

Congress of the United States
House of Representatives
Washington, D.C. 20515

July 2, 2026

The Honorable David Steiner
Postmaster General
United States Postal Service
475 L'Enfant Plaza, SW
Washington, DC 20260

Director
Product Classification
United States Postal Service
475 L'Enfant Plaza SW, Room 4446
Washington, DC 20260-5015

RE: Proposed Rule—Ballot Mail [2026-10968]

Dear Postmaster General Steiner:

We write in strong opposition to the proposed rule the United States Postal Service (Postal Service) recently published, which seeks to disenfranchise voters and undermine voting by mail in the 2026 elections and beyond. The proposed rule, titled “Ballot Mail for Federal Elections,” is unconstitutional and illegal.¹ We strongly urge the Postal Service to rescind this proposed rule and immediately refuse illegal orders from the President.

I. The Proposed Rule Usurps the Express Constitutional Authority of the States and Congress and Violates the Separation of Powers

A. The Constitution expressly places authority over the time, place, and manner of federal elections with the states and with Congress.

The Constitution’s text is clear: “The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations.”² Because “Times, Places and Manner” are “comprehensive words,”³ the “substantive scope” of the states’ and Congress’s authority “is broad.”⁴ Among other things, this includes “notices, registration, supervision of

¹ U.S. Postal Service, *Ballot Mail for Federal Elections*, 91 Fed. Reg. 32915 (June 2, 2026) (proposed rule) (online at www.federalregister.gov/documents/2026/06/02/2026-10968/ballot-mail-for-federal-elections).

² U.S. Const. art. I, § 4, cl. 1. As a practical matter, this has been applied to all federal elections, including presidential elections. See, e.g. *Ex parte Coy*, 127 U.S. 731, 751–52 (1888); *Burroughs v. United States*, 290 U.S. 534, 545 (1934).

³ *Smiley v. Holm*, 285 U.S. 355, 366 (1932).

⁴ *Arizona v. Inter Tribal Council of Arizona, Inc.*, 570 U.S. 1, 8 (2013).

voting, protection of voters, prevention of fraud and corrupt practices,”⁵ and the mechanisms for voting by mail that the Postal Service attempts to regulate with this proposed rule.⁶

Congress therefore has coextensive and preemptive control over these matters even when the states have regulated in the first instance—and when they have not. Thus, as the Supreme Court has explained, Congress’s power over national elections is “paramount,” as the Clause vests in Congress “supervisory control over the subject” and Congress “may make entirely new regulations, or add to, alter, or modify the regulations made by the State.”⁷

Both the executive order and the proposed rule illegally intrude upon this authority. The Postal Service proposes to arrogate to itself the authority to determine whether to deliver ballot mail to either a voter or to an elections office, effectively supplanting state law promulgated under the states’ Elections Clause authority. Any power to preempt or alter such state regulations lies with Congress alone, not the President or the Postal Service.

B. The federal executive has no constitutional role in regulating federal elections.

Not only does the Constitution place authority over federal elections with the states and Congress, it excludes the federal executive from this legislative function. The federal executive is mentioned nowhere in the Elections Clause nor in any of the other constitutional clauses concerning regulation of federal elections.⁸ Nor is regulation of federal elections mentioned anywhere in the clauses of the Constitution that *do* set out the scope of executive power. The Supreme Court has recognized that this kind of “constitutional silence on” a “profoundly important issue” is “equivalent to an express prohibition” on exercising power.⁹

Whatever authority Article II’s Take Care Clause grants the President, it does not override the express text of the Elections Clause or empower him to make up implied authorities out of whole cloth. That is true no matter how much a President may personally want to “take over” and “nationalize” federal elections.¹⁰ And if the President cannot do it, the Postal Service

⁵ *Smiley v. Holm*, 285 U.S. at 366 (1932).

⁶ *Arizona v. Inter Tribal Council*, 570 U.S. at 15.

⁷ *Ex parte Siebold*, 100 U.S. 371, 372 (1879); see also *Foster v. Love*, 522 U.S. 67, 69 (1997); *Inter Tribal Council of Ariz.*, 570 U.S. at 8 (recognizing the Elections Clause confers on Congress “the power to alter [state] regulations or supplant them altogether”).

⁸ See U.S. Const. art. I, § 4, cl. 1; U.S. Const. art. I, § 2, cl. 2; U.S. Const. art. II, § 1, cl. 2.

⁹ *Clinton v. City of New York*, 524 U.S. 417, 439 (1998). Like the presidential actions that the Supreme Court found violated bicameralism and presentment in *Clinton*, the allocation of power to the states and to Congress in the Elections Clause also was “the product of the great debates and compromises that produced the Constitution itself.” *Id.* at 440; see, e.g., 2 Farrand, Records of the Federal Convention of 1787, at 240–42; The Federalist No. 59 (“[T]here were only three ways, in which this power could have been reasonably modified and disposed, that it must either have been lodged wholly in the National Legislature, or wholly in the State Legislatures, or primarily in the latter, and ultimately in the former. The last mode has with reason been preferred by the Convention.”).

¹⁰ Brookings, *Does President Trump Have the Authority to “Nationalize” Voting?* (Feb. 11, 2026) (online at www.brookings.edu/articles/does-president-trump-have-the-authority-to-nationalize-voting/).

certainly cannot absent a statutory grant of authority from Congress on the subject—which the Postal Service lacks.¹¹

Only Congress and states have authority to regulate federal elections, not the Executive. When Congress has regulated federal elections in the past, it has done so by statute. The federal statutes that govern federal elections—the Voting Rights Act of 1965, the Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA), the National Voter Registration Act of 1993 (NVRA), and the Help America Vote Act of 2002 (HAVA)—were each enacted through a deliberative process of bicameral negotiation. Each passed both chambers with bipartisan majorities. Each was signed by a President of one of the two parties, in cooperation with congressional leaders of both. No President has ever asserted independent Article II authority to write new federal election rules—until now.

The proposed rule is simply lawless and ultra vires, both for the President and for the Postal Service. Proceeding to finalize this rule would be an ill-fated attempt to aggrandize the executive at the expense of congressional authority and the Framers’ design.

