take over. We should take over the voting—the voting, in at least many—15 places.’ The Republicans ought to nationalize the voting.” Cohen Decl. ¶ 4, Doc. No. 103 at 2; RJN, Doc. No. 104 at 3.

3. On March 31, 2026, President Donald J. Trump issued an executive order, entitled “Ensuring Citizenship Verification and Integrity in Federal Elections” (“EO”), which was designated as Executive Order 14339. 91 Fed. Reg. 17125; RJN, Doc. No. 104 at 4.

4. The EO directs Defendants to take specified actions. EO §§ 2–5.

5. A document published by the White House states that the EO is “ordering citizenship verification for Federal elections” and “ensuring that only eligible absentee or mail-in voters receive absentee or mail-in ballots,” among other things. Cohen Decl. Ex. B, EO Fact Sheet, Doc. No. 103-2 at 1; RJN, Doc. No. 104 at 3.

6. Plaintiff States and their localities administer elections for federal office. Declaration of Jana Lean (“Lean (CA) Decl.”) ¶ 4, Doc. No. 100-1 at 2; Declaration of Michelle Tassinari (“Tassinari (MA) Decl.”) ¶ 4, Doc. No. 100-2 at 2; Declaration of Mark Wlaschin (“Wlaschin (NV) Decl.”) ¶ 4, Doc. No. 100-3 at 2; Declaration of Stuart Holmes (“Holmes (WA)

Decl.”) ¶ 4, Doc. No. 100-4 at 2; Declaration of Keely Varvel (“Varvel (AZ) Decl.”) ¶ 4, Doc. No. 100-5 at 2; Declaration of Hilary Rudy (“Rudy (CO) Decl.”) ¶ 4, Doc. No. 100-6 at 2; Declaration of Gabe Rosenberg (“Rosenberg (CT) Decl.”) ¶ 4, Doc. No. 100-7 at 2; Declaration of Anthony J. Albence (“Albence (DE) Decl.”) ¶ 3, Doc. No. 100-8 at 1–2; Declaration of Alice P. Miller (“Miller (DC) Decl.” ¶ 3), Doc. No. 100-9 at 1–2; Declaration of Julie L. Flynn (“Flynn (ME) Decl.”) ¶ 4, Doc. No. 100-10 at 2; Declaration of Katherine Berry (“Berry (MD) Decl.”) ¶ 4, Doc. No. 100-11 at 2; Declaration of Jonathan Brater (“Brater (MI) Decl.”) ¶ 5, Doc. No. 100-12 at 2; Declaration of Paul Linnell (“Linnell (MN) Decl.”) ¶ 4, Doc. No. 100-14 at 2; Declaration of Donna Barber (“Barber (NJ) Decl.”) ¶¶ 5–7, Doc. No. 100-15 at 2–3; Declaration of Mandy Vigil (“Vigil (NM) Decl.”) ¶ 4, Doc. No. 100-16 at 2; Declaration of Kristen Zebrowski Stavisky (“Stavisky (NY) Decl.”) ¶ 4, Doc. No. 100-17 at 2; Declaration of Marc Brunton (“Brunton (NC) Decl.”) ¶ 3, Doc. No. 100-18 at 1–2; Declaration of Dena Dawson (“Dawson (OR) Decl.”) ¶ 4, Doc. No. 100-19 at 2; Declaration of Jonathan Marks (“Marks (PA) Decl.”) ¶¶ 4–5, Doc. No. 100-20 at 2–3; Declaration of Rob Rock (“Rock (RI) Decl.”) ¶ 4, Doc. No. 100-21 at 2; Declaration of Steven L. Koski (“Koski (VA) Decl.”) ¶ 5, Doc. No. 100-23 at 2; Declaration of Sarah Copeland Hanzas (“Hanzas (VT) Decl.”) ¶ 4, Doc. No. 100-22 at 1–2; Declaration of Edmund Michalowski (“Michalowski (Cook County, IL) Decl.”) ¶ 3, Doc. No. 100-24 at 1–2; Declaration of Julie Wise (“Wise (King County, WA) Decl.”) ¶ 7, Doc. No. 100-25 at 2; Declaration of Elena Hilby (“Hilby (Sun Prairie, WI) Decl.”) ¶ 2, Doc. No. 100-26 at 1–2.

7. Among other tasks, Plaintiff States and their localities are responsible for carrying out voter registration, maintaining and updating voter rolls, issuing ballots to registered voters, tabulating votes, and certifying results in all elections for federal office. Lean (CA) Decl. ¶ 4, Doc. No. 100-1 at 2; Tassinari (MA) Decl. ¶ 4, Doc. No. 100-2 at 2; Wlaschin (NV) Decl. ¶ 4, Doc. No. 100-3 at 2; Holmes (WA) Decl. ¶ 4, Doc. No. 100-4 at 2; Varvel (AZ) Decl. ¶ 4, Doc. No. 100-5 at 2; Rudy (CO) Decl. ¶ 4, Doc. No. 100-6 at 2; Rosenberg (CT) Decl. ¶ 4, Doc. No. 100-7 at 2; Albence (DE) Decl. ¶¶ 3–6, Doc. No. 100-8 at 1–3; Miller (DC) Decl. ¶ 4, Doc. No.

100-9 at 2; Berry (MD) Decl. ¶ 4, Doc. No. 100-11 at 2; Flynn (ME) Decl. ¶ 4, Doc. No. 100-10 at 2; Brater (MI) Decl. ¶ 5, Doc. No. 100-12 at 2; Linnell (MN) Decl. ¶ 4, Doc. No. 100-14 at 2; Barber (NJ) Decl. ¶¶ 5, 7, Doc. No. 100-15 at 2–3; Vigil (NM) Decl. ¶ 4, Doc. No. 100-16 at 2; Stavisky (NY) Decl. ¶ 4, Doc. No. 100-17 at 2; Brunton (NC) Decl. ¶ 3, Doc. No. 100-18 at 1–2; Dawson (OR) Decl. ¶ 4, Doc. No. 100-19 at 2; Marks (PA) Decl. ¶ 5, Doc. No. 100-20 at 2–3; Rock (RI) Decl. ¶ 4, Doc. No. 100-21 at 2; Koski (VA) Decl. ¶¶ 5–8, Doc. No. 100-23 at 2; Hanzas (VT) Decl. ¶ 4, Doc. No. 100-22 at 1–2; Michalowski (Cook County, IL) Decl. ¶¶ 3–4, 8, Doc. No. 100-24 at 1–2, 3; Wise (King County, WA) Decl. ¶¶ 10, 14, Doc. No. 100-25 at 3, 4; Hilby (Sun Prairie, WI) Decl. ¶ 2, Doc. No. 100-26 at 1–2.

8. Plaintiff States are currently preparing to administer the November general election, and many are actively administering or preparing to administer federal primaries. Lean (CA) Decl. ¶ 8, Doc. No. 100-1 at 3; Tassinari (MA) Decl. ¶¶ 35–36, 41, 55, 64, 69, 78–81, Doc. No. 100-2 at 12–13, 14, 18–19, 21, 23, 26–28; Holmes (WA) Decl. ¶ 35; Doc. No. 100-4 at 14; Rudy (CO) Decl. ¶ 13, Doc. No. 100-6 at 4–5; Rosenberg (CT) Decl. ¶¶ 13, 16, 26, 65, Doc. No. 100-7 at 7, 8, 12–14, 27 (“The six months preceding an election is a time-consuming period of high pressure and not one that seasoned election administrators ever ch[o]se to make major changes to the election process.”); Albence (DE) Decl. ¶¶ 5, 16, Doc. No. 100-8 at 2, 5; Miller (DC) Decl. ¶ 8, Doc. No. 100-9 at 3; Flynn (ME) Decl. ¶ 10, Doc. No. 100-10 at 4; Berry (MD) Decl. ¶ 31, Doc. No. 100-11 at 10; Linnell (MN) Decl. ¶ 7, Doc. No. 100-14 at 3; Barber (NJ) Decl. ¶ 14, Doc. No. 100-15 at 5; Vigil (NM) Decl. ¶ 7, Doc. No. 100-16 at 3; Stavisky (NY) Decl. ¶ 13, Doc. No. 100-17 at 5; Dawson (OR) Decl. ¶ 7, Doc. No. 100-19 at 2; Marks (PA) Decl. ¶ 4, Doc. No. 100-20 at 2; Hanzas (VT) Decl. ¶ 4, Doc. No. 100-22 at 1–2; Michalowski (Cook County, IL) Decl. ¶ 8, Doc. No. 100-24 at 3; Wise (King County, WA) Decl. ¶ 21, Doc. No. 100-25 at 21.

9. Plaintiff States and their localities conduct programs to remove voters who become ineligible to vote due to death, change in residence, or other state law grounds for ineligibility. Lean (CA) Decl. ¶¶ 11, 14–15, Doc. No. 100-1 at 4, 5–6; Tassinari (MA) Decl.

¶ 11, Doc. No. 100-2 at 4–5; Wlaschin (NV) Decl. ¶ 13, Doc. No. 100-3 at 5; Holmes (WA) Decl. ¶ 17, Doc. No. 100-4 at 7; Varvel (AZ) Decl. ¶¶ 10, 14, Doc. No. 100-5 at 3–4; Rudy (CO) Decl. ¶¶ 14, 18, Doc. No. 100-6 at 5, 6; Rosenberg (CT) Decl. ¶¶ 13, 16, Doc. No. 100-7 at 7–8; Albence (DE) Decl. ¶ 19, Doc. No. 100-8 at 6 (“Delaware . . . lawfully remove[s] voters on an individual basis where appropriate, such as when a voter requests that his or her registration be canceled, dies, or is convicted of a felony.”); Miller (DC) Decl. ¶ 10, Doc. No. 100-9 at 3; Berry (MD) Decl. ¶ 36, Doc. No. 100-11 at 11; Flynn (ME) Decl. ¶¶ 11, 15, Doc. No. 100-10 at 4–6; Brater (MI) Decl. ¶¶ 13, 17, Doc. No. 100-12 at 4–6; Linnell (MN) Decl. ¶¶ 12, 16, Doc. No. 100-14 at 4–6; Barber (NJ) Decl. ¶ 18, Doc. No. 100-15 at 6; Vigil (NM) Decl. ¶¶ 15, 18–19, Doc. No. 100-16 at 6–7; Brunton (NC) Decl. ¶¶ 6, 10, Doc. No. 100-18 at 2, 3; Dawson (OR) Decl. ¶¶ 14, 15, Doc. No. 100-19 at 4; Marks (PA) Decl. ¶ 11, Doc. No. 100-20 at 4–5; Rock (RI) Decl. ¶¶ 14, 20, Doc. No. 100-21 at 5, 8; Koski (VA) Decl. ¶¶ 7, 15, Doc. No. 100-23 at 2, 5; Hanzas (VT) Decl. ¶¶ 11, 15, Doc. No. 100-22 at 4–5; Michalowski (Cook County, IL) Decl. ¶ 8, Doc. No. 100-24 at 3; Wise (King County, WA) Decl. ¶ 25, Doc. No. 100-25 at 8; Hilby (Sun Prairie, WI) Decl. ¶ 7, Doc. No. 100-26 at 3.

10. Plaintiff States comply with the “quiet period” prescribed by federal law and do not systematically remove voters from voter rolls during the 90 days prior to a federal election, except as permitted in the National Voter Registration Act (“NVRA”), 52 U.S.C.

§ 20507(c)(2)(A). For the 2026 General Election, the NVRA quiet period begins on August 5, 2026. *Id.* Lean (CA) Decl. ¶ 14, Doc. No. 100-1 at 5; Tassinari (MA) Decl. ¶ 29, Doc. No. 100-2 at 10; Wlaschin (NV) Decl. ¶ 17, Doc. No. 100-3 at 6; Holmes (WA) Decl. ¶ 27, Doc. No. 100-4 at 11; Varvel (AZ) Decl. ¶ 13, Doc. No. 100-5 at 4; Rudy (CO) Decl. ¶ 17, Doc. No. 100-6 at 6; Rosenberg (CT) Decl. ¶ 16, Doc. No. 100-7 at 8; Albence (DE) Decl. ¶ 19, Doc. No. 100-8 at 6; Miller (DC) Decl. ¶ 10, Doc. No. 100-9 at 3; Berry (MD) Decl. ¶ 39, Doc. No. 100-11 at 12; Flynn (ME) Decl. ¶ 14, Doc. No. 100-10 at 6; Brater (MI) Decl. ¶ 16, Doc. No. 100-12 at 6; Barber (NJ) Decl. ¶ 18, Doc. No. 100-15 at 6; Vigil (NM) Decl. ¶ 18, Doc. No. 100-16 at 7; Stavisky (NY) Decl. ¶ 16, Doc. No. 100-17 at 6; Brunton (NC) Decl. ¶ 9, Doc. No. 100-18 at 3;

Dawson (OR) Decl. ¶ 15, Doc. No. 100-19 at 4; Marks (PA) Decl. ¶ 14, Doc. No. 100-20 at 5; Rock (RI) Decl. ¶ 19, Doc. No. 100-21 at 7–8; Koski (VA) Decl. ¶ 18, Doc. No. 100-23 at 6; Hanzas (VT) Decl. ¶ 14, Doc. No. 100-22 at 4–5; Michalowski (Cook County, IL) Decl. ¶ 11, Doc. No. 100-24 at 4; Wise (King County, WA) Decl. ¶ 27, Doc. No. 100-25 at 9.

11. Plaintiff States and their localities require verification of eligibility (by attestation, reporting identifying information, or other means) to register voters for federal elections. Lean (CA) Decl. ¶ 12, Doc. No. 100-1 at 4–5 (all voters must certify under penalty of perjury that they meet all eligibility requirements, citing Cal. Elec. Code §§ 2101, 2102(c), 2111, 2112, 2150); Tassinari (MA) Decl. ¶ 7, Doc. No. 100-2 at 3 (citing Mass. Gen. Laws ch. 51, §§ 26, 28, 33, 33A, 36, 42, 42F, 42G, 42G ½, 44, 47A); Wlaschin (NV) Decl. ¶ 14, Doc. No. 100-3 at 5 (citing Nev. Rev. Stat. 293.5847); Holmes (WA) Decl. ¶ 15, Doc. No. 100-4 at 6–7 (citing Wash. Rev. Code § 29A.84.010); Varvel (AZ) Decl. ¶ 11, Doc. No. 100-5 at 4; Rudy (CO) Decl. ¶ 15, Doc. No. 100-6 at 5; Rosenberg (CT) Decl. ¶ 14, Doc. No. 100-7 at 7; Albence (DE) Decl. ¶ 17, Doc. No. 100-8 at 5–6 (citing 15 *Del. C.* §§ 1302(c), 2050A(b)(1)); Berry (MD) Decl. ¶ 37, Doc. No. 100-11 at 11 (citing Md. Code Ann., Elec. Law § 3–202(a)(1)(i)); Flynn (ME) Decl. ¶ 12, Doc. No. 100-10 at 5; Brater (MI) Decl. ¶ 14, Doc. No. 100-12 at 5 (citing Mich. Comp. Laws § 168.497); Linnell (MN) Decl. ¶ 13; Barber (NJ) Decl. ¶ 16, Doc. No. 100-15 at 5–6 (citing N.J. Stat. Ann. §§ 19:31–5; 19:31–6; 19:34–1; 19:34–26); Vigil (NM) Decl. ¶ 16, Doc. No. 100-16 at 6–7 (citing NMSA 1978 §1–4–5.4 (B) (2019)); Stavisky (NY) Decl. ¶ 14, Doc. No. 100-17 at 5; Brunton (NC) Decl. ¶ 7, Doc. No. 100-18 at 2–3 (citing N.C. Gen. Stat. § 163–82.4(c), (e)); Marks (PA) Decl. ¶ 12, Doc. No. 100-20 at 5 (citing 25 P.S. § 3071); Rock (RI) Decl. ¶ 16, Doc. No. 100-21 at 6–7 (citing R.I. Gen. Laws § 17–9.1–7 to § 17–9.1–11); Hanzas (VT) Decl. ¶ 12, Doc. No. 100-22 at 4 (citing Vt. Stat. Ann. tit. 17, § 2144a); Michalowski (Cook County, IL) Decl. ¶ 9, Doc. No. 100-24 at 3; Wise (King County, WA) Decl. ¶ 23, Doc. No. 100-25 at 7–8 (citing Wash. Rev. Code § 29A.84.130).

