



September 3, 2026

VIA ONLINE PORTAL

U.S. Postal Service
Manager Records Office
475 L'Enfant Plz. SW
Rm. 1P830
Washington, DC 20260
Via Online Portal

Re: Expedited Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the implementing regulations of your agency, 39 C.F.R. Part 26, American Oversight makes the following request for records.

On March 31, 2026, President Trump signed Executive Order 14399, titled “Ensuring Citizenship Verification and Integrity in Federal Elections.”¹ The order, in part, directs the United States Postal Service (USPS) to initiate a proposed rulemaking that would specify certain ballot mail requirements and require states seeking to transmit ballots via USPS to provide a list of voters eligible to vote in Federal elections for whom the respective states intend to provide a mail-in or absentee ballot.²

On August 24, 2026, the Supreme Court of the United States lifted an injunction that blocked USPS’s implementation of provisions of Executive Order 14399, on the basis that USPS had not yet completed rulemaking on the issue.³ On August 27, 2026, after USPS issued a final rule governing implementation, U.S. District Judge Indira Talwani issued a temporary restraining order blocking it.⁴

Specifically, on August 26, 2026, USPS had issued a final rule, “Ballot Mail for Federal Elections,” that outlined updates to the Domestic Mail Manual, in accordance with Executive Order 14399.⁴ The rule includes the creation of a Federal Ballot Mail Portal in which state election officials would be required to upload voter data before mail-in and absentee ballots are mailed.⁵ The rule further detailed that ballots addressed to individuals not on the state’s provided Mail-in and Absentee Participation List would be

¹ Exec. Order No. 14399, Ensuring Citizenship Verification and Integrity in Federal Elections, 91 Fed. Reg. 17125 (2026).

² *Id.*

³ See *Trump v. Cal.*, No. 26A124, 2026 WL 2473573, at *5 (U.S. Aug. 24, 2026).

⁴ Ballot Mail for Federal Elections, 91 Fed. Reg. 54966 (Aug. 26, 2026) (amending 34 C.F.R. Part 111).

⁵ *Id.*



rejected for delivery by USPS.⁶ The next day, a district court judge blocked implementation of the rule.⁷

Shortly after the final rule issued on August 31, 2026, Senator Richard Blumenthal released a public letter to David Steiner, Postmaster General and Chief Executive Officer, detailing issues identified by a whistleblower with USPS's development, testing, and planned use of the data received from state election officials through the Portal.⁸ The whistleblower also alleged that USPS continued work on the Portal despite court orders.⁹ American Oversight seeks records with the potential to shed light on USPS's implementation of Executive Order 14399.

Requested Records

American Oversight seeks expedited review of this request for the reasons identified below and requests that USPS produce the following records as soon as practicable, and at least within twenty business days:

All policies, procedures, and protocols—both formal and informal—in the possession of USPS regarding the rejection of ballots or ballot envelopes from entering the mailstream due to data received via the Federal Ballot Mail Portal, including, but not limited to, directives, guidance, trainings, and memoranda on the circumstances in which ballots are rejected, the process for curing rejected ballots and batches of ballots, and the zero percent failure rate.¹⁰

Please provide all responsive records from June 1, 2026, through the date the search is conducted.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and your agency's regulations American Oversight requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the general public in a significant way. Moreover, the request is for non-commercial purposes.

American Oversight requests a waiver of fees because disclosure of the requested information is "in the public interest because it is likely to contribute significantly to

⁶ *Id.*

⁷ See *League of Women Voters of Mass. v. Trump*, No. 1:26-cv-11549-IT, 2026 WL 2539946, at *5 (D. Mass. Aug. 27, 2026).

⁸ See Senator Richard Blumenthal, *Letter to David Steiner, Postmaster General and Chief Executive Officer*, Aug. 31, 2026, https://www.blumenthal.senate.gov/imo/media/doc/2026-8-31_usps_whistleblower_letter_final_with_disclosure.pdf.

