

Native voting rights set back from Supreme Court ruling restricting mail ballot access

Summary

The Supreme Court ruling allowing the United States Postal Service to have a greater authority over the conduct of elections will undermine Native voting rights because vote by mail restrictions will have a disproportionate impact on Native voters living on reservations. The ruling is in response to multiple lawsuits challenging President Trump's executive order on making changes to vote by mail.

Native American voting rights depend on vote by mail

- Average federal-election turnout from 2012-2022 was 11 points lower among people living on Tribal lands than among their off-Tribal-land counterparts in the 21 states studied, according to the Brennan Center.
- Voters on Tribal lands were 7 points less likely than voters off Tribal lands to vote by mail or vote early, according to the Brennan Center.
- Residents on a reservation often need to travel 100 + miles to access mail services or voter registration offices, so changing the voting rules increases the hardships on Native voters.

Specifics of USPS vote by mail rules on federal elections

- States choosing to use USPS for federal mail-in or absentee ballots would submit voter information through a Federal Ballot Mail Portal.
- Federal ballot envelopes would have to meet USPS preparation and design requirements, including unique Intelligent Mail barcodes for vote by mail.
- Creates a verification step connecting ballot delivery to state-provided voter data.
- Adds a USPS postmark policy noting the date USPS first possesses a piece of mail and the date of its postmark. States using Election Day postmark deadlines, this can be a very big problem.

New federal rules impact on Native voters warrants specific scrutiny

- Native voters on many Tribal lands encounter nonstandard residential addresses, limited or absent home delivery, distant post offices, shared P.O. boxes, less predictable mail routes.

- A federal ballot-mail system that depends on standardized voter data, address matching, barcode compliance, and timely postal processing imposes greater burdens on Native communities.
- NCAI stated in June 2026 that voters in remote and rural Tribal communities face unavoidable USPS and carrier delays that can cause disenfranchisement.
- NARF documents communities where P.O. boxes are scarce and families share boxes. Some election jurisdictions also restrict the use of P.O. boxes for election materials.