

Executive Order 14399: Ensuring Citizenship Verification and Integrity in Federal Elections

August 29, 2026



Signed: March 31, 2026

Published: 91 Fed. Reg. 17125 (April 3, 2026)

Official links:

- White House text:
<https://www.whitehouse.gov/presidential-actions/2026/03/ensuring-citizenship-verification-and-integrity-in-federal-elections/>
- Federal Register (official publication):
<https://www.federalregister.gov/documents/2026/04/03/2026-06601/ensuring-citizenship-verification-and-integrity-in-federal-elections>

Section 3 of that order is the part that directed the Postal Service to write the ballot-mail rule later published as 91 Fed. Reg. 54966.

On Friday, August 28, the Justice Department filed a notice of appeal to the U.S. Court of Appeals for the First Circuit. That notice does not lift the TR0. No First Circuit stay, no Supreme Court stay of this TR0, and no new district-court order dissolving it have been reported as of Saturday, August 29.

Current status as of 2026-08-29

- The 14-day TR0 remains in effect. It runs from August 27 and would expire around September 10 unless extended, converted to a preliminary injunction, or stayed on appeal.
- **USPS still may not implement or take preparatory steps** on the stayed DMM sections for elections on or before November 3, 2026.
- Judge Talwani's preliminary-injunction hearing is still set for September 3 at 9:00 a.m. in Boston.
- Government and intervenor oppositions to the longer injunction due August 29 at 11:00 p.m. EDT. Plaintiff replies are due August 31.
- The first legally required outbound ballots of the cycle are military and overseas (UOCAVA) ballots. Federal law generally requires those to go out at least 45 days before a federal election, which for November 3, 2026 means early September. Several states must begin that mailing in the first week of September. That deadline, not any one state, is why the 14-day TR0 and the government's appeal are on a short clock.

The rule text is still published. It is still not being used to

reject midterm ballot mail while this TRO stands. An appellate stay could change that quickly. Nothing public as of this morning says that has happened.

What the Final Rule Requires, What It Does Not Check, and What Judge Talwani Paused on August 27, 2026:

Restriction	Status	How Bad Actors Bypass It	Operational Effect	Residual Risk
States must enroll every mail voter through the Federal Ballot Mail Portal before any ballots are mailed. (DMM 705.24.4.1–.4.2)	Paused for elections on or before Nov. 3, 2026. TRO bars mandatory portal registration and voter enrollment, and bars preparatory steps.	Enroll cloned or phantom records with altered spellings or addresses; bulk-enroll low-propensity voters; submit planted entries in large late batches.	No prevention if later allowed. Portal accepts state data without eligibility checks.	High
For each voter, officials must submit name, address, issuing state, and two unique Intelligent Mail barcodes. (DMM 705.24.4.2)	Paused as part of mandatory enrollment. Same TRO sections.	Duplicate, recycle, or pair barcodes; reuse a barcode from a non-returning voter. Portal only checks that a matching barcode exists in its own records.	No independent identity check. Barcode is mailer-generated tracking, not an authenticated credential.	High

Restriction	Status	How Bad Actors Bypass It	Operational Effect	Residual Risk
Outbound and return envelopes must carry the Election Mail logo, unique barcodes, and a ballot-mail STID. (DMM 705.24.3.1–.3.2)	Paused to the extent those envelope standards are made mandatory.	Print envelopes matching the published uniform design. Logo is a graphic; STID is a static code; IMb is printable.	Visual uniformity without authentication.	High
All envelopes must be automation-compatible and pass a USPS design review before use. (DMM 705.24.3.1–.3.2)	Paused as part of the mandatory envelope-standard stay.	Review certifies a sample, not each production run. A compromised print house can reprint the approved design.	Paperwork control, not per-piece inspection.	High if print house is compromised and the stay lifts.
If a state does not submit its list or meet envelope standards, USPS will not accept that outbound ballot mail. (DMM 705.24.5.1–.5.3(a)–(c))	Paused. TR0 stays the verification sections and the refuse-to-accept clauses. USPS cannot reject midterm ballots for noncompliance with this rule.	Penalty is binary and hits only open noncompliance. A contaminated but complete list would satisfy the letter of the rule. Drop boxes and UOCAVA mail never enter this gate.	Compliance stick against defiant states, not a fraud filter against cooperating ones.	High if the stay lifts. Not enforceable for Nov. 3 while the TR0 stands.
USPS generates and returns a state-specific participation list around Election Day. (DMM 705.24.4.3)	Not named in the TR0, but functionally idle for Nov. 3 if enrollment is stayed, because the list is built only from portal submissions.	List arrives after ballots are mailed. Built from the same unverified state data. Can reveal which return barcodes remain unscanned.	Retrospective documentation. Tracking can invert into a targeting map.	High

Restriction	Status	How Bad Actors Bypass It	Operational Effect	Residual Risk
Data is retained for law-enforcement investigations into suspected unlawful mail use. (Privacy Act SOR; rule preamble)	Not stayed. Retention language remains on the books. Little to retain for this cycle if portal uploads are barred.	Passive storage. No mandated auditor or trigger. File cannot by itself prove who marked or mailed a ballot.	Prosecution possibility after the fact, not prevention.	High that evidence sits unused.
USPS will not independently verify voter eligibility, alter submitted information, or determine ballot content or counting. (DMM 705.24.5–.24.6; FAQ)	Not a paused mandate. This is a disclaimer. It remains the agency’s stated limit whether or not the rest of the rule is enforced.	Removes USPS from authentication. Burden stays on the state officials who submitted the list.	Formalizes non-involvement where verification would matter.	Unchanged

Reference: *League of Women Voters of Massachusetts v. Trump*, No. 1:26-cv-11549-IT, ECF 218 (D. Mass. Aug. 27, 2026). Companion docket 1:26-cv-13917-IT, ECF 31. Readers cannot verify the stay list without that.