

Know Your **Voting** Rights

Your Guide to Federal
Voting Rights Laws



U.S. Department of Justice

Civil Rights Division

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Voting 101

Who runs elections in my state?

State and local election officials. They run local, state, and federal elections, including for Congress and for the Presidency.

If you want to know how you can vote in your state, you should contact those officials because the rules are different in different states.

You can find more information about your state's rules and the contact information for election officials at [vote.gov](https://www.vote.gov).



Protecting Your Right to Vote

Does federal law protect my right to vote?

Yes. The Civil Rights Division of the U.S. Department of Justice enforces these laws. Often, people whose rights have been violated can also bring private lawsuits.

Does federal law protect against discrimination in voting?

Yes. Here are two of the most important federal laws for protecting voters against discrimination.

The first law is the Voting Rights Act, or “VRA.” Section 2 of the VRA makes it illegal to deny or restrict voting rights because of a citizen’s race or color. It also outlaws discrimination against citizens who are members of a language minority group, which the VRA defines as including American Indian, Asian American, Alaskan Native, or Latino persons.

Under Section 2, state and local governments cannot use voting practices or election rules that are intentionally discriminatory. Nor can they use practices or rules that result in citizens who belong to a particular race or language minority group having less of an opportunity than everyone else to vote and elect the public officials they want.

The second law is the Americans with Disabilities Act. Title II of that law requires state and local governments to make sure that people with disabilities have a full and equal chance to vote. Like Section 2 of the VRA, this law applies to all aspects of voting. This includes registering to vote, getting into polling places, and casting a ballot, both on Election Day and during early voting. You can find more information at [ada.gov](https://www.ada.gov).

Do federal laws protect against voter intimidation?

Yes. There are civil and criminal federal statutes that make it illegal to intimidate, threaten or coerce someone for voting or attempting to vote, as well as federal statutes that make it illegal to intimidate, threaten or coerce people who are urging or helping others to vote.

The civil statutes include the Civil Rights Act of 1957 and the Voting Rights Act. The criminal statutes appear in several Titles of the U.S. Code.



Voter Registration

Where can I register to vote?

The National Voter Registration Act requires most states (all but Idaho, Minnesota, New Hampshire, North Dakota, Wisconsin, and Wyoming) to let you register to vote by using the mail.

It also requires those same 44 states to let you register to vote through various government offices. Some examples are offices that provide driver licenses, public assistance, or disability services, and Armed Forces recruitment offices. Your state may also offer other ways

to register, such as at elections offices, voter registration events, a polling place, through the mail, or online.

If you're eligible to register, states must let you vote in a federal election as long as your registration application is postmarked or received by the right office at least 30 days before that election. In some states, the deadline is even closer to the election; and some other states permit Election Day registration.

Please check your state's elections website for specific information about the requirements and deadlines. You can find that website by going to [vote.gov](https://www.vote.gov).

When can I be taken off the voter registration list?

Under Section 8 of the National Voter Registration Act, officials can take you off the voter registration list for federal elections if you ask them to, or if you die.

You can also be taken off the list if you move away, as long as officials follow the NVRA's rules about notice and timing. You cannot be removed from the registration list solely because you did not vote in an election. But you can be taken off if you do not answer a notice asking you to confirm whether you have moved, and then you do not vote within the next two federal election cycles.

Many states will also take you off the list if you are convicted of certain crimes or judged to be mentally incapacitated.

Can I vote if I moved and forgot to update my voter registration address?

It depends. Suppose you moved within an area covered by the same polling place (for example, you just moved down the block). Then the National Voter Registration Act allows you to vote at that polling place. But you should update your address with election officials (which you can do at the polling place when you vote) so that it is correct for future elections.

Suppose you moved to an address that has a different polling place, but you still live within the same registrar's jurisdiction (for example, somewhere in the same city) and the same Congressional district. Then you may vote at your old polling place. And in some states, you may also be allowed to vote at your new polling place or a central location, such as the registrar's office, instead of your old polling place. Again, you should update your address with election officials (which you can do at the polling place when you vote) so that it is correct for future elections.

Suppose you have not moved, but the registration records incorrectly say that you have. Then you have the right to vote at your polling place once you affirm that you continue to live where you were registered.

Please check your state's elections website for information regarding your proper polling place. You can find that website by going to [vote.gov](https://www.vote.gov).

Finally, federal law protects your right to vote in presidential elections if you moved shortly before Election Day or if you are out of state on Election Day. This right is protected by Section 202 of the Voting Rights Act.

