

June 25, 2026

Director, Product Classification
U.S. Postal Service
475 L'Enfant Plaza SW, Room 4446
Washington, DC, 20260-5015

Subject: Comment Opposing Proposed Rulemaking to Amend the Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM) Regarding the Transmission of Mail-in or Absentee Ballots for Federal Elections

The Institute for Responsive Government urges USPS to withdraw its proposed rule regarding the transmission of absentee ballots in federal elections. If this proposal is adopted, it would create severe challenges for voter privacy, technical implementation, and voter access.

The proposed rule dramatically shifts how elections are administered by centralizing a mail-in voting process that has long been successfully managed by state and local election offices. At the core of this shift is the mandated creation of a Federal Mail Ballot Portal on a highly compressed timeline, three months before the 2026 general election.

Developing a federal database of this scale—which would need to securely store more than one hundred million voter records while processing daily data updates from across the nation—presents catastrophic implementation risks. Any technical glitch, data mismatch, or system lag will inevitably delay ballot delivery. Ultimately, those federal administrative and technical failures will fall on overworked state and local election officials and jeopardize the votes of eligible citizens who followed the rules.

I. Organizational Interest

The Institute for Responsive Government is a non-partisan organization whose mission is to ensure that government works for all Americans, regardless of party affiliation or zip code. That mission begins with developing sensible policies that make meaningful civic participation possible.

Our work focuses on the mechanics of the election process, specializing in practical election administration solutions that modernize voting infrastructure, eliminate operational inefficiencies, and ensure secure elections. Because our team is composed of election experts who work hand in hand with state and local officials to optimize election administration systems, we are uniquely qualified to evaluate how this proposed rule threatens to create unworkable implementation challenges for election workers and prevent eligible voters from having their ballots counted. With election administrators and millions of citizens in mind, we write to provide comments on the proposed Rule on Ballot Mail for Federal Elections.

II. Arguments and Analysis

A. The establishment of a centralized Federal Mail Ballot Portal creates severe operational and technical risks that are likely to lead to delayed ballot delivery.

The proposed rule does not state when a final rule will be issued or go into effect. However, the March 31, 2026, Executive Order, which directs federal action regarding citizenship verification in elections, directs USPS to issue a final rule within 120 days.¹ That timeline, or a timeline of 30 days from the July 2 end of the comment period in line with recent USPS practice, would mean a final rule in late July or early August. A rule affecting mail ballot procedures in every state, finalized on that timeline, would leave almost no time for election administrators to implement changes before the November 3 federal election. The final rule would be issued a little less than two months before the date by which states would be required to submit their voter lists to USPS.² This is unworkable.

The proposed rule's directive to construct a centralized Federal Mail Ballot Portal introduces an unacceptable level of operational risk due to its extraordinarily compressed implementation timeline. Developing, testing, and deploying a brand-new federal database capable of securely managing the sensitive information of over 100 million voters is a massive technical undertaking. Under the current proposal, this portal would be launched without the rigorous testing necessary for critical election infrastructure. Introducing an untested system into a complicated and essential portion of the election system immediately ahead of a high turnout general election all but guarantees widespread administrative complications.

Ultimately, these deficiencies will result in eligible citizens, who follow every rule when requesting and returning their mail ballots, being shut out of the voting process. When the untested USPS Federal Mail Ballot Portal inevitably experiences a technical lag or data integration failure, the consequence will be a delay in ballot distribution. If ballots do not reach voters in a timely manner, or if voters' return envelopes are rejected by automated machinery due to envelope design deficiencies outside of the voters' control, eligible citizens will be unfairly prevented from participating in the election.

B. The proposed rule creates rigid ballot envelope standards that will burden local jurisdictions and disproportionately harm rural election offices.

The proposed rule mandates that both outbound and return ballots be mailed in envelopes meeting rigid technical specifications. To be accepted for delivery, each mailpiece must feature the official election mail logo, be engineered to allow for automated processing and scanning, and bear a unique Intelligent Mail barcode (IMb) with the delivery point zip code and a specific federal identification number (STID) for tracking embedded. Additionally, envelopes must

¹ Executive Order 14399, "Ensuring Citizenship Verification and Integrity in Federal Elections" (issued March 31, 2026).

² See Bipartisan Policy Center, "What's in the New Executive Order on Elections," available at <https://bipartisanpolicy.org/issue-brief/whats-in-the-new-executive-order-on-elections/>.

undergo a formal review by the Postal Service to ensure that the envelope design and barcode placement are accurate.

