

PUBLIC RIGHTS PROJECT (on behalf of Thirty-Five Local Election Officials and Local Jurisdictions)

July 2, 2026

Source

Public Rights Project, submitted on behalf of thirty-five local election officials and local jurisdictions.

Principal Issues Raised

The comment argues that the proposed rule exceeds the Postal Service's statutory authority and would impose substantial administrative burdens on state and local election officials immediately before the 2026 general election. It discusses implementation deadlines, ballot-envelope redesign, reprinting costs, Intelligent Mail barcode requirements, mailpiece design review, creation of absentee voter participation lists, privacy and cybersecurity concerns, state authority over election administration, operational feasibility for jurisdictions of varying size, and the potential for voter disenfranchisement resulting from implementation of the proposed requirements.

Principal Authorities Cited

U.S. Constitution; Postal Reorganization Act of 1970; 39 U.S.C. §§ 101, 401, 403, and 404; National Voter Registration Act of 1993; Help America Vote Act of 2002; Uniformed and Overseas Citizens Absentee Voting Act; Executive Order 14399; *California v. Trump*; and *Ballot Mail for Federal Elections*, 91 Fed. Reg. 32915 (June 2, 2026).

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July 2, 2026

Director, Product Classification
U.S. Postal Service
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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.¹ 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,

¹ 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:²

- **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.

² 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.³ 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.⁴ 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.⁵

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.⁶ 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.

³ 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>.

⁴ *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.

⁵ 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>.

⁶ 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.⁷

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.

⁷ 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.⁸ 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

⁸ 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.⁹ Voters in some states may request an emergency mail ballot after the deadline.¹⁰

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

⁹ 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>.

¹⁰ 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”.¹¹ 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,

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

Chester County, Pennsylvania

*Commissioner, City of Philadelphia,
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Delaware County, Pennsylvania

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

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Jilline Dobratz
Clerk, City of West Bend, Wisconsin

Justin Douglas
Commissioner, Dauphin County, Pennsylvania

Paulina Gutierrez
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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

ENVIRONMENTAL PROTECTION NETWORK

July 2, 2026

Source

Environmental Protection Network.

Principal Issues Raised

The comment opposes the proposed rule on the ground that it would undermine confidence in democratic institutions by permitting the Postal Service to refuse delivery of certain ballot mail. Although acknowledging that it is not an election administration organization, the commenter discusses the importance of transparent and accountable rulemaking, public confidence in elections, voting rights, voter disenfranchisement, and the relationship between democratic governance and effective public administration.

Principal Authorities Cited

Congressional testimony of Postmaster General David Steiner; NAACP statements regarding the proposed rule; and Environmental Protection Network public opinion research concerning public support for federal institutions and democratic governance.



EPN Comments on USPS' Proposal "Ballot Mail for Federal Elections"

Docket No. USPS-2026-1289-0001

July 2, 2026

The [Environmental Protection Network](https://www.environmentalprotectionnetwork.org) (EPN) harnesses the expertise of more than 750 former Environmental Protection Agency (EPA) career staff and confirmation-level appointees from Democratic and Republican administrations to provide the unique perspective of former regulators and scientists with decades of historical knowledge and subject matter expertise.

EPN respectfully submits this comment in opposition to the U.S. Postal Service's (USPS) proposed rule entitled "Ballot Mail for Federal Elections."

We are not experts on the USPS nor on the handling of mail-in ballots, but we do know the importance of free and fair voting, which is a cornerstone of American democracy and also fundamental to America's environmental progress. The very existence of the U.S. EPA, which was created just months after tens of millions of Americans participated in the first Earth Day in 1970, is a testament to the virtue of a government that serves "We The People."

As former EPA employees, we have witnessed firsthand how the American public shapes EPA for the better through their elected officials.

As former regulators, we also understand the importance of accountable rule-making. Successful EPA administrators across Republican and Democratic presidents have recognized that EPA best serves the public by following three rules: follow the law, follow the science, and be transparent. This has served the agency well, and more than 90% of Americans today support EPA's core mission.¹

USPS' proposed rule fails these tests.