12. Plaintiff States allow voters to register to vote in a federal election at least 30 days before the election, and in some States voters may register closer to the election, including up to

and on Election Day. Lean (CA) Decl. ¶ 12, Doc. No. 100-1 at 4–5 (registration up to 15 days before election; conditional registration “up to and on Election Day”); Tassinari (MA) Decl. ¶ 28, Doc. No. 100-2 at 10 (10 days before Election Day); Wlaschin (NV) Decl. ¶ 14, Doc. No. 100-3 at 5 (Election Day registration); Holmes (WA) Decl. ¶ 15, Doc. No. 100-4 at 6–7 (Election Day registration); Varvel (AZ) Decl. ¶ 11, Doc. No. 100-5 at 4 (29 days before Election Day); Rudy (CO) Decl. ¶ 15, Doc. No. 100-6 at 5 (8 days before election to receive a mail ballot, or up to and including Election day in person); Rosenberg (CT) Decl. ¶ 14, Doc. No. 100-7 at 7 (noting that voters can register by mail up to 18 days before Election Day, in person during early voting, and on Election Day, if they satisfy applicable requirements); Albence (DE) Decl. ¶ 17, Doc. No. 100-8 at 5–6. (registration up to the third Monday before Election Day); Miller (DC) Decl. ¶ 11, Doc. No. 100-9 at 3 (Election Day registration); Berry (MD) Decl. ¶ 37, Doc. No. 100-11 at 11 (registration up to 21 days before Election Day, at early voting centers during early voting period, and on Election Day itself); Flynn (ME) Decl. ¶ 12, Doc. No. 100-10 at 5 (Election Day Registration); Brater (MI) Decl. ¶ 14, Doc. No. 100-12 at 5 (registration up to and including Election Day if certain requirements are met); Linnell (MN) Decl. ¶ 13, Doc. No. 100-14 at 5 (citing Minn. Stat. Sec. 201.061); Barber (NJ) Decl. ¶ 16, Doc. No. 100-15 at 5–6 (registration up to 21 days before an election); Vigil (NM) Decl. ¶ 16, Doc. No. 100-16 at 6–7 (New Mexico allows qualified individuals to register in person on Election Day, citing NMSA 1978 §1–4–5.7); Stavisky (NY) Decl. ¶ 14, Doc. No. 100-17 at 5 (qualified individuals permitted to register up to ten days before election day); Brunton (NC) Decl. ¶ 7, Doc. No. 100-18 at 2–3 (25 days before election and during early voting); Dawson (OR) Decl. ¶ 11, Doc. No. 100-19 at 3–4 (21 days before election); Marks (PA) Decl. ¶ 12, Doc. No. 100-20 at 5 (15 days before election); Rock (RI) Decl. ¶¶ 15–17, Doc. No. 100-21 at 5–7 (Article 2, §1 of the Rhode Island Constitution provides that qualified individuals who register up to 30 days before Election Day shall have the right to vote; Rhode Island also allows registration on Election Day to vote for president and vice-president); Koski (VA) Decl. ¶ 17, Doc. No. 100-23 at 5–6 (under VA. Code Ann. 24.2–416 and 24.2–416.4, Virginia accepts electronic and mail applications to register up to 11 days

before Election day); Hanzas (VT) Decl. ¶ 12, Doc. No. 100-22 at 4 (registration up to and including election day); Michalowski (Cook County, IL) Decl. ¶ 9, Doc. No. 100-24 at 3 (16 days before election and in person during early voting and on Election Day); Wise (King County, WA) Decl. ¶¶ 24, 26, Doc. No. 100-25 at 8–9 (Election Day registration); Hilby (Sun Prairie, WI) Decl. ¶ 8, Doc. No. 100-26 at 3 (Election Day registration).

13. Plaintiff States allow voters covered by the Uniformed and Overseas Citizens Absentee Voting Act (“UOCAVA”) to register at least 30 days before the election, and in some States voters closer to an election. Lean (CA) Decl. ¶ 13, Doc. No. 100-1 at 5 (registration up to 15 days before election; conditional registration “up to and on Election Day”); Tassinari (MA) Decl. ¶¶ 17, 45, Doc. No. 100-2 at 7, 15; Wlaschin (NV) Decl. ¶ 15, Doc. No. 100-3 at 5; Holmes (WA) Decl. ¶ 15, Doc. No. 100-4 at 6–7 (Election Day registration); Varvel (AZ) Decl. ¶ 12, Doc. No. 100-5 at 4 (29 days before Election Day, or later in some circumstances); Rudy (CO) Decl. ¶ 16, Doc. No. 100-6 at 6; Rosenberg (CT) Decl. ¶ 15, Doc. No. 100-7 at 8 (noting that Connecticut allows uniformed and overseas voters to register for a federal election at any time, either by mail or in person, and citing Conn. Gen. Stat. § 9–26); Albence (DE) Decl. ¶ 18, Doc. No. 100-8 at 6; Miller (DC) Decl. ¶ 12, Doc. No. 100-9 at 3 (21 days); Berry (MD) Decl. ¶ 38, Doc. No. 100-11 at 12; Flynn (ME) Decl. ¶ 13, Doc. No. 100-10 at 5–6 (until noon the day before election day); Brater (MI) Decl. ¶ 15, Doc. No. 100-12 at 5 (no explicit registration cutoff date; however, practical and logistical limitations apply); Linnell (MN) Decl. ¶ 30, Doc. No. 100-14 at 11; Barber (NJ) Decl. ¶ 17, Doc. No. 100-15 at 6 (permitting UOCAVA registration applications received up to 21 days before the date of the election); Vigil (NM) Decl. ¶ 17, Doc. No. 100-16 at 7 (New Mexico allows UOCAVA voters to register if their registration is received at least 30 days before the election); Stavisky (NY) Decl. ¶ 15, Doc. No. 100-17 at 5–6; Brunton (NC) Decl. ¶ 8, Doc. No. 100-18 at 3 (5:00 p.m. on day before election); Dawson (OR) Decl. ¶ 12, Doc. No. 100-19 at 4; Marks (PA) Decl. ¶ 13, Doc. No. 100-20 at 5 (citing 25 Pa.C.S.A. § 3505, which allows certain voters to register and return their absentee ballot simultaneously); Rock (RI) Decl. ¶ 18, Doc. No. 100-21 at 7 (30 days before election); Koski (VA) Decl. ¶ 17,

Doc. No. 100-23 at 5–6 (30 days); Hanzas (VT) Decl. ¶ 13, Doc. No. 100-22 at 4; Michalowski (Cook County, IL) Decl. ¶ 10, Doc. No. 100-24 at 3–4; Wise (King County, WA) Decl. ¶ 26, Doc. No. 100-25 at 8–9 (Election Day registration).

14. In Connecticut, Delaware, the District of Columbia, Illinois, Maine, Maryland, New Jersey, New Mexico, North Carolina, Rhode Island, Vermont, Virginia, and Washington (“Qualifications States”), 17-year-old citizens who will be 18 years old by the next federal general election are eligible to register to vote in federal primary elections. Holmes (WA) Decl. ¶ 48, Doc. No. 100-4 at 19–20; Rosenberg (CT) Decl. ¶ 36, Doc. No. 100-7 at 17–18; Albence (DE) Decl. ¶ 41, Doc. No. 100-8 at 15; Miller (DC) Decl. ¶ 22, Doc. No. 100-9 at 6–7; Berry (MD) Decl. ¶ 61, Doc. No. 100-11 at 20; Flynn (ME) Decl. ¶ 33, Doc. No. 100-10 at 12–13; Barber (NJ) Decl. ¶ 41, Doc. No. 100-15 at 14–15; Vigil (NM) Decl. ¶ 37, Doc. No. 100-16 at 13; Brunton (NC) Decl. ¶ 8, Doc. No. 100-18 at 3; Rock (RI) Decl. ¶ 38, Doc. No. 100-21 at 14; Koski (VA) Decl. ¶ 34, Doc. No. 100-23 at 11; Hanzas (VT) Decl. ¶ 33, Doc. No. 100-22 at 10–11; Michalowski (Cook County, IL) Decl. ¶ 28, Doc. No. 100-24 at 9; Wise (King County, WA) Decl. ¶ 44, Doc. No. 100-25 at 16 (citing Wash. Rev. Code § 29A.08.170); *see* Minn. Stat. Section 201.071 (allowing voter registration, but not voting, for 16-year-olds).

15. The Systematic Alien Verification for Entitlements (“SAVE”) system, one of the sources of data for the State Citizenship List (EO § 2(a)), is an online service administered by the U.S. Citizenship and Immigration Services (“USCIS”) within DHS and used by federal, state, and local agencies to verify the citizenship or immigration status of individuals. Cohen Decl. Ex. C, SAVE Fact Sheet, Doc. No. 103-3 at 1; RJN, Doc. No. 104 at 3, Declaration of John Strodbeck (“Strodbeck Decl.”) ¶ 3, Doc. No. 100-13 at 1–2.

16. The SAVE system has erroneously flagged citizens as non-citizens. EO § 2(a); Strodbeck Decl. ¶¶ 4–5, Doc. No. 100-13 at 2–3; Barber (NJ) Decl. ¶ 45, Doc. No. 100-15 at 16; Cohen Decl. Ex. D, NC Audit Report, Doc. No. 103-4 at 10 (stating “NCSBE has determined based on past experience that a match with the SAVE database is not a reliable indicator that a person is not a U.S. citizen because the database is not always updated in a timely manner and

individuals who derived citizenship from their parents through naturalization or adoption may show up as non-citizens in SAVE” and, further, “approximately three-quarters of [suspected non-citizens] who subsequently provide proof of U.S. citizenship continued to appear as non-citizens in the SAVE database.”); RJN, Doc. No. 104 at 3.

17. “SAVE may not be able to confirm U.S. citizenship for an individual” due to several missing categories of data. Cohen Decl. Ex. C, SAVE Fact Sheet, Doc. No. 103-3 at 2.

18. USCIS currently requires agencies using SAVE to verify voters’ citizenship “to provide all registrants or registered voters who are not verified as U.S. citizens with the opportunity to provide proof of U.S. citizenship.” Cohen Decl. Ex. C, SAVE Fact Sheet, Doc. No. 103-3 at 3.

19. Millions of people move between States each year, including many who are eligible voters and some eligible voters who move during the 60 days before an election. Cohen Decl. Ex. E, Move Stats, Doc. No. 103-5 at 2; RJN, Doc. No. 104 at 4; Wlaschin (NV) Decl. ¶¶ 60–61, Doc. No. 100-3 at 22.

20. There is no requirement that voters regularly report change of residential address to the federal government. Lean (CA) Decl. ¶ 56, Doc. No. 100-1 at 5; ¶ 59; Tassinari (MA) Decl. ¶¶ 9–11, 73–74, Doc. No. 100-2 at 4–5, 24–25; Varvel (AZ) Decl. ¶ 55, Doc. No. 100-5 at 17; Rosenberg (CT) Decl. ¶ 60, Doc. No. 100-7 at 25; Albence (DE) Decl. ¶ 68, Doc. No. 100-8 at 22–23; Miller (DC) Decl. ¶ 33, Doc. No. 100-9 at 10–11; Berry (MD) Decl. ¶ 61, Doc. No. 100-11 at 20; Flynn (ME) Decl. ¶ 60, Doc. No. 100-10 at 20–21; Brater (MI) Decl. ¶ 68, Doc. No. 100-12 at 23; Linnell (MN) Decl. ¶ 58, Doc. No. 100-14 at 19; Vigil (NM) Decl. ¶ 62, Doc. No. 100-16 at 21; Stavisky (NY) Decl. ¶ 58, Doc. No. 100-17 at 17–18; Brunton (NC) Decl. ¶ 34, Doc. No. 100-18 at 9; Dawson (OR) Decl. ¶ 67, Doc. No. 100-19 at 20; Rock (RI) Decl. ¶ 64, Doc. No. 100-21 at 21; Koski (VA) Decl. ¶ 58, Doc. No. 100-23 at 17; Hanzas (VT) Decl. ¶ 59, Doc. No. 100-22 at 18; Michalowski (Cook County, IL) Decl. ¶ 60, Doc. No. 100-24 at 16–17.

21. Tens of thousands of people become naturalized citizens each month, including during the 60 days before an election. Cohen Decl. Ex. F, Naturalization, Doc. No. 103-6 at 2; RJN, Doc. No. 104 at 4; Wlaschin (NV) Decl. ¶ 60, Doc. No. 100-3 at 22.

22. In order to minimize the risk of voter disenfranchisement, Plaintiff States will have to engage in the Department of Homeland Security’s (“DHS”) process enabling States to “routinely supplement and provide suggested modifications or amendments to the State Citizenship List.” EO § 2(a); Lean (CA) Decl. ¶¶ 18–19, Doc. No. 100-1 at 7–8; Tassinari (MA) Decl. ¶¶ 31–37, Doc. No. 100-2 at 10–13; Wlaschin (NV) Decl. ¶¶ 18, 63, Doc. No. 100-3 at 6, 23; Holmes (WA) Decl. ¶¶ 19–23, Doc. No. 100-4 at 8–10; Varvel (AZ) Decl. ¶¶ 17, 19, Doc. No. 100-5 at 5–6, 7; Rudy (CO) Decl. ¶¶ 20–22, Doc. No. 100-6 at 7–8; Rosenberg (CT) Decl. ¶¶ 18–19, Doc. No. 100-7 at 8–9; Albence (DE) Decl. ¶¶ 26–27, Doc. No. 100-8 at 9–10; Miller (DC) Decl. ¶ 15, Doc. No. 100-9 at 4; Berry (MD) Decl. ¶¶ 42–45, Doc. No. 100-11 at 13–15; Flynn (ME) Decl. ¶¶ 18–19, Doc. No. 100-10 at 7–8; Brater (MI) Decl. ¶¶ 20–22, Doc. No. 100-12 at 7–8; Linnell (MN) Decl. ¶¶ 18–20, Doc. No. 100-14 at 6–7; Barber (NJ) Decl. ¶ 20, Doc. No. 100-15 at 6–7; Vigil (NM) Decl. ¶¶ 21–24, Doc. No. 100-16 at 7–9; Stavisky (NY) Decl. ¶¶ 18–19, Doc. No. 100-17 at 6–7; Dawson (OR) Decl. ¶¶ 18–20, Doc. No. 100-19 at 5–6; Marks (PA) Decl. ¶¶ 18–19, Doc. No. 100-20 at 7–8; Rock (RI) Decl. ¶¶ 23–24, Doc. No. 100-21 at 9–10; Koski (VA) Decl. ¶ 20, Doc. No. 100-23 at 6; Hanzas (VT) Decl. ¶¶ 18–19, Doc. No. 100-22 at 6–7; Michalowski (Cook County, IL) Decl. ¶ 16, Doc. No. 100-24 at 6; Wise (King County, WA) Decl. ¶¶ 30–32, Doc. No. 100-25 at 10–11.

23. Comparing the State Citizenship List mandated by EO Section 2(a) to Plaintiff States’ voter rolls will be a technically challenging task requiring Plaintiff States and their localities to expend resources toward data analysis and management. Examples of these data management tasks include efforts to reconcile the data sources based on differences in data formatting and the likely absence of common unique record identifiers. Lean (CA) Decl. ¶¶ 17, 20, Doc. No. 100-1 at 6, 8 (updates to voter registration database system would be required, which “historically are extremely costly”); Tassinari (MA) Decl. ¶ 32, Doc. No. 100-2 at 11;

Wlaschin (NV) Decl. ¶ 19, Doc. No. 100-3 at 6–7 (pointing out there are 20 active voters across Nevada named “Maria Smith” and without additional PII identifiers it would be impossible to know which is or isn’t an individual included on the State Citizenship List); Holmes (WA) Decl. ¶ 21, Doc. No. 100-4 at 9; Varvel (AZ) Decl. ¶ 16, Doc. No. 100-5 at 5; Rudy (CO) Decl. ¶ 23, Doc. No. 100-6 at 5; Rosenberg (CT) Decl. ¶ 19, Doc. No. 100-7 at 9; Albence (DE) Decl. ¶¶ 23–24, Doc. No. 100-8 at 7–8; Berry (MD) Decl. ¶ 43, Doc. No. 100-11 at 13–14; Flynn (ME) Decl. ¶ 17, Doc. No. 100-10 at 6–7; Brater (MI) Decl. ¶ 19, Doc. No. 100-12 at 6–7; Linnell (MN) Decl. ¶¶ 20, 21, Doc. No. 100-14 at 7–8; Barber (NJ) Decl. ¶¶ 20–23, Doc. No. 100-15 at 6–8; Vigil (NM) Decl. ¶ 21, Doc. No. 100-16 at 7–8; Stavisky (NY) Decl. ¶ 19, Doc. No. 100-17 at 6–7; Brunton (NC) Decl. ¶ 12, Doc. No. 100-18 at 4; Dawson (OR) Decl. ¶ 18, Doc. No. 100-19 at 5; Marks (PA) Decl. ¶ 17, Doc. No. 100-20 at 6–7; Rock (RI) Decl. ¶ 22, Doc. No. 100-21 at 8–9; Koski (VA) Decl. ¶¶ 21–24, Doc. No. 100-23 at 6–8; Hanzas (VT) Decl. ¶ 17, Doc. No. 100-22 at 5–6; Michalowski (Cook County, IL) Decl. ¶¶ 17–18, Doc. No. 100-24 at 6–7; Wise (King County, WA) Decl. ¶ 30, Doc. No. 100-25 at 10; Hilby (Sun Prairie, WI) Decl. ¶ 12, Doc. No. 100-26 at 4–5.