C. It is clear from historical practice and Congress’s prior exercise of the Elections Clause that the proposed rule, and its implementation this election year, violate congressional authority and intent.

When Congress acts under the Elections Clause, it sets out federal requirements precisely while still respecting the principles of federalism that informed the framers’ allocation of power to the states. The NVRA is a good example. That statute sets an exact federal floor for state voter registration deadlines (no more than 30 days before an election) but leaves broad discretion for states to set their own policies within that window.¹² Similarly, the NVRA requires states to create a state-administered centralized database of registered voters and sets forth standards for verifying identity, while leaving to state discretion exactly what forms of verification are acceptable.¹³

Further, any attempt by the Postal Service to implement the proposed rule for the 2026 midterm elections would blatantly contradict Congress’s judgment, exercised repeatedly over decades, that federal preemption of election procedures must not take effect until at least the next election cycle. This enables both election administrators and voters to avoid chaos and confusion, and it enables an orderly transition without undue administrative burdens. This congressional judgment of delayed implementation also protects against undue influence of self-serving political interests that might drive reforms not in the public interest, but in the interest of changing the rules of the game for short-term advantage. The proposed rule’s illegality—and folly—is highlighted by the Postal Service’s rush to rewrite election rules before the fall.

The proposed rule therefore is unconstitutional and contrary to law because it attempts to coerce the states and override the state discretion Congress intentionally preserved, and on a

¹¹ *Cf. West Virginia vs. EPA*, 597 U.S. 697, 721 (2022).

¹² 52 U.S.C. § 20503(a).

¹³ *Id.* § 20507(a)(1), (5).

timeline Congress would never have set. Moreover, the proposed rule attempts to set new precise requirements and assert executive authority over subject matter that Congress has already regulated by statute. In an area such as the time, place, and manner of federal elections that the Constitution expressly commits to Congress, the executive cannot end run around the express commitment of authority to Congress simply because the President wants Congress to make different choices.

D. The proposed rule intrudes into Congress’s express authority under the Postal Clause.

This rule is doubly problematic under the plain text of Article I as it trespasses not only on the Elections Clause authority of states and Congress but also on Congress’s Postal Clause power to “establish post offices and post roads.”¹⁴ For well over a century, the Supreme Court has recognized Congress’s authority as extremely broad: “The validity of legislation describing what should be carried, and its weight and form, and the charges to which it should be subjected, has never been questioned . . . The power possessed by Congress embraces the regulation of the entire Postal System of the country.”¹⁵ As with the Elections Clause, it is Congress, not the executive, that has authority to determine whether and what mail will be carried, as well as “what shall be excluded.”¹⁶

Over half a century ago, Congress exercised this authority to structure the Postal Service to have meaningful independence while under the purview of Congress, not as an executive branch agency under the political control of the President. The Postal Reorganization Act of 1970 transformed the agency into an independent entity statutorily charged with providing “prompt, reliable, and efficient services to patrons in all areas and . . . all communities.”¹⁷ Congress granted the Postal Service—and the President—no authority to make their own judgments about who can send and receive mail in general, never mind election mail, when eligibility and administration are constitutionally excluded from the executive branch’s purview. This proposed rule illustrates a danger that Congress guarded against when exercising its express Postal Clause authority over fifty years ago—that the transmittal of mail would not be universal and neutral, but driven by political, policy, or regional biases of whoever happens to be in power.

II. The Postal Service Is Acting Beyond Its Statutory Authority

A. Statutory Authority

Congress passed the Postal Reorganization Act of 1970, which created the modern Postal Service as an independent entity of the executive branch. Congress developed the Postal Reorganization Act to safeguard quality mail service, ensure self-sufficiency, and provide

¹⁴ U.S. Const. art I, § 8, cl. 7.

¹⁵ *U.S. Postal Service v. Council of Greenburgh Civic Assoc.*, 453 U.S. 114, 126 (1981) (quoting *Ex parte Jackson*, 96 U.S. 727, 732 (1878)).

¹⁶ *Ex parte Jackson*, 96 U.S. 732 (1878).

¹⁷ 39 U.S.C. § 101(a).

reasonable rates.¹⁸ The Postal Reorganization Act codified several chapters in Title 39 of the U.S. Code, including the Postal Service’s main policy mandate and general powers.

At its core, Congress authorized the creation and authority of the Postal Service with a statutory universal service obligation (USO), which requires the Postal Service to “provide prompt, reliable, and efficient services to patrons in all areas and [to] render postal services to all communities.”¹⁹ Through its USO, the Postal Service powers communities and links geographic, economic, and cultural divides. Moreover, Congress prohibited the Postal Service from “mak[ing] any undue or unreasonable discrimination among users of the mails.”²⁰ According to 39 U.S. Code § 101(b), the Postal Service must maximize “effective and regular postal services,” especially to rural America and hard-to-reach areas.²¹

The Postal Service’s statutory authority to adopt and amend rules and regulations “as may be necessary in the execution of its functions under this title and such other functions as may be assigned . . . under any provisions of law” does not override constitutional limits.²² Moreover, no part of Title 39 authorizes or permits the Postal Service to impose these inescapable burdens on election officials and voters.

B. Application to Proposed Rule

The proposed rule “Ballot Mail for Federal Elections” is not authorized by Congress, and it directly undermines all aspects of the statutory USO. This rule would require all mail-in and absentee ballots to be mailed in an envelope with an official election mail logo, to be automation compatible, to have a unique Intelligent Mail barcode (IMb), and to have its design reviewed by the Postal Service. It requires states to provide State Mail-In and Absentee Participation Lists (State Lists) “at least 30 days before the date of the federal election, to the extent practicable, or by the date on which mail-in or absentee ballots may begin to be mailed under state law.” Every State’s chief election official would be required to be registered through the Postal Service’s Federal Ballot Mail Portal before the Postal Service processes outbound ballots. The proposed rule would require states to develop and provide State Lists to the Postal Service to verify that the voter’s information on a mail-in or absentee ballot matches the name and information on the respective State List and to determine whether it can accept and process the mail. It would require any ballot mail that does not comply with this regulation to be returned to sender, and any state that fails to submit the required information would have their ballots withheld by the Postal Service.²³

¹⁸ Government Accountability Office, *Statement of William J. Anderson, Director, General Government Division, Before the Committee on Post Office and Civil Service* (Dec. 10, 1981) (online at www.gao.gov/assets/117/125.pdf).