⁹ *Id.*

¹⁰ For further identifying information, see *id.*

public understanding of operations or activities of the government.”¹¹ The public has a significant interest in the actions of USPS to implement Executive Order 14399, including the potential impacts of those actions on citizens’ ability to exercise their right to vote.¹² Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the federal government, including the policies and procedures that govern the rejection of ballots and ballot envelopes and how rejection may subsequently be cured. American Oversight is committed to transparency and makes the responses agencies provide to FOIA requests publicly available, and the public’s understanding of the government’s activities would be enhanced through American Oversight’s analysis and publication of these records.

This request “is not primarily in the commercial interest of the requester.”¹³ In fact, as a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose, and the release of the information requested is not in American Oversight’s commercial interest. American Oversight’s mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and X (formerly Twitter).¹⁴

American Oversight has also demonstrated its commitment to the public disclosure of documents and creation of editorial content through regular substantive analyses posted

¹¹ 5 U.S.C. § 552(a)(4)(A)(iii).

¹² See, e.g., Hansi Lo Wang, *USPS ‘Carefully Reviewing’ Whistleblower Claim on Plan for Trump’s Mail In Voting Order*, NPR, Sep. 1, 2026, <https://www.npr.org/2026/09/01/nx-s1-5950869/trump-mail-in-voting-usps>; Patrick Marley, *Postal Service Plans May Keep Voters from Getting Ballots, Whistleblower Says*, Washington Post, Sep. 1, 2026, <https://www.washingtonpost.com/politics/2026/09/01/whistleblower-warns-usps-system-could-block-mail-ballots/>; Landon Mion, *Federal Judge Again Blocks Trump’s Mail Ballot Order Just Before Midterms*, Fox News, Aug. 28, 2026, <https://www.foxnews.com/politics/federal-judge-blocks-trump-mail-ballot-order-midterms>; Emily Cochran, David W. Chen, & Anna Griffin, *Supreme Court Ruling on Mail-In Voting Could Add to Election Confusion*, The New York Times, Aug. 25, 2026, <https://www.nytimes.com/2026/08/25/us/mail-in-voting-states.html>; David Shepardson & Susan Heavey, *US Postal Service Seeks to Require States to Submit Lists of Voters*, Reuters, May 29, 2026, <https://www.reuters.com/world/us-postal-service-seeks-require-states-submit-lists-voters-2026-05-29/>.

¹³ 5 U.S.C. § 552(a)(4)(A)(iii).

¹⁴ American Oversight currently has approximately 16,000 followers on Facebook and 94,000 followers on X (formerly Twitter). American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Sep. 3, 2026); American Oversight (@weareoversight), X (formerly Twitter), <https://x.com/weareoversight> (last visited Sep. 3, 2026).

to its website.¹⁵ Examples reflecting this commitment include the posting of records related to the first Trump Administration's contacts with Ukraine and analyses of those contacts;¹⁶ posting records and editorial content about the federal government's response to the COVID-19 pandemic;¹⁷ posting records received as part of American Oversight's "Audit the Wall" project to gather and analyze information related to the first Trump administration's proposed construction of a barrier along the U.S.-Mexico border, and analyses of what those records reveal;¹⁸ the posting of records related to an ethics waiver received by a senior Department of Justice attorney and an analysis of what those records demonstrated regarding the Department's process for issuing such waivers;¹⁹ and posting records and analysis of federal officials' use of taxpayer dollars to charter private aircraft or use government planes for unofficial business.²⁰

Accordingly, American Oversight qualifies for a fee waiver.

Application for Expedited Processing

Pursuant to 5 U.S.C. § 552(a)(6)(E)(1) and 39 CFR 265.5(c), American Oversight requests that your agency expedite the processing of this request.

On behalf of American Oversight, I certify to be true and correct to the best of my knowledge and belief that the information requested is urgently needed in order to

¹⁵ See generally *Our Latest*, American Oversight, <https://www.americanoversight.org/blog>.

¹⁶ *The Trump Administration's Contacts with Ukraine*, American Oversight, <https://www.americanoversight.org/investigation/the-trump-administrations-contacts-with-ukraine>.

¹⁷ See generally *The Trump Administration's Response to Coronavirus*, American Oversight, <https://www.americanoversight.org/investigation/the-trump-administrations-response-to-coronavirus>; see, e.g., *CDC Calendars from 2018 and 2019: Pandemic-Related Briefings and Meetings*, American Oversight, <https://www.americanoversight.org/cdc-calendars-from-2018-and-2019-pandemic-related-briefings-and-meetings>.

