

# **CONGRESSIONAL PETITION FOR OVERSIGHT – USPS POSTMARK RULE**

## **CONGRESSIONAL PETITION FOR OVERSIGHT AND LEGISLATIVE INTERVENTION — USPS**

This petition requests congressional oversight of the United States Postal Service rule titled “Postmarks and Postal Possession,” effective December 24, 2025.

The rule materially alters how timeliness is determined for legal and administrative filings, raising due process, equity, and access-to-justice concerns.

### **I. Congressional Oversight Authority**

Congress retains plenary authority over the Postal Service and responsibility for oversight of agency actions that affect statutory rights and public access.

Where agency rules impair access to courts or benefits, congressional intervention is appropriate and necessary.

### **II. Due Process and Access Concerns**

Access to courts and administrative remedies is protected under the Fifth Amendment. *Goldberg v. Kelly*, 397 U.S. 254 (1970).

Rules that condition or obstruct access through procedural barriers violate constitutional guarantees. *Logan v. Zimmerman Brush Co.*, 455 U.S. 422 (1982).

Disproportionate impacts on vulnerable populations raise equity concerns recognized in *Tennessee v. Lane*, 541 U.S. 509 (2004).

### **III. Administrative Law Concerns**

The APA requires agencies to engage in reasoned decision-making and consider reliance interests. *State Farm*, 463 U.S. 29.

Retroactive application of rules affecting legal consequences is disfavored. *Bowen v. Georgetown Univ. Hosp.*, 488 U.S. 204; *Landgraf v. USI Film Prods.*, 511 U.S. 244.

### **IV. Requested Congressional Actions**

1. Conduct oversight hearings regarding the USPS rulemaking.
2. Request GAO or USPS OIG review of the rule's development and impact.
3. Require USPS to suspend or revise the rule.
4. Codify statutory protections ensuring postmark-based timeliness.
5. Protect public access to courts and federal programs.

## **Where to Send / Use This Petition**

U.S. House of Representatives – use member contact forms or deliver to district offices.

U.S. Senate – use official Senate webforms or offices.

Capitol Switchboard: (202) 224-3121.

Attach this petition when contacting members or committees with USPS oversight.

## **Appendix – Authorities Cited**

U.S. Const. amend. V.

Administrative Procedure Act, 5 U.S.C. §§ 553, 706.

Goldberg v. Kelly, 397 U.S. 254 (1970).

Logan v. Zimmerman Brush Co., 455 U.S. 422 (1982).

Tennessee v. Lane, 541 U.S. 509 (2004).

Motor Vehicle Mfrs. Ass'n v. State Farm, 463 U.S. 29 (1983).

FCC v. Fox Television Stations, 556 U.S. 502 (2009).

Encino Motorcars, LLC v. Navarro, 579 U.S. 211 (2016).

Bowen v. Georgetown Univ. Hosp., 488 U.S. 204 (1988).

Landgraf v. USI Film Prods., 511 U.S. 244 (1994).