24. Investigating and attempting to determine the cause of differences (e.g., outdated information, differences in data entry, or errors in data conversion) between the State Citizenship List and Plaintiff States’ voter rolls will require Plaintiff States and their localities to expend financial and administrative resources. Lean (CA) Decl. ¶¶ 18, 20, Doc. No. 100-1 at 7, 8; Tassinari (MA) Decl. ¶¶ 34–35, Doc. No. 100-2 at 12–13; Wlaschin (NV) Decl. ¶¶ 20, 22, Doc. No. 100-3 at 7–8 (“Nevada would incur significant costs to undertake this comparison and verification of the State Citizenship List.”); Holmes (WA) Decl. ¶¶ 20–23, Doc. No. 100-4 at 8–10; Varvel (AZ) Decl. ¶¶ 17, 20, Doc. No. 100-5 at 5–6, 7; Rudy (CO) Decl. ¶¶ 21, 23, Doc. No. 100-6 at 7–9; Rosenberg (CT) Decl. ¶¶ 19–22, Doc. No. 100-7 at 9–11; Albence (DE) Decl. ¶¶ 23–25, 28–29, Doc. No. 100-8 at 7–9, 10; Miller (DC) Decl. ¶¶ 19–20, Doc. No. 100-9 at 5–6; Berry (MD) Decl. ¶ 46, Doc. No. 100-11 at 15 (approximating the initial cost to be approximately \$500,000); Flynn (ME) Decl. ¶¶ 18, 20, Doc. No. 100-10 at 7–8; Brater (MI)

Decl. ¶¶ 20–21, 53, Doc. No. 100-12 at 7–8, 19; Linnell (MN) Decl. ¶ 18, 20, 21, Doc. No. 100-14 at 6–8; Barber (NJ) Decl. ¶¶ 25–26, Doc. No. 100-15 at 9–10; Vigil (NM) Decl. ¶¶ 21, 23–24, Doc. No. 100-16 at 7–9; Stavisky (NY) Decl. ¶¶ 20–22, Doc. No. 100-17 at 7–8; Brunton (NC) Decl. ¶ 13, Doc. No. 100-18 at 4; Dawson (OR) Decl. ¶¶ 18, 19, Doc. No. 100-19 at 5–6; Marks (PA) Decl. ¶¶ 18–20, Doc. No. 100-20 at 7–9 (assuming acceptable data standardization, “the necessary personnel and tools would likely cost hundreds of thousands of dollars initially, and ongoing costs . . . would surely exceed six figures annually”); Rock (RI) Decl. ¶¶ 23, 25, Doc. No. 100-21 at 9, 10; Koski (VA) Decl. ¶¶ 21–24, Doc. No. 100-23 at 6–8; Hanzas (VT) Decl. ¶¶ 18, 20, Doc. No. 100-22 at 6–7; Michalowski (Cook County, IL) Decl. ¶ 18, Doc. No. 100-24 at 6–7; Wise (King County, WA) Decl. ¶¶ 30–33, Doc. No. 100-25 at 10–12; Hilby (Sun Prairie, WI) Decl. ¶ 14, Doc. No. 100-26 at 5–6.

25. Comparing the State Citizenship List mandated by EO Section 2(a) to Plaintiff States’ voter rolls will carry a high risk of errors and omissions due to the difficulty of matching up disparate datasets on a short timeframe. Lean (CA) Decl. ¶ 17, Doc. No. 100-1 at 6 (“[I]t is inevitable that there will be differences in the files that will make matching difficult, time-consuming, and potentially inaccurate, as people’s names, addresses, and other information may vary slightly (e.g., Robert vs. Bob, Apartment #3 vs. Apt. 3, Sara Jones–Smith vs. Sara Jones Smith.)”); Tassinari (MA) Decl. ¶¶ 32–35, 63, Doc. No. 100-2 at 11–13; Wlaschin (NV) Decl. ¶ 19, Doc. No. 100-3 at 6–7; Holmes (WA) Decl. ¶ 27, Doc. No. 100-4 at 11; Varvel (AZ) Decl. ¶ 16, Doc. No. 100-5 at 5; Rudy (CO) Decl. ¶ 20, Doc. No. 100-6 at 7; Rosenberg (CT) Decl. ¶ 19, Doc. No. 100-7 at 9; Albence (DE) Decl. ¶ 24–25, Doc. No. 100-8 at 8–9; Miller (DC) Decl. ¶ 20, Doc. No. 100-9 at 5–6; Berry (MD) Decl. ¶¶ 43–44, Doc. No. 100-11 at 13–14; Flynn (ME) Decl. ¶ 17, Doc. No. 100-10 at 6–7; Brater (MI) Decl. ¶ 19, Doc. No. 100-12 at 6–7; Linnell (MN) Decl. ¶ 18, Doc. No. 100-14 at 6–7; Barber (NJ) Decl. ¶ 22, Doc. No. 100-15 at 7–8; Vigil (NM) Decl. ¶ 21, Doc. No. 100-16 at 7–8; Stavisky (NY) Decl. ¶ 21, Doc. No. 100-17 at 8; Dawson (OR) Decl. ¶ 18, Doc. No. 100-19 at 5; Marks (PA) Decl. ¶ 17, Doc. No. 100-20 at 6–7 (“[G]iven that there are only 365 days in a year and over 8.8 million registered voters in

Pennsylvania, it is inevitable that many voters with common names will share the same birthday.”); Rock (RI) Decl. ¶ 22, Doc. No. 100-21 at 8–9; Koski (VA) Decl. ¶¶ 21–24, Doc. No. 100-23 at 6–8; Hanzas (VT) Decl. ¶ 17, Doc. No. 100-22 at 5–6; Michalowski (Cook County, IL) Decl. ¶¶ 14, 16, 50, Doc. No. 100-24 at 4–5, 6, 14; Wise (King County, WA) Decl. ¶ 60, Doc. No. 100-25 at 21; Hilby (Sun Prairie, WI) Decl. ¶ 12, Doc. No. 100-26 at 4–5.

26. Going through the DHS process for supplementing and correcting the list will require Plaintiff States and their localities to expend further financial and administrative resources. Lean (CA) Decl. ¶ 19, Doc. No. 100-1 at 7–8; Tassinari (MA) Decl. ¶ 34, Doc. No. 100-2 at 12; Wlaschin (NV) Decl. ¶ 22, Doc. No. 100-3 at 8; Holmes (WA) Decl. ¶¶ 20–23, 31–34, Doc. No. 100-4 at 8–10, 13–14; Varvel (AZ) Decl. ¶ 19, Doc. No. 100-5 at 7; Rudy (CO) Decl. ¶ 23, Doc. No. 100-6 at 8–9; Rosenberg (CT) Decl. ¶¶ 19, 21–22, Doc. No. 100-7 at 9–11; Albence (DE) Decl. ¶¶ 28–29, Doc. No. 100-8 at 10; Miller (DC) Decl. ¶ 20, Doc. No. 100-9 at 5–6; Berry (MD) Decl. ¶¶ 45–46, Doc. No. 100-11 at 14–15; Flynn (ME) Decl. ¶ 20, Doc. No. 100-10 at 8; Brater (MI) Decl. ¶ 22, Doc. No. 100-12 at 8; Linnell (MN) Decl. ¶¶ 20, 21, Doc. No. 100-14 at 7–8 (“Several additional program and technical staff will be needed to facilitate an effective and reliable process for the matching of records and the additional review of any records that are not matched. Our team is already at full capacity implementing system updates to comply with state law changes, and onboarding new staff for these added requirements would place a significant burden on the team. The EO provides no funding, so paying for these costs will have to come from devoting fewer resources to our office’s other pressing responsibilities, such as ensuring election security, assisting county election officials, and responding to questions from Minnesotans.”); Barber (NJ) Decl. ¶¶ 20–21, 24, Doc. No. 100-15 at 6–9; Vigil (NM) Decl. ¶¶ 23–24, Doc. No. 100-16 at 9; Stavisky (NY) Decl. ¶ 22, Doc. No. 100-17 at 8; Dawson (OR) Decl. ¶ 21–22, Doc. No. 100-19 at 6–7; Marks (PA) Decl. ¶ 19, Doc. No. 100-20 at 8; Rock (RI) Decl. ¶ 24, Doc. No. 100-21 at 9–10; Koski (VA) Decl. ¶¶ 20–24, Doc. No. 100-23 at 6–8; Hanzas (VT) Decl. ¶ 19, Doc. No. 100-22 at 6–7; Michalowski (Cook County, IL) Decl. ¶ 17, Doc. No. 100-24 at 6; Wise (King County, WA) Decl. ¶¶ 30–33, Doc. No. 100-25 at 10–12.

27. Additionally, if EO Section 2(a) is allowed to go into effect, Plaintiff States will be required to provide training and guidance to state and local elections officials detailing what steps they must take with respect to voters who appear on Plaintiff States' voter rolls, but who do not appear on the State Citizenship List. Lean (CA) Decl. ¶¶ 21–23, Doc. No. 100-1 at 8–10 (estimating that “more than 25 Elections Division staff—approximately half of all Elections Divisions staff—would be required to assist” with implementation); Tassinari (MA) Decl. ¶¶ 36–37, Doc. No. 100-2 at 13; Wlaschin (NV) Decl. ¶ 23, Doc. No. 100-3 at 9; Holmes (WA) Decl. ¶¶ 37–38, Doc. No. 100-4 at 15–16; Varvel (AZ) Decl. ¶¶ 21–23, Doc. No. 100-5 at 7–8; Rudy (CO) Decl. ¶¶ 24–27, Doc. No. 100-6 at 9; Rosenberg (CT) Decl. ¶¶ 24–26, Doc. No. 100-7 at 11–14; Albence (DE) Decl. ¶¶ 30–31, Doc. No. 100-8 at 11; Miller (DC) Decl. ¶ 21, Doc. No. 100-9 at 6; Berry (MD) Decl. ¶¶ 48–49, Doc. No. 100-11 at 16; Flynn (ME) Decl. ¶¶ 21–24, Doc. No. 100-10 at 8–10; Brater (MI) Decl. ¶¶ 30–33, Doc. No. 100-12 at 11–13; Linnell (MN) Decl. ¶¶ 22–24, Doc. No. 100-14 at 8–9; Vigil (NM) Decl. ¶¶ 25–26, Doc. No. 100-16 at 9–10; Stavisky (NY) Decl. ¶¶ 12, 21–25, Doc. No. 100-17 at 4–5, 8–9; Dawson (OR) Decl. ¶¶ 21–26, Doc. No. 100-19 at 6–8; Marks (PA) Decl. ¶¶ 21–24, Doc. No. 100-20 at 9; Rock (RI) Decl. ¶¶ 26–28, Doc. No. 100-21 at 10–11; Koski (VA) Decl. ¶¶ 25–27, Doc. No. 100-23 at 8–9; Hanzas (VT) Decl. ¶¶ 21–24, Doc. No. 100-22 at 7–8 (explaining that new trainings would “divert from other important election administration tasks” because “our elections procedures guide and training materials have already been produced and our series of trainings began on April 20”); Michalowski (Cook County, IL) Decl. ¶ 18, Doc. No. 100-24 at 6–7; Wise (King County, WA) Decl. ¶ 34, Doc. No. 100-25 at 12–13.

28. Similarly, if EO Section 2(a) is allowed to go into effect, Plaintiff States will be required to expend resources and time to mount a public education campaign to inform eligible voters about the State Citizenship List, including how to check and correct their status and to what extent it may affect the upcoming elections. Lean (CA) Decl. ¶¶ 24–26, Doc. No. 100-1 at 10–11 (past analogous public education campaigns cost over \$15 million); Tassinari (MA) Decl. ¶¶ 40–42, Doc. No. 100-2 at 13–14; Wlaschin (NV) Decl. ¶ 24, Doc. No. 100-3 at 9–10; Holmes

(WA) Decl. ¶¶ 40–41, Doc. No. 100-4 at 16–17; Varvel (AZ) Decl. ¶ 24, Doc. No. 100-5 at 8; Rudy (CO) Decl. ¶¶ 28–29, Doc. No. 100-6 at 10; Rosenberg (CT) Decl. ¶¶ 27–28, Doc. No. 100-7 at 14–15 (public education “would likely cost at least \$2 million” but “could be as high as \$9 million”); Albence (DE) Decl. ¶¶ 33–34, Doc. No. 100-8 at 11–12; Miller (DC) Decl. ¶ 21, Doc. No. 100-9 at 6; Berry (MD) Decl. ¶¶ 52–53, Doc. No. 100-11 at 17–18 (approximating cost at approximately \$1 million dollars); Flynn (ME) Decl. ¶¶ 25–26, Doc. No. 100-10 at 10; Brater (MI) Decl. ¶¶ 34–35, Doc. No. 100-12 at 13; Linnell (MN) Decl. ¶¶ 25–26, Doc. No. 100-14 at 9–10; Barber (NJ) Decl. ¶¶ 29–30, Doc. No. 100-15 at 10–11; Vigil (NM) Decl. ¶¶ 29–30, Doc. No. 100-16 at 11; Stavisky (NY) Decl. ¶¶ 27–29, Doc. No. 100-17 at 9–10; Dawson (OR) Decl. ¶¶ 27–28, Doc. No. 100-19 at 8–9; Marks (PA) Decl. ¶¶ 25–26, Doc. No. 100-20 at 10 (campaign would cost over \$1 million; past campaigns cost upward of \$9.9 million); Rock (RI) Decl. ¶¶ 29–30, Doc. No. 100-21 at 11–12; Koski (VA) Decl. ¶¶ 28–29, Doc. No. 100-23 at 9; Hanzas Decl. ¶¶ 24–25, Doc. No. 100-22 at 7–8; Michalowski (Cook County, IL) Decl. ¶ 20, Doc. No. 100-24 at 7; Wise (King County, WA) Decl. ¶¶ 35–37, Doc. No. 100-25 at 13–14; Hilby (Sun Prairie, WI) Decl. ¶ 15, Doc. No. 100-26 at 6.

29. Analyzing and attempting to correct the State Citizenship List, providing training and guidance to elections officials regarding that list, and educating the public will divert Plaintiff States’ resources and time from other obligations involved in the administration of elections. Lean (CA) Decl. ¶¶ 17–20, 22–25, 27, 60–62, Doc. No. 100-1 at 6–11, 21; Tassinari (MA) Decl. ¶¶ 25–42, Doc. No. 100-2 at 9–14; Wlaschin (NV) Decl. ¶¶ 24, 25, 65, Doc. No. 100-3 at 9–10, 24–25; Holmes (WA) Decl. ¶ 36, Doc. No. 100-4 at 15; Varvel (AZ) Decl. ¶¶ 16–20, 22–23, 26, 58–61, Doc. No. 100-5 at 5–7, 8, 9, 19–20; Rudy (CO) Decl. ¶¶ 20–31, 65–67, Doc. No. 100-6 at 7–11, 20–22; Rosenberg (CT) Decl. ¶¶ 12, 22, 24–26, 30, 65–66, Doc. No. 100-7 at 5–7, 10–11, 11–14, 16, 27 (EO has pulled “staff from managing the roll out of the new voter registry database” and “would necessarily divert approximately 80% of our team’s resources from other important election administration tasks for the next several months”); Albence (DE) Decl. ¶¶ 32, 34, Doc. No. 100-8 at 11, 12; Miller (DC) Decl. ¶ 17, Doc. No. 100-9

at 5; Berry (MD) Decl. ¶¶ 45–46, 48, 53, Doc. No. 100-11 at 14–16, 18; Flynn (ME) Decl. ¶¶ 17–20, 22–26, 28, 63–66, Doc. No. 100-10 at 6–8, 9–11, 22–23; Brater (MI) Decl. ¶¶ 19–23, 32–33, 35, 37, 71–74, Doc. No. 100-12 at 6–9, 12–14, 25–26 (“Eight staff members who specialize in data reconciliation and list maintenance would likely be reassigned to this task full-time beginning with receipt of the list on the 60<sup>th</sup> day before an election until at least the 45<sup>th</sup> day before an election when military and overseas ballots are sent”); Linnell (MN) Decl. ¶¶ 11, 18–26, Doc. No. 100-14 at 4, 6–10; Barber (NJ) Decl. ¶¶ 20–34, Doc. No. 100-15 at 6–12; Vigil (NM) Decl. ¶¶ 21–24, 26–30, 32, Doc. No. 100-16 at 7–12; Stavisky (NY) Decl. ¶¶ 12, 29, Doc. No. 100-17 at 4–5, 10; Dawson (OR) Decl. ¶¶ 20–29, 71–73, Doc. No. 100-19 at 6–9, 21–22; Marks (PA) Decl. ¶¶ 17–25, 64–65, Doc. No. 100-20 at 6–10, 22; Rock (RI) Decl. ¶¶ 22–30, 32, 67–70, Doc. No. 100-21 at 8–12, 22–23; Koski (VA) Decl. ¶¶ 21–29, 63–64, Doc. No. 100-23 at 6–9, 19; Hanzas (VT) Decl. ¶¶ 17–20, 22–24, 26, 28, 62–63, Doc. No. 100-22 at 5–9, 20 (“This is yet another aspect of the EO’s implementation that will necessarily divert from other important election administration tasks, especially because our election procedures guide and training materials have already been produced and our series of trainings began on April 20.”); Michalowski (Cook County, IL) Decl. ¶¶ 17–21, 23, Doc. No. 100-24 at 6–7, 8; Wise (King County, WA) Decl. ¶¶ 76–77, Doc. No. 100-25 at 26–27; Hilby (Sun Prairie, WI) Decl. ¶ 14–15, Doc. No. 100-26 at 5–6.

30. Because Plaintiff States will receive the State Citizenship List no more than 60 days before the General Election, they must plan for and begin this work now. Lean (CA) Decl. ¶ 17, Doc. No. 100-1 at 6; Tassinari Dec. ¶ 32, Doc. No. 100-2 at 11; Wlaschin (NV) Decl. ¶¶ 18, 44, Doc. No. 100-3 at 6, 16; Holmes (WA) Decl. ¶ 32, Doc. No. 100-4 at 13–14; Varvel (AZ) Decl. ¶ 16, Doc. No. 100-5 at 5; Rudy (CO) Decl. ¶ 20, Doc. No. 100-6 at 7; Rosenberg (CT) Decl. ¶¶ 11, 19, Doc. No. 100-7 at 5, 9; Miller (DC) Decl. ¶ 20, Doc. No. 100-9 at 5–6; Berry (MD) Decl. ¶¶ 27–29, Doc. No. 100-11 at 9 (Maryland is conducting its primary late in the year, June 23, 2026, so this work will collide with preparations for the primary); Flynn (ME) Decl. ¶¶ 9, 17, Doc. No. 100-10 at 4, 6–7; Brater (MI) Decl. ¶ 19, Doc. No. 100-12 at 6–7;

Linnell (MN) Decl. ¶¶ 10–11, Doc. No. 100-14 at 4; Barber (NJ) Decl. ¶ 22, Doc. No. 100-15 at 7–8; Vigil (NM) Decl. ¶ 21, Doc. No. 100-16 at 7–8; Stavisky (NY) Decl. ¶ 19, Doc. No. 100-17 at 6–7; Marks (PA) Decl. ¶ 17, Doc. No. 100-20 at 6–7; Rock (RI) Decl. ¶ 22, Doc. No. 100-21 at 8–9; Koski (VA) Decl. ¶¶ 12–14, Doc. No. 100-23 at 4–5; Hanzas (VT) Decl. ¶ 17, Doc. No. 100-22 at 5–6; Michalowski (Cook County, IL) Decl. ¶ 14, Doc. No. 100-24 at 4–5; Wise (King County, WA) Decl. ¶ 30, Doc. No. 100-25 at 10; Hilby (Sun Prairie, WI) Decl. ¶ 12, Doc. No. 100-26 at 4–5.

