



June 23, 2026

David Steiner
Postmaster General
United States Postal Service
475 L'Enfant Plaza SW
Washington, D.C. 20260

The Honorable Amber McReynolds
Chairwoman, Board of Governors
United States Postal Service
475 L'Enfant Plaza SW
Washington, D.C. 20260

The Honorable Derek Kan
Vice Chairman, Board of Governors
United States Postal Service
475 L'Enfant Plaza SW
Washington, D.C. 20260

The Honorable Ronald Stroman
Governor, Board of Governors
United States Postal Service
475 L'Enfant Plaza SW
Washington, D.C. 20260

The Honorable Daniel Tangherlini
Governor, Board of Governors
United States Postal Service
475 L'Enfant Plaza SW
Washington, D.C. 20260

Dear Postmaster General Steiner, Chairwoman McReynolds, Vice Chairman Kan, Governor Stroman, and Governor Tangherlini:

We write for a second time regarding the unconstitutional and illegal attempt to transform the United States Postal Service (USPS) into an election administration agency controlled by the White House and President Trump. In April, 37 senators wrote to you after President Trump issued his Executive Order directing USPS to issue a rule to establish compulsory specifications for election mail and create a master absentee voter list of millions of American voters – with the power to refuse to deliver their ballots.¹ In that letter we urged you not to implement the President's unconstitutional Executive Order. The Order is a blatant violation of the Constitution, which vests the authority to regulate the time, place, and *manner* of federal elections with the states, subject to alterations made by Congress. We received no response to that letter and USPS is now taking explicit steps to implement the Order. No federal statute vests the President or

¹ Letter from Senators Gary Peters, Alex Padilla, Dick Durbin, Chuck Schumer, et al. to the United States Postal Service Board of Governors and Postmaster General (Apr. 20, 2026).

USPS with any authority to regulate elections of any kind. Accordingly, multiple states and organizations have filed lawsuits challenging the Executive Order.²

Despite these grave and serious legal deficiencies, on June 2, 2026, USPS published a proposed rule that, if finalized, would establish President Trump’s control over federal elections and allow USPS to adjudicate who can and cannot vote by mail. This proposed rule risks disenfranchising millions of voters. We again insist that you follow the law, refuse to implement President Trump’s Executive Order, and withdraw this presidentially-directed proposed rule.

The right to vote is the most sacred and cherished right of the American people. It is the bedrock of American democracy. The framers of our Constitution understood the dangers of centralizing power over federal elections and accordingly vested the primary authority to regulate the “times, places, and *manner*” of federal elections with the states, subject to alterations by statute enacted by Congress.³ The Constitution similarly vests the authority to determine the eligibility of voters with the states—not the President, and certainly not with USPS.⁴ The Constitution provides no role for USPS in regulating federal elections, and no statute delegates to USPS any authority to regulate elections or voter eligibility. The proposed rule does not grapple with these serious legal deficiencies. The proposal simply cites two sections of the Postal Reorganization Act of 1970 to justify USPS’s regulation of federal elections.⁵ These sections provide specific postal powers and general authorization to issue regulations but say nothing about regulating federal elections.⁶ Indeed, Title 39 explicitly says, “In providing services [...] the Postal Service shall not [...] make any undue or unreasonable discrimination among users of the mails,” – this proposal does the exact opposite.⁷

It is universally understood that the Postal Service *does not* regulate or administer American elections. By statute, USPS is “an independent establishment of the executive branch” and its Board of Governors is protected from arbitrary removal by the President. This independence, which the proposed rule undermines, is the foundation of the nation’s trust in USPS’s ability to deliver the mail without fear or favor. The Postal Service acknowledged in a rulemaking just last year, “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.*”⁸ This neutral and apolitical role to transmit the mail is critical to ensuring American voters

² *California v. Trump*, No. 1:26-cv-11581 (D. Mass. Apr. 3, 2026); *DSCC v. Trump*, No. 1:26-cv-01114 (D.D.C. June 17, 2026).