Critically, the rule penalizes non-compliance by requiring that any outgoing ballots failing to meet these exact standards be returned to the sender. While these standards largely mirror existing industry best practices, the rule provides neither the time nor the financial resources necessary for thousands of jurisdictions to re-design and re-order their inventory before the fast approaching general election.³

This mandate will unfortunately fall most heavily on rural and under-resourced election offices. Unlike larger jurisdictions that typically rely on commercial mail vendors, many small, rural offices manage ballot printing and preparation entirely in-house. For a small jurisdiction serving approximately 2,500 voters, for example, the process of redesigning and procuring new ballot envelopes costs roughly \$10,000—an overwhelming capital expense for rural county budgets on an all but impossible implementation timeline. Additionally, although several states currently utilize individualized barcodes for outgoing mail, many rely on generic barcodes for return envelopes to streamline processing back to the local election office.⁴ This rule will likewise force these states to alter their return-envelope infrastructure on short notice, creating extraordinary financial strain and logistical hurdles.

C. The proposed rule lacks critical voter privacy protections and fails to account for address confidentiality programs.

The proposed rule's approach to ensuring that voter privacy is protected is concerningly incomplete. The proposed rule states that USPS will issue a system of records notice (SORN) that will set forth what voter data will be stored and how it will be secured. On June 18, the Administration informed the District Court of the District of Columbia that this SORN is forthcoming and provided advance notice to the court and relevant congressional committees.⁵ To date, that SORN has not been published and it remains unclear how voter information that states share with the new federal mail ballot portal will be stored and protected. This undermines the core purpose of notice-and-comment rulemaking, which is to allow the public to evaluate and engage with a fully developed plan. Without these upfront protections, the rule risks endangering individuals' sensitive personal information, potentially subjecting them to cyberattacks and identity theft.

Glaringly, the proposed rule also contains no provisions to safeguard individuals enrolled in state-level Address Confidentiality Programs (ACP), such as survivors of domestic violence, stalking, and human trafficking. To ensure participant safety, state laws strictly shield ACP participants from appearing in public voter files, often by substituting dummy addresses or

³ Bipartisan Policy Center, *What's in the New Executive Order on Elections?*

⁴ See Responsive Gov, "USPS Rulemaking Analysis," available at <https://responsivegov.org/research/usps-rulemaking-analysis/>

⁵ Notice, *DSCC v. Trump*, D.D.C. 1:26-cv-01114-CJN (June 18, 2026), available at https://www.democracymocket.com/wp-content/uploads/2026/06/2026-06-18-Notice-dckt-152_0.pdf

keeping records entirely offline.⁶ Because the proposed rule fails to outline how the USPS portal will ingest, process, or sequester these sensitive records, a rushed centralized federal database risks inadvertently exposing confidential address data. Without explicit protocols for protected voters, this rule poses a direct threat to their personal safety.

D. The rule impermissibly interferes with state and local election administration.

Under our constitutional system, states possess the primary authority to administer elections and set voting procedures.⁷ This decentralized framework exists for good reason: state and local election officials have the localized data and expertise necessary to effectively manage their unique voting populations. By introducing a federalized layer of bureaucratic and technical prerequisites that mail-in ballots must satisfy prior to distribution, USPS is encroaching upon a domain reserved for the states, imposing regulations that are untethered from the practical realities of election administration.

While the rule indicates that jurisdictions retain authority over their own mail-in voting lists, this authority is largely illusory. The proposed rule acknowledges that USPS will not play a passive role in this exchange; instead, it implements a “verification procedure for compliance with the proposed standards prior to acceptance by the Postal Service.” While the proposed rule simultaneously states that the “Postal Service would not verify whether individuals should or should not be included on a State’s Mail-In and Absentee Participation List” and that “States will retain full control over the content of that list,” the practical reality is that states must still pass through a unequipped gatekeeping mechanism for their election mail to be transmitted.

To utilize mail-in voting, states are forced to surrender all or part of their voter rolls by uploading sensitive list data and unique envelope barcodes into a brand new, untested federal portal. Because USPS controls the sorting facilities, processing infrastructure, and delivery trucks that facilitate the delivery of election mail, this verification step establishes a de facto veto over the entire vote by mail system. If a state declines to participate based on data privacy concerns, or if a database discrepancy between state records and federal lists is flagged during this verification process, USPS has the authority to refuse to deliver those ballots. In practice, federal control over the mail infrastructure would undermine states’ ability to manage their own voter lists, acting as a gatekeeper between state officials and voters.

