

COMPLAINT PURSUANT TO HELP AMERICA VOTE ACT

The Public Interest Legal Foundation, Inc. (“Foundation”) files this complaint against Allegheny County, Pennsylvania, its Elections Division Manager, and the Members of its Board of Elections (together, “Allegheny County”), alleging that a violation of Title III of the Help America Vote Act of 2002 (“HAVA”) has occurred, is occurring, and will continue to occur absent relief. Specifically, Allegheny County is not complying with the requirement to eliminate duplicate names from the official list of eligible voters, 52 U.S.C. § 21083(a)(2)(B).

HAVA Requires Elimination of Duplicated Registration Records

1. HAVA requires states receiving HAVA grant money to implement “a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level that contains the name and registration information of every legally registered voter in the State and assigns a unique identifier to each legally registered voter in the State.” 52 U.S.C. § 21083(a)(1)(A).

2. This “computerized list shall serve as the single system for storing and managing the official list of registered voters throughout the State.” 52 U.S.C. § 21083(a)(1)(A)(i). The computerized voter registration list further serves as the “official voter registration list for the conduct of all elections for Federal office in the State.” 52 U.S.C. § 21083(a)(1)(A)(viii).

3. Pennsylvania complied with these requirements through the establishment of the Statewide Uniform Registry of Electors (“SURE”), which is a “single, uniform integrated computer system,” to which all county commissions are connected electronically. 25 Pa.C.S. § 1222(a), (c).

4. Pursuant to HAVA, the authorized officials must maintain the SURE system so that “voter registration records in the State are accurate and are updated regularly.” 52 U.S.C. § 21083(a)(4).

5. HAVA specifies the minimum standard for accuracy of State voter registration records is that the list maintenance program “makes a reasonable effort to remove registrants who are ineligible to vote from the official list of eligible voters.” 52 U.S.C. §§ 21083(a)(4)(A), 21084.

6. HAVA further specifies that the list maintenance performed should ensure that: “(i) the name of each registered voter appears in the computerized list; (ii) only voters who are not registered or who are not eligible to vote are removed from the computerized list; and (iii) duplicate names are *eliminated* from the computerized list.” 52 U.S.C. § 21083(a)(2)(B) (emphasis added).

7. HAVA imposes its voter list maintenance requirements on the “appropriate State or local election official.” 52 U.S.C. § 21083(a)(2)(A). In Pennsylvania, this is the County Commission. 25 Pa.C.S. § 1203(a).

8. Each Commission “shall institute a program to protect the integrity of the electoral process and to ensure the maintenance of accurate and current registration records.” 25 Pa.C.S. § 1901(a).

9. The SURE system was designed to “[i]dentify duplicate voter registrations on a countywide and Statewide basis.” 25 Pa.C.S. § 1222(c)(17).

10. In addition to HAVA’s duplicate-elimination requirements, Pennsylvania law imposes mandatory processes on each Commission for identifying and resolving potentially duplicated registration records. *See* 4 Pa. Code § 183.6.

11. Allegheny County is subject to HAVA and must comply with its voter list maintenance requirements, including the requirement to eliminate duplicate names from the SURE system.

A History of Duplicated Records

12. A December 2019 Performance Audit Report issued by the Pennsylvania Auditor General identified “24,408 cases where the same driver’s license number was listed in more than one voter record,” as well as “13,913 potentially duplicate cases.” Auditor General, Performance Audit Report at 3 (PDF 11), Dec. 2019, *available at* <https://tinyurl.com/3b7dhn2> (last accessed Oct. 5, 2026) (“Performance Audit Report”).

13. The Performance Audit Report “found the process ineffective for identifying duplicate records[.]” *Id.*

14. In February 2020, the Foundation filed a federal action against Allegheny County alleging that county officials were not complying with the voter list maintenance requirements of the National Voter Registration Act of 1993 (“NVRA”). *See* Complaint, *Public Interest Legal Foundation v. Voyer*, No. 2:20-cv-00279 (W.D. Pa. filed Feb. 24, 2020), *available at* <https://publicinterestlegal.org/pilf-files/1-Complaint-2.24.20.pdf> (last accessed Oct. 5, 2026).