³ U.S. Const. art. I., § 4, cl. 1.

⁴ See 39 U.S.C. § 401(2).

⁵ See 39 U.S.C. § 401 & § 404.

⁶ See *id.*; see also *West Virginia v. EPA*, 597 U.S. 697, 721 (2022) (holding that agencies lack authority to regulate a major question unless Congress has granted the agency express statutory authority to do so).

⁷ 39 U.S.C. § 403.

⁸ United States Postal Service, *Postmarks and Postal Possession*, 90 Fed. Reg. 52883, 52886 (Nov. 24, 2025) (Final Rule).

trust that their ballots will be properly delivered. The proposed rule would fundamentally upend this longstanding and vital role of USPS, transforming them into a federal election administration agency – with frightening authorities to disenfranchise Americans.

The proposed rule USPS issued on June 2 suffers from all the same legal deficiencies of the Executive Order and cannot be lawfully implemented. The proposed rule would illegally condition a state's exercise of its constitutional authority to utilize mail-in ballots on submitting its complete absentee voter rolls to USPS and complying with USPS mandatory election mail specifications. Specifically, the proposal requires any state that permits votes to be cast by mail to submit to USPS each absentee or mail-in voter's name, address, and their unique Intelligent Mail Barcode. The regulation purports to permit only states to control which of their voters are enrolled on the new master list, but this new and unnecessary master list of American voters would then be controlled by USPS and ultimately President Trump.

In addition, the proposed rule requires that all mail ballots comply with new *mandatory* specifications, including that they have an election mail logo, a specific design, automation compatibility, and an Intelligent Mail Barcode unique to each voter. All ballots must also undergo design review by USPS prior to being mailed by an election jurisdiction. While some of these requirements are best practices, their compulsory nature creates new onerous, costly, and unfunded requirements on election jurisdictions that do not currently use these practices nor have the resources to do so. Furthermore, the new mandatory specifications provide the USPS with new and subjective authority to reject ballots, even for a missing or misprinted logo.

Critically, the proposed rule requires USPS to conduct a verification process to ensure that states comply with the regulation's mandates *prior to* USPS accepting ballots and mailing them to voters. For such a consequential regulation of American democracy, the regulation stunningly lacks any detailed information about the process USPS intends to use to verify each piece of outbound election mail. Nevertheless, this new "verification process" empowers USPS to serve as the final arbiter of whether ballots meet the unilateral federal standards and are adequate to be delivered to voters – granting USPS the ultimate authority to decide which Americans can cast a ballot by mail.

What the proposal also makes clear is that if a state chooses not to provide USPS with their voter rolls that state *cannot* mail ballots to their voters, effectively prohibiting vote-by-mail in those states. Even if a state does provide USPS its voter rolls, USPS can still disenfranchise individual voters if their ballots do not meet USPS's demanding requirements. While "neither snow nor rain nor heat nor gloom of night" stops the mail, under the regulation a missing election logo will. Nothing in federal law authorizes USPS to restrict states and voters from using the postal system to mail ballots.

This proposed regulation occurs as the federal government is demanding nearly every state's voter rolls – an effort which has consistently been rejected by federal courts.⁹ Creating a master absentee voter list for the entire country is a backdoor mechanism to secure access to these voters' names and addresses. And for states with universal vote-by-mail like California, Colorado, Hawaii, Oregon, Nevada, Utah, and Vermont (in general elections), the proposed regulation is a form of extreme coercion. It creates an untenable scenario, that requires these states to submit their *entire* voter rolls to the federal government or face the prospects of abandoning absentee voting altogether.

