Oregon Secretary of State

Tobias Read
Oregon Secretary of State

DIRECTIVE OF THE SECRETARY OF STATE

NUMBER: 2026-08

DATE: August 25, 2026

SUBJECT: Compliance with Oregon Election Law - General Election Mail-Out Deadlines

The Secretary of State, in carrying out the duties of the office, shall issue detailed directives necessary to maintain uniformity in the application, operation, and interpretation of Oregon election laws.[1]

The information provided here is an official directive of the Secretary of State.

LEGAL FRAMEWORK

Oregon election law requires that ballots be mailed to voters by specific dates.[2] Oregon election officials rely on the United States Postal Service ("USPS") to meet these statutory deadlines.

On March 31, 2026, President Donald Trump issued Executive Order 14399 (*Ensuring Citizenship Verification and Integrity in Federal Elections*) (the "EO"). The EO required, among other things, that (1) the Department of Homeland Security create lists of eligible voters in each state; and (2) the USPS initiate a proposed rulemaking relating to mail ballots. As part of the required rulemaking, the EO directed that the USPS establish uniform standards for mail ballots envelopes, require states to provide an advance list of all voters eligible to receive a mail ballot, and refuse to deliver a mail ballot to any individual not on that list.

The EO was immediately challenged in multiple lawsuits, and the U.S. District Court for the District of Massachusetts granted two injunctions that prevented the USPS from implementing the EO in connection with the November 2026 election.

On August 24, 2026, however, one of those injunctions was lifted by the U.S. Supreme Court.[3] The Supreme Court ruled that the states' claims were premature because, among other things, they preceded the publication of a final rule on mail ballots by the USPS. The Supreme Court

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[1] ORS 246.110; ORS 246.120.

[2] ORS chapters 253 and 254.

[3] The injunction that was lifted had been issued in a multistate lawsuit to which Oregon is a party. The other injunction, issued in a separate lawsuit, has nationwide scope and has not been appealed or otherwise lifted as of today's date. The other injunction, issued in a separate lawsuit, has nationwide scope and has not been lifted as of today's date.

specifically noted, however, that "If the Postal Service's final rule harms the States, they may challenge that rule."

Meanwhile, on August 21, 2026, the USPS publicly posted its final rule. The final rule is scheduled for official publication in the Federal Register on August 26, 2026. Should the USPS continue its efforts to interfere with Oregon's vote-by-mail system, the Secretary of State and the Attorney General have pledged to take immediate legal action at the appropriate time.

In short, the Secretary of State anticipates ongoing litigation around the USPS final rule and other aspects of the EO. If that litigation resolves with a ruling in favor of the federal government that requires immediate changes to Oregon election administration, this office will promptly issue further direction. But while the litigation is pending, all of Oregon's statutory requirements for conducting an election remain in effect.

DIRECTIVE

Unless and until a judicial decision requires immediate changes to Oregon election administration and further direction is provided by the Secretary of State, counties must continue to adhere to all ballot issuance timelines, mailing deadlines, and USPS delivery requirements outlined in Oregon law. That includes, but is not limited to, the obligation to deliver ballots to the USPS not later than the required mail-out dates to ensure that voters receive their ballots on time and the election process remains compliant with Oregon statute.

Key Statutory Dates

- September 19, 2026 - Deadline to mail ballots to military and overseas voters (ORS 253.065)
- October 5, 2026 - First day to mail ballots to voters with a non-Oregon mailing address who are not military or overseas voters (ORS 253.065; ORS 254.470)
- October 14, 2026 - First day to mail ballots to all other voters, including voters without daily mail service (ORS 254.470)
- October 16, 2026 - Last day to mail ballots to voters without daily mail service (ORS 254.470)
- October 20, 2026 - Last day to mail ballots to all other voters (ORS 254.470)
- October 29, 2026 - Last day counties are required to mail absentee, reissued, or replacement ballots (ORS 247.307; ORS 253.545; ORS 254.470)

Actions Required

Comply with Oregon Statutory Deadlines: Unless and until further direction is provided by the Secretary of State, continue following all state-mandated mail-out dates.

