Exhibit 3

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DSCC, *et al.*, *Plaintiffs*, v. DONALD J. TRUMP, in his official capacity as President of the United States, *et al.*, *Defendants*.	Civil Action No. 26-1114 (CJN)
LEAGUE OF UNITED LATIN AMERICAN CITIZENS, *et al.*, *Plaintiffs*, v. EXECUTIVE OFFICE OF THE PRESIDENT, *et al.*, *Defendants*.	Civil Action No. 26-1132 (CJN)
NATIONAL ASSOCIATION FOR THE Advancement of colored people, *et al.*, *Plaintiffs*, v. DONALD J. TRUMP, in his official capacity as President of the United States, *et al.*, *Defendants*.	Civil Action No. 26-1151 (CJN)

DECLARATION OF DYANA LIMON-MERCADO

I, Dyana Limon-Mercado, pursuant to 28 U.S.C. § 1746, declare that the following statements are true and correct to the best of my knowledge and belief:

1. I am a resident of the State of Texas. I am over the age of 18. I am familiar with the information in the statements set forth below either through personal knowledge, consultation with relevant staff, or from my review of relevant documents and information. If called as a witness, I could and would testify competently to the matters set forth below.

2. I am the County Clerk for Travis County, Texas. In this role, I am responsible for conducting and overseeing all the work of the Office of the County Clerk, which includes both election and non-election responsibilities.

3. The County Clerk's elections responsibilities include conducting all aspects of in-person and by mail Early Voting, as well as Election Day voting. These duties include issuing and mailing ballots to qualified voters; locating, managing, and securing facilities for all polling places for both in-person Early Voting and Election Day voting; recruiting, coordinating, training, and managing thousands of poll workers to conduct in-person Early Voting and voting on Election Day; reporting elections results; ensuring all aspects of the voting process are compliant with all federal, state, and local laws; and more.

4. Through the above-described responsibilities, I am familiar with Texas's Early Voting by mail requirements. I am also familiar with the state's comprehensive and legally mandated systems of checks that ensure that only individuals who are eligible to vote under state and federal law can receive and vote ballots and that ensure that each qualified voter votes only one ballot.

5. I have been the Travis County Clerk since January of 2023.

6. One of the key parts of running elections in Travis County is overseeing Early Voting processes, which includes by mail Early Voting.

7. In Travis County, my office is responsible for printing ballots, sourcing outgoing and incoming ballot envelopes, inserting ballots and other materials into the envelopes, and mailing out the full by-mail ballot package.

8. The points below summarize the steps that County Clerk staff go through to process a request for an Early Voting ballot by mail:

a. Through the Texas' Secretary of State's TEAM System, we verify that the voter is validly registered and review that their submitted application for ballot by mail meets all legal requirements, including identification number.

i. If their application is incomplete or does not match the identification in the TEAM System, we contact the voter by a mailed rejection letter to inform them that they need to submit a new application or correct the defect online to receive an absentee ballot. Then, assuming the voter then provides the correct information, we must process the corrected application.

b. We enter the application into the TEAM database.

c. We stuff outgoing envelopes with the appropriate ballots and other printed material that must accompany the ballot.

d. We print out mailing labels for each eligible voter based on a spreadsheet we keep with mailing addresses. Currently, the TEAM System does not have a report that gives accurate mailing addresses for all mail ballot voters.

e. The outgoing envelope includes two mailing labels. The front mailing label includes a voter's name and address. The back mailing label includes a voter's name, their VUID (a number specific to the voter), a barcode specific to the voter, the date of the election and the voter's ballot style. The barcode is not IMb compatible.

i. The incoming ("carrier") envelope (sent out in the outgoing envelope) includes one mailing label which itself includes a voter's name, their VUID (a number specific to the voter), a barcode specific to the voter, the date of the election and the voter's ballot style. The barcode is not IMb compatible.

f. Once a batch is ready, we scan every barcode into our internal spreadsheets to ensure all outgoing mail is accounted for. Then we take it to the appropriate postal location to be mailed out.

9. My office is also responsible for receiving and processing returned ballots by mail, facilitating the Early Voting Ballot Board's review and acceptance/rejection of by-mail ballots, and facilitating the Central Counting Station's counting of those ballots.

