

Colleen Frens  
Quemars Ahmed  
PUBLIC RIGHTS PROJECT  
490 43rd Street, #115  
Oakland, CA 94609  
(510) 738-6788  
colleen.frens@publicrightsproject.org  
quemars.ahmed@publicrightsproject.org

July 2, 2026

Director, Product Classification  
U.S. Postal Service  
475 L'Enfant Plaza SW, Room 4446  
Washington, DC 20260-5015  
*Submitted electronically via email to PCFederalRegister@usps.gov.*

**Re: Comment on Behalf of Local Election Officials on Notice of Proposed Rulemaking on Ballot Mail for Federal Elections**

To Whom It May Concern:

**The undersigned thirty-five local election officials and local jurisdictions urge the USPS to rescind the proposed Rule on Ballot Mail for Federal Elections.**<sup>1</sup> With many decades of collective experience administering and overseeing elections and serving millions of eligible voters, the signatories understand the practicalities of running elections, including the significant administrative impact that envelope redesign, reprinting envelopes, and the creation of entirely new active voter list maintenance procedures will have. They write to offer their perspective that the proposed Rule on Ballot Mail for Federal Elections is impractical and impossible to implement in time for the 2026 general election without compromising election officials' ability to ensure that all eligible voters can participate in a free and fair election.

Local election officials across the country do not share the exact same day-to-day experience: some operate bustling offices serving hundreds of thousands of voters, while others serve as the sole election administrator for individual townships, serving hundreds of voters; some have greater autonomy, authority, and responsibility compared to their state election officials,

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<sup>1</sup> This Comment does not discuss recent orders by two courts that prevent USPS from being able to finalize this Rule. The signatories are aware that there is ongoing litigation and the status of the Rule is uncertain at the time of this Comment.

while others are restricted by state directives; some have large budgets and shared resources, while others operate on shoestring budgets doing things in-house and by hand. But while their day-to-day operations may differ, **the undersigned local election officials and local jurisdictions agree that the proposed Rule is too vague, too soon, and too burdensome to work for the 2026 general election.**

**I. The Proposed Rule Comes at an Unworkable Time, is Too Costly, and Too Vague for Local Election Officials to Properly Administer**

**A. The Timeline of the Finalization and Implementation of the Proposed Rule Would Overburden Local Election Officials to the Point of Noncompliance.**

The proposed Rule is scheduled to be finalized on July 29, 2026—just ninety-seven days before the November 3, 2026 general election. This leaves election officials at most sixty-eight working days before the election, and, most critically, between twenty-eight and fifty-six working days before election officials are required by law to mail their ballots to voters. The proposed Rule will require thousands of jurisdictions to overhaul their election operations in this short period of time. Moreover, election officials across the country are actively engaged in administering primaries for their states *and* preparing for the 2026 general election *right now*. This work involves a near-constant stream of critical, time-sensitive tasks, not just a handful of marquee dates like Election Day.

The Rule’s implementation schedule makes the problem concrete:<sup>2</sup>

- **June 2, 2026:** USPS published the proposed Rule just over five months before the 2026 general election and on the same date as the primary elections of five states.
- **July 2, 2026:** Comments to the proposed Rule are due on this date, which is a week and a day after three state primaries and two days after one state primary.
- **July 29, 2026:** The earliest potential finalization of the proposed Rule after the comment period, which is six days before the primaries of five states, eight days before the primary of one state, ten days before the primary of another, and thirteen days before the primaries of five states. Notably, this date is sixty-eight working days before the 2026 general election.

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<sup>2</sup> This list does not include duties that are typically mandated in states but whose dates vary, including auditing of voting machines and tabulation equipment, finalizing polling and dropbox locations, and adjudicating voter registration challenges. A sampling of state election calendars demonstrates this point: Oregon: *2026 Elections Calendar*, Or. Sec’y of State, <https://perma.cc/6Y7W-LDY3>; Pennsylvania: *2026 General Election Calendar*, Pa. Dep’t of State, <https://perma.cc/V6PM-3LKU>; Texas: *Important Election Dates*, Tex. Sec’y of State, <https://perma.cc/UF56-EHSS>; Utah: *Utah Election Calendar for Voters & Candidates*, State of Utah Office of the Lt. Gov., <https://perma.cc/B269-C4D2>.