On June 24, U.S. Postmaster General David Steiner told Congress that if this rule is promulgated, USPS would refuse to deliver mail-in ballots in any state that has not shared its lists of absentee voters with the federal government.²

If American citizens follow their state's instructions and lawfully cast their ballot by mail, but USPS refuses to deliver those ballots, then those citizens will be disenfranchised. By degrading the democratic foundations of our electoral system, the proposed rule will weaken trust in our government and inhibit representative, just and effective governance.

Anthony P. Ashton, NAACP's Senior Associate General Counsel, states that "the right to vote should never be subject to arbitrary barriers or last-minute rule changes that create confusion and suppress participation."³

¹ https://www.environmentalprotectionnetwork.org/20260603_may-2026-poll_release/

² <https://www.youtube.com/watch?v=s2bJ5qMeuUU>

³ <https://www.citizen.org/news/naacp-moves-to-halt-usps-mail-in-ballot-proposed-rule/>

We agree.

The mission of USPS is to serve the American people, bind our nation together, and provide trusted, safe and secure communications.

If USPS pursues a partisan political agenda under the guise of good-government, it will lose the trust of the people it serves.

If USPS acts in a manner to deter or suppress votes, then it will diminish not only itself, but also our democracy.

Thank you for your consideration of our views.

CENTER FOR ELECTION CONFIDENCE

July 2, 2026

Source

Center for Election Confidence.

Principal Issues Raised

The comment generally supports the proposed rule's operational standards governing Election Mail while recommending clarifications and additional guidance. It discusses the official Election Mail logo, Intelligent Mail barcodes, automation-compatible ballot envelopes, mailpiece design review, ballot tracking, technical assistance for election officials, law-enforcement use of ballot-mail data, Privacy Act implementation, postmarks and scan events, restoration of prior Postal Service postmark practices, and the relationship between the proposed rule and ongoing election litigation.

Principal Authorities Cited

39 U.S.C. §§ 401 and 404; 18 U.S.C. §§ 1341, 1342, and 3061; Ballot Mail for Federal Elections, 91 Fed. Reg. 32915 (June 2, 2026); USPS Domestic Mail Manual; USPS 2026–2027 Official Election Mail Guide (Kit 600); Privacy Act; *California v. Trump*; *Watson v. RNC*; USPS Postal Bulletins 22596 (2022) and 22642 (2024); and USPS Office of Inspector General, *Vote by Mail and the Postal Service: A Primer*.



Introduction

Center for Election Confidence, Inc. (“CEC”) is a non-profit organization recognized as a key “civil society group”¹ that promotes ethics, integrity, and professionalism in the electoral process. CEC works to ensure that all citizens can vote freely within an election system of reasonable procedures that promote election integrity, prevent vote dilution and disenfranchisement, and instill public confidence in election systems and outcomes.

CEC submits these comments concerning the United States Postal Service’s (“Postal Service”, “Service”, or “USPS”) Proposed Rule, *Ballot Mail for Federal Elections*, published at 91 Fed. Reg. 32915 (June 2, 2026). The Proposed Rule would amend the Mailing Standards of the United States Postal Service, Domestic Mail Manual (“DMM”), with respect to the transmission of mail-in and absentee ballots for federal elections.²

As detailed below, CEC generally supports the Postal Service’s Proposed Rule and urges the Postal Service to finalize its core ballot-mail visibility, automation, barcode, design-review, and technical-assistance provisions, all of which will enhance efficiency and security. CEC further urges the Postal Service to make express what is implied: the Proposed Rule’s mail fraud statute enforcement provisions are a mail-integrity measure that supports election officials and assists lawful enforcement of long-standing federal law, not a system for reviewing the contents of voters’ ballots. Finally, in light of the U.S. Supreme Court’s recent decision in *Watson v. RNC*,³ CEC renews its call that the USPS reinstate the pre-December 2025 rules concerning the placement of postmarks, if only for generic ballot mail and Election Mail.⁴

Support for Proposed Rule

CEC supports the Postal Service’s use of its postal authority to improve the preparation, visibility, and handling of ballot mail in federal elections, all of which will enhance efficiency and security. The Postal Service inherently has significant expertise concerning mailpiece design, barcode standards, acceptance procedures, mailstream visibility, delivery operations, and election-related extraordinary measures. The Proposed Rule is strongest where it remains within that institutional competence: regulating the use of the mail and improving ballot-mail processing, and CEC is encouraged by the Service’s focus on these important goals.

