

EPI comment on Postal Service's proposed rule regarding "Ballot Mail for Federal Elections"

Public Comments • By **Monique Morrissey** • July 2, 2026

Submitted via email

Director, Product Classification
U.S. Postal Service
475 L'Enfant Plaza S.W., Room 4446
Washington, DC 20260-5015
PCFederalRegister@usps.gov

Re: Proposed Rule: Ballot Mail for Federal Elections

The Economic Policy Institute (EPI) is a nonprofit, nonpartisan think tank that for 40 years has centered working families in economic policy discussions. EPI is submitting these comments in response to the Postal Service's proposed rule on Ballot Mail for Federal Elections,¹ which would have a disparate impact on Americans who face barriers to voting in person, including workers with disabilities, working parents, and workers with long and unpredictable work shifts. For this and other reasons outlined below, we believe that the proposed rule should be abandoned permanently and in its entirety.

The proposed rule follows a March 31, 2026, executive order from President Trump² that would require the Postal Service to set new standards for the design of ballot envelopes used by state and local jurisdictions to facilitate centralized tracking of ballots to and from individual voters, thus encroaching on the authority to regulate and administer elections that the Constitution assigns to Congress and the states. The proposed rule also directs the Postal Service to compile a national voter list from state voter rolls and to reject ballots addressed to voters who are not on the list or that do not conform to the new envelope standard.

Tellingly, the proposed rule does *not* instruct the Postal Service to notify voters whose ballots were not

delivered so that voters can challenge these decisions and correct errors caused by typos and similar discrepancies, which are vastly more common than deliberate fraud. Discrepancies and gaps in government records are not purely random, but are more likely to affect people with uncommon or hyphenated names (including many foreign-born citizens), married women who changed their names, and elderly and low-income Americans, among others.³

The proposed rule would misuse government data for political purposes.

The proposed rule should be viewed in the larger context of actions taken by this administration to use government data for unauthorized purposes, including voter suppression.

In addition to directing the Postal Service to compile a list of registered voters and use it to restrict mail voting, other provisions of the president's executive order direct the United States Citizenship and Immigration Services (USCIS) and the Social Security Administration (SSA) to compile lists of voting-age citizens in each state, even though there is no evidence that fraudulent voting by noncitizens is a problem in U.S. elections.⁴ However, purging voter lists of *suspected* noncitizens could be used to disenfranchise eligible voters.

A case pending before the U.S. Supreme Court that would weaken the National Voter Registration Act could enable voter purges of suspected noncitizens close to elections when voters have little time to challenge errors that are common in such purges.⁵ Since some groups are more likely to vote for particular parties, purges can be weaponized for partisan advantage, a problem that would be magnified if done on a national scale.

The executive order adds to previous efforts by this administration to use SSA and other sensitive personal data for purposes beyond their intended use. It also risks another data breach in violation of federal privacy laws similar to an earlier breach of SSA data by a DOGE operative.⁶

The proposed rule would discourage voting by mail and harm working families who are more likely to face barriers to in-person voting.

Importantly, the harm inflicted by the proposed rule would extend beyond eligible voters who are directly prevented from voting by mail because they do not appear on the Postal Service list of registered voters. By casting doubt on the integrity and impartiality of mail voting, the rule would increase the number of voters dissuaded from voting by mail who later find themselves unable to vote in person.

Thirteen states, along with Puerto Rico and the Virgin Islands, restrict absentee voting to voters who know they will be out of the county on election day, or, in some states, who face barriers related to age, health, disability, work schedules, or other conflicts, such as

jury duty.⁷ In my personal capacity as a volunteer on a voter assistance hotline, I can attest that many, if not most, people who face barriers to in-person voting could not have predicted them in advance. Voters frequently fall sick, face long lines at the polls that threaten to make them late for work, or find themselves with last-minute childcare and transportation problems.

Even voters who face predictable barriers that are valid reasons for absentee voting in their state can find it difficult to determine whether they qualify since specifics are not spelled out or are buried in dense legal language. What counts as a disability? Is documentation required? What if an anticipated work shift, jury duty, or vacation does not happen?

As the Institute for Policy Studies has pointed out, working-class voters are more likely to face barriers to voting in person due to work and family obligations.⁸ The Shift Project at the Harvard Kennedy School has documented the large number of low-wage workers, disproportionately workers of color, who work long and unpredictable shifts with little input into their schedules.⁹ In-person voting hours vary by state, but typically span a 12- or 13-hour time period.¹⁰ For working parents transporting children to school, workers with long commutes, and workers who face mobility challenges, it can be difficult if not impossible to vote in person within the designated window, especially if lines at the polls are long. Though some white-collar workers face these challenges, low-wage workers are less likely to work from home, have predictable schedules, or be given flexibility by employers to vote.

The Postal Service should scrap the proposed rule.

The above-mentioned constitutional, voting rights, and logistical problems with the proposed rule have been described in lawsuits and in commentary from a wide range of stakeholders and perspectives, including Lawfare,¹¹ the Cato Institute,¹² and the American Postal Workers Union.¹³ Twenty-three states and the District of Columbia successfully sued to temporarily block the executive order on which the proposed rule is based.¹⁴ However, the administration has said they will challenge the ruling, and regardless the rule could still take effect after the upcoming November election (the focus of the temporary injunction).

