Press Release: [League of Women Voters US - Voting Rights Groups Move to Block Newly-Finalized Mail Ballot Rule]

In light of the US Supreme Court ruling concerning mail ballots, voting rights organizations supplemented the complaint in their lawsuit challenging President Trump's executive order restricting mail voting to add claims against the US Postal Service's (USPS) newly finalized mail ballot rule. The groups simultaneously asked a federal court to immediately block USPS from implementing that rule for the November midterm elections.

(UPDATE: On Thursday, Aug. 26, Judge Indira Talwani of the U.S. District Court for the District of Massachusetts issued a temporary restraining order pausing implementation of the USPS rule. She set a Sept. 3 date to hear arguments on whether she should issue a nationwide injunction that would stay implementation of the rule until it can be litigated. Almost certainly, implementation will be pushed back beyond the Nov. 3 date.

The Supreme Court's ruling on Monday, Aug. 23 was on the basis that the rule had not yet become final and therefore the case was unripe, as the plaintiffs could not show harm. However, the rule had been published as final in the Federal Register the previous Friday.

Now that the rule has been finalised, Judge Talwani will hear the amended motions on the question of whether the new rule would in fact cause irreparable harm to plaintiffs – voters in the Nov. 3 election - and whether the plaintiffs are likely to prevail in the case. Irreparable harm refers to harm that cannot be repaired by monetary damages.)

The plaintiffs in this case, League of Women Voters of Massachusetts v. Trump, are the League of Women Voters, League of Women Voters of Massachusetts, Association of Americans Resident Overseas, US Vote Foundation, OCA – Asian Pacific American Advocates, and Delta Sigma Theta Sorority, Inc. They are represented by the American Civil Liberties Union, ACLU of Massachusetts, Brennan Center for Justice at NYU Law, Legal Defense Fund, Asian Americans Advancing Justice – AAJC, and LatinoJustice PRLDEF.

On Aug. 11, 2026, Judge Talwani issued an order in *League of Women Voters of*

Massachusetts v. Trump, blocking USPS from implementing Section 3 of the executive order for the upcoming Nov. 3 midterm elections.

The Supreme Court later stayed a different court order issued in the separate *Trump v. California* case blocking implementation of the executive order. Of note, the Supreme Court did not decide whether President Trump has the legal authority to impose these restrictions or whether the USPS rule is lawful; it simply held that it was premature for the *California* plaintiffs to bring that case.

Judge Talwani was then forced to vacate the Aug. 11 injunction issued in *League of Women Voters Massachusetts* on the same narrow basis. Acknowledging that "Plaintiff Organizations have substantial arguments that might persuade the Supreme Court to reach a different result if Plaintiff Organizations have an opportunity to present them," She found "that in light of the Supreme Court's decision in *Trump v. California*, Plaintiff Organizations are not likely to prevail as to ripeness without amending their complaint to reflect the fact that a Final Rule has now issued." Plaintiffs have now supplemented their complaint to do exactly that, adding challenges to the newly finalized mail ballot rule and seeking emergency relief on those claims immediately.

In their papers, the plaintiff organizations argue that USPS's newly-finalized mail ballot rule violates the Constitution's separation of powers, which put the states and Congress in charge of election administration rules, not USPS or the president, as well as a number of the laws that govern how USPS operates.

All of these violations are causing irreparable harm to plaintiff organizations, their members, and the voters they serve. The harm is particularly acute as there are now less than 70 days before the November midterm elections, which is why the plaintiff organizations are asking for emergency relief.

After filing, counsel and plaintiffs released the following statement:

"The [District of Massachusetts] has already found that the executive order unconstitutionally usurps the authority of the states and Congress to regulate elections, and the newly-finalized rule eliminates any doubt about the harms stemming from these

unlawful acts. Implementing the newly-finalized rule less than 70 days before the general election would dramatically impair plaintiffs' core voter engagement work and pose a grave risk of disenfranchisement. We are asking the court for emergency relief to prevent this harm and to affirm the public's confidence in the systems voters rely on to conduct our elections.

The filings can be found here and here.