The Postal Service proposes to rely on its authority under 39 U.S.C. §§ 401 and 404, including its authority to adopt regulations necessary to execute its functions and to provide for the collection, handling, transportation, delivery, forwarding, returning, and holding of mail.⁵ CEC supports the Proposed Rule as a proper exercise of that authority to implement uniform preparation conditions for mail-in and absentee ballots in general, special, and runoff federal elections, excluding ballots covered by the Uniformed and Overseas Citizens Absentee Voting Act.⁶

¹ Elena Patel, Brookings Institute (Dec. 30, 2025), <https://www.brookings.edu/articles/when-a-postmark-no-longer-tracks-mailing/>.

² *Ballot Mail for Federal Elections*, 91 Fed. Reg. 32915 (June 2, 2026).

³ 609 U.S. ____ (2026).

⁴ See 90 Fed. Reg. 52883.

⁵ 39 U.S.C. §§ 401, 404; 91 Fed. Reg. 32915-16.

⁶ 91 Fed. Reg. 32916. CEC also draws the Postal Service’s attention to the existence of similar state laws, such as the Pennsylvania Uniform Military and Overseas Voters Act, *codified at* 25 Pa. C.S. § 3501 *et seq.*, or Iowa’s “special absentee ballot” provisions, IA Code § 53.45. These state statutes may impact the Service’s implementation of the Proposed Rule as written.

CEC supports the operative sections of the Proposed Rule.⁷ First, the proposed envelope standards would require use of the official Election Mail logo, automation compatibility, unique Intelligent Mail barcodes, and mail piece design review, all of which would enhance the efficiency and security of ballots delivered by mail. Second, the Proposed Rule would preserve and codify the Postal Service’s longstanding Election Mail practices. Third, the Proposed Rule would direct appropriate resources to the enforcement of long-standing federal mail fraud statutes, which would limit the actions of bad actors seeking unlawfully to impact federal elections using ballots sent by mail. Fourth, CEC supports the sections of the Proposed Rule that relate to important privacy and data security requirements and best practices.

CEC urges the Postal Service to finalize these core provisions with clarifications designed to ensure faithful implementation, avoid unnecessary legal or operational disputes, and maintain voter confidence.

Finally, in light of the U.S. Supreme Court’s recent decision in *Watson v. RNC*, 609 U.S. ____ (2026), CEC renews its call for the Postal Service to revert its late-2025 rulemaking considering postmarking to its previous practice, at the very least for ballot mail and/or mail that otherwise qualifies as Election Mail.⁸

Envelope Design and Review Standards

CEC strongly supports the proposed envelope design and review standards in DMM 705.24.3. Those provisions should form the foundation of the final rule.

The Proposed Rule would require both Outbound Federal Ballot Mail and Return Federal Ballot Mail to be mailed in envelopes that include the official Election Mail logo, are automation compatible, bear a unique Intelligent Mail barcode (“IMb”) with the Delivery Point ZIP Code embedded and a Federal Ballot Mail Service Type Identifier, and have undergone review by the Postal Service for mailpiece design and barcode placement.⁹ These are practical, reasonable, and important standards that will have an outsized impact on the efficiency and security of voting by mail. They largely formalize best practices already recommended by the Postal Service and reflected in the Postal Service’s own election-mail guidance.¹⁰

The official Election Mail logo is especially important. As the Postal Service explains, the logo allows voters to recognize Election Mail as important and distinct from other mailings and helps Postal Service employees to identify official Election Mail among the millions of mailpieces processed daily.¹¹ This visibility matters because ballot mail is time-sensitive, because the Postal Service’s extraordinary measures depend on the ability to identify ballot mail quickly and reliably, and because misprocessed mailpieces sent via Election Mail have far-reaching impacts on self-governance.

Automation compatibility is similarly important. Ballot mail that is not automation compatible is more likely to encounter avoidable processing complications or delays. Mailpiece design defects can also prevent barcodes from

⁷ CEC acknowledges the existence of an injunction prohibiting the implementation of certain sections Section 3 of Executive Order no. 14399, *Ensuring Citizenship Verification and Integrity in Federal Elections*, 91 Fed. Reg. 17125 (Mar. 31, 2026), which relate to the President’s directive to the Postal Service to initiate a rulemaking concerning certain lists of individuals who are to receive ballots by mail and who may also return ballots by mail. *California v. Trump*, Mem. and Ordr., No. 1:26-cv-11581 (D. Mass. June 25, 2026). When appropriate, CEC would welcome the opportunity to comment on those provisions.