- **August 5, 2026:** A mere five days after the scheduled finalization of the Rule, states should notify the USPS of their intent to mail ballots and to contribute names to the Participation List.
- **September 4, 2026 – October 16, 2026:** The earliest and latest dates when states require election officials to mail ballots.<sup>3</sup> By the relevant date in their state, all jurisdictions must have implemented the myriad new requirements the Rule creates in order for their ballot mail to be delivered. For the earliest state, this is only twenty-six working days after the anticipated finalization of the Rule. For the latest state, it is fifty-six working days.
- **September 19, 2026:** The latest date that election officials can mail absentee ballots to overseas and military voters.<sup>4</sup> While the signatories appreciate the proposed Rule does not implicate UOCAVA ballots, it is noted here to reflect the operational burden on local election officials. Any error undermines the federal statutory scheme and intent. As the Federal Voting Assistance Program states, “One of the biggest factors in the military and overseas voting process is the timely delivery of election materials to the correct address.” *Sending Ballots*, FVAP.GOV, <https://perma.cc/69ZY-NL7P>.
- **Late September, 2026:** Local election officials begin preparing equipment and processing ballot logistics in states that have in-person early voting.

In a best case scenario for local election officials, nineteen states will be engaged in the administration of a primary election in the subsequent seven weeks following the finalization of the proposed Rule and all local election officials will be charged with having to comply with the Rule for the 2026 general election occurring three months and five days after its finalization.<sup>5</sup>

Moreover, this proposed Rule comes at a time when local election offices throughout the country are already facing challenges of staff capacity. Since the 2020 election, there has been a well-documented turnover in local election officials.<sup>6</sup> This has led to the reduction in the number of staff overall, as well as the number of staff with long-term experience. The staffing to implement this Rule may simply not exist regardless of funding or goodwill.

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<sup>3</sup> See, North Carolina and Delaware for the beginning of the window and Washington and Colorado for the later end of the window. A full list can be found here: *Table 7: When States Mail Out Absentee/Mail Ballots*, Nat’l Conf. of State Leg., <https://perma.cc/4XZE-GHH7>.

<sup>4</sup> *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*, as amended by the *Military and Overseas Voter Empowerment (MOVE) Act*, requires absentee ballots be sent to UOCAVA voters at least 45 days before a federal election.

<sup>5</sup> For a compiled list of state primary election days, see *2026 State Primary Election Dates*, Nat’l Conf. of State Leg., <https://perma.cc/XY47-8Y6R>.

<sup>6</sup> See, e.g., *New report reveals alarming election official turnover and offers solutions*, Issue One (Feb. 3, 2026), <https://perma.cc/5Q7K-7GHE>.

This is an extraordinarily compressed timeline for changes of this magnitude. A misstep at any point in this ongoing process will have serious downstream consequences for election officials and voters alike. Adding new, unclear, and costly compliance requirements onto officials already stretched thin increases the odds that something goes wrong and voters will be disenfranchised.

**B. The proposed Rule will be costly to implement.**

Compliance with the proposed Rule creates unknown and potentially significant costs to local election officials and the proposed Rule provides no funding to jurisdictions to implement those changes. The budgets of jurisdictions nationwide are already set. Therefore, the proposed Rule creates an operationally difficult situation for local elected officials as they will have to maneuver with limited financial flexibility and limited ability to plan. The unknowns for compliance with the proposed Rule, discussed throughout this Comment, largely mirror the unknowns regarding cost but the costs local election officials anticipate are a discrete and incalculable burden. Nevertheless, the undersigned can identify three aspects of the proposed Rule that will increase costs to jurisdictions nationwide.

First, jurisdictions may have to pay to print new envelopes. Several factors will exacerbate reprinting costs, noting—as we have throughout—that not all jurisdictions will have to reprint their envelopes nor will all local jurisdictions that do have to reprint their envelopes bear the cost themselves. Many jurisdictions will have to move from in-house printing to a professional mail house in order to meet design requirements. Most jurisdictions have already printed or ordered their envelopes, cancelling that order or discarding already-purchased envelopes will result in requiring rush printing services, which will drive up costs. There is also the staffing cost to redesign envelopes, which, as noted below, is a labor-intensive process.

