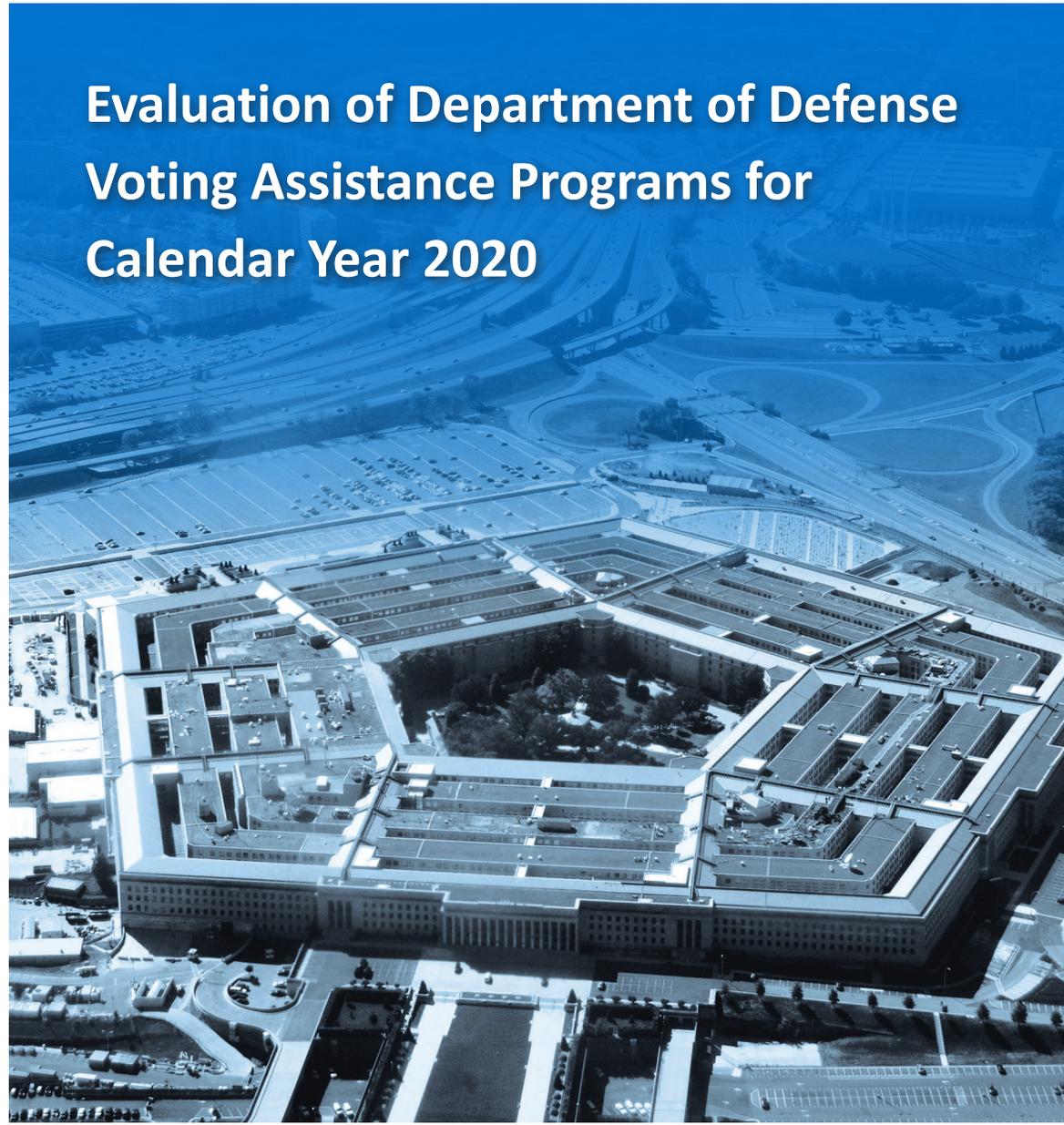




INSPECTOR GENERAL

U.S. Department of Defense

MARCH 29, 2021



Evaluation of Department of Defense Voting Assistance Programs for Calendar Year 2020

INTEGRITY ★ INDEPENDENCE ★ EXCELLENCE





Results in Brief

Evaluation of Department of Defense Voting Assistance Programs for Calendar Year 2020

March 29, 2021

Objective

The objective of our evaluation was to report on the effectiveness of voting assistance programs and the level of compliance with the voting assistance programs of the Army, Navy, Air Force, and Marine Corps during calendar year 2020, in accordance with the requirements of section 1566, title 10, United States Code (10 U.S.C § 1566 [2014]), as amended.

Additionally, we determined whether the Federal Voting Assistance Program (FVAP) Office complied with the requirements of DoD Instruction 1000.04, with regard to outreach efforts to Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters.¹

Background

Public Law 99-410, "The Uniformed and Overseas Citizens Absentee Voting Act," as modified by the Military and Overseas Voter Empowerment (MOVE) Act and other provisions, states that Service Members, their eligible family members, and other eligible overseas voters have the right to vote. The law establishes voting assistance programs intended to help these absentee voters register and vote.

Another law, 10 U.S.C. § 1566 requires the DoD Inspector General (IG) to complete an annual report by March 31st of each

Background (cont'd)

calendar year, and the Inspectors General of the Army, Navy, Air Force, and Marine Corps, to annually:

- review the compliance and effectiveness of their Service's voting assistance program, and
- report the results to the DoD IG in time to be reflected in the IG's March 31 report to Congress.

In addition, the Secretary of each Military Department, or the Presidential designee, is required to take appropriate actions to inform absent Uniformed Services voters of assistance available, including:

- the availability of information and voter registration assistance at voting assistance offices (including the official post card form); and
- the time, location, and manner in which an absent Uniformed Services voter may use such assistance.

The Under Secretary of Defense for Personnel and Readiness carried out voting assistance through the FVAP Office.

Service Voting Assistance Program Summaries

We are reporting on the annual assessments of the Military Services voting assistance programs for 2020 submitted by the Military Service IGs. Each of the Service IGs applied the measures of performance and effect (see Appendix C for Service voting assistance program performance metrics and reporting requirements), illustrated Service coordination with the FVAP Office, and described distribution of voting materials and contact with eligible voters. In addition, the Service IGs applied a standardized checklist for their inspections of voting assistance programs in seven specific program areas: staffing, training, material distribution, communication and information network, commander and installation-level involvement, program compliance, and program effectiveness.

¹ DoD Instruction 1000.04, "Federal Voting Assistance Program (FVAP)," November 12, 2019.



Results in Brief

Evaluation of Department of Defense Voting Assistance Programs for Calendar Year 2020

Summaries (cont'd)

Each Service IG found their Service's voting assistance program to be compliant with the requirements of UOCAVA and DoD Instruction 1000.04 and generally effective.

- The Army IG reported that the Army voting assistance program was effective. The report stated that 23 of 23 (100 percent) commands inspected developed redundant systems to either hand-deliver or electronically deliver the "Voter Registration and Absentee Ballot Request: Federal Post Card Application" to eligible voters. With regard to outreach, the Army's voting assistance program enabled 166,704 soldiers, civilians, family members, and contractors to participate fully in the election process. In addition, the Army IG inspected 23 of 23 (100 percent) of the installation voting assistance offices, and 1,572 of 1,644 units (96 percent). All inspected units had designated unit voting assistance officers in writing. Of the 23 senior-level commands the Army IG inspected, 1,572 of 1,644 unit voting assistance officers complied with DoD Instruction 1000.04 and Army guidance regarding delivery of absentee ballot requests.
- The Naval IG reported that the Navy voting assistance program was effective. The Commander of Navy Installations Command Enterprise, encompassing 10 regions and 70 installations, determined that the Navy voting assistance program was compliant and effective in accordance with DoD Instruction 1000.04 and Navy policy. The Naval IG evaluated 31 Navy commands based on command inspection visits, and a self-assessment data call. Of the 31 commands assessed, 27 (87 percent) were compliant and four (13 percent) were partially compliant. Of the four that were partially compliant, three were found to be effective overall at disseminating voting information to personnel and subordinate units. One was only partially effective. Risk to voting assistance in these commands was mitigated by the availability of voting assistance materials online through the FVAP website and informational apps provided by the Commander of Navy Installations Command, as well as access to installation voting assistance offices. With regard to outreach during the 2020 general election for the Federal office cycle, the Naval IG contacted 661,853 military personnel, 12,185 spouses and dependents; and 139,511 civilians.
- The Air Force IG reported that the Air Force voting assistance program was effective. The Air Force IG reported that it inspected 100 percent of reportable units (151 organizations), and that 172 deficiencies were reported, with 92 of 158 minor deficiencies remaining open, and 10 of 14 significant deficiencies remaining open. There were zero critical deficiencies. With regard to outreach during the 2020 general election for the Federal office cycle, the Air Force IG stated that FVAP records confirmed the Air Force provided voter assistance for a combined total at the installation and unit levels for 1,088,671 military personnel, 35,320 spouses and dependents, and 150,149 civilians.
- The Marine Corps IG reported that the Marine Corps voting assistance program was effective. The Marine Corps IG based its conclusion on the results of 142 inspections, quarterly voting reports, and performance metrics. With regard to outreach, Marine Corps voting assistance offices provided voting assistance to 216,113 military personnel, 8,601 spouses, and 13,929 Federal civilian personnel.



Results in Brief

Evaluation of Department of Defense Voting Assistance Programs for Calendar Year 2020

Finding

We also reviewed compliance with DoD Instruction 1000.04 with regard to outreach efforts to UOCAVA voters.

The FVAP Office generally provided effective outreach assistance to eligible UOCAVA voters and their family members, as well as external stakeholder agencies, such as the Election Assistance Commission, and the Departments of Commerce, Health and Human Services, Justice, State, and Transportation.