⁸ See Center for Election Confidence, Inc., Comments before the United States Postal Service re: Proposed Rule 2025-15266 (90 FR 38716) (Sept. 10, 2025), <https://electionconfidence.org/wp-content/uploads/2025/09/Comment-to-USPS-Proposed-Rule-on-39-CFR-Part-111-09.10.25.pdf> [hereinafter “Sept. 2025 CEC Comment to USPS”].

⁹ Proposed DMM 705.24.3.1-2, 91 Fed. Reg. 32918.

¹⁰ USPS, *2026-2027 Official Election Mail Guide (Kit 600)*, <https://about.usps.com/kits/kit600.pdf>. See also 91 Fed. Reg. 32916.

¹¹ 91 Fed. Reg. 32916.

being read or can increase the need for manual handling. Requiring design review before ballot envelopes are printed and mailed is a low-cost, high-value step that can prevent serious problems during the compressed period before an election.

CEC also strongly supports the requirement that each outbound and return ballot envelope bear a unique IMb. Unique IMbs allow ballot mailpieces to be distinguished from one another as they move through the mailstream. This requirement will assist voters, election officials, and the Postal Service with tracking ballot mail, identifying irregularities, reconciling outbound and return ballot mail, and improving voter-facing ballot-tracking tools.

As discussed in additional detail below, it is vital that the Postal Service also include additional instruction concerning postmarks, date marks, scan events, and other indicia of receipt for ballot mail. Disputes over when ballot mail entered the mailstream can undermine confidence in election administration and impact election outcomes when ballots transmitted by mail are included or discluded in an election's final results. The Postal Service should identify best practices for recording the date on which ballot mail reaches an appropriate postal facility and should ensure that any date mark or scan event reflects the actual date of initial receipt by the Postal Service.¹²

Finally, CEC urges the Postal Service to provide robust technical assistance to state and local election officials, especially smaller jurisdictions and those jurisdictions that may rely on outside mail service providers. The Postal Service should publish templates, technical specifications, design-review deadlines, training materials, webinars, and help-desk procedures as early as possible.

Law-Enforcement Use of Ballot-Mail Data

CEC supports the Proposed Rule to the extent it enables the Postal Service, the United States Postal Inspection Service, and other, appropriate law-enforcement authorities to identify and address fraudulent use of the mails in connection with ballot materials. Congress separately authorizes the Postal Service to investigate crimes involving use of the mails and certain other crimes as determined by agreement with the Attorney General.¹³

The Proposed Rule states that mailpiece preparation and data reporting standards can provide information regarding the sending of ballots through the mails that would be available for use by law enforcement.¹⁴ CEC supports this objective when properly understood and encourages the Postal Service to make express what the current Proposed Rule implies: This is not a matter of federal officials opening voters' mail, reviewing ballot choices, or investigating ordinary voters for lawful mail voting. Rather, it is a matter of using exterior mailpiece information, barcode scan data, and objective anomalies to identify possible misuse of the mails by bad actors who attempt unlawfully to impact federal elections by virtue of ballot mail.

Long-standing federal law already prohibits fraudulent use of the mails and related communications systems. The federal mail fraud statute applies to schemes to defraud that use the Postal Service or a private or commercial interstate carrier.¹⁵ Federal law also prohibits the use of a fictitious, false, or assumed name or address in connection with such a scheme.¹⁶ The wire fraud statute applies to schemes to defraud that use interstate wire

¹² As CEC noted in the Sept. 2025 CEC Comment to USPS at 2, "the postmark is widely accepted as the *best* evidence of a date of mailing and need not be *perfect* evidence to achieve its goals." In other words, while a perfect world would see postmarks placed on the same day a mailpiece was deposited with the Postal Service, a one-day delay from a mailpiece's deposit in a "blue box" or from a mailpiece's after-hours deposit in any Postal Service receptacle would be acceptable.

¹³ 18 U.S.C. § 3061(b).

¹⁴ 91 Fed. Reg. 32916.

¹⁵ 18 U.S.C. § 1341.