¹⁹ 39 U.S.C. § 101(a).

²⁰ 39 U.S.C. § 403(c).

²¹ 39 U.S.C. § 101(b).

²² 39 U.S.C. § 401.

²³ U.S. Postal Service, *Ballot Mail for Federal Elections*, 91 Fed. Reg. 32915 (June 2, 2026) (proposed rule) (online at www.federalregister.gov/documents/2026/06/02/2026-10968/ballot-mail-for-federal-elections).

If enacted, this rule would violate the statutory USO. Mail delivery will be less prompt, less reliable, less efficient, highly irregular, and discriminatory. According to the statutory USO, the Postal Service must maximize “effective and regular postal services” to rural America and hard-to-reach areas.²⁴ Rural, remote, and small communities—areas that depend heavily on the Postal Service—experience ballot access issues and lack the technical capabilities and resources to rapidly scale up the redesign of ballots with unique IMBs.²⁵ The Postal Service does not provide any supplemental funding for jurisdictions to change their ballot design. As a result, smaller jurisdictions would have substantially more difficulty complying with the proposed rule, resulting in large amounts of outbound ballots not being processed despite otherwise being lawful mail products.

Congress has not provided the Postal Service with this authority you have now claimed to collect state data, audit ballot mail, and withhold ballot delivery. Congress specifically outlined in the Postal Reorganization Act that the Postal Service must not make any unreasonable discrimination among mail users.²⁶ Rendering a ballot nonmailable under this rule—that otherwise is an allowable mail product—is in direct contravention of the USO. Moreover, Congress has already specifically identified nonmailable matter by statute.²⁷ Ballots are not on that list, and the Postal Service has no authority to change the definition of nonmailable matter in this way.

III. Proposed Rule Risks Turning the Postal Service into an Election Administration Gatekeeper

Under the proposed rule the Postal Service would assume an unlawful and unprecedented role in federal election administration, a role it was neither designed nor intended to perform. The proposed rule’s attempt to usurp control over federal elections was crystal clear in the Postmaster General’s congressional testimony last week, where he admitted under oath that the Postal Service would refuse to deliver mail ballots under the proposed rule if a state declines to turn its absentee voter lists over to the federal government.²⁸

Dating back more than 150 years, the Postal Service has performed a limited but essential service in elections by acting as a neutral carrier of ballots and other materials.²⁹ The Elections

²⁴ 39 U.S.C. § 101(b).

²⁵ Aspen Institute, *Supporting Ballot Access in Rural Communities* (Sept. 3, 2025) (online at www.aspeninc.org/supporting-ballot-access-in-rural-communities/); Secure Democracy, *Report Shows Rural Voters Rely on Vote by Mail and Early Voting* (June 23, 2022) (online at <https://securedemocracyusa.org/new-report-rural-voters/>); Center for American Progress, *Enhancing Accessibility in U.S. Elections* (July 8, 2021) (online at www.americanprogress.org/article/enhancing-accessibility-u-s-elections/).

²⁶ 39 U.S.C. § 403(c).

²⁷ See 39 U.S. Code § 3001 *et seq.*

²⁸ *Postmaster General Confirms Plan to Hold Back Mail Ballots Under Proposed Rule*, New York Times (June 24, 2026) (online at <https://www.nytimes.com/2026/06/24/us/politics/postmaster-mail-ballot-rule-trump-elections.html>).

²⁹ *Voting by Mail Dates Back to America’s Earliest Years. Here’s How It’s Changed Over the Years*, TIME (Dec. 12, 2023) (online at <https://time.com/5892357/voting-by-mail-history/>).

Clause of the U.S. Constitution, meanwhile, grants states (subject to congressional override) the power to determine voter eligibility, distribute ballots, and set election procedures.³⁰ The proposed rule upends the relationship between states and the Postal Service by forcing state election officials to provide voter- and ballot-specific information directly to the Postal Service as a condition of participating in the agency's proposed ballot-mail system—in direct contrast to the purely voluntary election mail best practices previously advocated by the Postal Service.³¹

The proposed rule's requirements would subordinate state and local election officials to a power of compliance. While state and local election officials would remain legally responsible for overseeing elections, this power would in practice be conditioned on compliance with ballot mail standards established and administered by the Postal Service. These changes grant the Postal Service sweeping new powers to determine how elections are administered, without legal justification.³² In doing so, the proposed rule risks turning the Postal Service from an impartial service provider into a gatekeeper for federal, state, and local elections.

IV. The Proposed Rule Poses Insurmountable Implementation and Accuracy Challenges for Election Administrators

Even if the Postal Service had legal authority to promulgate this rule—and it does not—the implementation, compliance, and cost challenges would be practically insurmountable for many election administrators. This is true even if the rule did not become effective until next election cycle.

Among other challenges discussed in this comment, the proposed rule would require compliance with currently voluntary ballot-marking practices, for both inbound and outbound election mail. Although certain jurisdictions meet these standards voluntarily, many others do not. These are disproportionately small and rural jurisdictions. As a practical matter, many rural jurisdictions in particular will be unable to implement the proposed requirements on a fall timeline or absent spending taxpayer funds they may not have. For example, many rural election offices do not use an established vendor for their ballot design or printing. These jurisdictions would need to design and order new ballot envelopes before early voting begins, imposing potentially unfunded costs on rural communities that are already deprived of resources due to underfunding of HAVA grants.

The proposed rule's mandate of untested and certainly inaccurate voter lists compounds the compliance burdens and challenges for election administrators and will almost certainly result in disenfranchising American citizens.

³⁰ Cornell Law School, *Congress and the Elections Clause* (online at www.law.cornell.edu/constitution-conan/article-1/section-4/clause-1/congress-and-the-elections-clause) (accessed June 24, 2026).