¹⁸ See generally *Audit the Wall*, American Oversight, <https://www.americanoversight.org/investigation/audit-the-wall>; see, e.g., *Audit the Wall: No Plans, No Funding, No Timeline, No Wall*, American Oversight, <https://americanoversight.org/audit-the-wall-no-plans-funding-or-timeline-and-no-wall/>.

¹⁹ *DOJ Records Relating to Solicitor General Noel Francisco's Recusal*, American Oversight, <https://www.documentcloud.org/documents/25544090-doj-records-relating-to-solicitor-general-noel-franciscos-recusal-american-oversight>; *Francisco & the Travel Ban: What We Learned from the DOJ Documents*, American Oversight, <https://www.americanoversight.org/francisco-the-travel-ban-what-we-learned-from-the-doj-documents>.

²⁰ See generally *Swamp Airlines: Chartered Jets at Taxpayer Expense*, American Oversight, <https://www.americanoversight.org/investigation/swamp-airlines-private-jets-taxpayer-expense>; see, e.g., *New Information on Pompeo's 2017 Trips to His Home State*, American Oversight, <https://www.americanoversight.org/new-information-on-pompeos-2017-trips-to-his-home-state>.

inform the public concerning actual or alleged government activity.²¹ On August 26, 2026, USPS issued a final rule, “Ballot Mail for Federal Elections,” that outlines updates to the Domestic Mail Manual, in accordance with Executive Order 14399.²² The rule calls for the creation of a Federal Ballot Mail Portal in which state election officials would be required to upload voter data before mail-in and absentee ballots are mailed.²³ The rule further outlines that ballots addressed to individuals not appearing on the Mail-in and Absentee Participation List provide by states to USPS will be rejected for delivery by USPS.²⁴ On August 31, 2026, Senator Richard Blumenthal released a public letter to David Steiner, Postmaster General and Chief Executive Officer, detailing issues identified by a whistleblower about USPS’s development, testing, and planned use of the data received from state election officials through the Portal.²⁵ These actions and concerns come as states prepare to send out ballots for the 2026 general election, as in North Carolina, for example, where they are scheduled to be sent out on September 4, 2026²⁶ and in all states where military and overseas ballots must be sent out at least 45 days before the election—in other words, no later than September 19, 2026.²⁷ The American public has a substantial and urgent interest in obtaining reliable information and understanding the Trump Administration’s recent actions affecting mail in-ballots ahead of the midterm elections so that registered voters may develop plans the methods by which they choose to cast ballots.²⁸

Moreover, I certify to be true and correct to the best of my knowledge and belief that there is an urgent need to inform the public about the processes by which USPS may reject a ballot or ballot envelope and how that rejected ballot or batch of ballots may be cured.²⁹ This is a matter of significant public interest and has generated an exceptional

²¹ 39 CFR 265.5(c).

²² *See supra* note 4.

²³ *Id.*

²⁴ *Id.*

²⁵ *See supra* note 11.

²⁶ *See, e.g.,* Dion Nissenbaum, *Trump’s Mail Voting Restrictions Would Create Logistical Nightmare for Midterm Elections*, Votebeat, Aug. 31, 2026, <https://www.votebeat.org/national/2026/08/31/trump-mail-voting-postal-service-election-challenges-court/>.

²⁷ *See, e.g.,* Sarah D. Wire, *Election Officials Say Mail-in Ballot Rules Could Compromise Midterms*, USA Today, Aug. 28, 2026, <https://www.usatoday.com/story/news/politics/elections/2026/08/28/election-officials-warn-of-chaos-over-new-usps-mail-ballot-rule/91477498007/>.

²⁸ *See, e.g., supra* note 14; *see also* Eileen Sullivan, *Postal Service is Building Ballot Screening System Despite Ongoing Court Fight*, N.Y. Times (Sept. 2, 2026, updated 4:38 PM), <https://www.nytimes.com/2026/09/02/us/politics/postal-service-ballot-screening-system.html>.

