



What To Know About the Latest Changes to Voter Registration for Overseas Voters

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What happened?

On August 28, 2026, the Department of Defense issued an “emergency justification” that bypassed the normal public comment process and resulted in several changes to the Federal Postcard Application (FPCA) and Federal Write-In Absentee Ballot (FWAB). The Department of Defense did not provide the reason for the changes, merely stating that it “recently [came] to our attention” that the federal forms “may confuse voters” and that the pending election justifies the emergency change.

What is the FPCA and FWAB?

The Uniformed Overseas Citizen Absentee Voting Act (UOCAVA) provides a process for voters who are serving their country or living overseas, as well as their spouses or dependents, to register to vote and vote absentee while away from their U.S. residence. The Federal Postcard Application (FPCA) is the dual voter registration and absentee ballot application used by voters who are military and overseas and absentee from their home on Election Day. Likewise, the Federal Write-In Absentee Ballot (FWAB) serves as a backup ballot for those voters to cast their ballots in federal elections in the event that their ballot from their state does not arrive on time.

What changes were made to the FPCA and FWAB?

Several changes were made to the FPCA. First, for the absentee ballot classification, the forms previously allowed a voter to choose “I have never lived in the United States.” That option has been removed, and the forms now provide the following options:

I request an absentee ballot for all elections in which I am eligible to vote AND: ☐ I am on active duty in the Uniformed Services or Merchant Marine -OR- ☐ I am an eligible spouse or dependent. ☐ I am a U.S. citizen living outside the country, and I intend to return. ☐ I am a U.S. citizen living outside the country, and my intent to return is uncertain.

Second, the form now provides a space for voters to add an additional form of identification, but the paper form does not note that this additional form of identification is optional.

I have a valid state issued Driver's License (DL) or state ID (SID):	State:	Number:
I do not have a valid state DL or SID. The last 4 digits of my Social Security Number (SSN) are (see section 6):		
I do not have a state DL or SID; I have not been issued an SSN. I have reviewed my state specific instructions and provide the following document or government-issued identification such as a US Passport, Military Identification Card, etc. (see 1a on other side of form).		
Type:		
Number:		



Why were these changes made?

The Department of Defense has taken the position that U.S. citizens who derive their citizenship from their spouse or parent and have never physically resided in the United States, may not be able to use the FPCA or FWAB. Thirty-eight states allow those voters, sometimes referred to as "never residents" or "never resided" voters, to vote. While the Department of Defense has claimed that the last-minute changes were made to prevent voter confusion, they have not explained why these changes were made so close to the election, nor why they believed that the previous forms caused confusion. In the past, the Federal Voter Assistance Program (FVAP) that administers these voting materials has recognized the eligibility of never-resided voters in many states and the need to provide those voters with meaningful access options. The new rulemaking does not explain its change in position.

What should I do?

Put simply, if you are considered a "never resident," you should still vote as you have in previous elections if you are eligible to do so. As noted, [many states](#) allow never-resided voters to vote in federal elections. The executive branch has no role in determining who qualifies to vote in each state, and Congress specifically passed UOCAVA to ensure that all eligible U.S. citizens abroad had a process to cast their ballot. Many overseas voters will have already submitted their FPCA before these changes were made and nothing about the changes affects eligibility.

You should use any version, past or current, of the FPCA and FWAB. You can also use your state's specific form for voting abroad; choose whichever absentee ballot classification you believe applies to you; and provide the form of identification required by your state. If you feel uncomfortable using any of the options remaining on the FPCA, you can opt to use a state form instead.

In the meantime, CLC encourages states to provide additional guidance to voters to ensure that eligible never-resided voters are still able to cast their ballots in the upcoming election.

Where should I turn for guidance?

Every state has specific instructions for voters who are casting their ballots abroad, as well as specific deadlines for returning absentee ballots. All states have begun sending ballots to overseas voters who have requested one ahead of the November 2026 elections. Please refer to your state's specific instructions on their website, or contact your local election official.