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FVAP Releases Policy Brief on “Never Resided” Voters

Alexandria, Va. – A new policy brief from the Federal Voting Assistance Program (FVAP) informs policymakers how State laws affect the voting eligibility of Americans who were born abroad but have never resided in the United States. FVAP refers to members of this unique group as “never resided” voters.

While certain federal statutes provide protections on voter eligibility in federal elections, such as the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*, elections are administered entirely at the State and local levels. A key component that determines citizens’ voting eligibility is whether they meet the residency requirements of the State in which they are seeking to vote.

Under *UOCAVA*, citizens living outside the United States are eligible to vote in elections for federal offices in the last jurisdiction they resided prior to leaving the U.S. However, what happens if a citizen has never lived in the U.S.? Since voter registration is linked to a place of residence and these citizens have never resided in the U.S., how are they able to participate in the electoral process? Even among the 36 States that permit never resided citizens to vote if a parent or legal guardian was last domiciled in the State, there are gray areas that FVAP recommends States to consider and address.

“The issue of residency is ultimately left to the States, but the lack of consistency among them makes it difficult to translate the varying States’ rules and laws,” FVAP Director David Beirne said. “Through a greater understanding of the various complexities never resided voters face – and to what extent current State law covers them – we can better serve voters and stakeholders on the election process.”

The policy brief provides a background on the issue, feedback from never resided citizens during the 2016 election cycle and the current statutory landscape. It discusses how citizenship and residency impact voting eligibility – and inserts an additional layer of complexity for overseas citizens to overcome. FVAP offers scenarios that States should consider when adopting or modifying existing never resided provisions.

FVAP does not advocate for or against State adoption of never resided provisions; however, it does have a responsibility to educate stakeholders, including impacted voters and the States, about the implications of having – or lacking – such a provision in statute. View the policy brief at

https://www.fvap.gov/uploads/FVAP/EO/FVAPNeverResidedPolicyBrief_20170222_FINAL.pdf

To support its mission to improve the absentee voting process for citizens covered by *UOCAVA*, FVAP tracks and researches policy developments that may have implications for military and overseas voters. FVAP develops and shares policy briefs to inform State election officials and



legislators about the potential impacts. View other policy briefs at www.fvap.gov/eo/policy-briefs.

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Federal Voting Assistance Program

The Federal Voting Assistance Program (FVAP) is a Department of Defense (DoD) organization that works to ensure Service members, their eligible family members, and overseas citizens are aware of their right to vote and have the tools and resources to successfully do so — from anywhere in the world.

FVAP assists voters through partnerships with the Military Services, Department of State, Department of Justice, and election officials from the 50 states, U.S. territories and the District of Columbia. State and local governments administer U.S. elections, including those for federal offices. FVAP supports State and local election officials by providing absentee voting information, materials, training and guidance.

Voters can contact FVAP's call center at 1-800- 438-VOTE (8683), DSN 425-1584 or at vote@fvap.gov. Toll-free phone numbers from 67 countries are listed at FVAP.gov. Find FVAP on Facebook at www.facebook.com/DoDFVAP and follow [@FVAP](https://twitter.com/FVAP) on Twitter.