Furthermore, the proposed regulation explicitly articulates that one of its purposes is to assist federal law enforcement, raising serious legal and policy questions about how this information will be used. In fact, the Administration has acknowledged in recent court filings that the Department of Homeland Security (DHS) is currently having conversations with the Postal Service on how it could use the new master list of absentee voters and potentially compare it to DHS datasets.¹⁰ Given the ongoing efforts of the Administration to seek voter rolls and put them through U.S. Citizenship and Immigration Services' Systematic Alien Verification for Entitlements (SAVE) Program, this coordination could lead to the USPS data being used in coordination with other risky and unreliable sources of information to disenfranchise American voters or even target voters or election officials for investigation.¹¹

The proposed rule also raises serious privacy concerns. Ultimately, the proposed rule seeks to create a centralized national absentee voter database with individualized barcodes connected to the voters' names under the control of the President that contains the voting information of millions of Americans. That information would be ripe for potential abuse or improper disclosure potentially imperiling the integrity of American elections. The proposal provides no discussion of how USPS would safeguard this crucial information and every American's right to a secret ballot. USPS simply states that its explanation of its privacy controls is "forthcoming." Compiling a master list of mail-in and absentee voter data is incredibly dangerous in the modern era.

Lastly, notwithstanding the regulation's major constitutional and legal violations, the proposed timeline and scope is not feasible. The proposed regulation demands that the Postal Service set up an entirely new system and database to process and transmit millions of absentee ballots that is secure and accessible to every American election official, just months prior to a general election. The Postal Service already issued its election mail guidance in January, and

⁹ Brennan Center for Justice, *Tracker of Justice Department Requests for Voter Information* (June 8, 2026) (<https://www.brennancenter.org/our-work/research-reports/tracker-justice-department-requests-voter-information>).

¹⁰ See, e.g., *California v. Trump*, No. 1:26-cv-11581-IT, Doc. 154, 2 (D. Mass. June 5, 2026) (Notice submitted by Defendants); see also *id.*, Doc. 157 (June 8, 2026) (Second Notice submitted by Defendants).

¹¹ Brief of Senator Alex Padilla and Senator Gary Peters as Amici Curiae in Support of Plaintiffs (September 10, 2025), *League of Women Voters v. Department of Homeland Security*, D.D.C. (No. 1:25-cv-03501).

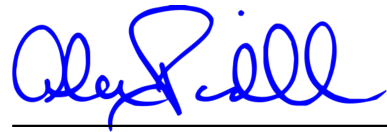
states and local governments have been planning accordingly – they will have no ability to change course to respond to this rule. This endeavor will also allegedly be accomplished without any dedicated resources or funding at a time when the Postal Service’s finances are under immense strain. In fact, the Postal Service has recently suspended regular retirement contributions and placed limits on all non-essential spending.¹² As such, it is wholly unworkable and impractical.

Accordingly, we insist that the Postal Service abandon this proposed regulation and return to its core mission of providing universal postal services to every American. The Constitution and federal law demand nothing less.

Sincerely,



Gary C. Peters
United States Senator
Ranking Member, Committee
on Homeland Security and
Governmental Affairs



Alex Padilla
United States Senator
Ranking Member, Committee
on Rules and Administration



Charles E. Schumer
United States Senator



Angela D. Alsobrooks
United States Senator



Tammy Baldwin
United States Senator



Michael F. Bennet
United States Senator

¹² See Jory Heckman, *USPS Restricts Nonessential Spending to Delay Running Out of Cash*, Federal News Network (May 27, 2026) (<https://federalnewsnetwork.com/agency-oversight/2026/05/usps-restricts-nonessential-spending-to-delay-running-out-of-cash/>); see also United States Postal Service, *FERS Action - Frequently Asked Questions / Talking Points* (April 2026) (<https://about.usps.com/newsroom/fers-faq-talking-points.pdf>).