³¹ See U.S. Postal Service, *Facilitating the Processing and Delivery of Return Ballots from Voters Using Prepaid Postage* (online at <https://about.usps.com/what/government-services/election-mail/pdf/election-mail-prepaid-reply-mail-info.pdf>) (accessed June 24, 2026).

³² See U.S. Postal Service, *2026-2027 Official Election Mail Guide* (online at <https://about.usps.com/kits/kit600.pdf>) (accessed June 24, 2026).

The rule also provides little detail about how the Postal Service will make decisions about which ballots to accept or reject, including who will make those decisions, according to what criteria, and on what timeline. The absence of such details should be independently fatal to the proposed rule, but the need for that explanation is even more critical because neither the Postal Service nor any other federal agency is equipped to handle these tasks in which they have no experience or expertise. This is not a coincidence—in the NVRA and other exercises of Congress’s Elections Clause authority, Congress made clear that responsibility for voter list maintenance lies with the states.

For example, the proposed rule states that ballots the Postal Service determines are not in compliance with the newly mandatory envelope design elements, or that are addressed to individuals not on the proposed rule’s newly mandated eligibility lists “will be returned to the authorized ballot mailer” for the “errors” to be addressed. This would delay delivery in both directions and disenfranchise voters through no fault of their own, or even the election administrator. It’s not clear how or how quickly these “noncompliance” determinations will be made, or how anyone could have the opportunity to cure.

This vagueness about how to comply is problematic enough for election administrators who are under state-law and other obligations to ensure the ability of their eligible residents to vote by mail. It is even worse when the federal government implicitly threatens investigation or prosecution for noncompliance, as the executive order does. Moreover, the vagueness of how the Postal Service plans to implement its new requirements makes it difficult for any commenters to understand the precise impact of the rule on the ability of Americans to vote by mail or offer alternatives.

As in every election year, election administrators must spend the critical period over the summer and early fall preparing for the election with limited time and resources, even under standard and well-worn election procedures. To burden these administrators in the pre-election period with additional, novel requirements to create and comply with new eligibility lists, and to redesign and reprint envelopes, is simply absurd.

V. Proposed Rule Creates Timing Risks and Other Burdens for Election Officials and Voters

The Postal Service claims sweeping new election administration powers under the proposed rule that lack basic constitutional and legal justification. The proposed rule would also in practice impose substantial new administrative obligations on election officials during periods of high pressure and under severe time constraints. To comply with Postal Service requirements, jurisdictions would be required to generate ballots with unique outbound and return IMBs, link those identifiers to individual voters, transmit such information through a Federal Ballot Mail Portal, and maintain participation records based on voter requests. These requirements represent a significant and unfunded expansion of administrative responsibilities beyond those currently imposed under state election laws.

The burden associated with these requirements are particularly acute for smaller jurisdictions, rural election offices, and election administrators operating with limited

technological resources. Implementing the proposed requirements may require significant investment in new technologies and staff training, with these costs borne exclusively by election officials rather than the Postal Service.³³

While we agree that barcoding and ballot tracking capabilities are an important recent innovation, such mandatory requirements, implemented hurriedly and without appropriate resources, also introduce multiple new opportunities for delays in the vote-by-mail process. For example, minor errors in voter records or barcode assignments that do not constitute voter fraud or ineligibility would require corrective action for a mail ballot to be delivered by the Postal Service. Given the compressed timelines involved in state election administration, such trivial errors may in practice disenfranchise voters—excluding them from the electoral process entirely.³⁴ The right to vote is a critical function of democracy and must be protected. This proposed rule would lead to voter suppression and compromise a bedrock of our democracy.³⁵

Finally, the proposed rule raises serious administrative and timing concerns given the proximity of the 2026 midterm elections, especially for states that practice universal mail-in voting. With the 2026 midterms just months away, such major changes to election mail requirements would cause significant disruption in preparations at the state and local level. This disruption would be especially acute for states that permit elections to be conducted entirely by mail: California, Colorado, Hawaii, Nevada, Oregon, Utah, Vermont, and Washington state.³⁶ In the likely event of delays or acute failures in the implementation of the new system, voters who cast their ballot through the mail would be disenfranchised.

Nearly one-third of Americans voted by mail in the last presidential election, and some voter populations historically use mail-in voting at far higher rates, including voters with disabilities and senior voters.³⁷ Eight states and Washington D.C. send mail-in ballots to every registered voter.³⁸ The composition of and verification standard for the State Lists will open the door to malicious action or errors through a new point of failure. If the Postal Service has determined that a state has failed to comply with the provisions of this rule, bulk ballots would

³³ See The Center for Election Innovation and Research, *Who Pays for Election Administration?* (Oct. 2025) (online at <https://electioninnovation.org/research/who-pays-for-election-admin/>); The Center for Election Innovation and Research, *Who Pays for Ballots?* (Oct. 2025) (online at <https://electioninnovation.org/research/who-pays-for-ballots/>); *USPS Mail-In Voting Rules Spark Election Official Concern*, KXAN Austin (June 1, 2026) (online at www.yahoo.com/news/politics/articles/usps-mail-voting-rules-spark-224142964.html).

³⁴ NAACP, *NAACP Moves to Halt USPS Mail-In Ballot Proposed Rule* (June 3, 2026) (online at <https://naacp.org/articles/naacp-moves-halt-usps-mail-ballot-proposed-rule>).

³⁵ See Brookings, *Mail Voting in the U.S.: Data Points to Very Low Fraud and Significant Benefits for Voters* (Nov. 6, 2025) (online at www.brookings.edu/articles/mail-voting-in-the-us-data-points-to-very-low-fraud-and-significant-benefits-to-voters/); Brookings, *How Widespread Is Election Fraud in the United States? Not Very* (Oct. 28, 2024) (online at brookings.edu/articles/how-widespread-is-election-fraud-in-the-united-states-not-very/).

³⁶ National Conference of State Legislatures, *Table 18: States with Mostly Mail Elections* (Apr. 6, 2026) (online at www.ncsl.org/elections-and-campaigns/table-18-states-with-all-mail-elections).

