



# Federal Judge Blocks Trump's Bid to Federalize Mail-in Voting

Last Thursday, a federal judge in Massachusetts blocked key parts of President Trump's election executive order, ruling that the president cannot build federal voter lists, put the Postal Service in charge of mail-in ballot eligibility, or pressure local election officials into using a system Congress never approved.

[The ruling](#) is not a rejection of election integrity. It is a reminder of who controls elections under the Constitution.

States run them. Congress may regulate them. The president does not get to rewrite them by decree.



AJ\_Watt/iStock/Getty Images Plus

## The Order

The case challenged Trump's [Executive Order 14399](#), titled "Ensuring Citizenship Verification and Integrity in Federal Elections."

Twenty-three states and the District of Columbia sued. They challenged Sections 2, 3, and 5 of the order.

Section 2 directed federal agencies to compile "Confirmed Citizen Lists" for each state. Per the order,

The State Citizenship List shall be derived from Federal citizenship and naturalization records, SSA records, SAVE data, and other relevant Federal databases.

The administration said the lists would help states confirm who may vote.

Section 3 went further. It directed the U.S. Postal Service (USPS) to create rules for mail-in voting. States would give USPS lists of voters approved to receive mail-in ballots. USPS would then create its own enrolled list. Ballots from voters not enrolled with USPS would not be transmitted.

Finally, Section 5 directed federal agencies and the Department of Justice (DOJ) to address violations of federal election law. It also suggested that states and localities preserve election participation records for five years.

The order described these steps as necessary to prevent fraud and maintain confidence in elections. But Judge Indira Talwani saw a different problem. The president was not enforcing election law; he was trying to create it.

## The Court's Core Point

U.S. District Judge Indira Talwani's ruling rested on a simple constitutional distinction.

The Constitution gives states the power to set voter qualifications for federal elections. It also gives



Written by [Veronika Kyrylenko](#) on June 29, 2026

---

states the power to run elections. At the same time, Congress can override state rules in many areas of federal elections. It has done so through laws such as the [Voting Rights Act](#), the [National Voter Registration Act](#), and the [Help America Vote Act](#) (HAVA).

But the president has no similar election power, she stressed: “The Constitution does not grant the President any specific powers over elections.” (Emphasis in original.)

The judge also quoted the Supreme Court’s [reminder](#):

The President “plays no direct role in the process” of appointing electors, “nor does he have authority to control the state officials who do.” *Trump v. United States*, 603 U.S. 593, 627 (2024)

That point mattered. Trump’s order did not merely ask agencies to share information. It attempted to place the executive branch between voters and ballots.

### **A Federal Voter List**

The court was especially skeptical of the federal “Confirmed Citizen Lists.” Indeed, the very name carries an uncomfortable weight, suggesting a federal roster of approved voters, compiled in Washington and handed back to the states.

The administration described the lists as optional tools. But the court noted that the order tied those lists to criminal enforcement. It listed federal crimes related to voter fraud and directed DOJ to prioritize investigations of officials who issue ballots to ineligible voters. Per the ruling,

The EO’s prescriptive and proscriptive language, in conjunction with multiple references to criminal penalties, implicitly threatens enforcement of those enumerated laws against election officials who furnish ballots to voters excluded from the Confirmed Citizen Lists or the USPS Lists, and that threat is sufficiently imminent for Article III injury.

That changed the character of the lists. They were not just spreadsheets. They became leverage.

The court also found a practical problem. Federal citizenship records are not complete voter rolls. They may not track name changes, they might miss people who move between states, and might misclassify lawful voters. [The SAVE system](#) itself has previously flagged citizens as non-citizens.

In other words, the lists could be wrong. Yet the order could pressure local officials to treat them as official.

Talwani held that Congress had never authorized the federal government to create its own voter database. HAVA, however, already requires states to maintain statewide voter lists. It does not allow the president to create federal substitutes.

### **USPS Policing Mail Voting**

The court also rejected the order’s attempt to use USPS as a mail-in ballot gatekeeper.

