

**FOR IMMEDIATE RELEASE:**

August 18, 2020

**Contact:** Matt Baca -- (505) 270-7148

**Attorney General Balderas to file lawsuit over Trump Administration's attempts to undermine Postal Service**

*Severe operational cuts could hobble Postal Service on the eve of a national election*

*Santa Fe, NM*— Attorney General Balderas announced today that New Mexico is joining a multistate coalition that will file a federal lawsuit challenging drastic operational changes at the U.S. Postal Service that threaten critical mail delivery and could undermine the national election in November. The Postal Service cuts, including eliminating staff overtime, altering operations at state distribution centers and removing critical mail sorting equipment, threaten the timely delivery of mail to individuals who rely on the Postal Service for everything from medical prescriptions to ballots.

“The postal service is a vital lifeline for rural New Mexico, and this action threatens to disproportionately harm our Indigenous communities, from their daily living to their ability to participate in our democracy,” said Attorney General Balderas. “I am asking the courts to step in and supervise this process to ensure that the federal government is working with states, including our Secretary of State, to ensure these services are delivered in the way our Constitution mandates.”

The Postal Service also recently notified states that it will end its longstanding practice of processing ballots as first-class mail — regardless of what type of postage is used. States and counties that use marketing or bulk-rate postage for their ballots could experience delays that may prevent some ballots from being counted.

The states' lawsuit will assert that the Postal Service implemented these drastic changes to mail service nationwide unlawfully, and seeks to stop the agency's service reductions.

The changes at the Postal Service come as President Donald Trump has continued to baselessly claim that widespread vote-by-mail will lead to a fraudulent election.

Recent changes at the Postal Service instituted by Trump-appointed Postmaster General Louis DeJoy have already resulted in mail delays, as Congressional leaders have pointed out. Those changes include eliminating staff overtime, changing the way mail is sorted and requiring late-arriving mail to be left for delivery the following day.

The Postal Service has also announced plans to stop processing outgoing mail at some state mail distribution centers. This would disproportionately impact rural communities, often significantly increasing the distance mail must travel. For example, mail sent from one address to another in the same town would have to travel all the way to one of the remaining distribution centers and back again before being delivered.

In addition to impacting the electoral process, postal Service cuts threaten timely mail deliveries for a range of important services, from prescriptions to utility bills. The COVID-19 pandemic has forced many Americans, especially seniors and other high risk individuals, to rely increasingly on mail delivery services while they stay at home for their health. In general, seniors rely heavily on the mail to receive essentials like medications, Social Security benefits and even groceries.

The policy changes have already impacted our country's veterans, who are reporting much longer wait times to receive mail-order prescription drugs. The U.S. Department of Veteran Affairs (VA), which provides broad health care services to veterans nationwide, fills about 80 percent of veteran prescriptions by mail. The VA processes about 120 million mail-order prescriptions per year — 470,000 a day. The Postal Service makes daily prescription deliveries to 330,000 veterans across the country.

The lawsuit asserts that the Postal Service has acted outside of its authority to implement changes to the postal system, and did not follow the proper procedures under federal law.

The law requires that changes at the U.S. Postal Service that cause a nationwide impact in mail service must be submitted to the Postal Regulatory Commission. The commission then evaluates the proposal through a procedure that includes public notice and comment. The federal government's failure to perform this mandatory duty deprived the states of their statutory right to notice and comment on USPS' nationwide service changes. The states' lawsuit seeks to block the unlawful service reductions and operational changes at the Postal Service.

Attorney General Balderas joins in the lawsuit with the attorneys general of Colorado, Connecticut, Illinois, Maryland, Michigan, Minnesota, Nevada, Oregon, Rhode Island, Vermont, Virginia, Washington, and Wisconsin.

###