Second, part of envelope redesign is the application and utilization of IMb markers on envelopes. The ability to place and track IMb on envelopes raises the potential requirement of purchasing new machines, and if not new machines then new software to operationally use the IMb. New software and new machines also require new training and additional staff resources. Allegheny County uses satellite sites where voters can request a ballot. In that scenario not only is a new machine required, but paying staff overtime to train on the new machine is an additional wage commitment.

Third, the voter Mail-In and Absentee Participation List face similar cost structures and unknowns. There is a staffing demand that would require hiring new staff or paying current staff overtime. There is a training element that would be required for staff. There would need to be an investment in additional security systems, up to and potentially including new software. This becomes an additional burden on local jurisdictions as they would then face cross-departmental staffing and resource issues.

Finally, in addition to the unfunded costs the proposed Rule levies on jurisdictions, most jurisdictions are constrained by state and local procurement rules and consequently can not simply

purchase new equipment on the timeline the proposed Rule imposes. Some jurisdictions will require board or council approval and a competitive and time-consuming procurement process before they can purchase the equipment or software necessary to implement the requirements of the proposed Rule. Moreover, depending on the equipment or software being purchased, they may have to go through IT or cybersecurity testing or a certification process before being allowed to use any equipment or software. In addition, thousands of jurisdictions will be vying for the same equipment or software provided by a limited number of vendors. Therefore, even with appropriate funding, many jurisdictions will not be able to implement the changes contemplated by the proposed Rule in time and will risk noncompliance.

### **C. The Vagueness of the Proposed Rule Increases the Risk of Noncompliance.**

The particularities of the proposed Rule are overbroad and nonspecific. As a result, the undersigned cannot meaningfully prepare for implementation of the Rule and are left with more questions than answers.

For example, the proposed Rule alludes to new envelope design standards, but it does not delineate them. Some jurisdictions follow current USPS best practices for envelope design, including using election mail logo, IMb barcodes, and envelope size. Many do not. Regardless of whether a jurisdiction already follows current USPS best practices, the proposed Rule leaves all jurisdictions guessing as to what the new requirements are and whether they must redesign their envelopes. Officials in many jurisdictions might believe, based on the current content of the proposed Rule, that they are sufficiently prepared and make funding and staffing decisions accordingly, only to later discover after the Rule is finalized that they are not. Jurisdictions within states have different ballot sizing needs. Some localities have many elections and ballot questions and thus have a thicker mail ballot. An envelope design that fits one locality may not work for another and the unknown of the envelope requirements will have local election officials struggling to comply with the proposed Rule.

Many jurisdictions that serve voters with nontraditional addresses are also at risk of noncompliance. The proposed Rule does not make clear whether the information needed by the USPS for its proposed Participation List can be sufficiently met by tribal addresses, college dorms, or long term care facilities.

## **II. Envelope design and review standards, including IMBs**

The proposed Rule will require new standards for both outgoing and return envelopes for mail ballots. These standards would include items such as the use of the official Election Mail Logo, optimization for USPS processing equipment, and the placement of a unique Intelligent Mail barcode (IMb) on both envelopes for every voter. The undersigned acknowledge that many of the design standards alluded to in the proposed Rule are best practices that some jurisdictions have already adopted, as discussed *supra*. Notably, large election jurisdictions like Los Angeles County and Philadelphia County have used IMb and the election mail logo. While this might be

best practice for other jurisdictions to adopt in the future, there is not enough time and no funding provided to implement them for the 2026 midterm election.

#### **A. Envelope redesign is a resource-heavy process.**

Every jurisdiction encompassed by this comment already has approved designs for their mail ballot envelopes for the 2026 general election. Again, while the proposed Rule mentions best practices, it does not delineate an actual design. It is possible that many jurisdictions are in compliance with this aspect of the proposed Rule, but the vagueness of the proposed Rule makes that impossible to know. What is known, however, is that thousands of jurisdictions are currently not compliant with this aspect of the proposed Rule just a few months before the 2026 general election.