²⁹ *See, e.g.,* Michael Casey & Nicholas Riccardi, *Federal Judge Considers Whether to Extend Ban Against US Postal Service Mail Voting Changes*, AP News, Sep. 3, 2026, <https://apnews.com/article/trump-mail-voting-executive-order-lawsuit-63899f738d28d161b629054a314f161a>; Melissa Quinn & Madeleine May, *Whistleblower Warns Postal Service’s New Mail Ballot System has “Potentially Catastrophic Problems,”* CBS News, Sep. 1, 2026, <https://www.cbsnews.com/news/whistleblower-postal-service->

amount of news coverage.³⁰ The public requires the requested information urgently to inform themselves about: whether, to what extent, and by what means the Postal Service is complying with court orders to ensure that ballots are counted; to evaluate the reliability of voting by mail or absentee in light of USPS's new portal with enough time to prepare alternate plans for casting ballots before the November election; to engage with their senators or representatives who may be able to investigate or litigate the matter before the November election; to meaningfully engage with their state and local elections officials about the status and reliability of voting by mail in their respective states ahead of the November election.

I further certify that American Oversight is primarily engaged in disseminating information to the public. American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. Similar to other organizations that have been found to satisfy the criteria necessary to qualify for expedition,³¹ American Oversight "gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw material into a distinct work, and distributes that work to an audience."³² American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, and other media. American Oversight also makes materials it gathers available on its public website and promotes their

[new-mail-ballot-system/](#); Derek B. Johnson, *Whistleblower Says USPS Deploying New, 'Untested' IT Systems Governing Mail-in Ballots*, Cyberscoop, Sep. 1, 2026, <https://cyberscoop.com/usps-whistleblower-ballot-system-2026-midterms/>.
³⁰ See, e.g., Michael Casey & Nicholas Riccardi, *Federal Judge Considers Whether to Extend Ban Against US Postal Service Mail Voting Changes*, Wash. Post, Sep. 3, 2026, https://www.washingtonpost.com/politics/2026/09/03/trump-mail-voting-executive-order-lawsuit/ef7e9fe4-a781-11f1-9e38-f705d048bd5a_story.html; Eileen Sullivan, *Postal Service Is Building Ballot Screening System Despite Ongoing Court Fight*, The New York Times, Sep. 2, 2026, <https://www.nytimes.com/2026/09/02/us/politics/postal-service-ballot-screening-system.html>; Jen Fifield, *New Mail Voting Rules Moved Forward Despite USPS Officials' Concerns About Mass Disenfranchisement*, ProPublica, Sep. 2, 2026, <https://www.propublica.org/article/mail-voting-usps-officials-concerns-disenfranchisement>; Landon Mion, *Federal Judge Again Blocks Trump's Mail Ballot Order Just Before Midterms*, Fox News, Aug. 28, 2026, <https://www.foxnews.com/politics/federal-judge-blocks-trump-mail-ballot-order-midterms>; Allison Pecorin & Devin Dwyer, *'Catastrophic Failures': Whistleblower Warns Trump-Proposed USPS Mail-In Ballot System Could 'Derail' Midterms*, ABC News (Sep. 1, 2026, 2:07 PM), <https://abcnews.com/Politics/catastrophic-failures-whistleblower-warns-trump-proposed-usps-mail/story?id=136114901>; Katrina Kaufman et al., *Postal Service Mail Voting Rules Face Extended Block as Judge Presses DOJ*, CBS News (Sep. 3, 2026, 3:27 PM), <https://www.cbsnews.com/news/postal-service-mail-voting-rules-block/>; see *supra* n.12.

³¹ See *ACLU v. U.S. Dep't of Justice*, 321 F. Supp. 2d 24, 30–31 (D.D.C. 2004); *EPIC v. Dep't of Defense*, 241 F. Supp. 2d 5, 15 (D.D.C. 2003).