Document USPS Drop-Off Dates: Maintain clear records showing when ballots enter the USPS system, confirming acceptance on or before statutory mail dates.

Monitor USPS Delivery Confirmation: When possible, coordinate with USPS to verify timely acceptance of ballot mail and note any irregularities.

Document and Report USPS Challenges: Document any challenges encountered when delivering ballots. This includes refusals, delays, contradictory instructions, or any instances

where USPS staff question or resist ballot acceptance. Promptly report these challenges to the Elections Division.

Track Ballots Rejected for Processing: Record any ballots that USPS rejects for processing, including the stated reason for rejection. Promptly report these rejections to the Elections Division.

Thank you for continuing to ensure that ballots are processed, mailed, and postmarked in full accordance with Oregon law.

If you have any questions, please contact our office.

APPEAL

This Directive 2026-08 may be appealed to the Marion County Circuit Court within 60 days of its issuance under ORS 246.910.

Tobias Read
Oregon Secretary of State

By:

Dena Dawson
Elections Director

Oregon Secretary of State

Tobias Read
Oregon Secretary of State

August 25, 2026

Dear County Clerks and County Election Officials,

On March 31, 2026, President Donald Trump issued Executive Order 14399 (Ensuring Citizenship Verification and Integrity in Federal Elections) (the "EO") which required, among other things, that the USPS initiate a proposed rulemaking relating to mail ballots. The EO was challenged in multiple lawsuits in federal court, and the U.S. District Court for the District of Massachusetts granted two injunctions that prevented the USPS from implementing the EO in connection with the November 2026 election.

On August 24, 2026, however, an injunction issued in the multistate lawsuit to which Oregon is a party was lifted by the U.S. Supreme Court. The Supreme Court ruled that the states' claims were premature because, among other things, they preceded the publication of a final rule on mail ballots by the USPS. The Supreme Court specifically noted, however, that "If the Postal Service's final rule harms the States, they may challenge that rule."

On August 21, 2026, the USPS publicly posted its final rule which is scheduled for official publication in the Federal Register on August 26, 2026. Should the USPS continue its efforts to interfere with Oregon's vote-by-mail system, Oregon's Attorney General and I have pledged to take immediate legal action.

In short, litigation around the implementation of the final rule will continue so long as the rule interferes with states' rights to run elections and citizens' rights to hold government accountable. **While the litigation is pending, all of Oregon's statutory requirements for conducting elections remain in effect.**

To this end, today I issued a directive that clarifies that counties must continue to adhere to all ballot issuance timelines, mailing deadlines, and USPS delivery requirements outlined in Oregon law. The purpose of this directive is to provide certainty to elections officials and voters alike. All eligible Oregonians will receive their ballots by mail for the upcoming election and should plan to return them using the mail or a secure, official drop box.

If a later judicial decision requires immediate change to Oregon election administration, I will provide further direction.

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Salem, Oregon 97310

Information (503) 986-1523
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We are on the eve of the first ballots for the November election being sent out to voters. Now is not the time to make major changes to how elections are run in Oregon. I will pursue all available means to protect Oregon's gold-standard system of elections, which routinely makes us a national leader in voter participation. Our elections are secure, accurate, and fair and will continue to be so.

Thank you for doing your part to maintain the integrity of Oregon elections. As always, I remain encouraged and impressed by the professionalism and dedication exhibited by Oregon's 36 County Clerks and Elections Administrators. You are committed to protecting Oregon's elections and the right of voters to participate in our elections. I appreciate your service, and please do not hesitate to reach out to me or Director Dawson should you have any questions about compliance with this directive.

Sincerely,

Tobias Read
Oregon Secretary of State