USPS can regulate postal operations. It can issue guidance and can help states design election mail. But the court found that Congress had not given USPS power to control mail-in voting:

[N]o law enacted by Congress delegates authority to control mail-in voting to USPS. The



Written by [Veronika Kyrylenko](#) on June 29, 2026

---

voting-related guidance currently issued by USPS is not binding on the States, merely recommended.

At the same time, USPS officials appeared ready to assume that policing role. Testifying before the Senate Homeland Security and Governmental Affairs Committee on Wednesday, Postmaster General David Steiner said that, under the [proposed rule](#), USPS would not deliver election mail unless states provided the required voter manifest. “We would tell the state that we need the manifest,” Steiner said.

The manifest would include the name and address of each voter receiving a mail-in or absentee ballot, the unique Intelligent Mail barcode on the outbound ballot envelope, the unique barcode on the return ballot envelope, and the state of the originating election office.

In practice, that would require states to hand over voter-specific election data before USPS would deliver certain election mail.

That testimony made the court’s concern less theoretical. If USPS could refuse to transmit ballots unless states surrendered that data, the agency would no longer be acting as a mail carrier. It would become a federal checkpoint in the voting process.

### **The Five-year Records Rule**

Section 5 also failed.

Federal law already requires election officials to preserve certain federal election records for 22 months. Trump’s order suggested a five-year period.

The administration argued that this language was only advisory. But if it imposed new duties, it exceeded presidential authority. If it did not, it added little beyond political pressure.

Either way, the court blocked the challenged provisions for the 2026 election cycle.

### **The Bigger Picture**

The ruling lands in a broader fight over who controls American elections. Trump has repeatedly called for a stronger federal role in election administration. Through executive decree, he attempted to move that power into the hands of federal agencies. The states and voting-rights groups sued.

At the same time, his allies in Congress have pushed to turn that centralization into law through the SAVE Act, “[a totalitarian Trojan horse](#)” that would impose new federal requirements on voter registration and eligibility checks.

The administration’s core argument is that such measures would prevent voter fraud. Indeed, documented cases of voter fraud and election irregularities are ample. Serious election systems must take them seriously.

But the remedy matters.

In the American system, those problems are addressed through state law, local administration, transparent procedures, prosecution where crimes occur, and citizen vigilance. They are not a blank check for handing Washington centralized election powers the Constitution never gave it.

That is what Talwani’s ruling says. It does not stop states from checking eligibility. It does not stop Congress from legislating. And it does not protect fraud. It says something narrower: The president cannot seize election powers the Constitution gives to states and Congress.



Written by [Veronika Kyrylenko](#) on June 29, 2026

---

And there is one final irony. Trump has spent years warning Americans about mail-in voting. Yet he has [used it himself in Florida](#), including in a 2026 special election in his home state. “I was away,” he explained, offering the same practical reason millions of voters use mail-in ballots in the first place.

**Related articles:**

[Judge Blocks Trump Administration’s Data System Over Privacy and Voting-rights Violations](#)

[Trump Calls to “Nationalize” Elections. The Constitutional Solution Is Local](#)

[Trump Pledges Voter ID Mandate: Election Integrity or Power Grab?](#)

[Exposing the Unconstitutional Power Grab in SAVE Act](#)

[Lawsuits Slam Trump’s Election Order as Unconstitutional](#)

[Judge Blocks Parts of Trump’s Election Order, Citing Constitutional Limits](#)



## Subscribe to the New American

Get exclusive digital access to the most informative, non-partisan truthful news source for patriotic Americans!

Discover a refreshing blend of time-honored values, principles and insightful perspectives within the pages of "The New American" magazine. Delve into a world where tradition is the foundation, and exploration knows no bounds.

From politics and finance to foreign affairs, environment, culture, and technology, we bring you an unparalleled array of topics that matter most.



### What's Included?

- 24 Issues Per Year
- Optional Print Edition
- Digital Edition Access
- Exclusive Subscriber Content
- Audio provided for all articles
- Unlimited access to past issues
- Coming Soon! Ad FREE
- 60-Day money back guarantee!
- Cancel anytime.

**Subscribe**