³² *ACLU*, 321 F. Supp. 2d at 29 n.5 (quoting *EPIC*, 241 F. Supp. 2d at 11).

availability on social media platforms, such as Facebook and X (formerly Twitter).³³ As discussed previously, American Oversight has demonstrated its commitment to the public disclosure of documents and creation of editorial content.³⁴

Accordingly, American Oversight's request satisfies the criteria for expedition.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics. For instance, if the request seeks "communications," please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, text messages or other direct messaging systems (such as iMessage, WhatsApp, Signal, or X (formerly Twitter) direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.
- In conducting your search, please understand the terms "record," "document," and "information" in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs,

³³ American Oversight currently has approximately 16,000 followers on Facebook and 94,000 followers on X (formerly Twitter). American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Sep. 3, 2026); American Oversight (@weareoversight), X (formerly Twitter), <https://x.com/weareoversight> (last visited Sep. 3, 2026).

³⁴ See generally *News*, American Oversight, <https://www.americanoversight.org/blog>; see, e.g., *Emails and Resume of Trump's Pick to Head Government Personnel Office*, American Oversight, <https://www.americanoversight.org/emails-and-resume-of-trumps-pick-to-head-government-personnel-office>; *CDC Calendars from 2018 and 2019: Pandemic-Related Briefings and Meetings*, American Oversight, <https://www.americanoversight.org/cdc-calendars-from-2018-and-2019-pandemic-related-briefings-and-meetings>; *State Department Releases Ukraine Documents to American Oversight*, American Oversight, <https://www.americanoversight.org/state-department-releases-ukraine-documents-to-american-oversight>; *Documents Reveal Ben Carson Jr.'s Attempts to Use His Influence at HUD to Help His Business*, American Oversight, <https://www.americanoversight.org/documents-reveal-ben-carson-jr-s-attempts-to-use-his-influence-at-hud-to-help-his-business>; *Investigating the Trump Administration's Efforts to Sell Nuclear Technology to Saudi Arabia*, American Oversight, <https://www.americanoversight.org/investigating-the-trump-administrations-efforts-to-sell-nuclear-technology-to-saudi-arabia>; *Sessions' Letter Shows DOJ Acted On Trump's Authoritarian Demand to Investigate Clinton*, American Oversight, <https://www.americanoversight.org/sessions-letter>.

as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions.

- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Federal Records Act and FOIA.³⁵ It is not adequate to rely on policies and procedures that require officials to move such information to official systems within a certain period of time; American Oversight has a right to records contained in those files even if material has not yet been moved to official systems or if officials have, by intent or through negligence, failed to meet their obligations.³⁶
- Please use all tools available to your agency to conduct a complete and efficient search for potentially responsive records. Agencies are subject to government-wide requirements to manage agency information electronically,³⁷ and many agencies have adopted the National Archives and Records Administration (NARA) Capstone program, or similar policies. These systems provide options for searching emails and other electronic records in a manner that is reasonably likely to be more complete than just searching individual custodian files. For example, a custodian may have deleted a responsive email from his or her email program, but your agency's archiving tools may capture that email under Capstone. At the same time, custodian searches are still necessary; agencies may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.

³⁵ See *Competitive Enter. Inst. v. Office of Sci. & Tech. Policy*, 827 F.3d 145, 149–50 (D.C. Cir. 2016); cf. *Judicial Watch, Inc. v. Kerry*, 844 F.3d 952, 955–56 (D.C. Cir. 2016).

³⁶ See *Competitive Enter. Inst. v. Office of Sci. & Tech. Policy*, No. 14-cv-765, slip op. at 8 (D.D.C. Dec. 12, 2016).

³⁷ Presidential Memorandum—Managing Government Records, 76 Fed. Reg. 75,423 (Nov. 28, 2011), <https://obamawhitehouse.archives.gov/the-press-office/2011/11/28/presidential-memorandum-managing-government-records>; Office of Mgmt. & Budget, Exec. Office of the President, Memorandum for the Heads of Executive Departments & Independent Agencies, “Managing Government Records Directive,” M-12-18 (Aug. 24, 2012), <https://www.archives.gov/files/records-mgmt/m-12-18.pdf>.

- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Ben Sparks at foia@americanoversight.org or (202) 873-1741. Also, if American Oversight's request for expedition is not granted or its request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Ben Sparks

Ben Sparks
on behalf of
American Oversight