³⁷ States United Democracy Center, *Nearly 1 in 3 Americans Voted by Mail in 2024* (Apr. 13, 2026) (online at <https://statesunited.org/resources/americans-vote-by-mail-2024/>).

³⁸ *NAACP v. U.S. Postal Serv.*, 496 F. Supp. 3d 1 (D.D.C. 2020).

be rejected by the Postal Service, potentially compromising the USO. This is yet another example where ballots may be stopped, even with the best intentions, and eligible voters disenfranchised.

VI. Privacy and Cybersecurity Concerns

Through the President’s executive order and proposed rule, the Postal Service is setting new standards for illegal government surveillance and intrusion into Americans’ lives.

The proposed rule requires states to provide lists including names and addresses of individuals receiving mail-in or absentee ballots through a new Federal Ballot Mail Portal. The Postal Service, however, has no power to require states to comply with this rule nor collect this type of state-level data. The rule states that the Postal Service will create systems of records notices pursuant to the Privacy Act. However, the proposed rule fails to detail how it will safeguard and protect such sensitive voter information, agency access to such data and information, how such data may be used outside “law enforcement efforts,” and the extent to which this data may be shared with other non-governmental organizations.³⁹

The proposed rule suggests that State List information may be shared with federal law enforcement efforts. The Postal Service already maintains a wide swath of personal information on individuals present in the United States, but use of that data is highly restricted. Data may only be shared in very limited situations with comprehensive protection of personal information.⁴⁰

This Administration cannot be trusted to safeguard the privacy of sensitive government data. Department of Government Efficiency (DOGE) employees embedded within SSA gained high level access to Americans’ sensitive data and violated numerous privacy and cybersecurity laws—including the Federal Information Security Modernization Act, the Privacy Act, and the Computer Fraud and Abuse Act.⁴¹ DOGE employees reportedly gained access and transferred confidential data within the National Labor Relations Board and tried to cover up their actions, in potential violation of the law.⁴² A federal judge found that the Office of Personnel Management violated the law when DOGE employees bypassed critical privacy and cybersecurity standards to access sensitive and personal information of millions of federal employees and retirees.⁴³

³⁹ U.S. Postal Service, *Ballot Mail for Federal Elections*, 91 Fed. Reg. 32915 (June 2, 2026) (proposed rule) (online at www.federalregister.gov/documents/2026/06/02/2026-10968/ballot-mail-for-federal-elections).

⁴⁰ *There Are Rules Governing How USPS Manages Personal Information*, U.S. Postal Service Link (July 29, 2025) (online at <https://news.usps.com/2025/07/29/there-are-rules-governing-how-usps-manages-personal-information/>); U.S. Postal Service, *AS-353, Guide to Privacy, the Freedom of Information Act, and Records Management* (Jan. 2025) (online at https://about.usps.com/policy/as353_pol.pdf).

⁴¹ See Letter from Ranking Member Robert Garcia, Committee on Oversight and Government Reform, to The Honorable Frank Bisignano, Social Security Administration (Mar. 9, 2026) (online at <https://oversightdemocrats.house.gov/imo/media/doc/2026-03-09garciatobisignanoletterredogessa.pdf>).

⁴² Brookings, *A Whistleblower’s Disclosure Details How DOGE May Have Taken Sensitive Labor Data* (Apr. 15, 2025) (online at www.brookings.edu/articles/privacy-under-siege-doges-one-big-beautiful-database/).

⁴³ *Judge Finds OPM Broke Law in Granting Data Access to DOGE*, Federal News Network (June 9, 2025) (online at <https://federalnewsnetwork.com/management/2025/06/judge-finds-opm-broke-law-in-granting-data->

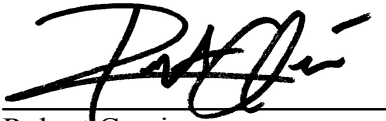
Committee Democrats received reports that members of DOGE were scheming to combine sensitive information held by SSA, the IRS, the Department of Health and Human Services, and other agencies into a single cross-agency master database—without regard for important cybersecurity and privacy considerations, and potentially in violation of the law.⁴⁴

The Postal Service has failed to identify how it would protect and safeguard personal voter information as part of its proposed rule. It has failed to define all law enforcement uses of this data, and any other access to this sensitive information about the American electorate. Taken together, this proposed rule represents another effort by the President Trump’s Administration to deepen its surveillance agenda.

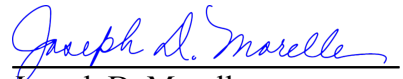
VII. Conclusion

The Postal Service may support the right to vote by effectively and efficiently performing its regular operation, but it has no authority to undermine it. The Postal Service has a constitutional and statutory obligation to transmit mail and not interfere in U.S. elections. To protect the sanctity of our elections, defend the right to vote, safeguard sensitive data, and comply with the law, we urge you to rescind this proposed rule.

Sincerely,



Robert Garcia
Ranking Member
Committee on Oversight and
Government Reform



Joseph D. Morelle
Ranking Member
Committee on House
Administration



Raja Krishnamoorthi
Member of Congress



Stephen F. Lynch
Member of Congress



Kevin Mullin
Member of Congress



Ted W. Lieu
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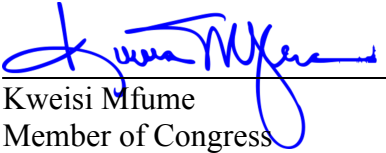
⁴⁴ See also Brookings, *Privacy Under Siege: DOGE’s One Big Beautiful Database* (June 25, 2025) (online at www.brookings.edu/articles/privacy-under-siege-doges-one-big-beautiful-database/).