In jurisdictions where the states design the envelope rather than the local election officials, those local election officials must wait for the state to redesign the envelope. In many states, the return envelope is legally prescribed. It may include security markings, signature blocks, cure-notice language, or disability accommodation text specified in statute or regulation. Redesign may require legislative action, Attorney General guidance, or state board approval. By the time the envelopes are redesigned by the state, there will be very little time—if any—before the jurisdictions must mail out ballots. To further complicate this process, there are only a few external mailhouses that print envelopes, and they may be overwhelmed by the last-minute onslaught from multiple jurisdictions. Those external mailhouses will also need to update and certify their own systems, causing an additional and unknown delay to local election officials.<sup>7</sup>

In jurisdictions where the local election officials design the mail ballot envelope, these officials must devote intense time, staff, and funds to redesigning their mail ballot envelopes. Designing envelopes is a labor-intensive process that requires, among other steps, scanner testing, extraction equipment testing, sorter calibration, signature verification workflow testing, staff retraining, observer procedure updates, and SOP revisions. After the design process is over, many jurisdictions will have to get approval from the state before being able to use the design, adding further delays. Ordinarily, the many resources that election officials must devote to this redesign process would be dedicated to other critical pieces of their election operation at this state in the election cycle.

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<sup>7</sup> In contrast to the compressed timeline the proposed Rule would create, the Pennsylvania Department of State introduced a new envelope design on November 29, 2023 for use in the 2024 elections. The primary election in 2024 took place on April 23, 2024. Pennsylvania counties had 126 days to order and test the new envelopes. *Shapiro Administration Introduces Redesigned Mail Ballot Materials to Give Voters Clearer Instructions, Decrease Number of Rejected Ballots, and Ensure Every Legal Vote is Counted*, Commw. of Pa. (Nov. 29, 2023), <https://perma.cc/8BQX-YVD5>.

## **B. The IMb requirement further complicates election preparations.**

The IMb requirement also presents significant uncertainty and difficulty. As with the other envelope design standards, some larger jurisdictions already utilize IMBs on their outgoing envelope. However, the majority of jurisdictions do not and do not currently have the capability. This new requirement presents uncertainties and difficulties for both types of jurisdictions.

In jurisdictions that already apply an IMb to outgoing mail, most, if not all, do not currently apply it to return envelopes, relying instead on the USPS.<sup>8</sup> Applying an IMb to the return envelope may require the purchase of new equipment or software, both likely limited in supply by the late-implementation of the proposed Rule.

Jurisdictions that do not currently use IMb typically print in-house rather than using a professional mail house. Some of these jurisdictions print labels and place them onto envelopes by hand. The proposed Rule is too vague for these jurisdictions to begin planning. Not only do they not know if they need new equipment or software, they can not begin to ask what new equipment or software they will specifically need. The technology and expertise to create IMb is beyond the current ambit of many of these local offices. This lack of knowledge means that once a Rule is finalized and there is, hopefully, greater clarity, many jurisdictions will need to purchase the same equipment. It is unknown whether there will be enough of this specialized equipment available. This is not something that jurisdictions can rush to purchase either, as they must follow procurement laws, discussed *supra*, which takes time.

For all jurisdictions, regardless of whether they currently utilize IMBs on their outgoing mail, the proposed Rule again creates more questions than it answers. Pennsylvania presents a good example of the uncertainty and difficulty created by this Rule. Pennsylvania law allows a voter to visit a satellite election office, apply for a mail ballot, and receive the mail ballot all on the same transaction. The voter has the ability to complete their ballot and return it to the local board of elections at that moment, or they can take it home, complete it, and then return it via the USPS. In that situation, how would an IMb be applied to either envelope before they are given to the voter? And how would either of those IMBs be applied to that voter on the Commonwealth's Participation List? Would that voter's ballot be held by the USPS when they mail it? Will it be returned to the voter? The proposed Rule is silent as to these critical administrative questions.

Ultimately, the envelope redesign standards in the proposed Rule impose an unworkable standard within an impossible timeframe. The technical and operational hurdles—ranging from procurement constraints to the urgent need for software and workflow updates—cannot be

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<sup>8</sup> For example, the vendor who prints and mails ballots for Philadelphia County does not have the attachment necessary to print an IMb on return envelopes. Printing the IMb on the return envelope is a multi-step process and, in the vendor's experience, creates printing jams and inefficiencies.

overcome before the 2026 general election. By failing to provide clarity or support for these changes, the proposed Rule creates a high probability that valid ballots will be delayed or held by the USPS, directly resulting in voter disenfranchisement. Without substantial guidance and a more realistic implementation schedule, these requirements threaten the integrity of the mail ballot process it seeks to improve.