31. Some eligible voters who are not listed on the State Citizenship List may be deterred from voting because they fear investigation or prosecution. Lean (CA) Decl. ¶ 18, Doc. No. 100-1 at 7; Tassinari Dec. ¶¶ 33, 43, 51, Doc. No. 100-2 at 11–12, 14–15, 17–18; Wlaschin (NV) Decl. ¶ 20, Doc. No. 100-3 at 7–8; Holmes (WA) Decl. ¶ 30, Doc. No. 100-4 at 12–13; Varvel (AZ) Decl. ¶ 17, Doc. No. 100-5 at 5–6; Rudy (CO) Decl. ¶ 21, Doc. No. 100-6 at 7–8; Rosenberg (CT) Decl. ¶ 20, Doc. No. 100-7 at 9–10; Albence (DE) Decl. ¶ 44, Doc. No. 100-8 at 16; Miller (DC) Decl. ¶ 15, Doc. No. 100-9 at 4; Berry (MD) Decl. ¶ 70, Doc. No. 100-11 at 23 (especially true for Maryland’s 17-year-old primary voters); Flynn (ME) Decl. ¶ 18, Doc. No. 100-10 at 7–8; Brater (MI) Decl. ¶ 20, Doc. No. 100-12 at 7–8; Linnell (MN) Decl. ¶¶ 19, 36, Doc. No. 100-14 at 7, 12–13; Vigil (NM) Decl. ¶¶ 22, 31, Doc. No. 100-16 at 8–9, 11–12; Stavisky (NY) Decl. ¶ 20, Doc. No. 100-17 at 7; Brunton (NC) Decl. ¶ 14, Doc. No. 100-18 at 4; Dawson (OR) Decl. ¶ 18, Doc. No. 100-19 at 5; Marks (PA) Decl. ¶ 18, Doc. No. 100-20 at 7; Rock (RI) Decl. ¶ 23, Doc. No. 100-21 at 9; Koski (VA) Decl. ¶¶ 28–29, Doc. No. 100-23 at 9; Hanzas (VT) Decl. ¶ 18, Doc. No. 100-22 at 6; Michalowski (Cook County, IL) Decl. ¶ 15, Doc. No. 100-24 at 5; Wise (King County, WA) Decl. ¶ 31, Doc. No. 100-25 at 10–11.

32. Eligible voters who are not listed on the State Citizenship List may be denied a ballot because USPS employees or elections officials or workers fear prosecution. Lean (CA) Decl. ¶ 18, Doc. No. 100-1 at 7; Tassinari Dec. ¶¶ 47–48, 52, Doc. No. 100-2 at 16, 18; Wlaschin (NV) Decl. ¶¶ 20, 39, Doc. No. 100-3 at 7–8, 15 (“These are all risks that Nevada cannot accept. We must make every effort to avoid disenfranchising eligible Nevada residents.”); Holmes (WA)

Decl. ¶ 30, Doc. No. 100-4 at 12–13; Varvel (AZ) Decl. ¶ 17, Doc. No. 100-5 at 5–6; Rudy (CO) Decl. ¶ 21, Doc. No. 100-6 at 7–8; Rosenberg (CT) Decl. ¶ 20, Doc. No. 100-7 at 9–10; Albence (DE) Decl. ¶ 40, Doc. No. 100-8 at 14; Berry (MD) Decl. ¶ 71; Flynn (ME) Decl. ¶ 18, Doc. No. 100-10 at 7–8; Brater (MI) Decl. ¶¶ 20–21, Doc. No. 100-12 at 7–8; Linnell (MN) Decl. ¶ 19, Doc. No. 100-14 at 7; Barber (NJ) Decl. ¶ 23, Doc. No. 100-15 at 8; Vigil (NM) Decl. ¶ 22, Doc. No. 100-16 at 8–9; Stavisky (NY) Decl. ¶ 20, Doc. No. 100-17 at 7; Brunton (NC) Decl. ¶ 14, Doc. No. 100-18 at 4; Dawson (OR) Decl. ¶ 20, Doc. No. 100-19 at 6; Marks (PA) Decl. ¶ 18, Doc. No. 100-20 at 7; Rock (RI) Decl. ¶ 23, Doc. No. 100-21 at 9; Hanzas (VT) Decl. ¶ 18, Doc. No. 100-22 at 6; Michalowski (Cook County, IL) Decl. ¶ 15, Doc. No. 100-24 at 5; Wise (King County, WA) Decl. ¶ 31, Doc. No. 100-25 at 10–11.

33. Plaintiff States’ elections officials intend to comply with their existing duties to issue ballots to registered voters. Lean (CA) Decl. ¶ 28, Doc. No. 100-1 at 11; Tassinari (MA) Decl. ¶¶ 14, 37, 45, 70, Doc. No. 100-2 at 5–6, 13, 15, 23; Wlaschin (NV) Decl. ¶¶ 31–32, Doc. No. 100-3 at 13; Holmes (WA) Decl. ¶¶ 28, 48, Doc. No. 100-4 at 11–12, 19–20; Varvel (AZ) Decl. ¶ 27, Doc. No. 100-5 at 9; Rudy (CO) Decl. ¶ 32, Doc. No. 100-6 at 11; Rosenberg (CT) Decl. ¶ 32, Doc. No. 100-7 at 16; Albence (DE) Decl. ¶ 37, Doc. No. 100-8 at 13; Miller (DC) Decl. ¶ 22, Doc. No. 100-9 at 6–7; Berry (MD) Decl. ¶¶ 57, 73, Doc. No. 100-11 at 19, 24; Flynn (ME) Decl. ¶ 29, Doc. No. 100-10 at 11; Brater (MI) Decl. ¶ 38, Doc. No. 100-12 at 14; Linnell (MN) Decl. ¶ 29, Doc. No. 100-14 at 10–11; Barber (NJ) Decl. ¶ 37, Doc. No. 100-15 at 13; Vigil (NM) Decl. ¶ 33, Doc. No. 100-16 at 12; Stavisky (NY) Decl. ¶ 30, Doc. No. 100-17 at 10; Dawson (OR) Decl. ¶ 33, Doc. No. 100-19 at 10; Marks (PA) Decl. ¶ 29, Doc. No. 100-20 at 11; Rock (RI) Decl. ¶ 33, Doc. No. 100-21 at 12–13; Koski (VA) Decl. ¶ 37, Doc. No. 100-23 at 11; Hanzas (VT) Decl. ¶ 28, Doc. No. 100-22 at 9; Michalowski (Cook County, IL) Decl. ¶ 24, Doc. No. 100-24 at 8; Wise (King County, WA) Decl. ¶¶ 40–41, Doc. No. 100-25 at 15.

34. In “Qualifications States,” elections officials must issue federal primary election ballots to registered 17-year-old voters who will be 18 years old by the next federal general election. Holmes (WA) Decl. ¶ 48, Doc. No. 100-4 at 19–20; Rudy (CO) Decl. ¶ 36, Doc. No.

100-6 at 12; Rosenberg (CT) Decl. ¶ 36, Doc. No. 100-7 at 17–18; Albence (DE) Decl. ¶ 41, Doc. No. 100-8 at 15; Miller (DC) Decl. ¶ 22, Doc. No. 100-9 at 6–7; Berry (MD) Decl. ¶ 61, Doc. No. 100-11 at 20; Flynn (ME) Decl. ¶ 33, Doc. No. 100-10 at 12–13; Barber (NJ) Decl. ¶ 41, Doc. No. 100-15 at 14–15; Vigil (NM) Decl. ¶ 37, Doc. No. 100-16 at 13; Brunton (NC) Decl. ¶ 19, Doc. No. 100-12 at 6–7, Doc. No. 100-18 at 6; Rock (RI) Decl. ¶ 38, Doc. No. 100-21 at 14; Koski (VA) Decl. ¶ 34, Doc. No. 100-23 at 11; Hanzas (VT) Decl. ¶ 32, Doc. No. 100-22 at 10; Michalowski (Cook County, IL) Decl. ¶ 28, Doc. No. 100-24 at 9; Wise (King County, WA) Decl. ¶ 44, Doc. No. 100-25 at 16.

35. Plaintiff States issue ballots to absent uniformed services voters, their family members, and voters who live outside the United States who register at least 45 days before the election, and in some cases, to absent uniformed services voters or overseas voters who register closer to an election. Lean (CA) Decl. ¶ 29, Doc. No. 100-1 at 11; Tassinari (MA) Decl. ¶¶ 17, 45, Doc. No. 100-2 at 7, 15; Holmes (WA) Decl. ¶ 46, Doc. No. 100-4 at 18–19; Wlaschin (NV) Decl. ¶¶ 32, 46, Doc. No. 100-3 at 13, 17 (under state law voters may request an absentee ballot or register and receive an absentee ballot up to the close of polls on election day, *see* Nev. Rev. Stat. 293D.230, 293D.300); Varvel (AZ) Decl. ¶ 28, Doc. No. 100-5 at 9; Rudy (CO) Decl. ¶ 33, Doc. No. 100-6 at 11 (at least 7 days before election to receive a mail ballot); Rosenberg (CT) Decl. ¶ 33, Doc. No. 100-7 at 16; Albence (DE) Decl. ¶¶ 18, 38, 51, Doc. No. 100-8 at 6, 13–14, 18; Miller (DC) Decl. ¶ 12, Doc. No. 100-9 at 3; Berry (MD) Decl. ¶ 58, Doc. No. 100-11 at 19; Flynn (ME) Decl. ¶ 30, Doc. No. 100-10 at 12; Brater (MI) Decl. ¶ 39, Doc. No. 100-12 at 14; Linnell (MN) Decl. ¶¶ 14, 30, Doc. No. 100-14 at 5, 11; Barber (NJ) Decl. ¶¶ 17, 38, Doc. No. 100-15 at 6, 13; Vigil (NM) Decl. ¶ 34, Doc. No. 100-16 at 12; Stavisky (NY) Decl. ¶ 31, Doc. No. 100-17 at 10–11 (transmittal deadline for UOCAVA voters is 46 days pre–election); Brunton (NC) Decl. ¶¶ 8, 22, Doc. No. 100-18 at 3, 6 (registration and request for ballots allowed until 5:00 p.m. on day before election); Dawson (OR) Decl. ¶ 34, Doc. No. 100-19 at 10; Marks (PA) Decl. ¶ 30, Doc. No. 100-20 at 11; Rock (RI) Decl. ¶ 34, Doc. No. 100-21 at 13; Koski (VA) Decl. ¶¶ 17, 31, Doc. No. 100-23 at 5–6, 9–10; Hanzas (VT) Decl. ¶ 29, Doc. No. 100-22 at 9;

Michalowski (Cook County, IL) Decl. ¶ 10, Doc. No. 100-24 at 3–4; Wise (King County, WA) Decl. ¶ 56, Doc. No. 100-25 at 19–20; Hilby (Sun Prairie, WI) Decl. ¶ 9, Doc. No. 100-26 at 3–4.

36. Plaintiff States’ elections officials fear that they or other elections officials in their States may be federally prosecuted if they issue ballots to voters who are excluded from the State Citizenship List. Lean (CA) Decl. ¶¶ 31–32, Doc. No. 100-1 at 12; Tassinari (MA) Decl. ¶¶ 47–48, 52, Doc. No. 100-2 at 16, 18; Wlaschin (NV) Decl. ¶¶ 34–35, 39, Doc. No. 100-3 at 13–14, 15; Holmes (WA) Decl. ¶¶ 46–48, Doc. No. 100-4 at 18–20; Varvel (AZ) Decl. ¶¶ 29–31, Doc. No. 100-5 at 9–10; Rudy (CO) Decl. ¶¶ 35–37, Doc. No. 100-6 at 12–13 (threat of prosecution exacerbates challenges for elections officials, many of whom “have been the recipients of death threats merely for doing their jobs consistent with applicable law”); Rosenberg (CT) Decl. ¶¶ 35–37, 40, Doc. No. 100-7 at 17–19; Albence (DE) Decl. ¶ 40, Doc. No. 100-8 at 14; Berry (MD) Decl. ¶ 60, Doc. No. 100-11 at 20; Flynn (ME) Decl. ¶¶ 31–32, 34, Doc. No. 100-10 at 12–13; Brater (MI) Decl. ¶¶ 40–42, Doc. No. 100-12 at 15–16; Linnell (MN) Decl. ¶¶ 32–34, 37, Doc. No. 100-14 at 11–13; Barber (NJ) Decl. ¶¶ 23, 30, 39–42, Doc. No. 100-15 at 8, 12–13, 14–15; Vigil (NM) Decl. ¶¶ 35–36, 38, Doc. No. 100-16 at 12–14; Stavisky (NY) Decl. ¶¶ 25, 33–35, 38, Doc. No. 100-17 at 9, 11–12, 12–13; Dawson (OR) Decl. ¶¶ 36–38, Doc. No. 100-19 at 11–12; Marks (PA) Decl. ¶¶ 31–32, 34, Doc. No. 100-20 at 12–13; Rock (RI) Decl. ¶¶ 36–39, Doc. No. 100-21 at 13–14; Koski (VA) Decl. ¶¶ 33–34, Doc. No. 100-23 at 10–11; Hanzas (VT) Decl. ¶¶ 31–32, Doc. No. 100-22 at 10; Michalowski (Cook County, IL) Decl. ¶¶ 27–29, Doc. No. 100-24 at 9; Wise (King County, WA) Decl. ¶¶ 43–45, Doc. No. 100-25 at 15–16.

37. In Qualifications States, elections officials fear that they may be federally prosecuted if they issue ballots to eligible 17-year-old voters in connection with federal primary elections. Holmes (WA) Decl. ¶ 48, Doc. No. 100-4 at 19–20; Rudy (CO) Decl. ¶ 35, Doc. No. 100-6 at 12; Rosenberg (CT) Decl. ¶¶ 35–37, Doc. No. 100-7 at 17–18; Albence (DE) Decl. ¶¶ 40–41, Doc. No. 100-8 at 14–15; Berry (MD) Decl. ¶ 61, Doc. No. 100-11 at 20; Flynn (ME) Decl. ¶¶ 33–34, Doc. No. 100-10 at 12–13; Barber (NJ) Decl. ¶¶ 41–42, Doc. No. 100-15 at 14–

15; Vigil (NM) Decl. ¶¶ 35–38, Doc. No. 100-16 at 12–14; Dawson (OR) Decl. ¶¶ 33–34, Doc. No. 100-19 at 10; Rock (RI) Decl. ¶¶ 38–39, Doc. No. 100-21 at 14; Koski (VA) Decl. ¶ 34, Doc. No. 100-23 at 11; Hanzas (VT) Decl. ¶¶ 32–33, Doc. No. 100-22 at 10–11; Michalowski (Cook County, IL) Decl. ¶ 28, Doc. No. 100-24 at 9 (“This issue has and will cause significant confusion about the rules applicable to upcoming elections.”); Wise (King County, WA) Decl. ¶ 44, Doc. No. 100-25 at 16.

38. If Defendants Acting Attorney General Blanche and the U.S. Department of Justice initiate any criminal prosecutions of Plaintiff States’ elections officials based on their providing a ballot to voters who are excluded from the State Citizenship List, or to voters who are 17 years old, Plaintiff States and their elections officials are likely to incur costs to defend against the prosecution. Lean (CA) Decl. ¶ 33, Doc. No. 100-1 at 13; Tassinari (MA) Decl. ¶ 49, Doc. No. 100-2 at 16–17; Holmes (WA) Decl. ¶ 51, Doc. No. 100-4 at 20; Varvel (AZ) Decl. ¶ 32, Doc. No. 100-5 at 10; Rudy (CO) Decl. ¶ 38, Doc. No. 100-6 at 13; Rosenberg (CT) Decl. ¶ 38, Doc. No. 100-7 at 18; Albence (DE) Decl. ¶ 42, Doc. No. 100-8 at 15; Berry (MD) Decl. ¶ 63, Doc. No. 100-11 at 21; Flynn (ME) Decl. ¶ 35, Doc. No. 100-10 at 13; Brater (MI) Decl. ¶ 43, Doc. No. 100-12 at 16; Linnell (MN) Decl. ¶ 34, Doc. No. 100-14 at 12; Barber (NJ) Decl. ¶ 43, Doc. No. 100-15 at 15; Vigil (NM) Decl. ¶ 39, Doc. No. 100-16 at 14; Stavisky (NY) Decl. ¶ 35, Doc. No. 100-17 at 12 (“Should the Attorney General initiate any such enforcement actions, the New York State Board of Elections would be required to divert significant resources to respond to such legal action.”); Dawson (OR) Decl. ¶ 39, Doc. No. 100-19 at 12; Marks (PA) Decl. ¶ 34, Doc. No. 100-20 at 13; Rock (RI) Decl. ¶ 40, Doc. No. 100-21 at 14–15; Koski (VA) Decl. ¶ 35, Doc. No. 100-23 at 11; Hanzas (VT) Decl. ¶ 34, Doc. No. 100-22 at 11; Michalowski (Cook County, IL) Decl. ¶ 30, Doc. No. 100-24 at 9; Wise (King County, WA) Decl. ¶ 46, Doc. No. 100-25 at 16.