¹⁶ 18 U.S.C. § 1342.

communications.¹⁷ These laws are not election-specific, but fraudulent ballot materials, fraudulent ballot applications, fraudulent voter-registration documents, or documents using false names or addresses may implicate them where the statutory elements are satisfied.

The final rule or accompanying guidance should therefore include a clear law-enforcement referral framework that describes how objective ballot-mail anomalies will be identified, preserved, documented, and referred to the appropriate entity when further investigation is warranted, as well as recommendations for public release of such investigatory, arrest, or conviction information. Voters' confidence is bolstered when bad actors are identified, stopped or otherwise face consequences, and elections are secured from repeat attempts.

CEC recommends that the Postal Service preserve relevant scan data, upload logs, acceptance records, and design-review records when an objective anomaly is identified. The Postal Service should also publish aggregate post-election reporting concerning the number of participating jurisdictions, the number of outbound and return ballot mailpieces processed under the Election Mail and Ballot Mail Service Type Identifier ("STID") Finder,¹⁸ the number of design issues identified and cured, the number of objective anomalies identified, and the number of referrals made to the United States Postal Inspection Service or other appropriate entities. Such aggregate reporting would improve public confidence while protecting voter privacy.¹⁹

Privacy Act, Data Security, and System of Records Notice

CEC supports the Postal Service's statement that it will take steps necessary for creation of a new system of records notice ("SORN") in accordance with the Privacy Act.²⁰ Because the proposed portal may collect names, addresses, unique barcode information, and state-specific ballot-mail participation data, Privacy Act compliance and data security are essential.

The Postal Service should publish the SORN before implementation of the Federal Ballot Mail Portal. Election officials, voters, and stakeholders must understand what information will be collected, why it will be collected, who may access it, how long it will be retained, how it may be disclosed, and what safeguards will protect it.

CEC recommends that the Postal Service collect only the information necessary to administer ballot-mail processing, support reconciliation, identify objective anomalies, and facilitate lawful referrals where appropriate. The Postal Service should also require encryption in transit and at rest, role-based access controls, multi-factor authentication for portal users, audit logs, vendor access restrictions, breach notification procedures, and clear retention limits.

Postmarking Practices

Because *Watson v. RNC*, 609 U.S. ____ (2026), confirmed the permissibility under current federal law of state laws allowing post-Election Day receipt of mail ballots that were cast with respect to federal elections and that entered the mailstream by Election Day (within the "grace period"), the Service should anticipate that states that have not reduced or eliminated their grace periods will be disinclined to do so. This will result in a continued large volume of live ballots passing through the mails in late October and into November of election years,

¹⁷ 18 U.S.C. § 1343.

¹⁸ See *Election Mail and Ballot Mail STID Finder*, U.S. Postal Service (Feb. 27, 2024), <https://postalpro.usps.com/stid-tool>.

¹⁹ CEC encourages the Postal Service to enter into an inter-agency agreement with the U.S. Election Assistance Commission ("EAC") to implement this recommendation.

²⁰ 91 Fed. Reg. 32917; 5 U.S.C. § 552a.

accentuating the harm caused by the Postal Service's 2025 decision to abdicate its civic duty to all who use the U.S. mails.²¹

As CEC noted in the Sept. 2025 CEC Comment to USPS, the Postal Service has a civic duty—handed down from the first English postmaster, Henry Bishop, who invented the postmark in 1661 not for internal operational purposes but specifically for third-party reliance—to make best efforts to place postmarks upon ballot mailpieces as it always has. To do otherwise would be in contravention of the Proposed Rule's statement that "the Postal Service does not purport to alter the eligibility of any individual to vote under state or federal law" because late-arriving ballots that do not have a postmark or associated scan information demonstrating that the mailpiece was deposited with the Service before Election Day will likely not be counted, directly denying that individual the right to vote.

As Postmaster Bishop explained, the purpose of the postmark is to serve as evidence of "the day of the [*sic*] moneth that every letter comes to the office, so that no Letter [*sic*] Carryer may dare [*sic*] detain a letter from post to post; which before was usual."²² In other words, postmarking has always been a public, civic duty for which the Postal Service is responsible. And the Postal Service should execute this duty with pride for the important role it plays in the American system of self-governance.