The FVAP Office coordinated with the Services, election officials, eligible voters, and Congress to ensure that Service members, their eligible family members, and overseas citizens were aware of their right to vote and had the tools and resources to successfully exercise that right. Specifically, the FVAP Office performed outreach through multiple actions, as required by DoD Instruction 1000.04. Those actions included:

- Service engagement - Coordination with voting assistance officers and the FVAP Office, and the availability of the website portal, ensure that voting tools and resources, such as absentee voting forms, materials, training, and guidance, are available for eligible voters.
- Election official engagement – Engagement with State and local election officials to ensure officials’ awareness of their responsibilities under the UOCAVA, and provide them with the information and tools needed to assist voters covered by the UOCAVA.
- Direct voter assistance to eligible voters - Assistance is provided through the FVAP.gov website, a voter call center, and a comprehensive voter assistance guide.
- Research and evaluation - Analysis of post-election surveys and voting assistance officer metrics identify trends and any obstacles to voting.

- Congressional reporting – Annual reports summarize post-election survey results on the effectiveness, oversight, and compliance of FVAP efforts, and the corresponding assistance provided to eligible voters.
- External stakeholder agency engagement – Coordination with external stakeholder agencies, including the Election Assistance Commission, and the Departments of Commerce, Health and Human Services, Justice, State, and Transportation is key to enhance outreach and ensure a collaborative and efficient effort to support eligible UOCAVA-covered voters and their eligible family members, including those in deployed, dispersed, and tenant organizations.

As a result of actions by the FVAP Office, eligible voters had the information necessary to participate in the voting process. DoD organizations and leaders also had the necessary tools to ensure access to and comply with Federal law and DoD Instruction 1000.04.

However, the FVAP Office had not developed and implemented agreements, such as memorandums of understanding, with all external stakeholder agencies to enhance outreach and ensure a collaborative and efficient effort to support UOCAVA voters. Entering into memorandums of understanding with other Federal agencies will allow the FVAP Office to strengthen its communications by expanding its outreach through other federal agencies. These efforts boost voter awareness, knowledge, and participation in upcoming election cycles.

Recommendation

We recommend that the Director of the FVAP Office develop and implement agreements, such as memorandums of understanding, with all external



Results in Brief

Evaluation of Department of Defense Voting Assistance Programs for Calendar Year 2020

Recommendation (cont'd)

stakeholder agencies to enhance outreach efforts and ensure a collaborative and efficient effort to support UOCAVA voters and their eligible family members, including those in deployed, dispersed, and tenant organizations.

Management Comments and Our Response

The Director of the FVAP Office agreed with the recommendation. The comments from the Director of the FVAP Office addressed the intent of the recommendation; therefore, the recommendation is resolved and open. We will close the recommendation once we obtain and verify that the agreements, such as memorandums of understanding, were implemented with external stakeholder agencies.

Please see the Recommendations Table on the next page for the status of the recommendation.

Recommendation Table

Management	Recommendations Unresolved	Recommendations Resolved	Recommendations Closed
Director of the FVAP Office	None	Yes	None

Note: The following categories are used to describe agency management’s comments to individual recommendations.

- **Unresolved** – Management has not agreed to implement the recommendation or has not proposed actions that will address the recommendation.
- **Resolved** – Management agreed to implement the recommendation or has proposed actions that will address the underlying finding that generated the recommendation.
- **Closed** – OIG verified that the agreed upon corrective actions were implemented.



**INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500**

March 29, 2021

**MEMORANDUM FOR THE DIRECTOR OF THE FEDERAL VOTING ASSISTANCE
PROGRAM OFFICE**

**SUBJECT: Evaluation of Department of Defense Voting Assistance Programs for
Calendar Year 2020 (Report No. DODIG-2021-066)**

This final report provides the results of the DoD Office of Inspector General's evaluation. We previously provided copies of the draft report and requested written comments on the recommendation. We considered management's comments on the draft report when preparing the final report. These comments are included in the report.

The Director of the FVAP Office agreed with the recommendation. The comments from the Director of the FVAP Office addressed the intent of the recommendation; therefore, the recommendation is resolved and open. We will close the recommendation once we obtain and verify that the agreements, such as memorandums of understanding, were implemented with external stakeholder agencies.

DoD Instruction 7650.03 requires that all recommendations be resolved promptly. We conducted this evaluation in accordance with the Council of the Inspectors General on Integrity and Efficiency Quality Standards for Inspection and Evaluation.

We appreciate the cooperation and assistance received during the evaluation. If you have any questions or would like to meet to discuss the evaluation, please contact [REDACTED]

Bryan Clark

Bryan T. Clark
Acting Assistant Inspector General for
Evaluations Programs, Combatant
Commands, and Overseas Contingency
Operations

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Finding. The FVAP Office Generally Provided Effective Outreach Assistance to Eligible UOCAVA Voters and Family Members, and External Stakeholder Agencies; However, The FVAP Office Did Not Implement Agreements With All External Stakeholder Agencies to Enhance Outreach Efforts..... 13

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Introduction

Objective

The objective of our evaluation was to report on the effectiveness of voting assistance programs and the level of compliance with the voting assistance programs of the Army, Navy, Air Force, and Marine Corps during calendar year 2020, in accordance with the requirements of section 1566, title 10, United States Code (10 U.S.C § 1566 [2014]), as amended.

Additionally, we determined whether the Federal Voting Assistance Program (FVAP) Office complied with the requirements of DoD Instruction 1000.04, with regard to outreach efforts to Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters.² See Appendix A for the Scope and Methodology and the Glossary for a definition of the technical terms used in this report.

Background

Public Law 99-410, “The Uniformed and Overseas Citizens Absentee Voting Act,” as modified by the “Military and Overseas Voter Empowerment (MOVE) Act,” and other provisions, states that the right to vote is important to Service members, their eligible family members, and other eligible overseas voters (see the Glossary for a definition of UOCAVA citizens). UOCAVA, as amended, establishes various voting assistance programs intended to help voters who are unable to vote in person, register, vote, and have their vote counted through the absentee voting process. UOCAVA applies to U.S. citizens who are active members of the Uniformed Services, the Merchant Marine, the Commissioned Corps of the Public Health Service and the National Oceanic and Atmospheric Administration, their eligible family members, and U.S. citizens residing outside the United States who are absent from the place of residence where they are otherwise qualified to vote. See Appendix E for additional information on the UOCAVA voting process for eligible voters.

Federal Responsibilities of the Secretary of Defense Under the Uniformed and Overseas Citizens Absentee Voting Act

UOCAVA requires the President of the United States to designate the head of an executive department to have responsibility for UOCAVA’s Federal functions.³ Executive Order 12642 was issued in 1988, naming the Secretary of Defense as

² DoD Instruction 1000.04, “Federal Voting Assistance Program (FVAP),” November 12, 2019.

³ 52 U.S.C. § 20301.

the “Presidential designee” and authorizing the Secretary to delegate UOCAVA responsibilities within the DoD.⁴ As the Presidential designee, the Secretary of Defense is tasked with 11 specific duties, summarized as follows:

- consult with and educate State and local election officials on UOCAVA requirements and work with the Election Assistance Commission and State officials to develop standards for reporting and storing absentee ballot data;
- prescribe an official post card form, a Federal Write-in Absentee Ballot, and an envelope design for the ballot, and compile and distribute materials on elections, registration, and voting procedures;
- report annually to Congress and the President on the effectiveness of UOCAVA after each Presidential election;
- prescribe a standard oath to be used to certify UOCAVA voting documents affirming that a material misstatement of fact in the completion of such a document may constitute grounds for a conviction for perjury;
- implement procedures to collect and deliver absentee ballots of UOCAVA-covered voters, ensure absentee voters can cast ballots in a private and independent manner, and safeguard all completed absentee ballots cast at DoD locations or facilities; and
- carry out outlined FVAP improvements, including developing an online portal of voting information for absent Uniformed Service overseas voters and a program to notify these voters 90, 60, and 30 days prior to each election for Federal office.⁵

Secretary of Defense Delegated Presidential Designee Authority in DoD Instruction 1000.04

The Secretary of Defense delegated responsibilities under UOCAVA to the Under Secretary of Defense for Personnel and Readiness. The Secretary of Defense further delegated UOCAVA responsibilities for policy guidance, direction, and oversight to the Assistant Secretary of Defense for Manpower and Reserve Affairs, and policy support and operational responsibilities to the Director of the Defense Personnel and Family Support Center.⁶ The Office of the FVAP Director is under the Director of the Defense Personnel and Family Support Center. When exercising UOCAVA duties, the DoD FVAP Office coordinates with the Election Assistance Commission and the Departments of Commerce, Defense, Health and Human Services, Justice, State, Homeland Security, and Transportation.

⁴ Executive Order 12642, “Designation of the Secretary of Defense as the Presidential Designee under Title I of the Uniformed and Overseas Citizens Absentee Voting Act,” June 8, 1988.

⁵ 52 U.S.C. § 20301 and 20305.

⁶ DoD Instruction 1000.04, “Federal Voting Assistance Program (FVAP),” section 2, “Responsibilities,” November 12, 2019.

DoD Instruction 1000.04 also assigns responsibilities to the DoD Components to develop written voting-related policies to support all eligible Uniformed Services personnel and their family members, including those in deployed, dispersed, and tenant organizations.

The Secretary of Defense Carries Out Presidential Designee Responsibilities Through the FVAP Office

The FVAP Office carries out the DoD's UOCAVA responsibilities on behalf of the Secretary of Defense, who is the Presidential Designee for UOCAVA. The FVAP Office works to ensure that military personnel, their eligible family members, and overseas citizens are aware of the right to vote and have the tools and resources to successfully do so from anywhere in the world. The FVAP Office developed and maintains a website and portal to conduct outreach and inform these groups about voter registration and absentee ballot procedures.⁷

The UOCAVA requires the FVAP Office to report information specified in the law to the President and Congress not later than March 31st of each calendar year. The report includes descriptions of Military Department voter registration assistance programs and their use, absentee ballot collection and delivery, and cooperation between States and the U.S. Government. The report also includes assessments of absent Uniformed Services and overseas voter registration and participation (See Appendix B for further details on the FVAP Office).

The FVAP Office Conducts Outreach With External Stakeholder Agencies to Ensure UOCAVA Voters Can Exercise Their Right to Vote Worldwide

To ensure UOCAVA voters can vote worldwide, the FVAP Office conducts outreach with the following external stakeholder agencies.