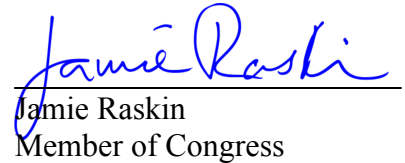
Wesley Bell
Member of Congress



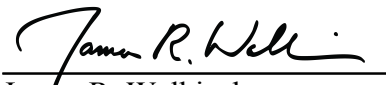
Delia C. Ramirez
Member of Congress




Kweisi Mfume
Member of Congress



Jamie Raskin
Member of Congress



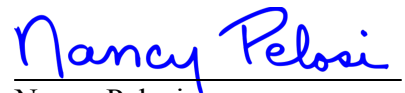
James R. Walkinshaw
Member of Congress



Analilia Mejia
Member of Congress



Eleanor Holmes Norton
Member of Congress



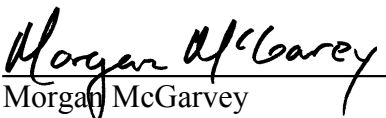
Nancy Pelosi
Member of Congress



Danny K. Davis
Member of Congress



Debbie Dingell
Member of Congress



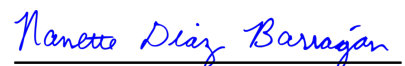
Morgan McGarvey
Member of Congress



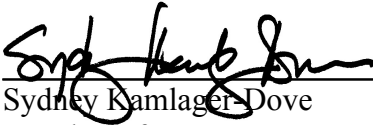
Paul D. Tonko
Member of Congress



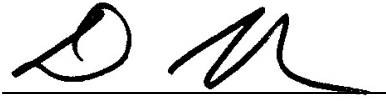
Ro Khanna
Member of Congress



Nanette Diaz Barragán
Member of Congress



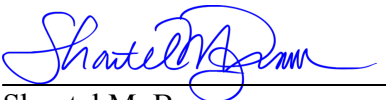
Sydney Kamlager-Dove
Member of Congress




Dave Min
Member of Congress



Mike Quigley
Member of Congress



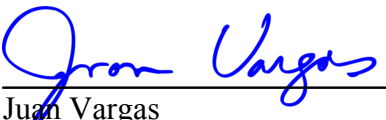
Shontel M. Brown
Member of Congress



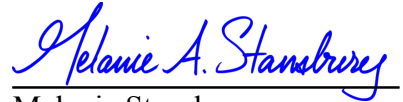
Richard E. Neal
Member of Congress



Donald Norcross
Member of Congress



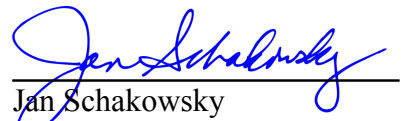
Juan Vargas
Member of Congress



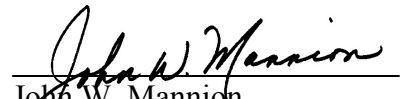
Melanie Stansbury
Member of Congress



Jonathan L. Jackson
Member of Congress



Jan Schakowsky
Member of Congress



John W. Mannion
Member of Congress



Rashida Tlaib
Member of Congress



Herbert C. Conaway, Jr.
Member of Congress



Adam Smith
Member of Congress



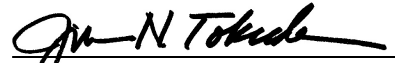
Diana DeGette
Member of Congress



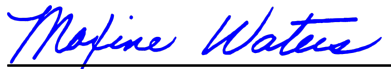
Seth Moulton
Member of Congress




Shri Thanedar
Member of Congress



Jim Tokuda
Member of Congress



Maxine Waters
Member of Congress




Adriano Espaillat
Member of Congress



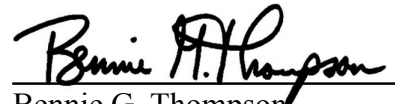
Chellie Pingree
Member of Congress



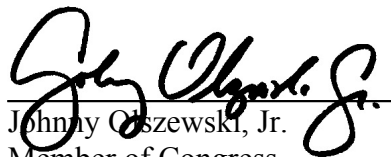
Terri A. Sewell
Member of Congress



Nikema Williams
Member of Congress



Bennie G. Thompson
Member of Congress



Johnny Oszewski, Jr.
Member of Congress




Debbie Wasserman Schultz
Member of Congress




Derek T. Tran
Member of Congress



Chris Pappas
Member of Congress



Haley M. Stevens
Member of Congress



Jim Himes
Member of Congress



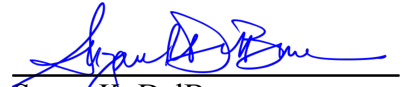
James P. McGovern
Member of Congress



Suzanne Bonamici
Member of Congress



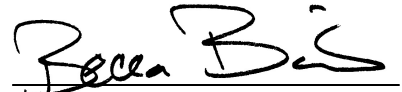
Josh Gottheimer
Member of Congress



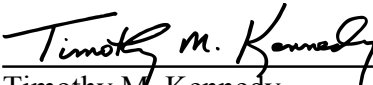
Suzan K. DelBene
Member of Congress



Mike Levin
Member of Congress




Becca Balint
Member of Congress




Timothy M. Kennedy
Member of Congress



Jared Huffman
Member of Congress



Salud Carbajal
Member of Congress



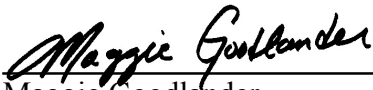
Jennifer L. McClellan
Member of Congress



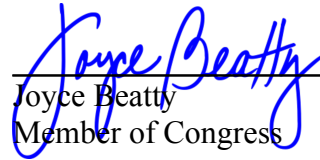
Josh Riley
Member of Congress



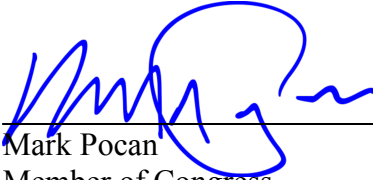
Greg Landsman
Member of Congress



Maggie Goodlander
Member of Congress



Joyce Beatty
Member of Congress



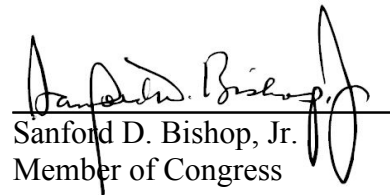
Mark Pocan
Member of Congress



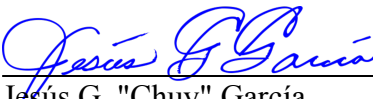
Mike Thompson
Member of Congress



J. Luis Correa
Member of Congress



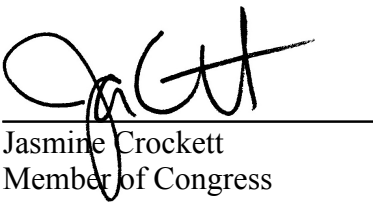
Sanford D. Bishop, Jr.
Member of Congress