Conclusion

CEC urges the Postal Service to finalize the Proposed Rule's core ballot-mail visibility, automation, unique barcode, design-review, technical-assistance, and extraordinary-measures provisions. These reforms will help election officials, voters, and the Postal Service ensure that ballot mail is identifiable, trackable, and capable of being processed efficiently.

CEC further urges the Postal Service to make express what is implied, that the Proposed Rule's mail fraud statute enforcement provisions are a mail-integrity measure that support election officials and assists lawful enforcement of long-standing federal law, not a system for reviewing the contents of voters' ballots. In doing so, the Postal Service should adopt a clear law-enforcement referral and public disclosure framework focused on objective anomalies and suspected fraud that preserves voter privacy.

Finally, in light of *Watson v. RNC*, CEC renews its call that the Postal Service revert its postmarking practices to those in place before December 2025.²³ The Postal Service has a civic duty for the benefit of those who use the

²¹ See 90 Fed. Reg. 52883. As discussed in the Sept. 2025 CEC Comment to USPS (where a version of this footnote appeared originally), neither generic ballot mail nor Election Mail requires *special* care but rather simply the consistent, reliable, and accurate execution of the Postal Service's standard duty of care with respect to placing postmarks for the benefit of third parties. See Office of Inspector General, U.S. Postal Svc., Rpt. no. RISC-WP-21-004, *Vote by Mail and the Postal Service: A Primer* 16. Of course, this policy has suffered a similar quiet abdication of the Postal Service's public duty to place postmarks for the benefit of third parties, including the general public. For example, the 2024 version of the *Postal Bulletin* concerning mailed ballots changed key language to obfuscate the USPS's responsibilities. Compare United States Postal Service, Postal Bulletin 22596 5 (April 21, 2022) ("Postal Service policy is for **every completed ballot mailed by voters to receive a postmark**, and we instruct our employees throughout the country to adhere to that policy on return ballots. However, we acknowledge that there will always be rare occurrences where a mailpiece does not receive a legible postmark") with United States Postal Service, Postal Bulletin 22642 6 (January 25, 2024) ("It has been the long-standing policy of the Postal Service **to try to ensure that every completed ballot mailed by voters receives a postmark**, whether the return ballot is mailed with postage pre-paid by election officials or with a stamp affixed by the voter. We instruct our employees throughout the country to adhere to that policy on return ballots. However, we acknowledge that there will always be rare occurrences where a mailpiece does not receive a legible postmark.") (emphases added).

²² John G. Hendy, *The History of the Early Postmarks of the British Isles* 2 (1905) (quoted in Sept. 2025 CEC Comment to USPS at 1).

²³ See 90 Fed. Reg. 52883.

mails to place postmarks (or to include date scan information that reflects the same information) on mailpieces deposited with the Service. To do otherwise is to deny the right to vote of individuals whose ballots are mailed before Election Day but delivered to the appropriate election official after that date in states that allow such a grace period.

The Center for Election Confidence urges the Postal Service to take the necessary steps to implement the proposals contained in this Comment for the benefit of voters' confidence in federal elections.

Respectfully submitted this 2nd day of July 2026,

/s/ **Caleb J. Hays**

Chief Policy Counsel

Center for Election Confidence, Inc.

CJH/zh

WASHINGTON, D.C. – All Voting is Local submitted its public comment to the U.S Postal Service regarding the Notice of Proposed Rulemaking on Ballot Mail for Federal Elections. The new rule would allow the USPS to control who can receive and vote by mail ballot. If implemented, eligible American citizens would be blocked from participating in free and democratic elections. *Read the full comment below:*

MEMORANDUM

FOR: Director, Product Classification
U.S. Postal Service

FROM: All Voting is Local

DATE: June 24, 2026

SUBJECT: Comment for Notice of Proposed Rulemaking on Ballot Mail for Federal Elections

The Postal Service is proposing to amend the Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM), regarding the transmission of mail-in and absentee ballots for federal elections pursuant to its rulemaking authority.

Thank you for the opportunity to comment on the proposed rulemaking on ballot mail for federal elections. All Voting is Local (“All Voting”) is a 501(c)(3), nonpartisan organization that fights on the ground in eight states to protect our vote. Amidst ongoing threats to our democracy, All Voting advocates for state and local officials to adopt policies and practices that ensure the American people choose their leaders, not the other way around. All Voting writes to provide comments on the proposed Rule on Ballot Mail for Federal Elections.