The Department of Justice

Although the Secretary of Defense is the Presidential designee with primary responsibility for implementing the Federal functions mandated by UOCAVA, the Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as necessary to carry out the provisions of UOCAVA.⁸ The Attorney General has assigned responsibility for enforcement of UOCAVA to the Department of Justice's Civil Rights Division.

⁷ 52 U.S.C. § 20305 requires the Presidential designee to develop online portals of information to inform absent Uniformed Services voters regarding voter registration procedures and absentee ballot procedures to be used by voters with respect to elections for Federal office.

⁸ 52 U.S.C. § 20301(a); and 52 U.S.C. § 20307(a).

The Election Assistance Commission

UOCAVA directs the Presidential designee to work with the Election Assistance Commission and the chief election official of each State to develop standards for reporting data on the number of absentee ballots transmitted and received under 52 U.S.C. § 20302(c) of UOCAVA.⁹

52 U.S.C. § 20302(c) requires, no later than 90 days after the date of each regularly scheduled general election for Federal office, that each State and unit of local government that administered the election shall (through the State, in the case of a unit of local government) submit a report to the Election Assistance Commission (established under the Help America Vote Act of 2002 [52 U.S.C. § 20901, et seq.]) reflecting the data on Uniformed Service and overseas civilian voting.

The Department of State

According to Department of State policy Foreign Affairs Manual 1500, the Department of State is required to work with the FVAP Office to assist millions of military and civilian voters residing abroad who may be eligible to vote in Federal elections under the provisions of UOCAVA.¹⁰ The Department of State assists the Secretary of Defense in carrying out UOCAVA functions for U.S. civilians overseas. The Department of State is delegated the responsibility of providing voting assistance to all overseas U.S. citizens that do not fall under the jurisdiction of the Secretary of Defense. The Department of State's voting assistance officers and staff are charged with providing non-partisan information on how overseas U.S. citizens can participate in U.S. elections. Voting assistance officers also assist overseas U.S. citizens with the completion and transmission of absentee voting forms and ballots. Voting assistance officers have voting assistance responsibilities during election and non-election years alike.

The Department of Commerce, National Oceanic and Atmospheric Administration Commissioned Officer Corps

According to Department of Commerce officials, in the past, DoD personnel have reached out to the Department of Commerce to discuss UOCAVA voter issues. The National Oceanic and Atmospheric Administration Commissioned Officer Corps (a bureau of the Department of Commerce) personnel and their eligible family members are UOCAVA voters, who fall under the purview of the Presidential designee to ensure they can vote worldwide. The UOCAVA provides the legal basis for National Oceanic and Atmospheric Administration Commissioned Officer Corps personnel absentee voting requirements for Federal offices. However, the

⁹ Executive Order 12642.

¹⁰ Department of State policy Foreign Affairs Manual 1500, "Overseas Voting Program," August 28, 2018.

National Oceanic and Atmospheric Administration Commissioned Officer Corps does not have a policy or other requirement that defines the level of coordination with and support from the FVAP Office. The National Oceanic and Atmospheric Administration Commissioned Officer Corps, personnel center employees were not aware of any recent interaction with the DoD or the FVAP Office to discuss absentee voting. The National Oceanic and Atmospheric Administration Commissioned Officer Corps' Commissioned Personnel Center has information about absentee voting, including the FVAP.gov website link posted on its website.

The Department of Health and Human Services, United States Public Health Service Commissioned Corps

The United States Public Health Service Commissioned Corps (a subordinate organization to the Department of Health and Human Services) personnel and their eligible family members are also UOCAVA voters, who fall under the purview of the Presidential designee to ensure they can vote worldwide. The UOCAVA provides the legal basis for United States Public Health Service Commissioned Corps personnel absentee voting requirements for Federal offices. However, they do not have a policy or other requirement that defines the level of coordination with and support from the FVAP Office. The United States Public Health Service Commissioned Corps has no formal mechanism or process in place to account for or provide voting assistance to UOCAVA voters. According to United States Public Health Service Commissioned Corps officials, some officers may be aware of or receive information concerning absentee voting, the FVAP voting guide, or website from their agencies (such as the Food and Drug Administration, National Institutes of Health, or the Centers for Disease Control and Prevention); however, it is not made available by Commissioned Corps headquarters.

The Department of Homeland Security, United States Coast Guard

During peacetime, the United States Coast Guard falls under the purview of the Department of Homeland Security. Therefore, the Coast Guard is an external stakeholder; however, in accordance with Public Law 99-410, UOCAVA, the Coast Guard carries out the FVAP like the Military Services, through DoD Instruction 1000.04 and its own policy, Commandant Instruction 1742.3L.¹¹ The Instruction applies to all active duty Coast Guard members and their family members. The policy encourages personnel to actively participate in the Federal, State, and local electoral processes of their home States.

¹¹ Commandant Instruction 1742.3L, "Coast Guard Voting Assistance Program," June 6, 2017.

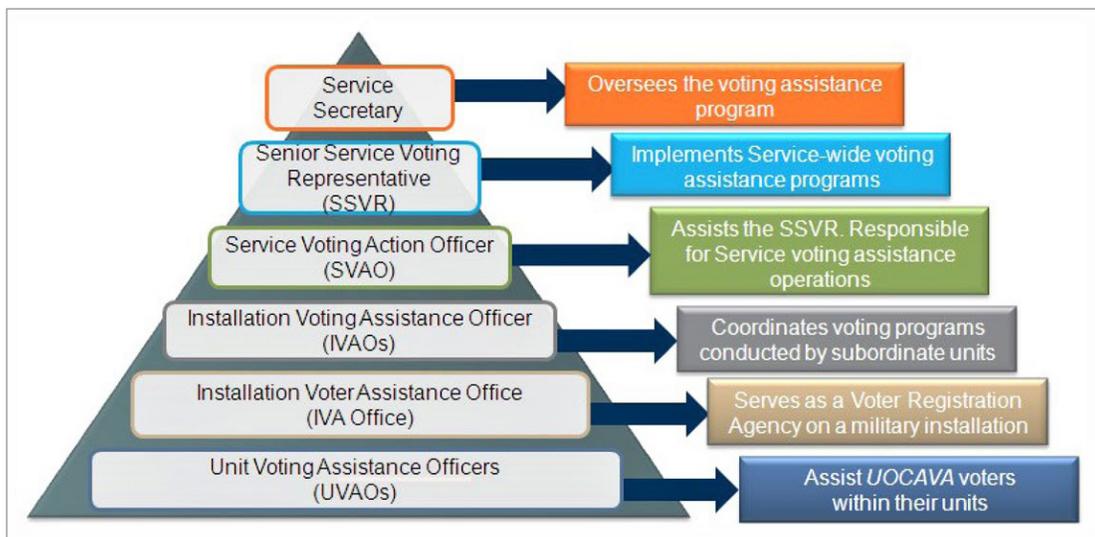
Military Service Inspector General Reports

10 U.S.C. § 1566 (2014), defines voting assistance programs as those the FVAP carried out under the UOCAVA and any similar program, on behalf of the Secretary of Defense as the Presidential designee. This section of the statute also requires the DoD Inspector General (IG) to complete an annual report on the compliance and effectiveness of voting assistance programs during the preceding calendar year by March 31st, and the IGs of the Army, Navy, Air Force, and Marine Corps, to annually:

- review the compliance and effectiveness of their Service’s voting assistance program, and
- report the results to the DoD IG in time to be reflected in the DoD IG’s March 31st report to Congress.

DoD Instruction 1000.04 requires the IGs of the Army, Navy, Air Force, and Marine Corps to submit their reports assessing voting assistance program efforts, along with supporting statistical information to the DoD IG and the FVAP Office by December 1st of each year.¹² DoD Instruction 1000.04 also requires the written designation of personnel at all levels (unit, installation, and Service) to manage the respective Service voting assistance programs. As shown in the figure below, the Instruction establishes a hierarchy of voting assistance offices and trained voting assistance officers to provide voter assistance to military personnel, their dependents, civilian Federal employees, and all qualified voters who have access to DoD installations (overseas and CONUS).

Figure. Service Voting Assistance Program Key Members



Source: FVAP 2018 Report to Congress.

¹² As a result of this compressed timeframe, our ability to review, test, or examine the Service IG reports was limited. While we reviewed the Service IG’s 2020 voting assistance program reports for consistency and reasonableness, we did not validate their data and conclusions.

Military Service Voting Assistance Programs Were Compliant and Generally Effective

We reviewed the annual assessments of the Military Services voting assistance programs for 2020 submitted by the Service IGs. Each Service IG found their voting assistance program to be compliant with the requirements of UOCAVA and DoD Instruction 1000.04 and generally effective. Each of the Service IGs:

- applied the measures of performance and effect developed by the FVAP Office (see Appendix C for Service voting assistance program performance metrics and reporting requirements);
- illustrated Service coordination with the FVAP Office, including routine input of voting data to the FVAP.gov web portal;
- identified data used to support distribution of voting materials and contact with eligible voters; and
- applied a standardized checklist for their inspections of voting assistance programs in seven specific program areas: staffing, training, material distribution, communication and information network, commander and installation-level involvement, program compliance, and program effectiveness.

The Army Inspector General Reported the Service Voting Assistance Program as Effective

The Army IG reported that the Army had an effective voting assistance program during the preceding calendar year. The criteria used by the Army IG for its compliance testing included 10 U.S.C. § 1566, DoD Instruction 1000.04, and Army Regulation 608-20.¹³ The Army IG report compiled inspection results from 23 senior-level commands responsible for 64 installations, including 1,644 units, 66 installation voting assistance offices, and 1,644 unit voting assistance officers. The Army IG report highlighted the following for the Army:

- The Army IG inspected 23 of 23 (100 percent) of the installation voting assistance offices, and 1,572 of 1,644 unit voting assistance officers (96 percent), and determined all of the inspected units had unit voting assistance officers designated in writing. Of the 23 senior-level commands the Army IG inspected, 1,572 of 1,644 unit voting assistance officers were compliant with DoD Instruction 1000.04 and Army guidance regarding delivery of absentee ballot requests. All inspected commands complied with the requirement to develop redundant systems to either hand-deliver or electronically deliver voter registration and absentee ballot requests, and the Form SF-76, Federal post card applications to eligible voters.¹⁴

¹³ Army Regulation 608-20, "Army Voting Assistance Program," November 13, 2020.