Richard Blumenthal
United States Senator



Lisa Blunt Rochester
United States Senator



Cory A. Booker
United States Senator



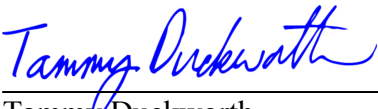
Maria Cantwell
United States Senator



Christopher A. Coons
United States Senator



Catherine Cortez Masto
United States Senator



Tammy Duckworth
United States Senator



Richard J. Durbin
United States Senator



John Fetterman
United States Senator



Ruben Gallego
United States Senator



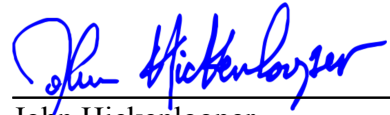
Kirsten Gillibrand
United States Senator



Margaret Wood Hassan
United States Senator



Martin Heinrich
United States Senator



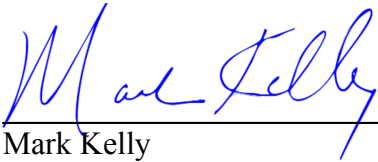
John Hickenlooper
United States Senator



Mazie K. Hirono
United States Senator



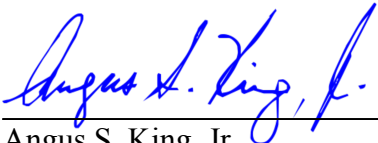
Tim Kaine
United States Senator



Mark Kelly
United States Senator



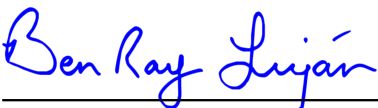
Andy Kim
United States Senator



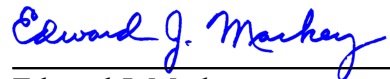
Angus S. King, Jr.
United States Senator



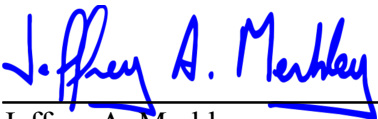
Amy Klobuchar
United States Senator



Ben Ray Luján
United States Senator



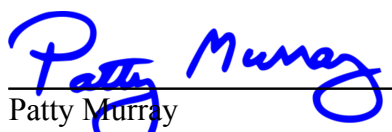
Edward J. Markey
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Jeffrey A. Merkley
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Christopher S. Murphy
United States Senator



Patty Murray
United States Senator



Jon Ossoff
United States Senator



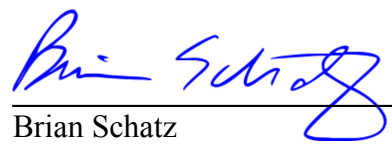
Jack Reed
United States Senator



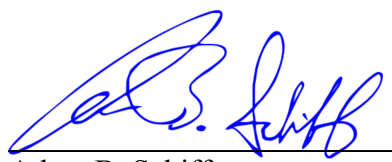
Jacky Rosen
United States Senator



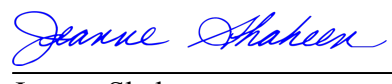
Bernard Sanders
United States Senator



Brian Schatz
United States Senator



Adam B. Schiff
United States Senator



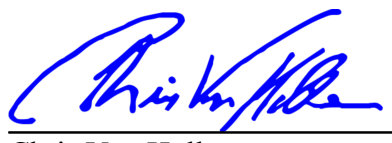
Jeanne Shaheen
United States Senator



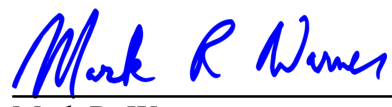
Elissa Slotkin
United States Senator



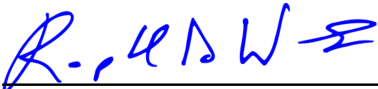
Tina Smith
United States Senator



Chris Van Hollen
United States Senator



Mark R. Warner
United States Senator



Raphael Warnock
United States Senator



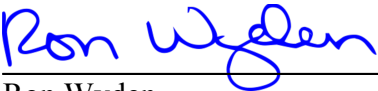
Elizabeth Warren
United States Senator



Peter Welch
United States Senator



Sheldon Whitehouse
United States Senator



Ron Wyden
United States Senator