

Special Voting Alert!

Last Minute Changes to Federal Forms and Websites

October 9, 2026

In just the last few weeks the federal government has taken several troubling actions affecting overseas voters:

- The Federal Post Card Application (FPCA) and the Federal Write-in Ballot (FWAB), the voting forms used by overseas Americans, were changed in late August without the standard Federal Register comment process.
- The federal General Services Administration (GSA) website now issues special instructions to the FPCA stating that overseas citizens who do not intend to return (i.e., many AARO members) cannot use the FPCA.
- A key webpage of the Federal Voter Assistance Program (FVAP), the government agency that ensures that overseas Americans know their right to vote and provides tools and resources to do so, is now unavailable.
- The [usa.gov](https://www.usa.gov/absentee-voting) absentee voting webpage states that “*U.S. citizens born outside the U.S. who have never resided in the U.S. may not be able to vote absentee*” and then directs you to the unavailable FVAP webpage.
- An FVAP webpage where one could clearly see the deadline dates for ballot return, indicating “postmarked by” dates and “received by” dates for the many states that count late-arriving ballots, has been modified and is less transparent.

These are problems of both substance and process. AARO is very concerned that these changes, just before the midterm elections, will result in confusion and chaos. Your rights have become more obscure, and the process more cumbersome. Only those overseas Americans who try very hard to find the right information will actually vote; the others will be deterred from voting.

AARO, along with the U.S. Vote Foundation and the Secure Families Initiative, has been working hard these past few weeks communicating with the FVAP, journalists and law firms spotlighting the issue and exploring what, if anything, can be done.

The FPCA and FWAB

What was Changed to the FPCA and FWAB?

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- A map of the United States where states are colored based on their voting laws for 'Never Resided' US citizens. States that do not allow such citizens to vote are shaded in purple, while states that do allow them are shaded in green. The purple states include Idaho, Wyoming, Montana, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Missouri, Arkansas, Louisiana, Mississippi, Alabama, Georgia, Florida, North Carolina, South Carolina, Virginia, Maryland, Delaware, New Jersey, Pennsylvania, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, and Maine. The green states include Washington, Oregon, Nevada, California, Utah, Arizona, New Mexico, Colorado, Wyoming, Montana, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Missouri, Arkansas, Louisiana, Mississippi, Alabama, Georgia, Florida, North Carolina, South Carolina, Virginia, Maryland, Delaware, New Jersey, Pennsylvania, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, and Maine.
- Legend:
- States that do not allow "Never resided" US citizens to vote (Purple)
 - States that allow "Never resided" US citizens to vote (Green)

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of perjury. How can one declare having reviewed “my state specific instructions” without being told how to find them? Also, there is no reason to ask for passport information – election officials cannot verify passports and UOCAVA does not require them. You may recall that passport information was required by the SAVE Act, which didn’t pass the Senate. But it is now in the forms.

- A **Paperwork Reduction Act comment request** posted in the Federal Register on September 10, and running through November 9, 2026, does not include the changed forms nor explain clearly what was changed. The typical concerned voter will not know what to comment on. The few comments that have been posted so far express displeasure with the changes.

The GSA Webpage

The **GSA webpage** for the FPCA now says that the form is for citizens “*intending on returning only.*”

- *Why is this a problem?* This is wrong in the law. UOCAVA does not limit voting rights only to those citizens who intend to return to the U.S. Also, this new webpage conflicts with the new FPCA and FWAB forms, which continue to permit one to check the box “*I am a U.S. citizen living outside the country, and my intent to return is uncertain.*” This instruction will create confusion and chaos; U.S. citizens who live permanently abroad who read it may think that they cannot vote anymore.

The FVAP Web Pages

Born abroad U.S. Citizens: Under state law, U.S. citizens who have not established a voting residency in the United States can legally vote in 37 states and in Washington D.C. using their parents’/legal guardians’ voting address. See AARO’s article on the topic **here**. Previously one could easily find state-by-state information on the FVAP website. But this **webpage** is now unavailable.

Why is this a problem? The citizens who think they cannot vote because they no longer have the box to check on the new FPCA and FWAB (as detailed above) will not find the information that they can, in fact, vote when they go to the official FVAP website.

Deadlines for Ballot Receipt: Previously, on the FVAP’s webpage, one could have clearly seen the deadline dates for ballot return, as the site indicated both “postmarked by” dates and “received by” dates for the many states with grace periods for properly postmarked / late-arriving ballots. That clear information has been removed and the “received by” information is now expressed in written notes below the chart; the grace period for one state is even missing.

- *Why is this a problem?* Overseas Americans need extended ballot receipt deadlines, which is why AARO was gratified that the Supreme Court held that Mississippi’s grace periods were constitutional in the case **Watson v. Republican National Committee, et al.** the case in which AARO and the U.S. Vote Foundation filed an **amicus brief**. These changes to the FVAP

website make the deadlines less transparent - overseas voters will find it harder to determine whether their late-arriving ballots will still be counted.

The USA.gov Webpage

The USA.gov webpage states that “*U.S. citizens born outside the U.S. who have never resided in the U.S. may not be able to vote absentee*” and then directs you to the unavailable FVAP webpage.

- *Why is this a problem?* To write that these citizens “*may not be able to vote absentee*” without any further information reinforces the government’s view that these U.S. citizens do not have the right to vote, which further deters eligible U.S. citizens from voting.

What Does This Mean? What Can You Do?

The law has not changed. UOCAVA guarantees U.S. citizens abroad the right to vote, and nothing in it requires a plan to return. So, ignore the GSA webpage.

If you have already used, or if you plan to use, the old FPCA and FWAB forms, do not worry. The FVAP has **officially indicated** that “*states may process previous versions of the FPCA and FWAB forms submitted before their statutory deadlines for receipt.*” You can register and request your ballot here on the U.S. Vote Foundation’s website. If you have already sent your FPCA (old) form and now need to fill out a FWAB because you didn’t receive your ballot, we recommend that you fill out the old FWAB so that they match.

If you have already used the new FPCA and FWAB forms, there is nothing else to do. Any comments to the changes to the forms will be processed after the election and will not affect the use of these forms in this election. AARO thanks you for voting.

As we told you above, citizens born abroad who have not established residency in a state may still vote in 37 states and Washington D.C., despite the removed box on the new FPCA and FWAB forms. Changing the forms does not change their voting rights. AARO was advised by the Director of the FVAP that these born abroad citizens should identify themselves as such in the “Additional Information” box no. 6. If you are an eligible born abroad voter in this category using the new form, put the following sentence in box no. 6: “*I am a U.S. citizen living outside the country. I have never lived in the United States.*”

We encourage all members to submit a comment regarding the new FPCA here and regarding the new FWAB here. Comments are accepted through November 9.

Please feel free to contact AARO if you have any questions.

What Will AARO Do?

AARO will continue to work with its non-partisan partners to protect the right of all eligible overseas Americans to vote, and will continue to publicize the issue and to

inform voters of their rights. We cannot control whether the new forms will cause confusion or chaos in the ballot-counting process - these changes were made so recently that states have had little time to digest them or train their election workers. But AARO will be ready to defend your vote if issues arise. Finally, AARO will submit a comment on the changes to the forms.

The Association of Americans Resident Overseas (AARO) researches issues that significantly affect the lives of overseas Americans and keeps its members informed on these issues. Founded in 1973 and headquartered in Paris, AARO is a global, non-profit, non-partisan, volunteer association with members in over 45 countries. For more information, please email us at aaronews@aaro.org.

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