¹⁴ Standard Form 76 – "Voter Registration and Absentee Ballot Request: Federal Post Card Application."

- Command voting assistance officers updated the DoD FVAP Office monthly on the voting assistance officer personnel status and level of voting assistance provided, using the FVAP database. The Army voting assistance office tracked voting assistance officer updates and notified them if they were late. In addition, the Army voting assistance office completed a quarterly voting assistance program report, summarizing FVAP-directed “measures of success,” including the number of personnel contacted (soldiers/dependents) and the type of information provided (ballots, absentee ballots, and general information).
- The Army used a voting assistance officer virtual network and numerous web links to allow soldiers to access voting information and contact a voting assistance officer. The Army voting assistance office maintained the Army voting website (<https://www.hrc.army.mil/content/army%20voting>). Both the Army and FVAP websites had links to voting assistance officers throughout the Army. Soldiers also accessed voting information through local installation websites.

The Naval Inspector General Reported the Service Voting Assistance Program as Effective

The Naval IG concluded that the Navy voting assistance program was compliant and effective, with minor discrepancies.¹⁵ The criteria used by the Naval IG for compliance testing included 10 U.S.C. § 1566, DoD Instruction 1000.04, and OPNAVINST 1742.1C.¹⁶ The Naval IG evaluated the 31 major commands overseeing all Navy units, including Central Command and the Defense Media Activity, which are supported by the Navy. The Naval IG report highlighted the following Navy determinations.

- Twenty Seven of 31 (87 percent) Naval commands appointed voting assistance officers in writing, to effectively assist voters for all Federal elections. Thirty of 31 (97 percent) commands were found to be effective in providing voting assistance, despite one command (3 percent) not having appointed voting assistance officers. Upper echelon commands are responsible for insuring subordinate units maintain a voting assistance officer and enter voting assistance metrics through the FVAP web portal. Voting assistance officers are required to submit periodic program self-assessments to the unit commanding officer or officer in charge and the Navy Service voting action officer conducts annual data calls.

¹⁵ Department of the Navy Office of the Naval Inspector General report, “2020 Navy Voting Assistance Program Assessment,” December 17, 2020.

¹⁶ OPNAVINST 1742.1C, “Navy Voting Assistance Program,” February 5, 2016.

- After March 2020, the majority of FVAP workshops on Navy installations were canceled due to the coronavirus disease-19 (COVID-19) pandemic. Instead, voting assistance officers were directed to take the online voting assistance officer training as a refresher.
- OPNAVINST 1742.1C and the Navy's voting action plan established the requirements and deadlines for distributing the Federal Post Card Application. The Service voting assistance officer reminded all unit and installation voting assistance officers of the Federal Post Card Application distribution requirement via a monthly newsletter; and also posted instructions on social media. Unit voting assistance officers also logged distribution metrics for the Federal Post Card Application through the FVAP.gov web portal.
- Voting assistance officers are required to be included on command check-in/checkout process and pre-deployment checklists to ensure Service Members receive Federal Post Card Application/Federal Write-in Absentee Ballot and basic voting information at key milestones, and were effective at 30 echelon II commands.

The Marine Corps Inspector General Reported the Service Voting Assistance Program as Effective

The Marine Corps IG concluded that the Marine Corps voting assistance program is effective in assisting eligible voters and complied with 10 U.S.C. § 1566, DoD Instruction 1000.04, and Marine Corps Order 1742.1B.¹⁷ The Marine Corps IG based this conclusion on the results of all 142 units that were inspected (100 percent) during 2020. The Marine Corps analyzed metrics submitted by the commands and provided an analysis of the voting assistance from data associated with each Marine Corps installation and individual commands. The Marine Corps IG report identified the following.

- On January 10, 2020, over 224,000 e-mails with a link to the electronic version of the SF 76 (voter registration and absentee ballot request) were sent to all active duty and reserve personnel. 46,889 Civilian personnel, recruits, and students in training received hardcopies of the SF 76.
- The FVAP Office and the Service-level voting assistance officer provided all 18 installation voting assistance officers with current absentee registration procedures, absentee voting deadlines, and special State and local voting requirements when they were available. Additionally, the Service voting assistance officer worked closely with the Military Postal Service Agency to ensure absentee ballots were tracked, mailing

¹⁷ Marine Corps Order 1742.1B, "Voting Assistance Program," April 1, 2013.

deadlines were disseminated to all installation voting assistance officers, and absentee voters stationed at overseas installations were notified of all absentee ballot mailing deadlines.

- During 2020, two of the scheduled five FVAP voting assistance officer workshops on Marine Corps installations were conducted virtually due to COVID-19 pandemic restrictions. Voting assistance officers were encouraged to attend the FVAP workshops at other close locations if their own installation was not hosting the FVAP workshop. In turn, the voting assistance officers completed this requirement.
- Installation voting assistance officers, on occasion, will coordinate with local and State election officials, to be the guest speakers at installation voting absentee registration activities and similar events. Local election officials also provided current voting materials highlighting State and local candidates, as well as information on the State's absentee voting procedures for all upcoming special and Federal elections.

According to the Marine Corps IG report, during visits to units, inspectors recommended on-the-spot corrections and gave immediate corrective training for identified minor discrepancies. Following site visits, inspected commands developed and reported corrective action plans to the Marine Corps IG addressing all moderate discrepancies.

The Air Force Inspector General Reported the Service Voting Assistance Program as Effective

The Air Force Inspector General concluded that the Air Force voting assistance program was effective in assisting eligible voters and complied with 10 U.S.C. § 1566, DoD Instruction 1000.04, and Air Force Instruction 36-3107.¹⁸ Through a series of installation and unit voting assistance officer interviews, IG inspectors accomplished Air Force voting inspections. Additionally, the IG inspected installation and unit voting assistance officer programs' implementation procedures and project management and collated the data from 11 of 13 major commands into a single report.

The Air Force IG conducted 182 FVAP inspections across 151 Wing/Wing-equivalents concerning voting initiatives in 2020 and identified 172 deficiencies. As of November 30, 2020, 92 of 158 minor deficiencies remain open, and 10 of 14 significant deficiencies remain open. The Air Force identified no critical deficiencies for 2020. The Air Force IG report highlighted the following:

¹⁸ Air Force Instruction 36-3107, "Voting Assistance Program," May 1, 2019. The Department of the Air Force also published Air Force Guidance Memorandum to Air Force Instruction 36-3107 on July 8, 2020, to align policy, procedures, and requirements with DoD Instruction 1000.04.

- Due to the COVID-19 pandemic and associated health protection conditions, and in conjunction with local community ordinances for health protections, installation and unit voting assistance officers were provided initial training via virtual methods during 2020. FVAP training transitioned from in-person to virtual workshops that included details on voter residency, election material submissions, and general voter information and assistance. The FVAP Office retains records for training conducted at specific locations, on the other hand attendees were required to maintain copies of attendance for their records. Of 327 unit voting assistance officers sampled, only 4 voting assistance officers were found to have not completed the required training at the time of inspection.
- For the 2020 general election, the Air Force delivered the Federal Post Card Applications either electronically or in-hand to installation members during the two time periods, of January 1 to 15, 2020, and July 1 to 15, 2020, as required by DoD Instruction 1000.04. The total number of Federal Post Card Applications distributed at the installation and unit levels were 717,675.
- The Air Force provided voting information by mass marketing efforts such as social media, newspapers, installation marquees, and radio/television from the American Forces Network. Installation voting assistance officers maintained a voting assistance webpage on the installation's public website, which is approved by the installation public affairs office. Due to the COVID-19 pandemic and associated health protection conditions, in conjunction with local community health protections, Air Force installations largely transitioned to virtual support of programs, with installation leader emphasis on electronic delivery of program services. Installation voting assistance officers routinely engaged with installation leaders to emphasize voting opportunities throughout the year and during the National Voter Registration Day campaign and the two voter emphasis weeks.
- Installation Voting Assistance Officers led two mandated voter emphasis week events, even during COVID-19 challenges with innovative hybrid mixes of virtual and in-person offerings: Armed Forces Voters Week, 28 June - 5 July 2020, resulting in 145,024 contacts; and, Absentee Voting Week, 27 Sept - 4 Oct 2020, resulting 210,283 contacts. The accumulated counts for these two events yielded 355,307 contacts."

- The Air Force has continued using a redundant Service-wide messaging system, MyPers, and installation e-distribution mailing lists. The MyPers messaging system simultaneously communicates with 290K military members and 170K civilian employees (with “af.mil” email addresses) and was used to transmit recurring 30, 60, and 90-day FVAP “warning notices,” as well as, general voting information and suspense dates for mailing requirements of specific states. During the 2020 general election for Federal office cycle, the MyPers system contacted a total of 460,000 military members and civilian employees monthly, resulting in 5,520,000 individual messages annually.

Finding

The FVAP Office Generally Provided Effective Outreach Assistance to Eligible UOCAVA Voters and Family Members, and External Stakeholder Agencies; However, The FVAP Office Did Not Implement Agreements With All External Stakeholder Agencies to Enhance Outreach Efforts

The FVAP Office generally provided effective outreach assistance to eligible UOCAVA voters and their family members, as well as external stakeholder agencies. The Under Secretary of Defense for Personnel and Readiness is responsible for UOCAVA voting support, and executes the responsibility through the DoD FVAP Office. Specifically, the FVAP Office performed and coordinated outreach, as required by DoD Instruction 1000.04, through:

- Service engagement, through voting assistance officers and the FVAP portal;
- election official engagement to raise awareness on compliance with Federal law;
- direct voter assistance of eligible voters;
- congressional reporting of post-election survey results on the effectiveness of the assistance provided to eligible voters.
- research and evaluation, in conjunction with the Election Assistance Commission, through analysis of post-election surveys and voting assistance officer metrics; and
- external stakeholder agencies, including the Departments of Commerce, Health and Human Services, Justice, State, and Transportation.

