

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

LEAGUE OF WOMEN VOTERS OF MASSACHUSETTS, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, *et al.*,

Defendants.

Case No. 1:26-cv-11549-IT

STATE OF CALIFORNIA, *et al.*,

Plaintiffs,

v.

UNITED STATES POSTAL SERVICE, *et al.*,

Defendants.

Case No. 1:26-cv-13917-IT

POST-HEARING SUBMISSION OF FEDERAL DEFENDANTS

Earlier today, at the preliminary-injunction hearing in these matters, the Court solicited a supplemental submission from the Federal Defendants addressing certain factual questions relating to implementation by the United States Postal Service of the Final Rule at issue in these cases. *See* USPS, *Ballot Mail for Federal Elections*, 91 Fed. Reg. 54,966 (Aug. 26, 2026). In response, Federal Defendants respectfully submit the attached declaration from the United States Postal Service.

Dated: September 3, 2026

Respectfully submitted,

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Assistant Attorney General
Civil Division

ERIC J. HAMILTON
Deputy Assistant Attorney General
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JOSEPH E. BORSON
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STATE OF CALIFORNIA, *et al.*,

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Defendants.

Case No. 1:26-cv-11581-IT

DECLARATION OF STEVEN W. MONTEITH

I, Steven W. Monteith, under penalty of perjury and in lieu of affidavit as permitted by 28 U.S.C. § 1746, state as follows:

1. I have been employed by the United States Postal Service (Postal Service) since 1989 and am currently the Chief Customer and Marketing Officer (CCMO) and Executive Vice President of the Postal Service, a position I have held since November 2020. In this position, my responsibilities as assigned by the Postmaster General include the planning and implementation of corporate strategies and initiatives to increase revenue and

financial contributions to the Postal Service, as well as overseeing the workforces in several organizational units: Customer Experience, International Business, Marketing, Product Solutions, Sales Intelligence, and Industry Engagement and Outreach. The Product Solutions unit includes the Election Mail and Government Services team, which manages Election Mail, and the Product Classification group, which manages mail preparation and entry rules. Prior to my current position, I held positions at the Postal Service in operations, finance, marketing and retail.

2. As the CCMO, I am familiar with the Final Rule issued by the Postal Service titled “*Ballot Mail for Federal Elections*,” 91 Fed. Reg. 54,966 (Aug. 26, 2026). I am also familiar with the operational steps being taken to implement the Final Rule, in accordance both with the Rule and this Court’s Temporary Restraining Order (TRO) limiting the scope of implementation of the Final Rule. All steps that the Postal Service is taking currently are consistent with the court’s TRO, which permits States to voluntarily comply with provisions of the Final Rule related to the use of the Ballot Portal, mailpiece design review, envelope standards, and portal registration.

Status of the Portal

3. The Postal Service has designed a portal that election officials, or their designees (Ballot Portal Users), will be able to use to provide their lists to the Postal Service of voters who are mailed ballots for Federal elections. Those lists will include the voter’s names and addresses along with Intelligent Mail barcode information on the outgoing and return ballot envelopes ballot mailers prepared. We continue to make refinements to the Portal, including consideration of changes needed in light of the TRO. We anticipate being in a position to make the Portal available to users for voluntary use by sometime next week.

Mailpiece Design Review

4. The Postal Service provides mailpiece design review for Election Mail envelopes. That review is completed by Mailpiece Design Analysts (MDA) prior to Election Mail envelope printing. This review has been provided for prior elections for many years, and MDAs have regularly provided guidance on mailpiece design to ensure that envelopes meet Postal Service requirements and recommended best practices.
5. Consistent with the TRO, the Postal Service is not currently requiring mailpiece design review to ensure compliance with the Final Rule, but has made that review available for states that wish to voluntarily submit their envelopes for review to ensure that they meet the standards set forth in the Final Rule.
6. The Postal Service is prepared, as it is every election, to provide mailpiece design review as it is requested. If permitted to move forward with the Final Rule, once election officials, or their vendors have designed the Outbound and Return Federal Ballot Mail envelopes, the mailpiece will be submitted and reviewed by an MDA. The envelope design must be reviewed each election cycle, *but* once it has been reviewed and if it remains unmodified, it does not need to be resubmitted for further evaluation. And if a state uses a single design, each political subdivision of that state does not need to separately submit the envelope for review. And mailpieces do not need to be reviewed prior to each separate mailing.

Certification Process

7. The Final Rule requires only that Ballot Portal Users certify to the Postal Service that “any mail-in or absentee ballots their state’s authorized ballot mailers provide to the Postal Service for mailing meet the standards in the Domestic Mail Manual (DMM) 24.3.1 and 24.3.2.” (DMM 24.4.2). DMM 24.3.1 requires that outbound Federal Ballot Mail be mailed in an envelope that (a) includes the official Election Mail logo; (b) is automation compatible; (c) bears a unique IMb with the Delivery Point Zip Code embedded and a Federal Ballot Mail Service Type Identifier (STID); and (d) has undergone review by the Postal Service for mailpiece design and barcode placement. DMM 24.3.2 requires the same standards for return Federal Ballot Mail. That certification occurs at the time that Ballot Portal Users enter their lists into the portal. No other certification is required.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed at Washington, D.C. on the 3rd day of September 2026

 E-SIGNED by Steven Monteith
on 2026-09-03 14:48:06 EDT

Steven W. Monteith