10. For a November general election, by state law, ballots are required to be mailed out to UOCAVA voters 45 days before the election. For other by-mail voters who have a valid request on file 37 or more days before the election, ballots must be mailed out 30 days before the election. The two initial batches of ballots are typically around 18,000 ballots for a November midterm and 25,000 ballots for a November presidential election. Preparing these initial batches of ballots typically takes up to 35 people working full

time for 5 weeks. Sometimes ballot finalization is delayed, and to meet the UOCAVA deadline, County Clerk staff will work overtime and weekends to ensure that we meet the UOCAVA deadline.

11. After these large initial batches, we run new batches of applications each business day for all newly received absentee ballot requests. This ensures that, in general, ballots are mailed to voters within 3-5 business days of receiving their request, provided that the application is from a validly registered voter who has provided all required documentation.

12. In a typical November federal election, we receive hundreds of mail-in ballots that are missing the identification information required by state law on the carrier envelope. Each such voter requires a rejection letter, plus personal outreach by a member of the County Clerk staff (by mail and by phone) to inform the voter that they need to resubmit their ballot with proper identification information. This outreach is a time-intensive process.

13. When ballots are returned by the voter, that return is also entered in a spreadsheet. We must then update the TEAM system one voter profile at a time.

14. I am familiar with the March 31, 2026, Executive Order, titled "Ensuring Citizenship Verification and Integrity in Federal Elections." Exec. Order No. 14399, 91 Fed. Reg. 17125 (Mar. 31, 2026), and the Postal Service's Proposed Rule titled Ballot Mail for Federal Elections, 91 Fed. Reg. 32915, 32917-18 (June 2, 2026) (to be codified at 39 C.F.R. pt. 111) [DK5] ("Final Rule").

15. Based on my experience as the Travis County Clerk and my conversations with my staff who are knowledgeable about administering the County's by-mail voting program, I am concerned that compliance with the Final Rule is very likely to risk delays and errors that could disenfranchise voters and cause additional administrative burdens that could overwhelm County Clerk staff. Compliance with the Final Rule is certain to require the County Clerk to expend additional money that we do not have in the budget.

16. I also believe that the Final Rule would have no positive impact in ensuring election integrity because state law already contains multiple overlapping checks to ensure that only eligible voters who have provided proper paperwork, including a driver's license or social security number, will receive an absentee ballot. State law also contains checks to ensure that only the eligible voter can cast that ballot and that they

can only cast a single ballot. The Final Rule would not provide any additional security for our voting system but would introduce the possibility of errors that could disenfranchise eligible voters.

The Rule Requires Expenditure of Resources the County Clerk Does Not Have

17. As an initial matter, the Rule would require unique intelligent mail barcodes (IMbs) on both outgoing and return ballot envelopes. Currently, in Texas, neither envelope is required to contain an IMb.

18. Adding a unique IMb to the outgoing and return envelopes would require my office to (1) try to fit an IMb barcode on the labels that we place on the envelopes or (2) to pre-print the IMb barcodes directly on the envelopes. Adding the IMb barcode to the label will be difficult, as there is already a lot of information contained on the labels that is crucial to our processes. Reducing the size such that it cannot be read would render the label useless. Further, some voters have especially long addresses which would make it additionally difficult to squeeze all the currently necessary information plus an IMb barcode on the label. Pre-printing IMb barcodes on new ballot envelopes would be impossible for the upcoming election. Our envelope vendor recently quoted an 8–12-week turnaround for providing any new envelopes.

19. Additionally, generating a unique IMb for each outgoing and incoming envelope, and integrating the IMb into the state's TEAM system that we use to process mail ballots (such that the IMb is tied to a specific voter) will require design changes, testing, and training of election offices. The TEAM system has been plagued with issues over the last year[1] and adding this new requirement will almost certainly exacerbate the issues counties face in using TEAM.

20. Currently, the TEAM system is incapable of producing a report with mailing addresses of ballot by mail voters included. It is not clear that the same system will be able to store an IMb barcode before the November 3, 2026 election.

21. The barcode scanners that my office currently uses cannot scan 2D IMb barcodes. We would need to purchase new barcode scanners to read the IMb barcodes.

[1] *See* Natalia Contreras, Texas Tribune, *Texas lawmakers want fixes to statewide voter registration system ahead of midterms*, (June 24, 2026), https://www.texastribune.org/2026/06/24/texas-team-voter-registration-system-civix-secretary-of-state/.

22. The County Clerk has already purchased all our absentee ballot outbound carrier envelopes and return envelopes that we will use for the November 2026 election, at a cost of approximately $21,349. We do not have funds to repurchase new envelopes.