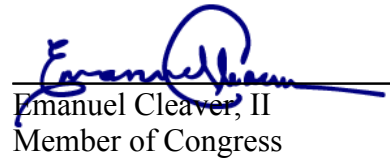
Jesús G. "Chuy" García
Member of Congress



Chris Deluzio
Member of Congress



Jasmine Crockett
Member of Congress




Emanuel Cleaver, II
Member of Congress



Ayanna Pressley
Member of Congress



Gwen S. Moore
Member of Congress



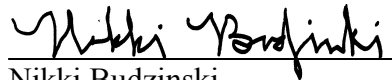
Henry C. "Hank" Johnson, Jr.
Member of Congress




Maxine Dexter, M.D.
Member of Congress



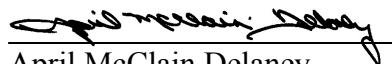
Ed Case
Member of Congress



Nikki Budzinski
Member of Congress



MARK TAKANO
Member of Congress



April McClain Delaney
Member of Congress



Marc A. Veasey
Member of Congress



Sharice L. Davids
Member of Congress
Kansas Third District



Dina Titus
Member of Congress



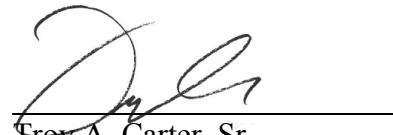
Mark DeSaulnier
Member of Congress



Maxwell Alejandro Frost
Member of Congress



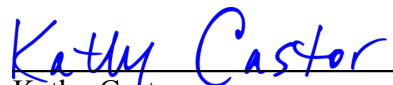
Marilyn Strickland
Member of Congress



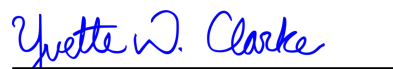
Froy A. Carter, Sr.
Member of Congress



Robin L. Kelly
Member of Congress



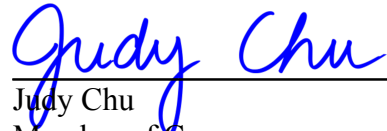
Kathy Castor
Member of Congress



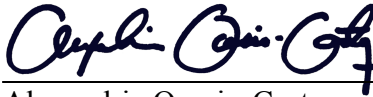
Yvette D. Clarke
Member of Congress



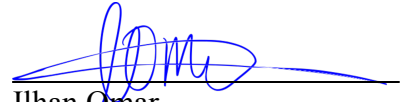
Lateefah Simon
Member of Congress



Judy Chu
Member of Congress



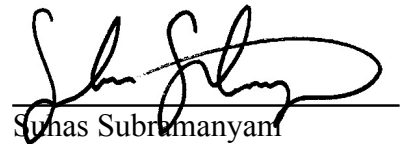
Alexandria Ocasio-Cortez
Member of Congress