EPI believes that the proposed rule should be abandoned permanently and in its entirety for the following reasons:

- It is an unlawful attempt by the executive branch to seize control of elections from states and Congress.¹⁵
- It would inflict reputational damage on the Postal Service by involving it in decisions about who can and cannot receive ballots and vote by mail.¹⁶
- It would impose financial and logistical burdens on the Postal Service, which is already stretched to its limit.¹⁷
- It could jeopardize the timely delivery of all mail ballots, including those that conform to the requirements of the rule.¹⁸

- In combination with other provisions of the executive order, it could facilitate systematic voter purges for partisan advantage.
- It would cast doubt on the integrity and impartiality of mail voting.
- It would dissuade eligible voters from voting by mail, many of whom will face barriers to voting in person.

The Postal Service is an independent agency that, by design, is not under the direct control of the president and therefore not subject to his executive order.¹⁹ It has impartially delivered mail ballots to voters since the Civil War, when states introduced absentee voting for soldiers, a right later extended to other absentee voters. Some states have also extended vote by mail to voters who face specific barriers to in-person voting, such as people with disabilities. Other states and the District of Columbia have gone much further, mailing ballots to all registered voters. This is by far the fairest solution, but until it is the law of the land, we should work to extend, not restrict or suppress, mail voting.

Respectfully submitted,

Monique Morrissey
Senior Economist

Endnotes

1. “Ballot Mail for Federal Elections: A Proposed Rule by the Postal Service on 06/02/2026,” Federal Register Published Document: 2026-10968 (91FR 32915). <https://www.federalregister.gov/documents/2026/06/02/2026-10968/ballot-mail-for-federal-elections>
2. Donald J. Trump, “Ensuring citizenship verification and integrity in federal elections,” March 31, 2026. <https://www.whitehouse.gov/presidential-actions/2026/03/ensuring-citizenship-verification-and-integrity-in-federal-elections/>
3. Monique Morrissey and Daniel Costa, “Cleaning up administrative records or targeting immigrants?” <https://www.epi.org/blog/cleaning-up-administrative-records-or-targeting-immigrants/>
4. See, for example, Wren Orey, Theresa Cardinal Brown, Feyisayo Oyolola, and Theo Menon, “Four Things to Know about Noncitizen Voting,” Bipartisan Policy Center, February 20, 2026. <https://bipartisanpolicy.org/article/four-things-to-know-about-noncitizen-voting>; Michael Waldman, “Why the Myth of Noncitizen Voting Persists,” Brennan Center for Justice, August 21, 2024. <https://www.brennancenter.org/our-work/analysis-opinion/why-myth-noncitizen-voting-persists>. Stephen Richer, “Trump’s Claims About Noncitizens Voting Are False. We Can Prove It.” Cato Institute, February 5, 2026. <https://www.cato.org/commentary/trumps-claims-about-noncitizens-voting-are-false-we-can-prove-it>
5. Jim Saksa, “Supreme Court will hear Arizona case that could badly weaken key federal law protecting voter registration,” *Democracy Docket*, June 29, 2026.

<https://www.democracymarket.com/news-alerts/supreme-court-will-hear-arizona-case-that-could-badly-weaken-key-federal-law-protecting-voter-registration/>

6. Stephen Fowler and Jude Joffe-Block, “The Trump administration admits even more ways DOGE accessed sensitive personal data,” Weekend Edition, National Public Radio, January 30, 2026. <https://www.npr.org/2026/01/23/nx-s1-5684185/doge-data-social-security-privacy>

7. National Council of State Legislatures, Table 2: Excuses to Vote Absentee, website accessed July 2, 2026. <https://www.ncsl.org/elections-and-campaigns/table-2-excuses-to-vote-absentee>

8. Sarah Anderson, “Attacks on Mail Voting are Attacks on the Working Class,” Institute for Policy Studies, April 6, 2026. <https://ips-dc.org/attacks-on-mail-voting-are-attacks-on-the-working-class/>

9. Daniel Schneider and Kristen Harknett, “It’s About Time: How Work Schedule Instability Matters for Workers, Families, and Racial Inequality,” October 16, 2019. <https://shift.hks.harvard.edu/its-about-time-how-work-schedule-instability-matters-for-workers-families-and-racial-inequality/>

10. Ballotpedia, “State Poll Opening and Closing Times (2026),” website accessed July 2, 2026. [https://ballotpedia.org/State_Poll_Opening_and_Closing_Times_\(2026\)](https://ballotpedia.org/State_Poll_Opening_and_Closing_Times_(2026))

11. Molly Roberts, “What’s up with Trump’s Mail-In Voting Executive Order?” *Lawfare*, Monday, June 29, 2026. <https://www.lawfaremedia.org/article/what-s-up-with-trump-s-mail-in-voting-executive-order>

12. Stephen Richer, “USPS Issues Proposed Mail Voting Rules Pursuant to Trump Executive Order,” *Cato at Liberty* blog, May 29, 2026. <https://www.cato.org/blog/usps-issues-proposed-mail-voting-rules-pursuant-trump-executive-order>

13. Jonathan Smith, APWU Comments on Proposed Rule: Ballot Mail for Federal Elections, June 29, 2026. <https://apwu.org/wp-content/uploads/2026/06/APWU-Comments-VBM-Rulemaking.pdf>

14. Dion Nissenbaum, “Federal judge blocks key pillars of Trump executive order restricting mail voting in 2026 election,” *VoteBeat*, June 25, 2026. <https://www.votebeat.org/national/2026/06/25/trump-election-overhaul-mail-voting-executive-order-blocked-talwani-usps-dhs/>

15. Molly Roberts, “What’s up with Trump’s Mail-In Voting Executive Order?” *Lawfare*, Monday, June 29, 2026. <https://www.lawfaremedia.org/article/what-s-up-with-trump-s-mail-in-voting-executive-order>

16. Smith, op. cit.

17. Ibid.

18. Ibid.

19. Ibid.