We are compelled to raise concerns regarding the proposed Rule, which would allow USPS to control who can receive mail ballots and vote by mail. If implemented, eligible American voters will be blocked from participating in our free and democratic elections. The Rule is illegal, impractical, and would create an almost insurmountable burden to implement for the 2026 general election for several reasons:

1. The Rule will disenfranchise voters due to technical and administrative errors that are no fault of their own. Developing a system like this, where the USPS decides which ballots should be mailed, even if it were legal, would take time, care, and resources—none of which are present here. Done this way, the Postal Service will block people from voting, denying countless eligible voters access to their mail ballots because of inconsistent and stale data, hastily constructed lists and platforms, human error, and unnecessary oversight, leaving voters with no way to fix issues until it is too late. Millions of Americans vote by mail, and for many, it is the only way that they can cast a ballot.

2. The Rule imposes significant burdens on state and local election administrators that are already overworked, overburdened, and understaffed. These additional burdens could delay ballots and disenfranchise voters. Additionally, this rule could easily set up a two-tiered system requiring elections officials to manage mail ballots differently for federal and state elections. Local elections officials will not be able to consistently and effectively comply with these changes before the November election; mistakes will be inevitable, and voter confusion and frustration will be justified.

3. The Rule forces USPS to assume the role of election administrator, which it is not equipped to perform. The Rule would do away with the many practical benefits of trusting states to administer mail-in voting in federal elections, including local knowledge of populations and distributing responsibility across many local entities focused solely on elections. State and local election officials also have strong practices to ensure data privacy and cybersecurity regarding a voter's personal information that could be exposed under this rule as written. USPS would be thrust into the role of nationwide election administrator—a function for which it has no funding, expertise or ability, and which would divert already limited resources from its critically important core functions.

4. The Rule violates the Constitution and federal law by compelling USPS to unlawfully usurp the role of the states in administering elections. Though the proposal frames these new rules as the implementation of technical best practices, the rules would effectively grant USPS the enormous power to shut down entire states' vote-by-mail programs unless the states comply with these burdensome, illegal new requirements. Moreover, the Rule purports to implement Executive Order 14399, a directive that is itself unconstitutional. Under the Constitution, only states and Congress have the power to mandate

election rules, and only Congress can regulate the postal service. The President may not mandate USPS rulemaking to rewrite the rules for mail voting.

5. The Rule violates USPS's own mandates. USPS's duty is to receive, transmit, and deliver the mail to everyone in the United States, unless a law passed by Congress says otherwise. This Rule would allow USPS to violate that important duty by deciding not to deliver ballots to certain voters. Moreover, the Rule does not comply with the procedural requirements that USPS must follow to make changes to nationwide service.

Summary

At All Voting, we know that over 12 million Americans, including about 200,000 military and overseas Americans, voted by mail in the eight states in which we work alone during the 2024 Presidential Election. In most of those eight states, mail ballots account for at least a third of the total votes. The proposed Rule on mail ballots is a direct response to Executive Order 14399, which is itself unconstitutional and aims to limit access to voting by mail for millions of Americans. It is yet another anti-voter effort by those who want to interfere in our free and democratic elections and keep people from voting.

We have several legal, procedural, and technical concerns regarding the proposed Rule, as outlined above. Further, this proposed Rule conflicts with federal law, the U.S. Constitution, and USPS's own mandates. Only Congress and the states — not USPS acting at the President's whim — have the power to set election rules and requirements that make major changes to nation-wide vote-by-mail systems like this Rule proposes.

There is nothing more fundamental to our democracy than voting, and Executive Order 14399 attacks our Constitutional right to cast a ballot by attempting to seize control of our elections and undermine the authority of Congress and state governments. This blatant overreach threatens the ability of people to make their voices heard using a method of voting that is safe and accessible—especially for Black and Brown communities, young people, voters with disabilities, and other historically excluded voters. If this power grab succeeds, it opens the door for the administration to manipulate elections for political gain. Protecting the sanctity of our elections in 2026, 2028, and beyond means resisting these dangerous attempts to consolidate power.

We urge the Postal Service to defend the independence of our election systems and its own independence by refraining from implementing any of the President's unlawful commands.

Sincerely,

All Voting is Local