39. Any criminal prosecutions of Plaintiff States’ elections officials based on their providing a ballot to voters who are validly registered under existing state and federal law but who are excluded from the State Citizenship List or to voters who are 17 years old will damage

the public’s trust in Plaintiff States’ administration of federal elections. Lean (CA) Decl. ¶ 34, Doc. No. 100-1 at 13 (“California is committed to running free and fair elections, and the Secretary of State’s Office places the highest value on maintaining public trust as a steward of our democracy. Legal proceedings challenging California’s lawful administration of elections could unfairly undermine that public trust.”); Wlaschin (NV) Decl. ¶ 37, Doc. No. 100-3 at 14–15; Holmes (WA) Decl. ¶ 52, Doc. No. 100-4 at 21; Varvel (AZ) Decl. ¶ 33, Doc. No. 100-5 at 11; Rudy (CO) Decl. ¶ 39, Doc. No. 100-6 at 13; Rosenberg (CT) Decl. ¶ 39, Doc. No. 100-7 at 18–19; Albence (DE) Decl. ¶ 43, Doc. No. 100-8 at 15; Berry (MD) Decl. ¶ 64–69, Doc. No. 100-11 at 21–23; Flynn (ME) Decl. ¶ 36, Doc. No. 100-10 at 13; Brater (MI) Decl. ¶ 44, Doc. No. 100-12 at 16; Linnell (MN) Decl. ¶ 35, Doc. No. 100-14 at 12 (“If the level of public trust were to decrease, voter participation could decrease as well as citizens may opt to disengage rather than navigate a process that is clouded in confusion and doubt.”); Barber (NJ) Decl. ¶ 44, Doc. No. 100-15 at 15; Vigil (NM) Decl. ¶ 40, Doc. No. 100-16 at 14; Stavisky (NY) Decl. ¶ 36, Doc. No. 100-17 at 12; Brunton (NC) Decl. ¶ 20, Doc. No. 100-18 at 6; Dawson (OR) Decl. ¶ 40, Doc. No. 100-19 at 12–13; Marks (PA) Decl. ¶ 35, Doc. No. 100-20 at 13; Rock (RI) Decl. ¶ 41, Doc. No. 100-21 at 15; Koski (VA) Decl. ¶ 36, Doc. No. 100-23 at 11; Hanzas (VT) Decl. ¶ 35, Doc. No. 100-22 at 11; Michalowski (Cook County, IL) Decl. ¶ 31, Doc. No. 100-24 at 10; Wise (King County, WA) Decl. ¶ 47, Doc. No. 100-25 at 17.

40. Each Plaintiff State allows some or all of their registered voters to receive and return ballots by mail. Lean (CA) Decl. ¶ 37, Doc. No. 100-1 at 14 (“In California, every active, registered voter is mailed a ballot,” citing Cal. Elec. Code § 3000.5); Tassinari (MA) Decl. ¶ 50, Doc. No. 100-2 at 17; Wlaschin (NV) Decl. ¶ 40, Doc. No. 100-3 at 15; Holmes (WA) Decl. ¶¶ 12, 28, Doc. No. 100-4 at 5, 11–12; Varvel (AZ) Decl. ¶ 36, Doc. No. 100-5 at 11–12; Rudy (CO) Decl. ¶ 42, Doc. No. 100-6 at 14; Rosenberg (CT) Decl. ¶ 41, Doc. No. 100-7 at 19; Albence (DE) Decl. ¶ 45, Doc. No. 100-8 at 16; Miller (DC) Decl. ¶ 24, Doc. No. 100-9 at 7; Berry (MD) Decl. ¶¶ 10–15, 73, Doc. No. 100-11 at 4–6, 24; Flynn (ME) Decl. ¶ 39, Doc. No. 100-10 at 14; Brater (MI) Decl. ¶ 47, Doc. No. 100-12 at 17; Linnell (MN) Decl. ¶ 38, Doc. No.

100-14 at 13; Barber (NJ) Decl. ¶ 47, Doc. No. 100-15 at 16–17; Vigil (NM) Decl. ¶ 43, Doc. No. 100-16 at 15; Stavisky (NY) Decl. ¶ 39, Doc. No. 100-17 at 13; Brunton (NC) Decl. ¶ 21, Doc. No. 100-18 at 6; Dawson (OR) Decl. ¶ 4, 43, Doc. No. 100-19 at 2, 13; Marks (PA) Decl. ¶ 38, Doc. No. 100-20 at 14; Rock (RI) Decl. ¶ 44, Doc. No. 100-21 at 15–16; Koski (VA) Decl. ¶ 37, Doc. No. 100-23 at 11; Hanzas (VT) Decl. ¶ 38, Doc. No. 100-22 at 12; Michalowski (Cook County, IL) Decl. ¶ 34, Doc. No. 100-24 at 10; Wise (King County, WA) Decl. ¶¶ 50, 67, Doc. No. 100-25 at 18, 22; Hilby (Sun Prairie, WI) Decl. ¶ 19, Doc. No. 100-26 at 8.

41. In the 2024 General Election, more than twenty-six million voters in Plaintiff States cast mail ballots containing votes for federal office. Lean (CA) Decl. ¶ 53, Doc. No. 100-1 at 18 (16,140,044 votes cast by mail); Tassinari (MA) Decl. ¶ 70, Doc. No. 100-2 at 23 (1,203,106 ballots cast by mail); Holmes (WA) Decl. ¶ 28, Doc. No. 100-4 at 11–12 (over 1.3 million voters returned their voted ballot by mail); Varvel (AZ) Decl. ¶ 52, Doc. No. 100-5 at 16 (2,597,974 Arizonans voted by mail); Rosenberg (CT) Decl. ¶ 58, Doc. No. 100-7 at 24 (120,422 votes cast by mail); Albence (DE) Decl. ¶ 64, Doc. No. 100-8 at 21–22 (more than 40,000 votes cast by mail); Berry (MD) Decl. ¶ 90, Doc. No. 100-11 at 28–29 (nearly 763,000 mail ballots); Flynn (ME) Decl. ¶ 57, Doc. No. 100-10 at 19–20 (215,643 ballots cast by mail); Brater (MI) Decl. ¶ 65, Doc. No. 100-12 at 22 (2,232,721 votes cast by mail); Linnell (MN) Decl. ¶ 55, Doc. No. 100-14 at 18 (“roughly 1 in 10 Minnesotans voted by mail”); Vigil (NM) Decl. ¶ 59, Doc. No. 100-16 at 19–20 (New Mexico received 117,701 ballots by mail); Stavisky (NY) Decl. ¶ 55, Doc. No. 100-17 at 17 (nearly 837,000 voters in New York voted by mail in the 2024 General Election); Brunton (NC) Decl. ¶ 30 (295,602 valid presidential votes cast by North Carolina voters using mail ballots in 2024); Rock (RI) Decl. ¶ 61, Doc. No. 100-21 at 20 (55,795 Rhode Islanders voted by mail in the 2024 General Election); Koski (VA) Decl. ¶ 55, Doc. No. 100-23 at 16 (417,822 voters in Virginia); Michalowski (Cook County, IL) Decl. ¶ 57, Doc. No. 100-24 at 15 (192,412 in Cook County, Illinois); Wise (King County, WA) Decl. ¶ 67, Doc. No. 100-25 at 22.

42. The percent of voters who voted by mail ballot in each Plaintiff State in the November 2024 General Election ranged from 5.19% in North Carolina to 100% in Oregon. Lean (CA) Decl. ¶ 53, Doc. No. 100-1 at 18 (over 80.76% of California voters voted by mail); Tassinari (MA) Decl. ¶ 70, Doc. No. 100-2 at 23 (34.2% in Massachusetts); Wlaschin (NV) Decl. ¶ 57, Doc. No. 100-3 at 21 (44.99% of Nevadans voted by mail); Holmes (WA) Decl. ¶ 28, Doc. No. 100-4 at 11–12 (32.8% of Washington voters returned voted ballot by mail); Varvel (AZ) Decl. ¶ 52, Doc. No. 100-5 at 16 (more than 75% of voters in Arizona voted by mail); Rudy (CO) Decl. ¶ 36, Doc. No. 100-6 at 12 (“92% of Colorado voters who voted cast their mail ballot, either by returning them by mail, drop box, or at a VSPC”); Miller (DC) Decl. ¶ 32, Doc. No. 100-9 at 10 (51% of voters in the District of Columbia); Berry (MD) Decl. ¶ 90, Doc. No. 100-11 at 28–29 (25% voters); Flynn (ME) Decl. ¶ 57, Doc. No. 100-10 at 19–20 (26% voters in Maine); Brater (MI) Decl. ¶ 65, Doc. No. 100-12 at 22 (39% of voters in Michigan); Linnell (MN) Decl. ¶ 55, Doc. No. 100-14 at 18 (approximately 10%); Barber (NJ) Decl. ¶¶ 61, 63, Doc. No. 100-15 at 21–22 (19.46% of voters in New Jersey); Vigil (NM) Decl. ¶ 59, Doc. No. 100-16 at 19–20 (12.68% of voters in New Mexico); Brunton (NC) Decl. ¶ 30, Doc. No. 100-18 at 8 (5.19% of valid presidential votes cast by North Carolina voters using mail ballots in 2024); *see also* Brunton (NC) Decl. ¶ 31, Doc. No. 100-18 at 8–9 (ability to vote by mail was particularly important for North Carolina voters affected by Hurricane Helene, which hit less than 60 days before Election Day); Dawson (OR) Decl. ¶ 4, 43, Doc. No. 100-19 at 2, 13 (100% voters in Oregon); Marks (PA) Decl. ¶ 55, Doc. No. 100-20 at 19 (21% voters in Pennsylvania); Hanzas (VT) Decl. ¶ 54, Doc. No. 100-22 at 16 (64% of voters in Vermont voted early, typically by mail); Michalowski (Cook County, IL) Decl. ¶ 57, Doc. No. 100-24 at 15; Wise (King County, WA) Decl. ¶ 67, Doc. No. 100-25 at 22.

43. Plaintiff States’ elections officials intend to comply with their existing duties to provide mail ballots to voters who are entitled to vote by mail. Lean (CA) Decl. ¶ 37, Doc. No. 100-1 at 14; Tassinari (MA) Decl. ¶¶ 14, 37, 45, Doc. No. 100-2 at 5–6, 13, 15; Wlaschin ¶ 40, Doc. No. 100-3 at 15; Holmes (WA) Decl. ¶¶ 28, 31, Doc. No. 100-4 at 11–12, 13; Varvel (AZ)

Decl. ¶ 36, Doc. No. 100-5 at 11–12; Rudy (CO) Decl. ¶ 32, Doc. No. 100-6 at 11; Rosenberg (CT) Decl. ¶ 41, Doc. No. 100-7 at 19; Albence (DE) Decl. ¶ 45, Doc. No. 100-8 at 16; Miller (DC) Decl. ¶ 24, Doc. No. 100-9 at 7; Berry (MD) Decl. ¶ 73, Doc. No. 100-11 at 24; Flynn (ME) Decl. ¶ 39, Doc. No. 100-10 at 14; Brater (MI) Decl. ¶ 47, Doc. No. 100-12 at 17; Linnell (MN) Decl. ¶ 38, Doc. No. 100-14 at 13; Barber (NJ) Decl. ¶ 47, Doc. No. 100-15 at 16–17; Vigil (NM) Decl. ¶ 43, Doc. No. 100-16 at 15; Dawson (OR) Decl. ¶ 43, Doc. No. 100-19 at 13; Marks (PA) Decl. ¶ 38, Doc. No. 100-20 at 14; Rock (RI) Decl. ¶ 44, Doc. No. 100-21 at 15–16; Koski (VA) Decl. ¶ 37, Doc. No. 100-23 at 11; Hanzas (VT) Decl. ¶ 38, Doc. No. 100-22 at 12; Michalowski (Cook County, IL) Decl. ¶ 36, Doc. No. 100-24 at 10; Wise (King County, WA) Decl. ¶¶ 40–44, Doc. No. 100-25 at 15–16.

44. If EO Section 3 goes into effect, to comply with state law requiring Plaintiff States to provide mail ballots to eligible absentee voters, Plaintiff States will be forced to provide USPS with a list of voters to whom they intend provide a mail-in or absentee ballot (“State Mail Ballot List”). EO § 3(b)(ii); Lean (CA) Decl. ¶¶ 38–39, Doc. No. 100-1 at 14; Rudy (CO) Decl. ¶ 45, Doc. No. 100-6 at 14–15; Tassinari (MA) Decl. ¶¶ 55–58, Doc. No. 100-2 at 18–19; Wlaschin (NV) Decl. ¶ 43, Doc. No. 100-3 at 16 (“Failing to provide this list to USPS would pose an unacceptable risk under the EO that USPS will not include Nevada voters on the USPS Mail Ballot List.”); Holmes (WA) Decl. ¶¶ 31–34, Doc. No. 100-4 at 13–14; Varvel (AZ) Decl. ¶ 38, Doc. No. 100-5 at 12; Rosenberg (CT) Decl. ¶ 45, Doc. No. 100-7 at 20; Albence (DE) Decl. ¶¶ 46, 48, Doc. No. 100-8 at 16, 17; Miller (DC) Decl. ¶ 24, Doc. No. 100-9 at 7; Berry (MD) Decl. ¶ 76, Doc. No. 100-11 at 25; Flynn (ME) Decl. ¶ 42, Doc. No. 100-10 at 15; Brater (MI) Decl. ¶ 50, Doc. No. 100-12 at 18–19; Linnell (MN) Decl. ¶ 41, Doc. No. 100-14 at 14; Barber (NJ) Decl. ¶¶ 48, 50, Doc. No. 100-15 at 17–18; Vigil (NM) Decl. ¶ 46, Doc. No. 100-16 at 16; Stavisky (NY) Decl. ¶ 43, Doc. No. 100-17 at 14; Brunton (NC) Decl. ¶ 25, Doc. No. 100-18 at 7; Dawson (OR) Decl. ¶ 44, Doc. No. 100-19 at 13–14; Marks (PA) Decl. ¶ 41, Doc. No. 100-20 at 15; Rock (RI) Decl. ¶ 47, Doc. No. 100-21 at 16; Koski (VA) Decl. ¶¶ 39–40, Doc. No. 100-23 at 12; Hanzas (VT) Decl. ¶ 42, Doc. No. 100-22 at 13; Michalowski (Cook County,

IL) Decl. ¶ 37, Doc. No. 100-24 at 11; Wise (King County, WA) Decl. ¶ 53, Doc. No. 100-25 at 18–19

45. States will be unable to include on the State Mail Ballot List UOCAVA voters who request absentee ballots fewer than 60 days before an election. Lean (CA) Decl. ¶ 42, Doc. No. 100-1 at 15; Rudy (CO) Decl. ¶ 48, Doc. No. 100-6 at 15; Tassinari (MA) Decl. ¶ 59, Doc. No. 100-2 at 19–20; Wlaschin (NV) Decl. ¶¶ 46, Doc. No. 100-3 at 17; Holmes (WA) Decl. ¶¶ 24–25, Doc. No. 100-4 at 10–11; Varvel (AZ) Decl. ¶ 41, Doc. No. 100-5 at 13; Rosenberg (CT) Decl. ¶ 48, Doc. No. 100-7 at 21; Albence (DE) Decl. ¶ 51, Doc. No. 100-8 at 18; Miller (DC) Decl. ¶ 33, Doc. No. 100-9 at 10–11; Berry (MD) Decl. ¶ 79, Doc. No. 100-11 at 25–26; Flynn (ME) Decl. ¶ 45, Doc. No. 100-10 at 16; Brater (MI) Decl. ¶ 53, Doc. No. 100-12 at 19; Linnell (MN) Decl. ¶ 44, Doc. No. 100-14 at 15; Barber (NJ) Decl. ¶ 68, Doc. No. 100-15 at 24; Vigil (NM) Decl. ¶ 49, Doc. No. 100-16 at 16–17; Stavisky (NY) Decl. ¶ 44, Doc. No. 100-17 at 14; Brunton (NC) Decl. ¶ 26, Doc. No. 100-18 at 7; Dawson (OR) Decl. ¶ 50, Doc. No. 100-19 at 15; Marks (PA) Decl. ¶ 44, Doc. No. 100-20 at 16; Rock (RI) Decl. ¶ 50, Doc. No. 100-21 at 17; Koski (VA) Decl. ¶ 45, Doc. No. 100-23 at 13; Hanzas (VT) Decl. ¶ 44, Doc. No. 100-22 at 13–14; Michalowski (Cook County, IL) Decl. ¶ 46, Doc. No. 100-24 at 13; Wise (King County, WA) Decl. ¶ 56, Doc. No. 100-25 at 19–20; Hilby (Sun Prairie, WI) Decl. ¶ 19, Doc. No. 100-26 at 8.