As a result of outreach actions by the FVAP Office, eligible voters had the information necessary to participate in the voting process. DoD organizations and leaders also had the necessary tools to ensure access to and compliance with Federal law and DoD Instruction 1000.04. However, the FVAP Office's outreach could be improved. While each Service IG found their Service's voting assistance program to be compliant and generally effective, we also reviewed compliance with DoD Instruction 1000.04 with regard to outreach efforts to UOCAVA voters and external stakeholder agencies.

Specifically, the FVAP Office had not developed and implemented written agreements, such as memorandums of understanding, with all external stakeholder agencies to enhance outreach and ensure collaborative and efficient efforts to support UOCAVA voters.

This occurred because external stakeholder agencies were not required to enter into agreements with the DoD before 2020. However, on March 6, 2020, the DoD's Office of the Under Secretary of Defense for Personnel and Readiness, issued an interim rule entitled, "Federal Voting Assistance Program," that modified existing regulations to require Federal agencies to enter into memorandums of understanding with the DoD. These regulations help to provide accurate, nonpartisan voting information and assistance to ensure military and overseas voters understand their voting rights, how to register and apply for an absentee ballot, and how to return their absentee ballot successfully.

Formalized written agreements, such as memorandums of understanding like that which the DoD has with the Election Assistance Commission, ensure that the FVAP Office Director meets the intent of DoD Instruction 1000.04 for outreach with external stakeholder agencies.

The FVAP Office Generally Provided Effective Outreach Assistance to Eligible UOCAVA Voters and Their Family Members, as Well as External Stakeholder Agencies

The FVAP Office generally provided effective outreach assistance to eligible UOCAVA voters and external stakeholder agencies, such as the Election Assistance Commission and the Departments of Commerce, Health and Human Services, Justice, State, and Transportation.

FVAP Office Outreach Processes and Procedures Complied With DoD Instruction 1000.04

FVAP Office outreach processes and procedures generally provided eligible voters and their family members access to voting information. The FVAP Office established policies and procedures that complied with DoD Instruction 1000.04. The FVAP Office coordinated with the Services to ensure that Service members, their eligible family members, and overseas citizens were aware of their right to vote and had the tools and resources to successfully exercise that right. The FVAP Office established policies and procedures that complied with DoD Instruction 1000.04. The FVAP Office complied with DoD Instruction 1000.04 by carrying out:

- Service engagement, through voting assistance officers and the FVAP portal;

- election official engagement to raise awareness on compliance with Federal law;
- direct voter assistance of eligible voters;
- research and evaluation, through analysis of post-election surveys and voting assistance officer metrics;
- congressional reporting of post-election survey results on the effectiveness of the assistance provided to eligible voters; and
- outreach efforts with external stakeholder agencies, including the Departments of Commerce, Health and Human Services, Justice, State, and Transportation.

As a result of outreach actions by the FVAP Office, eligible voters had the information necessary to participate in the voting process. DoD organizations and leaders also had the necessary tools to ensure access to and compliance with Federal law and both versions of DoD Instruction 1000.04 (see Appendix D for a description of the outreach materials and support provided by the FVAP Office). The following sections describe outreach efforts conducted by the FVAP Office, including: Service engagement, election official engagement, direct voter assistance, research and evaluation, congressional reporting, and external stakeholder agency engagement.

Service Engagement - The FVAP Office Coordinated With Service Voting Assistance Representatives

As part of its stakeholder outreach efforts, the FVAP Office continually monitored and enhanced support to voting assistance officers to train and educate them on their responsibilities to voters. In 2013, the FVAP Office commissioned a study to better align its strategy and operations to reflect its core mission of assisting military voters, their families, and overseas citizens.¹⁹ The study described an expansion of FVAP's outreach efforts, and included the following key findings.

- The FVAP Office relies heavily on intermediaries, such as voting assistance officers, to reach UOCAVA voters. Neither law nor policy gives the FVAP Office much direct control over its intermediaries, be they within or outside the DoD. The law (52 U.S.C. § 20301, 10 U.S.C. § 1566, and 10 U.S.C. § 1566a) holds the FVAP Office responsible for developing, maintaining, and providing processes, tools, and resources for conducting certain types of outreach and for reporting on effectiveness. The FVAP Office can influence the behavior of at least some intermediaries, but the law holds others, such as the Services, IGs, Department of Justice,

¹⁹ RAND Corporation study and report, "The FVAP and the Road Ahead," 2015.

and States, responsible for most, if not all of implementation, oversight, compliance, and enforcement.

- The FVAP Office engages with State and local election officials in at least two distinct modes: one involving the provision of assistance, and the other involving the collection and use of information. The FVAP Office has assisted election officials by providing online training and guidance, sending email alerts, funding research grants, participating in conferences, conducting other local outreach, and making direct (person-to-person) contact. In consultation with the Department of Justice, the FVAP Office also considers and responds to States' requests for waivers of certain legal requirements under the MOVE Act. As an informational conduit, the FVAP Office also engages with election officials through data collection, compilation, storage, reporting, and distribution.
- The law on UOCAVA voting says very little about outreach as a means to motivate voting; rather, it describes outreach in terms of information about procedures (52 U.S.C. § 20304) and the availability of assistance through voter assistance offices (10 U.S.C. § 1566a[d]), targeting Uniformed-Service voters. Although not directed at FVAP, Title 10 U.S.C. § 1566(i)(3), takes a slightly broader approach in requiring that, "[w]here practicable, a special day or days shall be designated at each military installation for the purpose of informing members of the armed forces and their dependents of election timing, registration requirements, and voting procedures." Only in 52 U.S.C. § 20501, which speaks of an imperative to promote the exercise of the right of citizens to vote, does the law edge nearer to a call for motivational outreach.
- The FVAP Office's e-mail alerts and other voter-oriented outreach might also be contributing to the fulfillment of the core requirement for procedures to promote and expand the use of the Federal Write-in Absentee Ballot. Similarly, the FVAP's conference attendance and other outreach directed toward State and local election officials might be serving to improve officials' awareness of their requirements, which is also a core requirement.
- The FVAP Office has taken substantial steps to become more comprehensive with its voter assistance support, improve its relationship with stakeholders, and embrace effectiveness. For example, the FVAP Office has made it easier for stakeholders to identify their webpages, added a page devoted to outreach materials, made it possible to search reports and other resources, and provides more hands-on voting assistance. See Appendix D for a description of the outreach materials and support provided by the FVAP Office.

In response to the RAND report findings, the FVAP Office developed voting assistance program metrics on October 15, 2014. The FVAP Office coordinated with each Service on voting assistance program performance metrics and reporting requirements, as required by DoD Instruction 1000.04. According to the Director of the FVAP Office, the current FVAP measures of effectiveness and performance reflect adjustments to the 2014 metrics based on research provided by the study, combined with an ongoing assessment of voting assistance by the FVAP Office. Since January 1, 2015, the FVAP Office prescribed the quarterly collection of data elements via the FVAP.gov website (see Appendix C for Service voting assistance program performance metrics and reporting requirements). Service voting assistance officers are required to input data, such as metrics at the unit and installation levels concerning the number of voters assisted with voter registration, absentee ballots, and the associated materials distributed to assist with voter registration and absentee ballots, to the portal no later than 15 days after the end of each quarter.

In February 5, 2020, we received a demonstration of the FVAP portal and corresponding statistics reflecting that Service voting assistance officers are providing performance metrics as required by DoD Instruction 1000.04. The information showed comparisons of what voting assistance officers reported, the number of voting assistance officers that were and should be assigned to each unit, how many voters were assisted, and the quantity of voting assistance materials distributed. In those instances where command assigned too few voting assistance officers or distributed an insufficient amount of voting material, the FVAP Office reports the deficiency to the Senior Service voting assistance officer to correct the deficiencies.

In its 2017 report to Congress, the FVAP Office reported that it made improvements to many of its resources, workshops, and research efforts in preparation for the 2018 election cycle. Obstacles to UOCAVA voter success varied depending on the voter's location, access to resources, training opportunities, and the availability of voter assistance. To reduce these obstacles, the FVAP Office reported progress in the following key areas:

- **Key absentee voting forms** – modified the registration and ballot request form and absentee backup ballot using a combination of form development best practices, focus groups, and public comment.
- **Voting assistance guide** – realigned guide language to reflect changes to absentee voting forms, absentee voting instructions, and State and local election official contact information.

- **FVAP.gov website and portal** – enhanced site usability based on web analytics data and key site achievement metrics such as site visits and the number of form downloads.
- **Training for voting assistance officers** – changed training content to better align all training modules and platforms.
- **Installation voting assistance officer workshops** – instituted the new training to guide voting assistance officers with the establishment of voting assistance offices that are compliant with UOCAVA and Service instructions.
- **Customer service metrics** – analyzed metrics to determine trends among voters, election officials, and Service members submitting inquiries to the FVAP call center.

The 2017 report to Congress concluded that efforts by the FVAP Office effectively set the foundation for execution of the voting assistance program across the DoD for 2018 and beyond. Information on what the FVAP Office will submit to Congress for 2020 will not be available until June 2021.

Election Official Engagement - The FVAP Office Coordinated With State and Local Election Officials

As required by DoD Instruction 1000.04, the FVAP Office conducted engagements with State and local election officials to raise awareness of their responsibilities under UOCAVA. Engagement resources, such as voter alerts, training, grant programs, outreach material, and policy briefs, provide State and local election officials with the information needed to assist voters covered by the UOCAVA. The FVAP Office supports election officials and U.S. citizens who vote absentee by providing necessary absentee voting forms, materials, training, and guidance in accordance with UOCAVA requirements. The FVAP Office uses the following tools to support absentee voting through election official engagement.

- **Voter alerts** – Election officials can subscribe to alerts that the FVAP Office sends to voters to inform them of election dates, important deadlines, changes to State laws, and other important absentee voting information. This allows election officials to see what FVAP is sending to voters so that UOCAVA voters are receiving the data they need and to provide any needed updates to the FVAP Office.
- **Training** – For election officials interested in learning more about the UOCAVA absentee voting process, the FVAP Office created an online training module that was accessible from anywhere. The online training module includes an introduction to UOCAVA and responses to frequently asked questions about the UOCAVA absentee voting process.