### **III. Mail-In and Absentee Participation List**

#### **A. The Mail-In and Absentee Participation List will create unquantifiable delays.**

In many states, voter rolls are maintained by local election officials. These lists are dynamic and are updated many times a day. In jurisdictions that allow for same-day registration, voter rolls can be updated through election day. For purposes of mail voting, voter rolls are updated until the last day that the jurisdiction can mail ballots. In some jurisdictions, this last day can be as close to four days before election day.<sup>9</sup> Voters in some states may request an emergency mail ballot after the deadline.<sup>10</sup>

Updating a list five days before election day is already an administrative burden for local election officials. Under the proposed Rule, in order to fulfill their duty of administering elections and allowing every eligible voter to participate, local election administrators would then have to immediately make sure that the USPS list reflects updated voter information while local election officials are focused on many of the other critical statutory and administrative requirements they already perform. Additionally, some lists are maintained by the state, which adds another layer of bureaucracy for the local election official to ensure that the voter would be able to receive a ballot through the mail.

If there were any delay between a local election official updating their internal list and that data being reflected in the USPS list (whether due to the staffing delays discussed *supra*, a sync error, upload failure, or data format mismatch), a situation would occur where a local election official would have issued a mail ballot only for that ballot to be held by USPS. The local election official would then be faced with an additional administrative burden of either resending a ballot, or somehow communicating with USPS to release that ballot. Crucially, the proposed Rule does not contemplate the responsible party for any resulting disenfranchisement.

Delays in the accuracy of the USPS list are inevitable. Real-time synchronization is operationally impossible. Election databases change constantly. There are daily registrations and reregistrations, address updates, absentee requests, ballot replacements, spoiled ballots, UOCAVA

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<sup>9</sup> Minnesota has no deadline for requesting a mail ballot. Jacob Knutson, *'It will destroy the Postal Service': USPS plan to crack down on mail voting spurs alarm*, Democracy Docket (June 24, 2026), <https://perma.cc/TBP9-9VH7>.

<sup>10</sup> See, e.g., Pennsylvania. 25 P.S. § 3146.2a(iii) (allowing for an absentee ballot request after the deadline when the voter has become physically disabled or ill).

applications, same-day registrations, provisional determinations. Keeping an external federal portal synchronized in real time during peak season is not a matter of effort; it is a structural impossibility with current infrastructure.

#### **B. The Mail-In and Absentee Participation List is operationally unfeasible.**

A new federal portal is not simply a matter of additional data entry, it represents additional operational burdens and security burdens. A new federal portal means new credentials, new user permissions, new security training, and new audit procedures, at a time when local officials are already managing statewide voter registration databases, ballot tracking, and EMS. A minor error during this hectic time could result in violating voter privacy and state privacy law. This increases the amount of potential vulnerabilities and staff burden simultaneously.

The portal does not exist yet and because of that, local election officials have no ability to prepare. Voter registration databases in many local jurisdictions are built with old software and IT infrastructure. Adjusting the databases to facilitate timely compliance with the proposed Rule presents a burden on IT staff in local election offices at a time when they are conducting software audits on tabulators and voting machines. It also presents another unknown cost to upgrade software and potentially hardware in local jurisdictions. Some rural jurisdictions rely on handwritten information to maintain their registration and active voter lists. Adjusting to a brand new portal in the middle of a busy season increases the risk of user error and technical glitches.

The software on the local election official end is one matter, the federal portal is another. Using it will require training for local election officials. The proposed Rule obliquely mentions that the USPS will assist election officials in adapting to the requirements of the Rule but nowhere does it contemplate the time necessary for a local election official to be caught up to speed on Federal government software that has not yet been created.

#### **IV. The Penalty for Noncompliance is Severe**

Under the proposed Rule, when a local election jurisdiction is in noncompliance, voters will be penalized—they will be disenfranchised through no fault of their own. In order to fulfill their duty of administering a free and fair election with wide participation, local election officials will need to contemplate emphasizing in-person voting should the locality be unable to comply with the proposed Rule quickly enough. The public communications surrounding this as well as the additional polling locations presents an additional financial cost and administrative burden on local election officials.