46. States will be unable to include voters in a State Mail Ballot List who become eligible to receive mail ballots under state law fewer than 60 days before an election. Lean (CA) Decl. ¶ 42, Doc. No. 100-1 at 15; Tassinari (MA) Decl. ¶ 59, Doc. No. 100-2 at 19–20; Wlaschin (NV) Decl. ¶¶ 46, Doc. No. 100-3 at 17; Holmes (WA) Decl. ¶¶ 24–25, Doc. No. 100-4 at 10–11; Varvel (AZ) Decl. ¶ 41, Doc. No. 100-5 at 13; Rudy (CO) Decl. ¶ 48, Doc. No. 100-6 at 15; Rosenberg (CT) Decl. ¶ 48, Doc. No. 100-7 at 21; Albence (DE) Decl. ¶ 51, Doc. No. 100-8 at 18; Miller (DC) Decl. ¶ 33, Doc. No. 100-9 at 10–11; Berry (MD) Decl. ¶ 79, Doc. No. 100-11 at 25–26; Flynn (ME) Decl. ¶ 45, Doc. No. 100-10 at 16; Brater (MI) Decl. ¶ 53, Doc. No. 100-12 at 19; Linnell (MN) Decl. ¶ 44, Doc. No. 100-14 at 15; Barber (NJ) Decl. ¶ 68, Doc. No. 100-15

at 24; Vigil (NM) Decl. ¶ 49, Doc. No. 100-16 at 16–17; Stavisky (NY) Decl. ¶ 44, Doc. No. 100-17 at 14; Brunton (NC) Decl. ¶ 26, Doc. No. 100-18 at 7; Dawson (OR) Decl. ¶ 50, Doc. No. 100-19 at 15; Marks (PA) Decl. ¶ 44, Doc. No. 100-20 at 16; Rock (RI) Decl. ¶ 50, Doc. No. 100-21 at 17; Koski (VA) Decl. ¶ 45, Doc. No. 100-23 at 13; Hanzas (VT) Decl. ¶ 44, Doc. No. 100-22 at 13–14; Michalowski (Cook County, IL) Decl. ¶ 46, Doc. No. 100-24 at 13; Wise (King County, WA) Decl. ¶ 56, Doc. No. 100-25 at 19–20; Hilby (Sun Prairie, WI) Decl. ¶ 19, Doc. No. 100-26 at 8.

47. Creating the State Mail Ballot List will require Plaintiff States to expend resources to complete tasks such as compiling data, converting or preparing data into an acceptable format for USPS, removing information prohibited from disclosure under state law (e.g., driver’s license numbers and social security numbers), and transmitting voluminous sensitive data in a secure manner. Lean (CA) Decl. ¶¶ 41, 43, Doc. No. 100-1 at 15; Tassinari ¶¶ 58, 60–62, Doc. No. 100-2 at 19, 20–21; Wlaschin (NV) Decl. ¶ 45, Doc. No. 100-3 at 17; Holmes (WA) Decl. ¶¶ 19–23, Doc. No. 100-4 at 8–10; Varvel (AZ) Decl. ¶¶ 38, 40, Doc. No. 100-5 at 12, 13; Rudy (CO) Decl. ¶¶ 47, 49, Doc. No. 100-6 at 15, 16; Rosenberg (CT) Decl. ¶¶ 49, 51, 53, Doc. No. 100-7 at 21–22; Albence (DE) Decl. ¶¶ 50, 52, 54, 56, 58–59, Doc. No. 100-8 at 17, 18–19, 20; Miller (DC) Decl. ¶ 27, Doc. No. 100-9 at 8; Berry (MD) Decl. ¶¶ 78, 80, 84, Doc. No. 100-11 at 25–27; Flynn (ME) Decl. ¶¶ 42, 44, Doc. No. 100-10 at 15–16; Brater (MI) Decl. ¶¶ 49, 52, Doc. No. 100-12 at 18–19; Linnell (MN) Decl. ¶¶ 42–43, 45–49, Doc. No. 100-14 at 14–16; Barber (NJ) Decl. ¶¶ 50, 52, Doc. No. 100-15 at 18–19; Vigil (NM) Decl. ¶¶ 46, 48, Doc. No. 100-16 at 16; Stavisky (NY) Decl. ¶¶ 41, 43, Doc. No. 100-17 at 13, 14; Brunton (NC) Decl. ¶¶ 25, 27, Doc. No. 100-18 at 7–8; Dawson (OR) Decl. ¶¶ 23–24, 49, 56, Doc. No. 100-19 at 7, 15, 17; Marks (PA) Decl. ¶¶ 43, 45–47, Doc. No. 100-20 at 16–17; Rock (RI) Decl. ¶¶ 47, 49, Doc. No. 100-21 at 16, 17; Koski (VA) Decl. ¶¶ 44, 46, 48, Doc. No. 100-23 at 13–14 (“This task will be significantly complicated by the influx of registration updates and changes that elections officials typically receive in the months before the election (and which may be exacerbated by the State Citizenship List provisions discussed above.)”); Hanzas (VT)

Decl. ¶¶ 41, 43, Doc. No. 100-22 at 13–14; Michalowski (Cook County, IL) Decl. ¶ 49, Doc. No. 100-24 at 14; Wise (King County, WA) Decl. ¶¶ 57–61, Doc. No. 100-25 at 20–21.

48. If Plaintiff States receive the State Citizenship List on the deadline for DHS to provide it, they will not have sufficient time to adjust and transmit their State Mail Ballot List, the deadline for which will be the same day, to reflect the information contained in the State Citizenship List. See EO §§ 2(a), 3(b)(ii) (both setting deadlines 60 days before the election); Lean (CA) Decl. ¶ 57, Doc. No. 100-1 at 19; Tassinari (MA) Decl. ¶¶ 75–76, Doc. No. 100-2 at 25–26; Wlaschin (NV) Decl. ¶ 62, Doc. No. 100-3 at 22–23; Holmes (WA) Decl. ¶¶ 24–26, Doc. No. 100-4 at 10–11; Varvel (AZ) Decl. ¶¶ 56–57, Doc. No. 100-5 at 17–18; Rudy (CO) Decl. ¶ 63, Doc. No. 100-6 at 19–20; Rosenberg (CT) Decl. ¶ 61, Doc. No. 100-7 at 25–26; Albence (DE) Decl. ¶ 69, Doc. No. 100-8 at 23; Miller (DC) Decl. ¶ 34, Doc. No. 100-9 at 6–7; Berry (MD) Decl. ¶¶ 94–95, Doc. No. 100-11 at 30–31; Flynn (ME) Decl. ¶¶ 61–62, Doc. No. 100-10 at 21–22; Brater (MI) Decl. ¶¶ 69–70, Doc. No. 100-12 at 23–24; Linnell (MN) Decl. ¶ 59, Doc. No. 100-14 at 19; Barber (NJ) Decl. ¶¶ 67–68, Doc. No. 100-15 at 23–24; Vigil (NM) Decl. ¶¶ 64–66, Doc. No. 100-16 at 21–23; Stavisky (NY) Decl. ¶¶ 59–60, Doc. No. 100-17 at 16–17 (“Comparing the statewide voter registration list and the State Citizenship List to see who is eligible according to both lists in *one day*, or even *a few hours*, is simply not possible to do with any meaningful degree of accuracy, no matter how many resources my office dedicates to the project.”); Brunton (NC) Decl. ¶ 35, Doc. No. 100-18 at 10; Dawson (OR) Decl. ¶¶ 61–62, Doc. No. 100-19 at 18–19; Marks (PA) Decl. ¶¶ 60–61, Doc. No. 100-20 at 20–21; Rock (RI) Decl. ¶ 66, Doc. No. 100-21 at 21–22; Koski (VA) Decl. ¶¶ 58–62, Doc. No. 100-23 at 17–19; Hanzas (VT) Decl. ¶¶ 60–61, Doc. No. 100-22 at 19–20; Michalowski (Cook County, IL) Decl. ¶ 61–62, Doc. No. 100-24 at 17–18; Wise (King County, WA) Decl. ¶¶ 56, 72, Doc. No. 100-25 at 19–20, 24.

49. In order to minimize the risk of voter disenfranchisement, Plaintiff States will have to engage in the USPS process enabling States to “routinely supplement and provide suggested modifications or amendments” to the USPS Mail Ballot List. EO § 3(b)(iii)–(iv); Lean

(CA) Decl. ¶¶ 39, 43, 47, 59, Doc. No. 100-1 at 14, 15–17, 20; Tassinari (MA) Decl. ¶¶ 65, 76, Doc. No. 100-2 at 21–22, 25–26; Wlaschin (NV) Decl. ¶¶ 49, 56, 58, Doc. No. 100-3 at 18, 21; Holmes (WA) Decl. ¶¶ 20–23, Doc. No. 100-4 at 8–10; Varvel (AZ) Decl. ¶¶ 43–44, 53, 58, Doc. No. 100-5 at 14, 16, 19; Rudy (CO) Decl. ¶¶ 50–51, Doc. No. 100-6 at 16; Rosenberg (CT) Decl. ¶¶ 48, 50, 62–63, Doc. No. 100-7 at 21–22, 26–27; Albence (DE) Decl. ¶¶ 55–56, Doc. No. 100-8 at 19; Miller (DC) Decl. ¶ 27, Doc. No. 100-9 at 8; Berry (MD) Decl. ¶¶ 81–82, Doc. No. 100-11 at 26–27; Flynn (ME) Decl. ¶¶ 47–48, 58, 62–63, Doc. No. 100-10 at 17, 20, 21–22; Brater (MI) Decl. ¶¶ 55–56, 58, 66, 71, Doc. No. 100-12 at 20–23, 25; Linnell (MN) Decl. ¶¶ 47, 54, 56, 60, Doc. No. 100-14 at 16–18, 20; Barber (NJ) Decl. ¶¶ 55–56, 64, 69, Doc. No. 100-15 at 20, 22–23, 24; Vigil (NM) Decl. ¶¶ 50–52, 61, 66, Doc. No. 100-16 at 17–18, 20, 22–23; Stavisky (NY) Decl. ¶¶ 40, 45–47, 60–61, Doc. No. 100-17 at 13, 14–15, 18–19; Brunton (NC) Decl. ¶¶ 27, 35, Doc. No. 100-18 at 7–8, 10; Marks (PA) Decl. ¶¶ 46–47, 56, 61, Doc. No. 100-20 at 16–17, 19–21 (explaining that PA law allows mail voters “whose ballots are rejected for some defect . . . to vote by provisional ballot” but “USPS could simply refuse to return the ballot without any notice to the voter”); Rock (RI) Decl. ¶¶ 52–53, 62, 67, Doc. No. 100-21 at 18, 20, 22–23; Koski (VA) Decl. ¶¶ 39–40, 61, Doc. No. 100-23 at 12, 18–19; Hanzas (VT) Decl. ¶¶ 46–47, Doc. No. 100-22 at 14; Michalowski (Cook County, IL) Decl. ¶¶ 37, 46, 49, 62, Doc. No. 100-24 at 11, 13, 14, 17–18; Wise (King County, WA) Decl. ¶¶ 57–60, Doc. No. 100-25 at 20–21.

50. Comparing the USPS Mail Ballot List mandated by EO Section 3(b)(iv) to Plaintiff States’ list of voters eligible to receive a mail ballot will be a technically challenging task requiring Plaintiff States and their localities to expend resources toward data analysis and management. Examples of the data management tasks involved in Plaintiff States’ compliance with Section 2(a) of the EO include efforts to reconcile the data sources based on, for example, differences in data formatting and the likely absence of common unique record identifiers. Lean (CA) Decl. ¶¶ 43, 48, 59, Doc. No. 100-1 at 15–16, 17, 20–21 (“[R]eviewing the USPS Mail Ballot List will require a significant expenditure of time and resources, which will be diverted

away from preparing for upcoming midterm elections and other necessary election administration tasks.”); Tassinari (MA) Decl. ¶¶ 32, 55, 60, Doc. No. 100-2 at 11, 18–19, 20; Wlaschin (NV) Decl. ¶ 47, Doc. No. 100-3 at 17; Holmes (WA) Decl. ¶ 21, Doc. No. 100-4 at 9; Varvel (AZ) Decl. ¶¶ 42, 44, Doc. No. 100-5 at 13–14; Rudy (CO) Decl. ¶¶ 49, 51, Doc. No. 100-6 at 16; Rosenberg (CT) Decl. ¶¶ 19, 49–51, Doc. No. 100-7 at 9, 21–22; Albence (DE) Decl. ¶¶ 54, 58, Doc. No. 100-8 at 18–19, 20; Miller (DC) Decl. ¶ 27, Doc. No. 100-9 at 8; Berry (MD) Decl. ¶ 80, Doc. No. 100-11 at 26; Flynn (ME) Decl. ¶¶ 46, 48, Doc. No. 100-10 at 16–17; Brater (MI) Decl. ¶¶ 54, 56, 58, Doc. No. 100-12 at 19–20; Linnell (MN) Decl. ¶¶ 45–48, Doc. No. 100-14 at 15–16; Vigil (NM) Decl. ¶¶ 50–54, Doc. No. 100-16 at 17–18; Stavisky (NY) Decl. ¶¶ 45–47, Doc. No. 100-17 at 14–15; Barber (NJ) Decl. ¶¶ 54, 56, Doc. No. 100-15 at 19–20; Dawson (OR) Decl. ¶¶ 52, 54, Doc. No. 100-19 at 16; Marks (PA) Decl. ¶¶ 45, 47, Doc. No. 100-20 at 16–17; Rock (RI) Decl. ¶¶ 51, 53, Doc. No. 100-21 at 17–18; Koski (VA) Decl. ¶¶ 46, 48, Doc. No. 100-23 at 13–14; Hanzas (VT) Decl. ¶¶ 45, 47, Doc. No. 100-22 at 14; Michalowski (Cook County, IL) Decl. ¶¶ 47–49, Doc. No. 100-24 at 13–14; Wise (King County, WA) Decl. ¶ 57, Doc. No. 100-25 at 20; Hilby (Sun Prairie, WI) Decl. ¶ 20, Doc. No. 100-26 at 8–9.

51. Investigating and attempting to determine the cause of differences between the USPS Mail Ballot List and Plaintiff States’ list of voters eligible to receive a mail ballot will require Plaintiff States and their localities to expend financial and administrative resources. Lean (CA) Decl. ¶¶ 44–45, Doc. No. 100-1 at 16; Tassinari (MA) Decl. ¶¶ 60–61, 63–64, Doc. No. 100-2 at 20, 21; Wlaschin (NV) Decl. ¶ 48, Doc. No. 100-3 at 18; Holmes (WA) Decl. ¶¶ 20–23, Doc. No. 100-4 at 8–10; Varvel (AZ) Decl. ¶¶ 43, 46, Doc. No. 100-5 at 14; Rudy (CO) Decl. ¶¶ 49, 51, Doc. No. 100-6 at 16; Rosenberg (CT) Decl. ¶¶ 49–51, 53, Doc. No. 100-7 at 21–22; Albence (DE) Decl. ¶¶ 54, 58, Doc. No. 100-8 at 18–19, 20; Miller (DC) Decl. ¶ 27, Doc. No. 100-9 at 8; Berry (MD) Decl. ¶¶ 81–82, Doc. No. 100-11 at 26–27; Flynn (ME) Decl. ¶¶ 47, 50, Doc. No. 100-10 at 17; Brater (MI) Decl. ¶¶ 55, 60, Doc. No. 100-12 at 20–21; Linnell (MN) Decl. ¶¶ 45–59, Doc. No. 100-14 at 15–19; Barber (NJ) Decl. ¶¶ 55, 58, Doc. No. 100-15 at 20;

Vigil (NM) Decl. ¶¶ 52–54, Doc. No. 100-16 at 17–18; Stavisky (NY) Decl. ¶¶ 45, 49–50, Doc. No. 100-17 at 14–15, 15–16; Dawson (OR) Decl. ¶¶ 52, 54, Doc. No. 100-19 at 16; Marks (PA) Decl. ¶¶ 47, 49, Doc. No. 100-20 at 17–18; Rock (RI) Decl. ¶¶ 52, 55, Doc. No. 100-21 at 18; Koski (VA) Decl. ¶¶ 46–50, Doc. No. 100-23 at 13–15; Hanzas (VT) Decl. ¶¶ 47, 49–50, Doc. No. 100-22 at 14–15; Michalowski (Cook County, IL) Decl. ¶ 47–49, Doc. No. 100-24 at 13–14; Wise (King County, WA) Decl. ¶¶ 57–61, 74–75, Doc. No. 100-25 at 20–21, 25–26; Hilby (Sun Prairie, WI) Decl. ¶ 20, Doc. No. 100-26 at 8–9.

52. Comparing the USPS Mail Ballot List mandated by EO Section 3(b)(iv) to Plaintiff States’ list of voters eligible to receive a mail ballot will carry a high risk of errors due to the difficulty of matching up disparate datasets on a short timeframe. Lean (CA) Decl. ¶ 46, Doc. No. 100-1 at 16; Tassinari (MA) Decl. ¶ 63, Doc. No. 100-2 at 21; Wlaschin (NV) Decl. ¶ 50, Doc. No. 100-3 at 18; Holmes (WA) Decl. ¶ 27, Doc. No. 100-4 at 11; Varvel (AZ) Decl. ¶ 45, Doc. No. 100-5 at 14; Rudy (CO) Decl. ¶ 53, Doc. No. 100-6 at 17; Rosenberg (CT) Decl. ¶ 52, Doc. No. 100-7 at 22; Albence (DE) Decl. ¶ 57, Doc. No. 100-8 at 20; Miller (DC) Decl. ¶ 28, Doc. No. 100-9 at 9; Berry (MD) Decl. ¶ 83, Doc. No. 100-11 at 27; Flynn (ME) Decl. ¶ 49, Doc. No. 100-10 at 17; Brater (MI) Decl. ¶ 59, Doc. No. 100-12 at 21; Linnell (MN) Decl. 45–48, Doc. No. 100-14 at 15–16; Barber (NJ) Decl. ¶ 57, Doc. No. 100-15 at 20; Vigil (NM) Decl. ¶ 53, Doc. No. 100-16 at 18; Stavisky (NY) Decl. ¶ 48, Doc. No. 100-17 at 15; Dawson (OR) Decl. ¶ 55, Doc. No. 100-19 at 16; Marks (PA) Decl. ¶ 48, Doc. No. 100-20 at 17 (“Even with the best efforts of the Department and local elections officials, the challenges of completing a complex data–matching program (as absentee and mail–in ballot applications continue to come in) in a short timeframe and while preparing to administer an election poses the high risk of errors and omissions”); Rock (RI) Decl. ¶ 54, Doc. No. 100-21 at 18; Koski (VA) Decl. ¶ 49, Doc. No. 100-23 at 14; Hanzas (VT) Decl. ¶ 48, Doc. No. 100-22 at 15; Michalowski (Cook County, IL) Decl. ¶ 50, Doc. No. 100-24 at 14; Wise (King County, WA) Decl. ¶ 60, Doc. No. 100-25 at 21; Hilby (Sun Prairie, WI) Decl. ¶ 21, Doc. No. 100-26 at 9.