- Grant programs** – the FVAP Office established the Electronic Absentee System for Elections research grant program under legislative direction to test the feasibility of new election technology for the benefit of UOCAVA voters. The grant program allows the FVAP Office to test a wide range of election technologies and examine potential solutions through research grants provided to States and localities. For example, in 2011 and 2013, the FVAP Office offered research grants to States and localities to research improving services provided to military and overseas voters.²⁰ The resulting data from the grant program helped identify improvements to the voting experience for military and overseas voters.
- Outreach materials** – The FVAP Office created a variety of outreach materials to assist election officials in their efforts to inform and communicate with absentee voters from their jurisdictions. For example, a communications toolkit, designed specifically for election officials, including infographics, fact sheets, and videos that election officials are encouraged to republish.²¹ See Appendix D for a description of the outreach materials and support provided by the FVAP Office.
- Policy briefs** – The FVAP Office tracks and researches policy developments that may have implications for military and overseas voters. Two recent policy briefs, from the FVAP website address voters who have never resided in the United States and automatic voter registration.²² The FVAP Office shares the potential impacts on UOCAVA voters with State election officials and legislators.

These resources provide State and local election officials with some of the information and tools needed to assist voters covered by UOCAVA and all of the required information and tools are located on the FVAP.gov website. We reviewed the data, including voter alerts, training, grant programs, outreach material, and policy briefs, provided to State and local election officials with the information needed to

²⁰ The Electronic Absentee System for Elections grant program in 2011 funded programs including online blank ballot delivery, online voter registration, online ballot requests, automated ballot duplication, and online ballot tracking. The Electronic Absentee System for Elections 2 grant program in 2013 was a more focused effort, providing funding for the development of online ballot delivery tools and the establishment of a single point of contact in State election offices. Part 233 of Title 32 of the Code of Federal Regulations, November 6, 2019, removed the responsibility for the Under Secretary of Defense for Personnel and Readiness to establish a demonstration project to permit absent Uniformed Services voters to vote for Federal office through an electronic voting system.

²¹ The communications toolkits support organizations in their efforts to help Service members, their families, and overseas citizens vote absentee. Election officials can customize and share content on digital channels like websites, blogs, social media, and email.

²² FVAP refers to U.S. citizens who are 18 years or older and were born abroad, but have never resided in the U.S., as “never resided” voters. These citizens are required to submit a tax form to the internal revenue service each year and 18 year-old males must register for the selective service. FVAP estimates that in 2016 approximately 11,500 registered voters had never resided in the United States. As of 2017, 36 States allow never resided citizens to vote if a parent or legal guardian was last domiciled in that State. Additionally, several States are considering, or have recently considered, automatic voter registration. Automatic voter registration is defined as a statutory system whereby State election officials use information about individuals’ voter eligibility existing within government databases to register qualified individuals to vote without the individuals themselves needing to take action. Citizens are given the opportunity to update their information or opt out of registration.

assist voters covered by the UOCAVA. DoD Instruction 1000.04 also requires the FVAP Office to establish and maintain contact with State election officials, State legislators, and with other State and local government officials to improve the absentee voting process for UOCAVA.

Direct Voter Assistance – The FVAP Office Maintains the FVAP.gov Website

The FVAP Office provides direct voter assistance through the FVAP.gov website, a voter call center, and a comprehensive voter assistance guide. The FVAP.gov website contains information for all personnel involved in the voting process, from voters to voting assistance officials. The FVAP.gov website has a more than one in five “conversion” rate, meaning visitors to the site perform a desired action, such as steps toward registering and requesting a ballot or using the backup ballot if necessary.

The FVAP Office prepares a Federal voting assistance program guide with the assistance of the Secretaries of State (State voting officials), Directors of Elections and their staff, the Uniformed Service branches, and the Department of State. The FVAP Office publishes the guide every 2 years, matching the Federal election cycle, and routinely updates the online version. For the 2020 through 2021 guide, the FVAP Office reported working closely with State election officials through several rounds of coordination. For the 2020 election year, the guide reflects the FVAP Office continued focus on Federal election eligibility and consistent efforts to streamline content to better support voting assistance officers. As part of this effort, the FVAP Office changed the Federal Post Card Application and the Federal Write-In Absentee Ballot. Activated National Guard members on State orders were removed from both forms, as this group is not eligible to use FVAP resources under Federal law. The update of both forms fixed an element of non-compliance and confusion.

The guide also serves as a catalog of the State-specific processes and regulations that military and overseas voters should follow to register to vote and cast an absentee ballot. The the FVAP Office published the 2020 through 2021 voting assistance guide in October 2019 and posted it on the FVAP.gov portal.

Our review of the FVAP Office’s direct voter assistance efforts determined that these efforts assist voters’ understanding of their right to vote. Voters had access to the required information to vote, especially through access to the FVAP.gov website. For example, voters can get their voting questions answered through local voting assistance officers or a voter call center. Many of the tools for voters and the assistance they require, such as voter registration and ballots, training material, policies, laws, and reports to the President and Congress, are located on the FVAP.gov website, satisfying the requirements of DoD Instruction 1000.04.

Research and Evaluation – The FVAP Office Conducted Studies to Enhance Voter Assistance Efforts

The FVAP Office provides analysis, information, and resources for absentee voters, voting assistance officers, and election officials. Post-election surveys and voting assistance officer metrics, serve as research and evaluation tools to assist the FVAP Office with enhancing voter assistance efforts. The FVAP Office coordinated with each Service to determine voting assistance program performance metrics and reporting requirements to meet DoD Instruction 1000.04. Current Service IG application of FVAP measures of effect and performance are the result of this effort. Since January 1, 2015, the FVAP Office required Service voting assistance officers to upload quarterly entries to the FVAP.gov website no later than 15 days after the end of each quarter. See Appendix C for an example of voting assistance program performance metrics and reporting requirements.

The FVAP Office also conducts post-Election Voting Surveys of the active duty military, voting assistance officers, and State election officials in coordination with the Defense Manpower Data Center. These surveys:

- determine participation in the electoral process by U.S. citizens covered under UOCAVA;
- assess the impact of FVAP efforts to simplify and ease the process of voting absentee;
- evaluate the progress made to facilitate absentee voting participation; and
- identify any remaining obstacles to voting experienced by these absentee voters.

We reviewed post-election surveys reported by the FVAP Office and voting assistance officer metrics, which are both required by DoD Instruction 1000.04. We determined that research and evaluation efforts improved the voting process based on the FVAP Office analysis of post-election surveys, voting assistance officer metrics, and voting assistance officer quarterly input. The FVAP Office reports on improvements and changes to enhance program effectiveness annually to the President and Congress.²³ All of the information and reports to Congress, surveys, and general research reports, are available on the FVAP.gov website.

For example, when we reviewed the 2016 post-election report, the FVAP Office completed a statistical analysis of active duty military voter registration and participation rates. The process adjusted the demographic profile of the citizen voting age to be similar to the military population, enabling greater insight into how the registration and participation rates compare. The analysis showed a decrease in voting registration and participation rates for active duty military from 2012 to 2016. The report attributed this to interest in the election and

²³ 52 U.S.C. § 20308(b) requires the Presidential designee to submit an annual report on the effectiveness of activities and use of certain procedures to the President and Congress not later than March 31st of each year.

demographic shifts, and called out the need for further research. However, the analysis also showed that the rates of active duty military absentee voting were similar to previous years, and rate of those who received requested ballots increased.

Congressional Reporting – The FVAP Office Submits Annual Reports to Congress

The UOCAVA requires the FVAP Office to submit a report to Congress following each Presidential election on the effectiveness, oversight, and compliance of FVAP efforts.²⁴ The report includes findings from FVAP’s post-election surveys and provides an assessment of activities supporting annual elections for Federal offices.

Examples from the report completed post-2018 election demonstrate the impact of FVAP efforts, by allowing the FVAP Office to identify trends over time to Congress and the President. The following are examples of what the FVAP Office included in its 2018 report to Congress.

- Voter registration rate for all active duty military was 61 percent and the participation rate for voting was 26 percent.
- In 2018, three quarters of all active duty personnel who voted used an absentee ballot, which is a 7 percent increase in active duty military using absentee methods, compared to 2014.
- Active duty military who received assistance from a DoD voting resource (the FVAP Office, unit voting assistance officers, or installation voting assistance offices) were significantly more likely to submit a ballot than if they did not receive assistance. According to FVAP reporting to Congress, this finding has been consistent across the last four General Elections (2012, 2014, 2016, and 2018) and highlights the importance and effectiveness of efforts by the FVAP Office and the Services to raise awareness of available resources and provide direct assistance.²⁵

²⁴ 52 U.S.C. § 20308.

²⁵ 2020 General Election data will not be available until June 2021.

External Stakeholder Agency Engagement – The FVAP Office Coordinates With External Stakeholder Agencies on Behalf of UOCAVA Voters

The FVAP Office administers the UOCAVA on behalf of the Secretary of Defense. As amended by the MOVE Act, UOCAVA requires States to transmit requested absentee ballots to UOCAVA voters no later than 45 days before a Federal election. Those citizens protected by UOCAVA include:

- Members of the Uniformed Services (Army, Navy, Marine Corps, Air Force, Coast Guard, the United States Public Health Service Commissioned Corps [Department of Health and Human Services], and the National Oceanic and Atmospheric Administration Commissioned Officer Corps);
- Members of the Merchant Marine;
- Eligible family members of the organizations listed above; and
- U.S. citizens residing outside the U.S.

The FVAP Office assists voters through outreach and partnerships with several stakeholders including the Military Services, the Election Assistance Commission, Department of State, Department of Justice, election officials from 50 States, U.S. territories, and the District of Columbia. Enhancing these outreach efforts and partnerships would increase the knowledge of UOCAVA laws, the rights of UOCAVA voters, and awareness of voting tools for voting assistance officers, as well as individual UOCAVA voters. Some of these key relationships ensure UOCAVA voters can exercise their right to vote worldwide, include the following agencies:

The Department of Justice

The Department of Justice provides litigation and compliance monitoring work on behalf of UOCAVA voters. According to the Department of Justice, the UOCAVA of 1986, 52 U.S.C. § 20301-20311, as amended by the MOVE Act of 2009, Public Law No. 111-84, Subtitle H, § 575-589, 123 stat. 2190, 2318-35 (2009), requires States to afford military and overseas voters a meaningful opportunity to register and vote absentee in elections for Federal office. Protecting the voting rights of military and overseas voters remains one of the highest priorities of the Department of Justice.