15. The Foundation’s Complaint alleged that Allegheny County’s official list of eligible voters contained “3,727 sets of records that are apparent duplicate, triplicate and quadruplicate voter registrations for the same people[.]” *Id.* ¶ 19. One registrant was alleged to have seven active voter registrations listing the same name, address, and date of birth. *Id.* ¶ 20.

16. Before and during the litigation, Allegheny County reviewed the Foundation’s data and took corrective voter list maintenance action, where appropriate. Settlement Agreement

and Release ¶ 3, May 18, 2020, available at <https://publicinterestlegal.org/pilf-files/Settlement-Agreement-and-Release-Executed.pdf> (last accessed Oct. 5, 2026).

17. The Foundation ultimately settled its claims against Allegheny County pursuant to an agreement requiring the County to report its actions to the Foundation and accept and review additional data concerning duplicated records for another year. *Id.* ¶¶ 9-10.

Duplicated Records Are Still Not Eliminated in Allegheny County

18. Despite HAVA's requirements, the Performance Audit Report's findings and recommendations, and a settled federal lawsuit, Allegheny County is still failing to eliminate duplicate voter registration records.

19. A recent Foundation analysis identified 1,106 apparent duplicated voter registration record sets on Allegheny County's official voter registration list. The analysis also identified triplicate, quadruplicate, and pentaplicate sets. In other words, it appears that 1,109 registrants are registered more than once in Allegheny County. *See Exhibits.*

20. The Foundation identified the 1,109 apparent matched sets by analyzing the Full Voter Export the Foundation received from the Pennsylvania Department of State on September 14, 2026.

21. The Foundation's Research Director identified the 1,109 apparent matched records by implementing the following four different queries: (1) identification of all records that share the exact same address information, and also have the exact same last name, first name, and year of birth; (2) identification of all records that share the exact same address information and also have the exact same first name and year of birth and have the last name of one record fully incorporated into the last name of the other record; (3) identification of all records that share the exact same address information and also have the exact same first name and year of

birth and have the last name of one record be 2 characters or fewer different than the last name of the other record; (4) all records that share the exact same address information and also have the exact same last name and year of birth and have the first name of one record be 2 characters or fewer different than the first name of the other record; and, all records that share the exact same address information, date of birth, and last names but have common nickname conflicts in first name fields (*e.g.*, William versus Bill).

22. Allegheny County is not eliminating duplicate names as HAVA requires. 52 U.S.C. § 21083(a)(2)(B)(iii).

23. Allegheny County is therefore violating Title III of HAVA.

24. Absent relief, the November 3, 2026 General Election in Allegheny County, will be conducted using an inaccurate voter registration list.

25. As a state subject to HAVA, Pennsylvania must establish an administrative complaint procedure to remedy violations of HAVA's Title III. 52 U.S.C. § 21112(a)(1). Pennsylvania has established such an administrative complaint procedure. *See* 25 P.S. § 3046.2.

26. This complaint is filed against Allegheny County pursuant to HAVA and Pennsylvania's HAVA complaint procedure.

27. The Foundation does not request a hearing.

Prayer for Relief

28. The Foundation respectfully requests an order:

A. Declaring that Allegheny County is violating Title III of HAVA by not eliminating duplicate names from the official list of eligible voters;

- B. Ordering Allegheny County to review the data submitted with this Complaint and take all corrective action consistent with HAVA as is necessary to eliminate duplicate names from the official list of eligible voters;
- C. Ordering Allegheny County to develop and implement a remedial plan to bring Allegheny County into compliance with HAVA now and in the future, including, but not limited to, a procedure for verifying correct registration data when a registrant with duplicated registration records appears to vote in person; and,
- D. Granting the Foundation all further relief deemed just and proper.