23. Moreover, because the absentee ballot envelopes are specialized products, as referenced above, ordering them requires months of lead time. Even if our budget could handle the additional expenditure, our supplier would not be able to provide that many new envelopes in time for us to meet the October 4, 2026, deadline to start sending out mail-in ballots for the upcoming November 3, 2026 election. We typically order such ballot envelopes three to nine months in advance.

There Is No Time to Ensure that the Federal Ballot Mail Portal Works.

24. In my experience and the experience of my staff, any time the Postal Service changes its systems and processes, there are technical issues that cause significant delays and create extra work for our office. I am gravely concerned that rolling out an entirely new, complicated Federal Ballot Mail Portal would be plagued with widespread issues, and in the case of by-mail voting, which occurs on a tight timeline, these issues could result in Travis County voters being disenfranchised.

25. If each ballot must be scanned to check it against the Mail-In and Absentee Participation List prior to being accepted by the Postal Service, this could significantly delay ballots entering the mail-stream and ultimately delay delivery to voters. These delays risk disenfranchising voters because, under state law, most ballots received by the County Clerk after 5 p.m. on the day after Election Day (assuming the ballot was postmarked before 7 p.m. on Election Day) cannot be counted.

26. I am also concerned that requiring the County Clerk to upload the Mail-In and Absentee Participation List to the Federal Ballot Mail Portal ("Portal") would be time-consuming and introduce a significant risk of errors. The Portal does not exist yet, to the best of my knowledge, and is likely not going to be seamlessly operable with TEAM. Any time two databases not designed to work together must interact, errors can be introduced. And even without system error, the many individuals who must use the systems must be trained. We have no training or visibility into this new Federal Ballot Mail Portal, nor instructions

or ideas of who to call if we encounter difficulties or errors. This sharp learning curve, with the real possibility of errors between systems, raises serious risks of disenfranchising voters through denying them timely access to an absentee ballot.

27. My office does not have the staff time or resources to devote every day from mid-September until 5 days before Election Day to uploading supplemental Mail-In Absentee and Participation Lists, troubleshooting errors, and reconciling mismatches between the systems. This would be a labor-intensive process, and we would have to divert staff who are engaged on other important election matters to deal with these issues. This risks harming other aspects of our administration of elections for Travis County and all the approximately 35+ jurisdictions who have indicated they are joining our election this November.

28. The County Clerk's office fields thousands of calls from voters each election with questions about voting procedures and voter eligibility. Many of those calls already concern whether delays in the mail would put their ballot at risk. The adoption of a vast new federal system would generate hundreds or thousands of additional calls from voters who would have questions or concerns about whether their ballot would be delayed or refused by the Postal Service. The County Clerk does not have the staff resources to field all of these additional calls without diverting staff from other critical responsibilities.

29. In my experience administering elections, voters who have concerns about whether their ballot will be properly handled and counted or who are confused about eligibility and procedures may be less likely to vote. I believe that implementing the Final Rule in advance of the November 2026 elections will create this kind of concern and confusion that could deter people from exercising their constitutional right to vote.

30. Consequently, the Rule threatens substantial reputational harm to my office. Voters reasonably look to the Clerk's office as the responsible and authoritative source of information about how to obtain, receive, and return a mail ballot. If ballots are delayed, rejected, or not delivered because of the Rule's new federal requirements, voters are likely to attribute those failures to the Clerk's office—even where the Clerk lacks authority.

There Are Valid, Legal Reasons Voters Have to Mail Multiple Ballots. The Federal Ballot Mail Portal Is Not Equipped For This, and That Failure Will Disenfranchise Voters.

31. There are myriad situations in which voters legitimately need to receive more than one ballot, or receive the same ballot by mail multiple times, during the course of an election cycle, and the Portal is not designed to account for this fact and could prevent voters from receiving their ballot.

32. For instance, a voter who has accidentally ruined their ballot by spilling coffee on it or marking it incorrectly is entitled under state law to spoil that ballot and receive up to two replacement ballots. A voter who spoils their ballot and needs a replacement would be issued a new by-mail ballot. Nothing in the Final Rule indicates that the Portal is set up to account for this scenario, which risks USPS rejecting the replacement ballot because the Portal shows that voting having already received their (spoiled) ballot.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of August, 2026, in Travis County, Texas.

Signed by:
Dyana Limon-Mercado
DAAF089F656C473...

Dyana Limon-Mercado