The Secretary of Defense is the Presidential designee with primary responsibility for implementing the Federal functions mandated by UOCAVA, and the Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as may be necessary to carry out the provisions of UOCAVA [52 U.S.C. § 20301(a); and 52 U.S.C. § 20307(a)]. The Attorney General has assigned responsibility for enforcement of UOCAVA to the Department of Justice's Civil Rights Division. Since UOCAVA was enacted in 1986, the Department of Justice has initiated and resolved numerous cases to enforce UOCAVA.

Under the MOVE Act amendments, UOCAVA requires that the Attorney General submit an annual report to Congress by December 31st of each year on any civil action brought under the Attorney General's enforcement authority under UOCAVA during the preceding year (52 U.S.C. § 20307[b]). As detailed in its prior reports to Congress, the Department of Justice has engaged in extensive enforcement of the MOVE Act's requirements since they went into effect for the 2010 general election.

In preparation for its nationwide compliance monitoring program for the 2020 Federal election cycle, the Department of Justice wrote to all the chief State election officials in November 2019 to remind them of their UOCAVA responsibilities. The Department of Justice also requested teleconferences to discuss State election officials' preparations for the primary elections. As in prior Federal election cycles, the Department of Justice requested that the State election offices monitor the transmission of absentee ballots and provide confirmation to the Department of Justice that ballots that were requested by the 45th day prior to the Federal elections were transmitted by that date.

The Election Assistance Commission

The DoD has a memorandum of understanding with the Election Assistance Commission to coordinate their survey efforts to reduce the reporting burden on State and local election officials and consolidate reporting to Congress. As the Presidential designee, UOCAVA directs the Secretary of Defense, in accordance with Executive Order 12642, to work with the Election Assistance Commission and the chief State election official of each State to develop standards for States to report data on the number of absentee ballots transmitted and received under 52 U.S.C § 20302 of UOCAVA.

52 U.S.C. § 20302 requires that each State and unit of local government which administered the election shall (through the State, in the case of a unit of local government) submit a report to the Election Assistance Commission (established under the Help America Vote Act of 2002 [52 U.S.C. § 20901, et seq.]) reflecting these data on Uniformed Service and overseas civilian voting, no later than 90 days after the date of each regularly scheduled general election for Federal office. According to the memorandum of understanding, this coordination effort is limited to Section B (UOCAVA portion) of the Election Administration and Voting Survey and projects that contribute to improving the UOCAVA data collected through the Election Administration and Voting Survey.

The UOCAVA mandates that the Election Assistance Commission create a standardized format for State reporting of UOCAVA voting information (52 U.S.C. § 20302). UOCAVA requires that:

Not later than 90 days after the date of each regularly scheduled general election for Federal office, each State and unit of local government which administered the election shall (through the State, in the case of a unit of local government) submit a report to the Election Assistance Commission (established under the Help America Vote Act of 2002) on the combined number of absentee ballots transmitted to absent Uniformed Services voters and overseas voters for the election and the combined number of such ballots which were returned by such voters and cast in the election, and shall make such a report available to the general public.

States that complete and submit the UOCAVA section of the survey to the Election Assistance Commission within the required 90 days fulfill their UOCAVA reporting requirement under 52 U.S.C. § 20302(c).

Since 2004, the Election Assistance Commission has administered the Election Administration and Voting Survey biennially to the 50 States, the District of Columbia, and the territories of America Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands. The survey asks election officials questions concerning voting and election administration. These questions request information at the State and county levels (or county equivalent) on ballots cast; voter registration; overseas and military voting; Election Day activities; voting technology; and other important issues. The Election Assistance Commission issues the survey to meet its obligations under the Help America Vote Act to serve as national clearinghouse and resource for the compilation of information with respect to the administration of Federal elections. The survey data is also used to satisfy statutory requirements and results in three reports: The Impact of the National Voter Registration Act of 1993; the UOCAVA; and, the Election Administration and Voting Survey. These reports are sent to Congress and posted on the Election Assistance Commission website.

The Department of State

The Department of State is required to work with the DoD to assist millions of military and civilian voters residing abroad who may be eligible to vote in Federal elections under the UOCAVA, 52 U.S.C. § 203. The Department of State assists the Secretary of Defense in carrying out these functions with respect to U.S. civilians overseas. The Department of State is delegated responsibility for providing voting assistance to all private and official overseas U.S. citizens that do not fall under the jurisdiction of the Secretary of Defense. Department of State voting assistance officers and staff are charged with providing non-partisan information on how overseas U.S. citizens can participate in U.S. elections, and assisting overseas U.S. citizens with the completion and transmission of absentee voting forms and ballots. Voting assistance officers have voting assistance responsibilities during election and non-election years alike.

The primary resource for both private U.S. citizens who wish to vote and Department of State voting assistance officers is the FVAP.gov website. The website contains an online assistant to help private U.S. citizens complete voter registration forms, absentee ballot requests, and emergency write-in ballots. The website also contains links to State election and voter registration verification websites, as well as important dates and State-specific instructions. For Department of State voting assistance officers, the website contains the required voting assistance officer training, downloadable voting forms, downloadable motivational voting materials for use in voting outreach events, and contact information for all State and local election officials. The website also contains information on applicable overseas voting laws and the FVAP.

The Department of Commerce

According to Department of Commerce officials, in the past, the DoD has reached out to the Department of Commerce to discuss UOCAVA voting problems. The National Oceanic and Atmospheric Administration Commissioned Officer Corps' Commissioned Personnel Center employees receives DoD FVAP-related DoD Instructions from the FVAP Office. The National Oceanic and Atmospheric Administration Commissioned Officer Corps' Commissioned Personnel Center does have information about absentee voting, including the FVAP.gov website link, posted on its website.

The Department of Health and Human Services

The Department of Health and Human Services, United States Public Health Service Commissioned Corps has no formal mechanism or process in place to account for or provide voting assistance to UOCAVA voters employed by Department of Health and Human Services Commissioned Corps. Some officers may be aware of or receive information concerning absentee voting, the FVAP voting guide or website from their agencies; however, it is not made available by Commissioned Corps headquarters.

The Department of Transportation

The Department of Transportation does not provide absentee balloting or voter outreach to Mariners. The Office of Maritime Labor and Training provides some indirect support for the decennial census but not for elections.

The FVAP Office works to ensure Mariners, 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. 52 U.S.C. § 22301(c)(1) requires Government departments, agencies, and other entities to distribute balloting materials and cooperate in carrying out UOCAVA upon the Presidential designee's request. The goal of voter assistance efforts is to maximize voting assistance effectiveness and outcomes.

The FVAP Office Complied With the Requirements of DoD Instruction 1000.04

We reviewed the FVAP.gov website, which contains survey results that the FVAP Office routinely reported to the President and Congress. The FVAP.gov website effectively assists eligible voters and other stakeholders, while providing statistical analysis and general information on voter participation and Federal-State cooperation. The website includes educational materials that help simplify the UOCAVA voting process, identifies State websites offering online voter registration and ballot request tools, and compiles election news, State-specific voting deadlines, requirements, and contact information.

We determined that the requirements in DoD Instruction 1000.04 were followed and that this was the result of the actions by the FVAP Office, engagement with the Services, and the combined work of election officials and voters who conducted and analyzed post-election surveys, as well as metrics from voting assistance officers. The culmination of that work was used to report all endeavors to the President and Congress. As a result, eligible voters have the information necessary to participate in the voting process. DoD organizations and leaders also have the necessary tools to ensure access to and comply with Federal law and DoD Instruction 1000.04.

The FVAP Office Did Not Develop and Implement Written Agreements With All External Stakeholder Agencies to Enhance Outreach Efforts

Through discussions with personnel from external stakeholder agencies, we discovered that the FVAP Office only had an agreement (memorandum of understanding) with the Election Assistance Commission to coordinate on Section B (UOCAVA portion) of the Election Administration and Voting Survey. Although the Department of Homeland Security's United States Coast Guard is an external stakeholder, in accordance with UOCAVA, the Coast Guard carries out the FVAP in the same manner as the other Military Services, through DoD Instruction 1000.04 and its own policy, Commandant Instruction 1742.3L. The Instruction applies to all active duty Coast Guard members and their family members and encourages personnel to actively participate in the Federal, State, and local electoral processes of their home States.

DoD Instruction 1000.04 States That the Director of the FVAP Office May Enter Into Agreements With Other Executive Agencies

As part of making the UOCAVA voting process work and in accordance with DoD Instruction 1000.04, paragraph 2.5, the Director, Defense Personnel and Family Support Center, through the FVAP Office engages in cooperative agreements with non-governmental organizations to conduct research on voting issues and policies with State, and local government entities. This research includes voting assistance, elections, and an impact analysis of voter registration assistance to assist in formulating recommendations, as appropriate, for improvements in Federal and State procedures, forms, and laws. The FVAP Office may also enter into agreements with other executive agencies, including, but not limited to the Department of State, the Commissioned Corps of the United States Public Health Services, under agreement with the Department of Health and Human Services, and the Commissioned Officer Corps of the National Oceanic and Atmospheric Administration, under agreement with the Department of Commerce, in accordance with Section 20301(c) of Title 52, U.S.C.

As a result of actions by the FVAP Office, eligible voters had the information necessary to participate in the voting process. DoD organizations and leaders also had the necessary tools to ensure access to and comply with Federal law and DoD Instruction 1000.04. However, the FVAP Office had not developed and implemented agreements, such as memorandums of understanding, with all external stakeholder agencies to enhance outreach and ensure a collaborative and efficient effort to support UOCAVA voters.

