



AMERICAN CITIZENS ABROAD
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ACA Statement on Overseas Voting

There have been various recent efforts to address concerns over voting and election security. Many overseas Americans are concerned that these efforts, whether they be increased verification of citizenship, changes to processes for mail-in voting, access to the ballot or outright overturning of ballots cast from abroad, will impact their vote.

ACA has a long history of fighting for voting rights for U.S. citizens living and working abroad. Voting was one of the founding issues of our organization. ACA's position on voting is that we support safe and secure voting for all U.S. citizens. We recognize the need for ensuring that only those who have a right to vote are casting a ballot, however U.S. citizens living and working abroad should not face undue difficulty to make their voices heard through their vote. Having procedures in place that guarantee this benefits all voters as it increases trust in the system and encourages participation in elections.

Important to remember in this discussion is that U.S. citizens voting from overseas are governed by [UOCAVA](#), The *Uniformed and Overseas Citizens Absentee Voting Act of 1986*, as well as the *Help America Vote Act of 2002* (HAVA) and the *Military and Overseas Voter Empowerment Act of 2009* (MOVE Act). These laws protect the right of overseas Americans abroad to vote by codifying rules, procedures, and systems designed to meet the specific needs of U.S. citizens voting from abroad.

Nothing in any of the recent efforts to address voting and election security, including the August 2026 Supreme Court decision on postal ballots, changes or dismantles UOCAVA, HAVA or the MOVE Act. (See below our explanations of the impact on voters abroad of recent court decisions.)

ACA has submitted statements that highlight the problems recent legislative proposals would pose for U.S. citizens abroad, including the SAVE America Act, the PROVE Act, Make Elections Great Again Act, etc. Requiring increased proof of citizenship (physical proof delivered in-person) and relying on the use of "real IDs" (documentation that is only available to citizens living in the U.S.) have the potential to affect the voting rights of U.S. citizens overseas. The same can be said of any changes to verification of voter rolls that uses U.S. domestic data. ACA maintains that any changes to voter verification and processes must be adapted to meet the needs of U.S. citizens overseas and must not disenfranchise them.

U.S. citizens overseas rely on federal absentee ballots to ensure their right to vote. Any efforts to turn back the clock on their ballot access would be wrong and undemocratic. Although taxation and the right to vote are not and should not be linked, overseas Americans are part of the U.S. polity. They are subject to U.S. legislation and regulations, tax-paying and contributing members of the U.S. society. Demographically they are a broad spectrum of citizens from Study Abroad students to aid workers to trailing spouses/partners to leaders of industry. They fought hard for the right to vote from abroad and UOCAVA, HAVA and the MOVE Act protect these rights. ACA will continue to fight for the Americans abroad community on voting issues.



Watson v. Republican National Committee (June 29, 2026)

In a major 6-3 ruling, the Supreme Court held that states are constitutionally permitted to accept and count mail-in ballots that arrive after Election Day, provided they are postmarked on time. The Court explicitly highlighted the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) to justify its decision. The majority noted that federal laws protecting military and overseas citizens depend entirely on these receipt grace periods. Because international mail faces severe transit gaps, invalidating late-arriving ballots would have effectively disenfranchised hundreds of thousands of military and civilian Americans voting from abroad.

Trump v. California (and 22 other states) (August 24, 2026)

The Supreme Court temporarily allowed parts of an executive order restricting mail-in voting to move forward while full legal battles play out in lower courts. This creates considerable logistical uncertainty. Because states are legally required by the MOVE Act to mail out overseas and military ballots 45 days before an election (in 2026 no later than September 19th), the pending USPS regulations threaten to block or delay blank ballots from reaching Americans living abroad who have requested that their ballots be sent to them via the post. Importantly, the MOVE Act requires states to offer the electronic delivery of blank ballots and related voting materials to UOCAVA voters through email, fax or secure web portals. U.S. citizens voting from abroad are strongly encouraged to file a voter registration/ballot request form and to request their ballot be delivered to them electronically.

While the Postal Service regulation is now blocked, a provision of the executive order requiring the Department of Homeland Security to compile lists of eligible voters and send them to states remains in effect. Americans abroad who file a voter registration/ballot request form will be deemed eligible voters.

League of Women Voters (and others) v Trump (August 27, 2026)

This lawsuit by the League of Women Voters and others challenges the executive order that directs the U.S. Postal Service to, among other things, track mail-in ballots and potentially reject those submitted by people not on a federal list of eligible voters. On August 27th the federal judge in the case blocked the USPS regulation for at least 14 days. She wrote that the regulation is most likely unlawful because the president cannot insert the federal government into elections without the express authorization of Congress and so “the plaintiffs are likely to succeed on the merits of their claims”.

Further, the judge addressed the short time frame ahead of the election for states to meet the necessary requirements of the USPS regulation, including updating election management systems and training staff members. Compliance with the executive order would be “practically impossible.” This should give overseas voters some comfort.