The rule also creates conflicts with existing state mail-ballot timelines. For example, many states allow eligible voters to apply for a mail-in ballot within two weeks of Election Day—and in every state, the statutory deadline for absentee ballot applications falls after the proposed federal 30-day cutoff.⁸ By imposing a restrictive 30-day federal deadline for states to submit their voter lists to USPS, the rule risks creating a situation where eligible voters are flagged as unverified

⁶ Responsive Gov, *USPS Rulemaking Analysis*.

⁷ The Elections Clause of the U.S. Constitution (U.S. Const. art. I, § 4, cl. 1).

⁸ Vote.org, *Absentee Ballot Deadlines*, available at <https://www.vote.org/absentee-ballot-deadlines/>

because they do not appear on the already-submitted list.⁹ Consequently, USPS may refuse to deliver their ballots, despite the voters having abided by all relevant state rules and deadlines.

This administrative friction is exacerbated by the rule's reliance on stale and incomplete federal data. Pressuring states to cross-reference voter rolls with federal systems like the Systematic Alien Verification for Entitlements (SAVE) database is problematic. The SAVE database was designed for immigration status verification, not real-time election administration, and it has a well-documented history of lagging behind naturalization timelines, thereby misidentifying eligible U.S. citizens as non-citizens.¹⁰ Forcing local jurisdictions to rely on unreliable data will cause administrative confusion and result in valid votes being wrongfully rejected.

E. The proposed rule imposes unfunded mandates on strained state and local election offices.

Compounding these technical risks, the proposed rule imposes burdensome new mandates on local election offices without providing the federal resources or funding required to implement them. Specifically, the rule provides no dedicated federal funding to build, secure, or maintain the federal portal, nor to support states in integrating their existing infrastructure.

To comply with these top-down requirements, election officials will be forced to overhaul existing data systems, redesign ballot materials, and retrain personnel. Notably, this unfunded mandate comes at a time when local election offices across the country are already strained by severe budgetary constraints and chronic staffing shortages, ultimately threatening the stability and integrity of the election cycle. By failing to provide financial support, the proposed rule forces state and local offices to absorb the financial shock and shoulder the administrative burden of navigating inevitable system failures on their own.

III. Conclusion

Last fall, USPS wrote in a regulation notice that “the Postal Service does not administer elections, establish the rules or deadlines that govern elections, or determine whether or how election jurisdictions utilize the mail or incorporate our postmark into their rules.”¹¹ USPS would be wise to follow its own statement.

For decades, states have successfully and safely administered their vote by mail systems while USPS has served as a neutral partner in transmitting election mail. Rather than creating

⁹ The proposed rule hedges on this 30-day deadline by stating that the deadline would apply “to the extent practicable” and that states would be allowed to provide “supplemental submissions ... until the last day that ballots may be mailed out under state law.” This purported flexibility creates additional uncertainty as to how these procedures would be implemented, including how USPS employees would be properly trained on differing state deadlines and how any of these cutoffs would be enforced.

¹⁰ Bipartisan Policy Center, *What's in the New Executive Order on Elections?*

¹¹ U.S. Postal Service, “Postmarks and Postal Possession,” *The Federal Register* (Nov. 24, 2025).

efficiencies and simplifying the voting process, the proposed rule creates unrealistic deadlines and invites operational chaos at a moment when election stability and security are needed more than ever.

By centralizing the vote by mail process under a brand-new, untested Federal Mail Ballot Portal that lacks adequate privacy protections and safeguards for voters, the proposed rule introduces an unacceptable risk of failure ahead of a major election. Similarly, its new envelope standards place an unworkable logistical and financial burden on under-resourced and rural election offices, risking the wrongful rejection of valid ballots cast by eligible citizens.

For the aforementioned reasons, USPS should withdraw this proposed rule and instead collaborate with state and local election administrators to develop practical, adequately funded solutions that protect the security of the mail and eligible voters alike.

Respectfully submitted,

Sam Oliker-Friedland

Chief Executive Officer

Institute for Responsive Government

1440 W Taylor Street, Number 950, Chicago, IL 60607