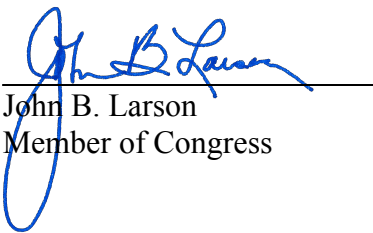
Ilhan Omar
Member of Congress



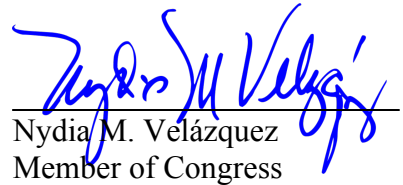
Brittany Pettersen
Member of Congress



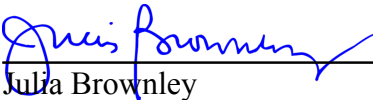
Sumas Subramanyam
Member of Congress



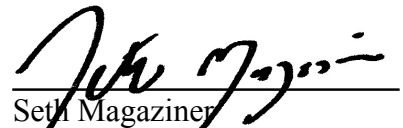
John B. Larson
Member of Congress



Nydia M. Velázquez
Member of Congress




Julia Brownley
Member of Congress



Seth Magaziner
Member of Congress



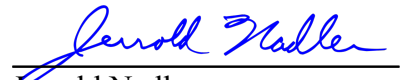
Frederica S. Wilson
Member of Congress



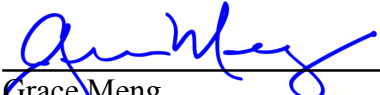
Steny H. Hoyer
Member of Congress



Nellie Pou
Member of Congress




Terrold Nadler
Member of Congress

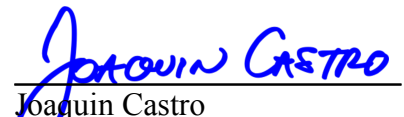

Grace Meng
Member of Congress



George Latimer
Member of Congress



Doris Matsui
Member of Congress



Jake Auchincloss
Member of Congress



Angie Craig
Member of Congress



Joaquin Castro
Member of Congress



Greg Casar
Member of Congress

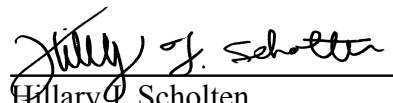

Zoe Lofgren
Member of Congress



Julie Johnson
Member of Congress

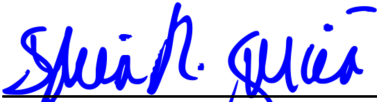

Norma J. Torres
Member of Congress


Adelita S. Grijalva
Member of Congress


Rosa L. DeLauro
Member of Congress


Hillary P. Scholten
Member of Congress

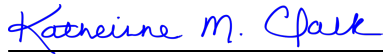

Lauren Underwood
Member of Congress



Sylvia R. Garcia
Member of Congress



George Whitesides
Member of Congress



Katherine M. Clark
Member of Congress



Donald S. Beyer Jr.
Member of Congress



Veronica Escobar
Member of Congress



Robert C. "Bobby" Scott
Member of Congress



Lois Frankel
Member of Congress



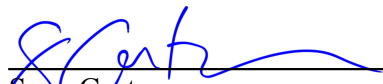
Emily Randall
Member of Congress



Rick Larsen
Member of Congress



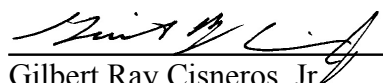
Susie Lee
Member of Congress



Sean Casten
Member of Congress



Jason Crow
Member of Congress

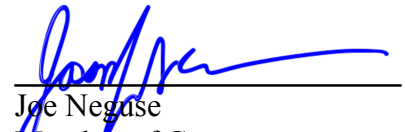



Gilbert Ray Cisneros, Jr.
Member of Congress

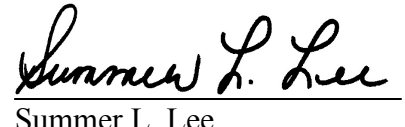


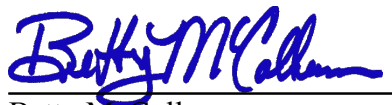
Marie Gluesenkamp Perez
Member of Congress


Yassamin Ansari
Member of Congress



Joe Neguse
Member of Congress



Chrissy Houlahan
Member of Congress



Summer L. Lee
Member of Congress

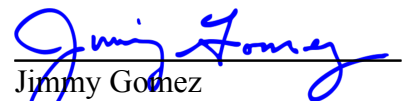

Betty McCollum
Member of Congress

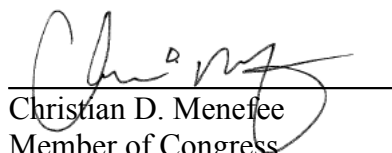

André Carson
Member of Congress



Kelly Morrison
Member of Congress


John Garamendi
Member of Congress



Emilia Strong Sykes
Member of Congress


Jimmy Gomez
Member of Congress


Christian D. Menefee
Member of Congress


Steven Horsford
Member of Congress
Nevada's Fourth
Congressional District


Lizzie Fletcher
Member of Congress

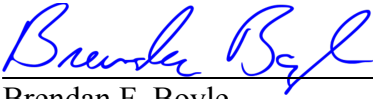

Lucy McBath
Member of Congress



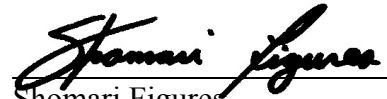
Frank Pallone, Jr.
Member of Congress



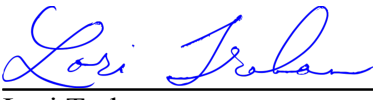
Jahana Hayes
Member of Congress



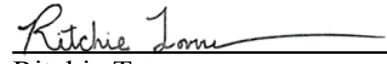
Brendan F. Boyle
Member of Congress



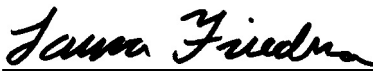
Shomari Figures
Member of Congress



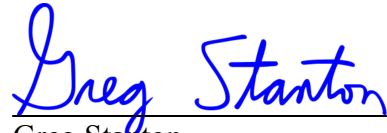
Lori Trahan
Member of Congress



Ritchie Torres
Member of Congress



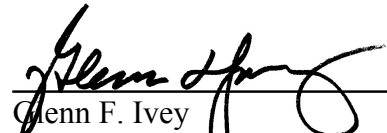
Laura Friedman
Member of Congress



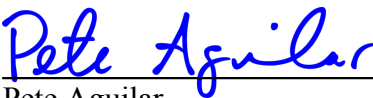
Greg Stanton
Member of Congress



Madeleine Dean
Member of Congress



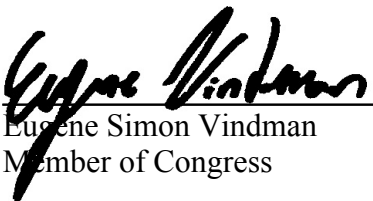
Glenn F. Ivey
Member of Congress



Pete Aguilar
Member of Congress



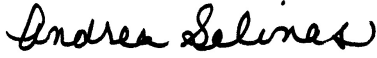
Bonnie Watson Coleman
Member of Congress



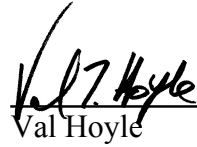
Eugene Simon Vindman
Member of Congress



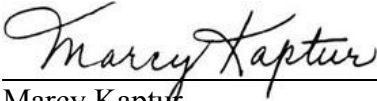
Luz M. Rivas
Member of Congress



Andrea Salinas
Member of Congress



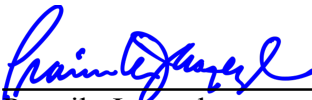
Val Hoyle
Member of Congress



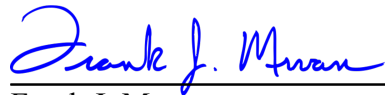
Marcy Kaptur
Member of Congress



Deborah K. Ross
Member of Congress



Pramila Jayapal
Member of Congress



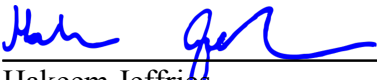
Frank J. Mrvan
Member of Congress



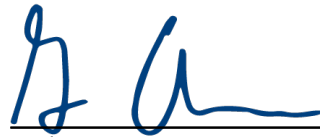
Bill Foster
Member of Congress



Patrick Ryan
Member of Congress



Hakeem Jeffries
Member of Congress



Gabe Amo
Member of Congress



Sam T. Liccardo
Member of Congress

cc: The Honorable James Comer, Chairman

The Honorable Bryan Steil, Chairman
Committee on House Administration

The Honorable Doug Tulino
Deputy Postmaster General, Chief Operating Officer and Chief Human Resources Officer
U.S. Postal Service

The Honorable Amber F. McReynolds, Chair
Board of Governors, U.S. Postal Service

The Honorable Derek T. Kan, Vice Chair
Board of Governors, U.S. Postal Service

The Honorable Ronald A. Stroman
Board of Governors, U.S. Postal Service

The Honorable Daniel M. Tangherlini
Board of Governors, U.S. Postal Service