What if I registered to vote but my name is not listed in the poll book?

In most states, you can get a “provisional ballot” to vote in federal elections after you assert that you are registered and eligible.

Section 302 of the Help America Vote Act sets out some rules about this. You may also be offered a provisional ballot if an election official asserts you are not eligible to vote.

State laws may provide other reasons for giving you a provisional ballot — for example, if you do not bring the state’s required ID when you go to vote (in a state that requires showing ID to vote) or if you have already been sent an absentee ballot.

To vote with a provisional ballot, you must sign a written affirmation. Your completed ballot will then be held separately from the regular ballots until an election official determines whether it should be counted. You must be given written instructions about how to find out if your ballot was counted, and if it was not counted, the reason why. Under state law, you may also have to provide additional information by a specific date for your ballot to be counted.



Voting Overseas

Can I vote if I am away on active duty or living overseas?

Yes. If you would be eligible to vote if you were living in the U.S., the Uniformed and Overseas Citizens Absentee Voting Act protects your right to register and vote absentee in federal elections.

This law protects citizens who are in the military or the merchant marine and who are serving on active duty away from home, whether they are serving overseas or within the U.S. It also protects their eligible family members who are away from home because of that service. And it protects the voting rights of United States citizens who live overseas.

For federal elections, you may register to vote and request an absentee ballot at the same time by using the Federal Post Card Application. You may request to receive your absentee ballot either by mail or electronically. You can also use a back-up Federal Write-In Absentee Ballot if you have made a timely application for, but have not received, your absentee ballot.

For more information, visit the Federal Voting Assistance Program website at fvap.gov and the Civil Rights Division's website at justice.gov/crt/uniformed-and-overseas-citizens-absentee-voting-act.



Voting with Limited English Proficiency

Which federal laws protect voters with limited English proficiency?

Section 208 of the Voting Rights Act allows voters who have difficulty reading (for example, because their English is limited) to get help with the voting process from someone they choose. But that person cannot be the voter's employer or an official from the voter's union.

Section 4(e) of the VRA prohibits election officials from conditioning the right to vote on a citizen's ability to read, write, or understand English. The statute protects voters who completed at least the sixth grade in American-flag schools where the classes were taught in a language other than English. For example, this law applies to citizens who went to a public school in Puerto Rico and were taught in Spanish.

Also, Section 203 of the VRA requires places where there are a sufficient number of language minority voters to provide election materials and assistance in other languages. Every five years, the U.S. Census Bureau identifies the places where this is required and what languages they must use.

You can find the current list of these locations at [census.gov/programs-surveys/decennial-census/about/voting-rights.html](https://www.census.gov/programs-surveys/decennial-census/about/voting-rights.html)

Section 301 of the Help America Vote Act requires those jurisdictions' voting systems to be accessible in the same languages.



Voting with a Disability

Which federal laws protect voters with disabilities?

Title II of the Americans with Disabilities Act requires state and local governments to make sure that people with disabilities have a full and equal chance to vote.

This law applies to all aspects of voting. This includes voter registration, getting into polling places, and casting a ballot, both on Election Day and during early voting.

The Help America Vote Act has rules about polling places for federal elections. Each polling place must have at least one voting system that allows people with disabilities to cast their ballot independently and privately.

Section 208 of the Voting Rights Act allows voters with disabilities to get help with the voting process from someone they choose. But that person cannot be the voter's employer or an official from the voter's union.



Reporting a Violation

How do I report a possible violation of the federal voting rights laws?

Report possible civil rights violations to the Civil Rights Division.

You can do this:

- online at **civilrights.justice.gov** or
- by telephone at **(800) 253-3931**

Report possible federal crimes, such as concerns about threats against voters, threats against elections officials, or election fraud, to the FBI.

You can do this:

- online at **tips.fbi.gov** or
- by telephone at **800-CALL-FBI**



Additional Resources

Where can I find more information about how federal law protects my right to vote?

You can find more information on the Civil Rights Division's website.

- The Voting Section's website is available at **[justice.gov/crt/voting-section](https://www.justice.gov/crt/voting-section)**.
- The Disability Rights Section's website about the Americans with Disabilities Act is available at **[ada.gov](https://www.ada.gov)**.

Additional information and resources concerning voting can be found at **[justice.gov/voting](https://www.justice.gov/voting)** and at **[vote.gov](https://www.vote.gov)**.

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