53. Going through the USPS process for supplementing and correcting the USPS Mail Ballot List will require Plaintiff States and their localities to expend further financial and administrative resources. Lean (CA) Decl. ¶ 47, Doc. No. 100-1 at 16–17 (“[C]hanges to VoteCal can be very costly, and it can take more than a year to develop, test, and ensure the security of any new functionality”); Tassinari (MA) Decl. ¶¶ 64, 76, Doc. No. 100-2 at 21, 25–26; Wlaschin (NV) Decl. ¶ 47, Doc. No. 100-3 at 17; Holmes (WA) Decl. ¶¶ 20–23, 34, Doc. No. 100-4 at 8–10, 14; Varvel (AZ) Decl. ¶ 44, Doc. No. 100-5 at 14; Rudy (CO) Decl. ¶ 53, Doc. No. 100-6 at 17; Rosenberg (CT) Decl. ¶¶ 49–51, 53, Doc. No. 100-7 at 21–22; Albence (DE) Decl. ¶ 56, Doc. No. 100-8 at 19; Brater (MI) Decl. ¶ 58, Doc. No. 100-12 at 20–21; Flynn (ME) Decl. ¶ 48, Doc. No. 100-10 at 17; Linnell (MN) Decl. ¶¶ 45–59, Doc. No. 100-14 at 15–19; Barber (NJ) Decl. ¶ 56, Doc. No. 100-15 at 20; Vigil (NM) Decl. ¶ 52, Doc. No. 100-16 at 17–18; Stavisky (NY) Decl. ¶ 49–50, Doc. No. 100-17 at 15–16; Brunton (NC) Decl. ¶ 27, Doc. No. 100-18 at 7–8; Dawson (OR) Decl. ¶ 56, Doc. No. 100-19 at 17; Marks (PA) Decl. ¶ 50, Doc. No. 100-20 at 18; Rock (RI) Decl. ¶ 53, Doc. No. 100-21 at 18; Koski (VA) Decl. ¶¶ 48, 60–64, Doc. No. 100-23 at 14, 18–19; Hanzas (VT) Decl. ¶¶ 47, 49, Doc. No. 100-22 at 14–15; Michalowski (Cook County, IL) Decl. ¶¶ 51–52, Doc. No. 100-24 at 14; Wise (King County, WA) Decl. ¶¶ 57–61, 74–75, Doc. No. 100-25 at 20–21, 25–26.

54. Additionally, if EO Section 3 goes into effect, Plaintiff States will be required to provide training and guidance to elections officials detailing what steps they must take with respect to voters who are eligible to receive mail ballots under state law, but who do not appear on the USPS Mail Ballot List. Lean (CA) Decl. ¶¶ 48–49, Doc. No. 100-1 at 17; Tassinari (MA) Decl. ¶¶ 65–66, Doc. No. 100-2 at 21–22; Wlaschin (NV) Decl. ¶¶ 24, 52, Doc. No. 100-3 at 9–10, 19; Holmes (WA) Decl. ¶¶ 37–38, Doc. No. 100-4 at 15–16 (“The OSOS provides local elections administrators hundreds of hours of election training . . . These trainings are provided in live events, written materials, checklists, best practices, frequently asked questions, guides, virtual events, and video”); Varvel (AZ) Decl. ¶¶ 47–48, Doc. No. 100-5 at 15; Rudy (CO) Decl. ¶¶ 54–55, Doc. No. 100-6 at 17; Rosenberg (CT) Decl. ¶¶ 54–55, Doc. No. 100-7 at 23; Albence

(DE) Decl. ¶ 60, Doc. No. 100-8 at 20–21; Miller (DC) Decl. ¶ 29, Doc. No. 100-9 at 9; Flynn (ME) Decl. ¶¶ 51–52, Doc. No. 100-10 at 18; Brater (MI) Decl. ¶¶ 61–62, Doc. No. 100-12 at 21; Linnell (MN) Decl. ¶¶ 50–51, Doc. No. 100-14 at 16–17; Barber (NJ) Decl. ¶¶ 59–60, Doc. No. 100-15 at 20–21; Vigil (NM) Decl. ¶¶ 55–56, Doc. No. 100-16 at 18–19; Stavisky (NY) Decl. ¶¶ 50–51, Doc. No. 100-17 at 16; Dawson (OR) Decl. ¶ 58, Doc. No. 100-19 at 17–18; Marks (PA) Decl. ¶¶ 50–51, Doc. No. 100-20 at 18; Rock (RI) Decl. ¶¶ 56–57, Doc. No. 100-21 at 19; Koski (VA) Decl. ¶¶ 51–52, Doc. No. 100-23 at 15; Hanzas (VT) Decl. ¶¶ 50–51, Doc. No. 100-22 at 15; Michalowski (Cook County, IL) Decl. ¶¶ 52–53, Doc. No. 100-24 at 14–15; Wise (King County, WA) Decl. ¶ 62, Doc. No. 100-25 at 21.

55. Similarly, if EO Section 3 goes into effect, Plaintiff States will be required to expend resources and time to mount a public education campaign to inform eligible citizens about the USPS Mail Ballot List, including how and to what extent it may affect the upcoming elections. Lean (CA) Decl. ¶¶ 50–51, Doc. No. 100-1 at 17; Tassinari (MA) Decl. ¶¶ 67–68, Doc. No. 100-2 at 22–23; Wlaschin (NV) Decl. ¶¶ 54–55, Doc. No. 100-3 at 20 (estimating such a public education campaign would likely cost \$450,000 to \$650,000); Holmes (WA) Decl. ¶¶ 40–41, Doc. No. 100-4 at 16–17; Varvel (AZ) Decl. ¶¶ 49–50, Doc. No. 100-5 at 15; Rudy (CO) Decl. ¶¶ 56–57, Doc. No. 100-6 at 17–18; Rosenberg (CT) Decl. ¶ 56, Doc. No. 100-7 at 23; Albence (DE) Decl. ¶¶ 61–62, Doc. No. 100-8 at 21; Miller (DC) Decl. ¶ 30, Doc. No. 100-9 at 9; Berry (MD) Decl. ¶¶ 85–87, Doc. No. 100-11 at 27–28; Flynn (ME) Decl. ¶¶ 53–54, Doc. No. 100-10 at 18–19; Brater (MI) Decl. ¶ 63, Doc. No. 100-12 at 21–22; Linnell (MN) Decl. ¶¶ 52–53, Doc. No. 100-14 at 17; Barber (NJ) Decl. ¶ 61, Doc. No. 100-15 at 21–22; Vigil (NM) Decl. ¶¶ 57–58, Doc. No. 100-16 at 19; Stavisky (NY) Decl. ¶¶ 52–54, Doc. No. 100-17 at 16–17; Dawson (OR) Decl. ¶¶ 59–60, Doc. No. 100-19 at 18; Marks (PA) Decl. ¶¶ 52–53, Doc. No. 100-20 at 18; Rock (RI) Decl. ¶¶ 58–59, Doc. No. 100-21 at 19; Koski (VA) Decl. ¶¶ 53–54, Doc. No. 100-23 at 15–16; Hanzas (VT) Decl. ¶ 52, Doc. No. 100-22 at 15–16; Michalowski (Cook County, IL) Decl. ¶¶ 54–55, Doc. No. 100-24 at 15; Wise (King County, WA) Decl. ¶¶ 64–65, Doc. No. 100-25 at 21–22; Hilby (Sun Prairie, WI) Decl. ¶ 22, Doc. No. 100-26 at 9.

56. Creating the State Mail Ballot List, analyzing and attempting to correct the USPS Mail Ballot List, providing training and guidance to elections officials regarding the USPS Mail Ballot List, and educating the public will divert Plaintiff States' resources from other obligations involved in the administration of elections. Lean (CA) Decl. ¶¶ 41, 43–44, 47–51, 60–62, Doc. No. 100-1 at 15–17, 21; Tassinari (MA) Decl. ¶¶ 64–69, 77, 79–80, Doc. No. 100-2 at 14–16, 26, 27–28; Wlaschin (NV) Decl. ¶¶ 24–26, 52, 54–55, Doc. No. 100-3 at 9–11, 19, 20; Holmes (WA) Decl. ¶¶ 35–36, Doc. No. 100-4 at 14–15; Varvel (AZ) Decl. ¶¶ 39–44, 46–51, 58–61, Doc. No. 100-5 at 12–16, 19–20; Rudy (CO) Decl. ¶¶ 46–58, 66–68, Doc. No. 100-6 at 15–18, 21–22; Rosenberg (CT) Decl. ¶¶ 22, 26, 49, 51, 53–54, 65–66, Doc. No. 100-7 at 10–11, 12–14, 21–23, 27–28; Albence (DE) Decl. ¶¶ 54, 56, 58, 60, 61–62, Doc. No. 100-8 at 18–19, 20–21; Miller (DC) Decl. ¶ 31, Doc. No. 100-9 at 9–10; Berry (MD) Decl. ¶¶ 75, 80, 82, 84–88, 98, 100–101, Doc. No. 100-11 at 24, 26–28, 32–33; Flynn (ME) Decl. ¶¶ 43–48, 50–55, 63–66, Doc. No. 100-10 at 15–19, 22–23; Brater (MI) Decl. ¶¶ 51–56, 58, 60–64, 71–74, Doc. No. 100-12 at 19–22, 25–26; Linnell (MN) Decl. ¶¶ 45–53, Doc. No. 100-14 at 15–17; Barber (NJ) Decl. ¶¶ 51–56, 58–61, 69–72, Doc. No. 100-15 at 18–22, 24–25; Vigil (NM) Decl. ¶¶ 46, 48, 50–58, 60–61, 66–68, Doc. No. 100-16 at 16–20, 22–23; Stavisky (NY) Decl. ¶¶ 43–48, 49–51, 54, 61–63, Doc. No. 100-17 at 14–15, 15–16, 16–17, 19–20; Dawson (OR) Decl. ¶¶ 52, 54, 58–60, Doc. No. 100-19 at 16–18; Marks (PA) Decl. ¶¶ 42–47, 49–53, 61–65, Doc. No. 100-20 at 15–18, 21–22; Rock (RI) Decl. ¶¶ 48–53, 55–60, 64–65 (the timing of these tasks will be particularly burdensome in Rhode Island as they require expending time and resources in the final days before administration of Rhode Island's federal primary election on September 9, 2026), 65, 67–70, Doc. No. 100-21 at 17–23; Koski (VA) Decl. ¶¶ 63–64, Doc. No. 100-23 at 19; Hanzas (VT) Decl. ¶¶ 42–47, 49–53, 63–66, Doc. No. 100-22 at 13–16, 20–21; Michalowski (Cook County, IL) Decl. ¶¶ 52, 55–56, Doc. No. 100-24 at 14, 15; Wise (King County, WA) Decl. ¶¶ 76–77, Doc. No. 100-25 at 26–27.

57. Because the deadline for sending a State Mail Ballot List is just 60 days before an election, and the USPS Mail Ballot List is likely to also be transmitted to the State close in time

to an election, Plaintiff States must plan for and begin this work now. Lean (CA) Decl. ¶ 40, Doc. No. 100-1 at 15; Tassinari (MA) Decl. ¶ 57–58, Doc. No. 100-2 at 19; Wlaschin (NV) Decl. ¶¶ 43–44, Doc. No. 100-3 at 16; Holmes (WA) Decl. ¶ 32, Doc. No. 100-4 at 6; Rudy (CO) Decl. ¶ 44, Doc. No. 100-6 at 14; Rosenberg (CT) Decl. ¶ 46, Doc. No. 100-7 at 20; Miller (DC) Decl. ¶ 25, Doc. No. 100-9 at 7–8; Berry (MD) Decl. ¶ 75, Doc. No. 100-11 at 24; Flynn (ME) Decl. ¶¶ 41, 43, Doc. No. 100-10 at 15; Brater (MI) Decl. ¶ 49, Doc. No. 100-12 at 18; Linnell (MN) Decl. ¶¶ 40–41, Doc. No. 100-14 at 14; Barber (NJ) Decl. ¶ 49, Doc. No. 100-15 at 17–18; Vigil (NM) Decl. ¶ 47, Doc. No. 100-16 at 16; Stavisky (NY) Decl. ¶ 41–42, Doc. No. 100-17 at 13–14; Dawson (OR) Decl. ¶ 45, Doc. No. 100-19 at 14; Marks (PA) Decl. ¶ 42, Doc. No. 100-20 at 15; Rock (RI) Decl. ¶ 46, Doc. No. 100-21 at 16; Koski (VA) Decl. ¶ 43, Doc. No. 100-23 at 13; Hanzas (VT) Decl. ¶ 42, Doc. No. 100-22 at 13; Michalowski (Cook County, IL) Decl. ¶ 44, Doc. No. 100-24 at 12; Wise (King County, WA) Decl. ¶ 54, Doc. No. 100-25 at 19.

58. Any erroneous omissions in the USPS Mail Ballot List will disenfranchise voters by precluding USPS from returning their voted mail ballots to elections officials. EO § 3(b)(iii); Lean (CA) Decl. ¶ 52, 54, Doc. No. 100-1 at 18; Wlaschin (NV) Decl. ¶¶ 58–59, 63, Doc. No. 100-3 at 21–22, 23; Holmes (WA) Decl. ¶¶ 26–29, Doc. No. 100-4 at 11–12; Varvel (AZ) Decl. ¶ 53, Doc. No. 100-5 at 16–17; Rudy (CO) Decl. ¶ 60, Doc. No. 100-6 at 18–19; Rosenberg (CT) Decl. ¶ 59, Doc. No. 100-7 at 24–25; Albence (DE) Decl. ¶¶ 55, 63, 65, Doc. No. 100-8 at 19, 21, 22; Miller (DC) Decl. ¶ 32, Doc. No. 100-9 at 10; Berry (MD) Decl. ¶ 91, Doc. No. 100-11 at 29; Flynn (ME) Decl. ¶ 58, Doc. No. 100-10 at 20; Linnell (MN) Decl. ¶¶ 56–57, Doc. No. 100-14 at 18; Vigil (NM) Decl. ¶ 60, Doc. No. 100-16 at 20; Stavisky (NY) Decl. ¶¶ 40, 56, Doc. No. 100-17 at 13, 17; Dawson (OR) Decl. ¶¶ 53, 64–65, Doc. No. 100-19 at 16, 19; Marks (PA) Decl. ¶¶ 56–57, Doc. No. 100-20 at 19–20 (“Even though Pennsylvania law requires that qualified mail-in and absentee voters whose ballots are rejected for some defect have the right to vote by provisional ballot, *Genser v. Butler Cnty. Bd. of Elections*, 325 A.3d 458, 480 (Pa. 2024), again, a voter would be unable to take advantage of this because the USPS could simply refuse to return the ballot without any notice to the voter, the Department or the county Boards of

Elections.”); Rock (RI) Decl. ¶¶ 62–63; Hanzas (VT) Decl. ¶¶ 55–57, Doc. No. 100-22 at 16–17 (“[B]etween the day the State Citizenship List is sent and five days before Election Day (the last day a voter may register with the guarantee of being sent a mail ballot under Vermont law) there will inevitably be a significant number of individuals who become eligible but are not captured on the State Citizenship List.”); Michalowski (Cook County, IL) Decl. ¶ 58, Doc. No. 100-24 at 16; Wise (King County, WA) Decl. ¶¶ 66, 68, Doc. No. 100-25 at 22–23.

59. Affected voters may not learn that USPS is withholding their voted mail ballot from delivery, or they may learn of it too late to cast a vote through alternative means. Lean (CA) Decl. ¶ 54, Doc. No. 100-1 at 18; Tassinari (MA) Decl. ¶¶ 69, 71, Doc. No. 100-2 at 23–24; Holmes (WA) Decl. ¶¶ 26–29, Doc. No. 100-4 at 11–12; Albence (DE) Decl. ¶ 65, Doc. No. 100-8 at 22; Miller (DC) Decl. ¶ 32, Doc. No. 100-9 at 10; Berry (MD) Decl. ¶ 91; Brater (MI) Decl. ¶ 66, Doc. No. 100-12 at 22–23; Linnell (MN) Decl. ¶ 56; Barber (NJ) Decl. ¶ 64, Doc. No. 100-15 at 22–23; Vigil (NM) Decl. ¶ 60, Doc. No. 100-16 at 20; Stavisky (NY) Decl. ¶ 56, Doc. No. 100-17 at 17; Brunton (NC) Decl. ¶ 32, Doc. No. 100-18 at 9; Marks (PA) Decl. ¶ 56, Doc. No. 100-20 at 19–20; Rock (RI) Decl. ¶ 62, Doc. No. 100-21 at 20 (“My office must take every measure possible to avoid this kind of voter disenfranchisement.”); Koski (VA) Decl. ¶¶ 56–57, Doc. No. 100-23 at 16–17; Hanzas (VT) Decl. ¶ 55, Doc. No. 100-22 at 16; Michalowski (Cook County, IL) Decl. ¶ 58, Doc. No. 100-24 at 16; Wise (King County, WA) Decl. ¶¶ 66, 68, Doc. No. 100-25 at 22, 23.