The proposed Rule presents potential conflict with state law. For instance, many states have privacy laws that prevent the sharing of certain personally identifiable information. Pennsylvania, for instance, does not permit the release of driver's license information or social security numbers. Additionally, some states, like Oregon, do not legally allow in-person voting. If a jurisdiction in Oregon cannot comply with the proposed Rule, the risk of disenfranchisement or violating express

state law is certain. In other states, changes to ballot envelopes would require a change to state law, so a local election official could be on legally tenuous ground to change it on their own. The proposed Rule puts local election officials in an operationally infeasible situation where they are forced with either risking the disenfranchisement of voters or breaking state law.

The proposed Rule comes at a time when local election officials are under attack. The same vitriolic politics that have resulted in so many local election officials being pushed away from their service is imbued in the Executive Order and its surrounding messaging. While the proposed Rule does not contemplate criminal sanctions, the Executive Order specifically directs the Attorney General to “prioritize” the investigation and prosecution of local election officials who issue ballots to those “not eligible to vote in a Federal election”.<sup>11</sup> The proposed Rule places determination of eligibility in the hands of USPS and the Ballot Portal. Given the increased likelihood of noncompliance with the proposed Rule, for reasons discussed *infra*, there is a likelihood that a local election official will issue a ballot to someone who is eligible to vote under Federal and state law, but is ineligible to vote under the administration of this proposed Rule. When that happens, it exposes local election officials to a consequence that is more onerous and burdensome than anything discussed in this comment: criminal sanction.

**V. Conclusion**

Thousands of local election officials across the country are currently in the process of preparing for the 2026 general election. They are charged with the duty to administer a free and fair election. The proposed Rule risks undermining their essential work. The undersigned local election officials and local jurisdictions respectfully ask that the USPS rescind finalization of the proposed Rule, provide more clarity and guidance, and reduce the penalties for noncompliance.

Respectfully submitted,

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| County of Alameda, California    | City of Minneapolis, Minnesota  |
| Allegheny County, Pennsylvania   | Pima County, Arizona  |
| City of Boston, Massachusetts    | San Diego County, California  |
| Bucks County, Pennsylvania       | Oregon Association of County Clerks   |
| City of Cambridge, Massachusetts | Seth Bluestein<br><i>Commissioner, City of Philadelphia,<br/>Pennsylvania</i> |
| Chester County, Pennsylvania     |   |
| Delaware County, Pennsylvania    |   |

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<sup>11</sup> “Ensuring Citizenship Verification and Integrity in Federal Elections,” Exec. Order No. 14399, 91 Fed. Reg. 17125 (Mar. 31, 2026), <https://perma.cc/LVY4-3ATL>.

Connie Brandt  
*Clerk, Montmorency Township, Michigan*

Bill Burgess  
*Clerk, Marion County, Oregon*

Candee Christen  
*Clerk, City of Stoughton, Wisconsin*

John Clark  
*Mayor, Ridgway Township, Colorado*

Mary Clark  
*Clerk, Delta Township, Michigan*

Rich Coglianese  
*Board of Elections Member, Union County, Ohio*

Ethan Compton  
*Election Supervisor, Irwin County, Georgia*

Kristin Connelly  
*Clerk-Recorder & Registrar of Voters, Contra Costa County, California*

Ellen Craig-Bragg  
*Clerk, City of Romulus, Michigan*

Lisa Deeley  
*Commissioner, City of Philadelphia, Pennsylvania*

Jilline Dobratz  
*Clerk, City of West Bend, Wisconsin*

Justin Douglas  
*Commissioner, Dauphin County, Pennsylvania*

Paulina Gutierrez  
*Election Commission Executive Director, City of Milwaukee, Wisconsin*

Beau Harbin  
*County Legislator & Democratic Minority Leader, Cortland County, New York*

Dean C. Logan  
*Registrar-Recorder & Clerk, Los Angeles County, California*

Dele Lowman  
*Board of Voter Registration and Election Board Member, DeKalb County, Georgia*

Neil Makhija  
*Commissioner & Chair of Board of Elections, Montgomery County, Pennsylvania*

Cheryl Neilsen  
*Clerk, Montmorency County, Michigan*

Dawn Marie Sass  
*Clerk/Deputy Treasurer, City of Exeter, Wisconsin*

Jamila Winder  
*Commissioner, Montgomery County, Pennsylvania*

Julie Wise  
*Director of Elections, King County, Washington*