



# Who Can Vote in the U.S. Presential Election?

Voting in the United States is one of the most important ways Americans can participate in our democracy.



## Before you vote – make sure you are eligible!

If you vote in an election without permission or claim to be a U.S. citizen to vote, you're breaking federal law and could face fines or jail time. It might also hurt your chances for certain immigration benefits and could lead to deportation. Even if you were mistakenly registered to vote, like when renewing your driver's license, you can't legally vote unless you meet the necessary requirements. If you're unsure about your eligibility, it's important to ask your immigration lawyer.

### To Vote in U.S. Federal Elections, You Must:

- Be a U.S. citizen
  - Through birth in the United States<sup>1</sup>
  - Through birth overseas to a U.S. citizen parent
  - Through naturalization<sup>2</sup>
- Meet your state's residency requirements
- You must be at least 18 years old by election day.
  - You may be able to register before the election if you will be 18 years old on election day; check your state's requirements here: <https://www.usa.gov/voter-registration-age-requirements>.
- Register to vote by your state's deadline
  - Learn more at <https://www.usa.gov/election-office>

### Some States Have Rules That Limit Who Can Vote Based On:

- Felony convictions
- Mental incapacity

If you have questions about whether you may vote in your state, contact the election officials in the jurisdiction (usually the county) where you wish to register and vote.

### Ways to Vote:

- Vote in person at your designated polling place on Election Day
- Vote early in person at your designated early

polling place

- Request a mail-in/ absentee ballot if available and vote by mail
  - Learn more: <https://www.usa.gov/absentee-voting>
- As needed, request a provisional ballot
  - Learn more: <https://www.ncsl.org/elections-and-campaigns/provisional-ballots>

### Donating or Volunteering for a Political Campaign:

U.S. citizens and lawful permanent residents, including those living abroad, may contribute money to and volunteer with federal political campaigns.

For more information see: <https://www.fec.gov/help-candidates-and-committees/foreign-nationals/>

Foreign nationals, including DACA, TPS, and nonimmigrant visas holders cannot give money to political campaigns. They may, however, provide volunteer (unpaid) services to political campaigns, so long as they are not in a decision-making role.

For more information, see: <https://www.fec.gov/updates/foreign-nationals/>

If you have questions about your citizenship status, please contact your immigration lawyer before voting. If you do not have an immigration attorney, you can find a licensed attorney at [www.ailalawyer.org](http://www.ailalawyer.org).

<sup>1</sup> Some examples of proof of your citizenship are U.S. passports, U.S. birth certificates, and U.S. naturalization certificates.

<sup>2</sup> Lawful permanent residents cannot vote in federal elections, though they may be able to vote in certain local elections.

*This flyer is intended for general information purposes only and does not constitute legal advice. You should not act or rely on any information in this flyer without seeking the advice of a competent, licensed immigration attorney.*