60. Many Plaintiff States, either as a whole or as to some of their localities, do not currently use Intelligent Mail barcodes. Lean (CA) Decl. ¶ 63, Doc. No. 100-1 at 21; Tassinari (MA) Decl. ¶ 82, Doc. No. 100-2 at 28 (Massachusetts and its municipalities do not use Intelligent Mail barcodes on outbound election mail); Rudy (CO) Decl. ¶ 70, Doc. No. 100-6 at 22 (“About 23% of Colorado counties do not currently use Intelligent Mail barcodes on ballot mail”); Rosenberg (CT) Decl. ¶¶ 67–68, Doc. No. 100-7 at 28 (“Connecticut municipalities do not currently use Intelligent Mail barcodes on ballot mail. They do, however, utilize other safeguards to ensure the accuracy of absentee ballots. For example, each municipality creates a

unique label with a barcode for the absentee ballot envelope (which also has a serial number printed on it.”); Albence (DE) Decl. ¶ 76, Doc. No. 100-8 at 24–25; Berry (MD) Decl. ¶ 102, Doc. No. 100-11 at 33 (Maryland primarily uses Intelligent mail barcodes, but the barcodes cannot, and are not, used for web delivery ballots because those are returned in voter–provided materials); Linnell (MN) Decl. ¶ 66, Doc. No. 100-14 at 21–22 (“Intelligent Mail barcodes are not required nor to my knowledge used by most Minnesota counties and municipalities...”); Flynn (ME) Decl. ¶ 68, Doc. No. 100-10 at 23; Stavisky (NY) Decl. ¶ 65, Doc. No. 100-17 at 20 (many local boards of elections in New York State do not currently use Intelligent Mail barcodes on ballot mail); Dawon (OR) Decl. ¶¶ 77–78, Doc. No. 100-19 at 23 (some counties apply an intelligent barcode to outgoing ballots, but not necessarily to the return envelope); Marks (PA) Decl. ¶ 66, Doc. No. 100-20 at 23; Rock (RI) Decl. ¶¶ 71–75, Doc. No. 100-21 at 23–25 (Intelligent mail barcodes used on envelopes sending ballots to voters, not on provided return envelopes); Koski (VA) Decl. ¶¶ 65–66, Doc. No. 100-23 at 19–20; Michalowski (Cook County, IL) Decl. ¶ 69, Doc. No. 100-24 at 19.

61. Some Plaintiff States, either as a whole or as to some of their localities, do not currently submit their ballot envelopes to USPS for optional design review. Rosenberg (CT) Decl. ¶ 68, Doc. No. 100-7 at 28; Linnell (MN) Decl. ¶ 67, Doc. No. 100-14 at 19; Marks (PA) Decl. ¶ 67, Doc. No. 100-20 at 23.

62. Some Plaintiff States have already ordered mail ballot envelopes for the 2026 federal election cycle. Tassinari (MA) Decl. ¶ 81, Doc. No. 100-2 at 28 (Massachusetts already has ordered such envelopes at a cost of approximately \$3 million); Holmes (WA) Decl. ¶ 55, Doc. No. 100-4 at 21; Rudy (CO) Decl. ¶ 69, Doc. No. 100-6 at 22 (most Colorado counties have already purchased mail ballot envelopes); Albence (DE) Decl. ¶ 75, Doc. No. 100-8 at 24; Flynn (ME) Decl. ¶ 67, Doc. No. 100-10 at 23; Brater (MI) Decl. ¶ 76, Doc. No. 100-12 at 27; Linnell (MN) Decl. ¶ 65, Doc. No. 100-14 at 21; Stavisky (NY) Decl. ¶ 64, Doc. No. 100-17 at 20; Dawson (OR) Decl. ¶ 76, Doc. No. 100-19 at 23; Rock (RI) Decl. ¶ 71, Doc. No. 100-21 at 23–

24 (“Rhode Island has already ordered mail ballot envelopes for the 2026 federal election cycle, at a cost of over \$50,000.”); Michalowski (Cook County, IL) Decl. ¶ 67, Doc. No. 100-24 at 19.

63. Redesigning mail ballot envelopes, adding Intelligent Mail barcodes, and securing USPS approval of mail ballot envelopes would impose additional costs on Plaintiff States. Tassinari (MA) Decl. ¶ 82, Doc. No. 100-2 at 28; Holmes (WA) Decl. ¶¶ 55, 58, Doc. No. 100-4 at 21, 22; Albence (DE) Decl. ¶¶ 75, 77, Doc. No. 100-8 at 24, 25; Flynn (ME) Decl. ¶ 68, Doc. No. 100-10 at 23; Linnell (MN) Decl. ¶ 65, 68, Doc. No. 100-14 at 21–22 (noting both financial costs and delay risks of these requirements); Stavisky (NY) Decl. ¶ 66, Doc. No. 100-17 at 20–21; Rock (RI) Decl. ¶ 73, Doc. No. 100-21 at 24 (adding Intelligent Mail barcodes on the state-provided return envelopes in which voters submit their mail ballots would cost Rhode Island tens of thousands of dollars that was not budgeted).

64. Any delays due to the new USPS approval requirement for ballot envelopes will cause delays and disruptions in Plaintiff States’ vote by mail systems. Tassinari (MA) Decl. ¶¶ 16, 82, Doc. No. 100-2 at 6–7, 28; Wlaschin (NV) Decl. ¶ 70, Doc. No. 100-3 at 27; Holmes (WA) Decl. ¶ 55, Doc. No. 100-4 at 21; Varvel (AZ) Decl. ¶ 62, Doc. No. 100-5 at 20; Rosenberg (CT) Decl. ¶ 70, Doc. No. 100-7 at 28–29; Albence (DE) Decl. ¶ 80, Doc. No. 100-8 at 26; Flynn (ME) Decl. ¶ 70, Doc. No. 100-10 at 24; Linnell (MN) Decl. ¶ 68, Doc. No. 100-14 at 22; Barber (NJ) Decl. ¶ 73, Doc. No. 100-15 at 26; Stavisky (NY) Decl. ¶ 66, Doc. No. 100-17 at 20–21 (delay in ballot design approval would cause disruptions to New York State’s planned operations for timely mail ballot delivery, leading to, among other things, additional time and money costs); Marks (PA) Decl. ¶ 67, Doc. No. 100-20 at 23; Rock (RI) Decl. ¶ 75, Doc. No. 100-21 at 24–25; Koski (VA) Decl. ¶ 66, Doc. No. 100-23 at 19–20; Michalowski (Cook County, IL) Decl. ¶ 70, Doc. No. 100-24 at 19,

65. Lengthy delays in obtaining USPS approval of mail envelope design could threaten the Plaintiff States’ ability to accept mail-in ballots. Wlaschin (NV) Decl. ¶ 70, Doc. No. 100-3 at 27; Holmes (WA) Decl. ¶ 55, Doc. No. 100-4 at 21; Varvel (AZ) Decl. ¶ 62, Doc. No. 100-5 at 20; Rosenberg (CT) Decl. ¶ 70, Doc. No. 100-7 at 28–29; Albence (DE) Decl.

¶¶ 78–80, Doc. No. 100-8 at 25–26; Brater (MI) Decl. ¶ 81, Doc. No. 100-12 at 27; Linnell (MN) Decl. ¶ 68, Doc. No. 100-14 at 22 (“In Minnesota, as in much of the country, ballot envelopes vary by county. I am deeply concerned about the length of time it would take for USPS to conduct ballot design review for thousands of jurisdictions. Waiting on USPS to approve ballot design has the potential to seriously disrupt and delay carefully timed steps necessary to deliver mail ballots to Minnesota voters.”); Barber (NJ) Decl. ¶ 73, Doc. No. 100-15 at 26; Marks (PA) Decl. ¶ 67, Doc. No. 100-20 at 23; Rock (RI) Decl. ¶ 75, Doc. No. 100-21 at 24–25.

66. Delays and disruption to Plaintiff States’ mail ballot systems caused by implementation of EO Section 3(b)(i) will cause Plaintiff States to devote time and resources to mitigating the delays and educating the public about the status of mail ballots. Tassinari (MA) Decl. ¶¶ 67–68, 71, Doc. No. 100-2 at 22–24; Wlaschin (NV) Decl. ¶ 70, Doc. No. 100-3 at 27 (“Managing the fallout from such a delay would force my office and local elections officials to divert critical time and money from other elections administration duties to expedite other steps in the mail ballot process, educate the public about the status of mail ballots, and otherwise mitigate the harm from delays to the process.”); Holmes (WA) Decl. ¶ 55, Doc. No. 100-4 at 21; Varvel (AZ) Decl. ¶ 62, Doc. No. 100-5 at 20; Rosenberg (CT) Decl. ¶ 70, Doc. No. 100-7 at 28–29; Albence (DE) Decl. ¶ 80, Doc. No. 100-8 at 26; Flynn (ME) Decl. ¶ 70, Doc. No. 100-10 at 24; Brater (MI) Decl. ¶ 81, Doc. No. 100-12 at 27; Linnell (MN) Decl. ¶ 68, Doc. No. 100-14 at 22; Barber (NJ) Decl. ¶ 73, Doc. No. 100-15 at 26; Stavisky (NY) Decl. ¶ 66, Doc. No. 100-17 at 20–21; Marks (PA) Decl. ¶ 67, Doc. No. 100-20 at 23; Rock (RI) Decl. ¶ 75, Doc. No. 100-21 at 24–25; Koski (VA) Decl. ¶ 66, Doc. No. 100-23 at 19–20; Michalowski (Cook County, IL) Decl. ¶ 70, Doc. No. 100-24 at 19.

67. Preserving ballot envelopes other “records and materials—excluding ballots cast—evidence voter participation” for five years would represent a significant increase over Plaintiff States’ current document preservation practices for elections. EO § 5; Lean (CA) Decl. ¶¶ 64–65, Doc. No. 100-1 at 21–22 (ballot materials preserved for 22 months; citing Cal. Elec. Code §§ 17301, 17303, 17305, 17601); Tassinari (MA) Decl. ¶ 83, Doc. No. 100-2 at 28–29

(Massachusetts law, set forth in Mass. Gen. Law ch. 54, 21, and 109, establishes 22-24 month preservation requirements, depending on the type of document); Wlaschin (NV) Decl. ¶ 71, Doc. No. 100-3 at 27 (citing Nev. Rev. Stat. 293.391); Holmes (WA) Decl. ¶¶ 59–61, Doc. No. 100-4 at 22–23; Varvel (AZ) Decl. ¶ 63, Doc. No. 100-5 at 20–21; Rudy Decl. ¶ 71, Doc. No. 100-6 at 22 (citing Colo. Rev. Stat. § 1-7-802, which requires election officials to preserve election records for at least 25 months)); Rosenberg (CT) Decl. ¶ 71, Doc. No. 100-7 at 29 (Connecticut follows existing federal timelines for preservation and destruction of voting materials in federal elections); Albence (DE) Decl. ¶ 81, Doc. No. 100-8 at 26–27 (citing 15 *Del. C.* § 4980(b) (requiring voting materials to remain locked and undisturbed for 22 months after election day)); Miller (DC) Decl. ¶ 36, Doc. No. 100-9 at 11 (some records required to be stored for only two years); Berry (MD) Decl. ¶¶ 105–106, Doc. No. 100-11 at 34; Flynn (ME) Decl. ¶ 71, Doc. No. 100-10 at 24 (21-A M.R.S.A. § 23 (22-month retention period for ballots and other federal election materials & 2-year retention period for absentee envelopes and applications); Brater (MI) Decl. ¶ 82, Doc. No. 100-12 at 27–28 (citing Mich. Comp. Laws § 168.811, which sets a 22-month retention period for voting material, but a six-year retention period for applications); Linnell (MN) Decl. ¶ 69, Doc. No. 100-14 at 22–23 (Minnesota has a 22-month retention periods established pursuant to Minn. Stat. Secs. 201.081, 201.221, subd. 3, 203B.06, and 204B.40; the only exception is that UOCAVA ballots are preserved for six years pursuant to 203B.19); Barber (NJ) Decl. ¶¶ 74–75, Doc. No. 100-15 at 26 (N.J. Stat. Ann. §§ 119:18-7, 19:15-6, 19:53A-13, 19:53B-20, 19:63-17, and 19:63-24); Vigil (NM) Decl. ¶ 69, Doc. No. 100-16 at 24 (New Mexico law provides for a twenty-two-month retention period (citing NMSA 1978 §1-12-69 (2023))); Stavisky (NY) Decl. ¶ 67, Doc. No. 100-17 at 21 (New York State law establishes a 24-month retention period for preservation of voting materials); Dawson (OR) Decl. ¶ 79, Doc. No. 100-19 at 23–24 (OAR 166-150-0035 provides two-year preservation requirement); Marks (PA) Decl. ¶ 68, Doc. No. 100-20 at 24 (requiring two-year retention period for mail ballot-related records eleven months for numbered lists of voters and affidavits of voter eligibility); Rock (RI) Decl. ¶ 76, Doc. No. 100-21 at 25 (R.I. Gen. Law § 17-19-39.1 requires

voted computer ballots that were counted to be stored for 22 months from the date of election); Koski (VA) Decl. ¶ 67, Doc. No. 100-23 at 20 (Va. Code Ann. 24.2–668); Hanzas (VT) Decl. ¶ 66, Doc. No. 100-22 at 21 (Vermont law for most materials tied to federal requirements, Vt. Stat. Ann. tit. 17, § 2590); Wise (King County, WA) Decl. ¶¶ 80–83, Doc. No. 100-25 at 27–28.

68. The five-year document preservation standard described in EO Section 5 also conflicts with some Plaintiff States’ laws that require destroying election material at the expiration of the preservation period established by federal statutes. Wlaschin (NV) Decl. ¶ 71, Doc. No. 100-3 at 27 (citing Nev. Rev. Stat. 293.391); Holmes (WA) Decl. ¶ 59, Doc. No. 100-4 at 22; Varvel (AZ) Decl. ¶ 63, Doc. No. 100-5 at 20–21 (explaining that, under A.R.S. § 16-524 and -525, Arizona counties must maintain ballots and electronic ballot images for 24 months after federal election, after which they have a duty to destroy the records); Albence (DE) Decl. ¶ 81, Doc. No. 100-8 at 26–27 (citing 15 *Del. C.* § 4980(b) (requiring voting materials to remain locked and undisturbed for 22 months after election day)); Berry (MD) Decl. ¶¶ 106, Doc. No. 100-11 at 34; Brater (MI) Decl. ¶ 82, Doc. No. 100-12 at 27–28 (citing Mich. Comp. Laws § 168.811, which allows for destruction upon expiration of the retention period); Barber (NJ) Decl. ¶ 74, Doc. No. 100-15 at 26 (N.J. Stat. Ann. §§ 119:18–7, 19:15–6, 19:53A–13, 19:53B–20, 19:63–17, and 19:63–24); Koski (VA) Decl. ¶ 67 (Va. Code Ann. § 24.2-668 sets 24-month timelines for the preservation and destruction of voting materials in federal elections); Wise (King County, WA) Decl. ¶ 80, Doc. No. 100-25 at 27.

69. Compliance with a five-year document preservation standard for election materials would impose compliance, storage, and other costs on Plaintiff States and local election officials. Lean (CA) Decl. ¶¶ 66–67, Doc. No. 100-1 at 22; Tassinari (MA) Decl. ¶¶ 84–86, Doc. No. 100-2 at 29; Wlaschin (NV) Decl. ¶ 72, Doc. No. 100-3 at 27; Holmes (WA) Decl. ¶¶ 60–61, Doc. No. 100-4 at 23; Varvel (AZ) Decl. ¶¶ 64–66, Doc. No. 100-5 at 21; Rudy (CO) Decl. ¶¶ 72, 73, Doc. No. 100-6 at 22; Rosenberg (CT) Decl. ¶¶ 72–75, Doc. No. 100-7 at 29–30; Albence (DE) Decl. ¶¶ 82, 84–85, Doc. No. 100-8 at 27; Miller (DC) Decl. ¶ 36, Doc. No. 100-9 at 11; Berry (MD) Decl. ¶ 108, Doc. No. 100-11 at 35; Brater (MI) Decl. ¶ 83, Doc. No. 100-12

at 28; Linnell (MN) Decl. ¶¶ 70–72, Doc. No. 100-14 at 19; Barber (NJ) Decl. ¶ 75, Doc. No. 100-15 at 26; Vigil (NM) Decl. ¶¶ 70–73, Doc. No. 100-16 at 24–25; Stavisky (NY) Decl. ¶¶ 68–71, Doc. No. 100-17 at 21; Dawson (OR) Decl. ¶ 80, 82, Doc. No. 100-19 at 24; Rock (RI) Decl. ¶¶ 78–79, Doc. No. 100-21 at 25; Koski (VA) Decl. ¶¶ 68–71, Doc. No. 100-23 at 20–21; Hanzas (VT) Decl. ¶ 68, Doc. No. 100-22 at 21 (“Many of Vermont’s 247 municipal clerks work extremely limited hours and do not have the capacity in an election year to implement a complex new retention schedule, especially one that involves sifting through materials that were organized and stored under the auspices of a different retention policy”); Wise (King County, WA) Decl. ¶¶ 80–83, Doc. No. 100-25 at 27–28.

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Dated: April 23, 2026

Respectfully submitted.

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**CERTIFICATE OF SERVICE**

I, Michael S. Cohen, hereby certify that I served a true copy of the above document upon all counsel of record via this Court's electronic filing system.

Dated: April 23, 2026

/s/ Michael S. Cohen  
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