On March 6, 2020, the DoD's Office of the Under Secretary of Defense for Personnel and Readiness issued an interim rule, entitled "Federal Voting Assistance Program." The interim rule modified existing regulations to require Federal agencies to enter into memorandums of understanding with the DoD to provide accurate, nonpartisan voting information and assistance to ensure military and overseas voters understand their voting rights, how to register and apply for an absentee ballot, and how to return their absentee ballot successfully.²⁶

²⁶ According to Washington Headquarters Services Administrative Instruction Number 102, "Office of the Secretary of Defense (OSD) Federal Register (FR) System," November 6, 2006, Incorporating Change 2, September 24, 2020; an interim final rule is a rule published in the Federal Register and Code of Federal Regulations without prior publication of a proposed rule, usually to respond to an emergency situation or in response to a legislative or executive requirement with a short suspense. The rule is usually considered a temporary rule and may request public comments. If the interim final rule becomes permanent, a final rule must be published in the Federal Register to adopt the interim final and a discussion of any comments received. The comment period ended April 6, 2020.

Entering into memorandums of understanding with other Federal agencies will allow the FVAP Office to strengthen its communications by expanding its outreach efforts to other Federal agencies such as allowing agencies to link to the FVAP.gov website and augment existing voter assistance information. These efforts seek to boost voter awareness, education, and participation in upcoming election cycles.

Without developing and implementing written agreements, such as the memorandum of understanding that the DoD has with the Election Assistance Commission, the FVAP Office Director cannot ensure that his office meets the intent of DoD Instruction 1000.04 with regard to outreach. In addition, the FVAP Office Director cannot ensure a collaborative and efficient effort to support UOCAVA-voters' ability to exercise their right to vote – from anywhere in the world, especially those serving in deployed, dispersed, and tenant organizations, and their eligible family members. Therefore, the Director of the FVAP should develop and implement agreements, such as memorandums of understanding, with all external stakeholder agencies to enhance outreach and ensure a collaborative and efficient effort to support UOCAVA voters and their eligible family members, including those in deployed, dispersed, and tenant organizations.

Recommendations, Management Comments, and Our Response

Recommendation

We recommend that the Director of the Federal Voting Assistance Program develop and implement agreements, such as memorandums of understanding, with all external stakeholder agencies to enhance outreach and ensure a collaborative and efficient effort to support Uniformed and Overseas Citizen Absentee Voter Act voters and their eligible family members, including those in deployed, dispersed, and tenant organizations.

The Director of the Federal Voting Assistance Program Office Comments

The Director of the FVAP Office agreed with the recommendation, stating that entering into agreements such as memorandums of understanding with Federal Agencies will allow the FVAP to standardize its approach for meeting the requirements of the UOCAVA and leverage opportunities to increase the reach of its existing information awareness efforts. The Director of the FVAP Office stated that, to the extent practicable, the FVAP Office will adopt this recommendation for the 2022 election cycle.

Our Response

The comments from the Director of the FVAP Office addressed the intent of the recommendation; therefore, the recommendation is resolved and open. We will close the recommendation once we obtain and verify that the agreements, such as memorandums of understanding, were implemented with external stakeholder agencies.

Appendix A

Scope and Methodology

We conducted this evaluation from October 2020 through March 2021 in accordance with the “Quality Standards for Inspection and Evaluation,” published in January 2012, by the Council of Inspectors General on Integrity and Efficiency. Those standards require that we adequately plan the evaluation to ensure that we meet objectives and that we perform the evaluation to obtain sufficient, competent, and relevant evidence to support the findings, conclusions, and recommendations. We believe that the evidence obtained was sufficient, competent, and relevant to lead a reasonable person to sustain the findings, conclusions, and recommendations.

The scope of this evaluation included the reporting period of January 1, 2020, to December 31, 2020, in accordance with our responsibilities under 10 U.S.C. § 1566. We collected reports from the Inspectors General of the Army, Navy, Air Force, and Marine Corps, assessing their Service’s voter assistance program compliance during 2020. We reviewed these reports and supporting data to report on the level of compliance and effectiveness of Service voting assistance programs.

We conducted data calls and interviewed representatives from the offices of the DoD FVAP and the Service IGs to assess their implementation of requirements specified in DoD Instruction 1000.04. We reviewed the FVAP.gov website and documentation prepared by the FVAP Office, including its annual report to Congress on the effectiveness of activities carried out under the UOCAVA. We also conducted data calls and interviewed representatives from the offices of the Election Assistance Commission; and the Departments of Commerce, Health and Human Services, Homeland Security, Justice, State and Transportation, to assess the level of outreach and collaboration between these offices and the FVAP Office to ensure that UOCAVA voters have the ability to vote worldwide.

We reported on voting assistance programs of the Services concerning their effectiveness and whether these programs complied with relevant DoD and Service policies. To determine compliance with DoD Instruction 1000.04, with regard to outreach efforts to UOCAVA voters, we collected and reviewed:

- DoD policies and procedures;
- Annual FVAP reports to Congress and the President, studies, and statistical analysis;

- U.S. Election Assistance Commission electronic voting reports (which include FVAP UOCAVA data) to Congress and the President, studies, and statistical analysis strategies;
- UOCAVA voters registration and absentee ballots requests and submissions data maintained in the FVAP portal;
- Services quarterly data on UOCAVA voters assisted and populated in the FVAP portal; and
- FVAP and Service guidance on voter assistance and outreach.

To avoid duplication, we also reviewed relevant reports by other oversight organizations, such as the Government Accountability Office (GAO).

We reviewed relevant Federal laws, DoD and Service policies, voting action plans, and other appropriate documents, including the following policies and guidance:

Statute and Executive Policy

- Section 1566, title 10, United States Code
- Section 1566a, title 10, United States Code
- The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)
- Military and Overseas Voter Empowerment (MOVE) Act
- Executive Order 12642

Department of Defense Guidance

DoD Instruction 1000.04

Services

Each military Service has published voting assistance program policies to implement the statute and the DoD Instruction. These policies include the following:

- Army Regulation 608-20, “Army Voting Assistance Program,” November 13, 2020;
- Chief of Naval Operations Instruction 1742.1c, “Navy Voting Assistance Program,” February 5, 2016;
- Air Force Instruction 36-3107, “Voting Assistance Program,” May 1, 2019; and Air Force Guidance Memorandum to Air Force Instruction (AFI) 36-3107, Voting Assistance Program, July 8, 2020; and
- Marine Corps Order 1742.1b, “Voting Assistance Program,” April 1, 2013.

Each Service supplements its voting assistance program with annual voting action plans. These voting action plans guide commanders and voting assistance officers in implementing the law and DoD policy. The voting action plans also identify key dates for ordering and mailing voting material and reporting voting assistance metrics for each election year.

Use of Computer-Processed Data

We did not use computer-processed data to perform this evaluation.

Prior Coverage

During the past 5 years the GAO, the DoD OIG, and others have issued reports discussing support to UOCAVA voters. Unrestricted DoD OIG reports can be accessed at <http://www.dodig.mil/reports.html/>. Unrestricted GAO reports can be accessed at <http://www.gao.gov>.

GAO

GAO Report No. GAO-16-378, “DOD Needs More Comprehensive Planning to Address Military and Overseas Absentee Voting Challenges,” April 20, 2016

According to the GAO, the DoD estimated the number of UOCAVA voters at more than six million U.S. citizens. The GAO reported that local election offices rejected UOCAVA voter ballots at about a 6-percent rate, while at the same time rejecting 1 percent of the non-UOCAVA voter ballots. The report explained that the discrepancy primarily resulted from local election offices receiving overseas ballots after established receipt deadlines. While the GAO found that the DoD had taken steps to improve military and overseas absentee voting assistance, it concluded that two longstanding issues remained. First, UOCAVA voters were not fully aware of FVAP resources intended to help them register, vote, and have their vote counted. Second, mail delivery from overseas locations was unpredictable. The GAO recommended that the DoD establish time frames to address challenges, fully implement the selected leading practices of Federal strategic planning into its day-to-day operations, and develop a strategic plan that fully exhibits the six selected leading practices of Federal strategic planning.

DoD OIG

As required by 10 U.S.C. § 1566, the DoD OIG has reported on the effectiveness of DoD voting assistance programs and compliance with the voting assistance programs of the Army, Navy, Air Force, and Marine Corps annually since 2001.

These reports made appropriate recommendations to address program challenges and to improve program support for absent military personnel, their dependents, and other overseas voters. Only one report, for the year 2019, has open recommendations, as described below. Management took appropriate action on the recommendations in all other reports.

DoD OIG Report No. DODIG-2019-065, “Evaluation of DoD Voting Assistance Programs for 2018,” March 25, 2019

The report found that 2 of the 10 Combatant Commands (U.S. Africa Command and U.S. Transportation Command) had a written FVAP policy as required by DoD Instruction 1000.04.²⁷ The remaining eight Combatant Commands either relied on the Service component or installation policy, or stated they were drafting a policy. Written voting policies serve to educate and provide awareness and assistance to all eligible personnel within the command who want to vote.²⁸

The report recommended that the commanders of the eight Combatant Commands without written voting policies develop and implement policies to support Uniformed Services personnel and their family members, including those in deployed, dispersed, and tenant organizations.

In 2019, commanders of U.S. Central Command, U.S. European Command, U.S. Indo-Pacific Command, and U.S. Strategic Command published written voting policies to support Service voters and their family members, including those in deployed, dispersed, and tenant organizations. The remaining U.S. Combatant Commands did not provide the required written voting policies.

The other DoD OIG annual reports issued for the previous 5 years were:

- DoD Report No. DoDIG-2020-076, “Evaluation of Department of Defense Voting Assistance Programs for Calendar Year 2019,” March 31, 2020
- DoD Report No. DoDIG-2019-065, “Evaluation of DoD Voting Assistance Programs for Calendar Year 2018,” March 25, 2019
- DoD Report No. DoDIG-2018-093, “DoD Voting Assistance Programs for Calendar Year 2017,” March 30, 2018
- DoD Report No. DoDIG-2017-071, “Assessment of DoD Voting Assistance Programs for Calendar Year 2016,” March 31, 2017
- DoD Report No. DoDIG-2016-071, “Assessment of DoD Voting Assistance Programs for Calendar Year 2015,” March 31, 2016

²⁷ Combatant Commands are components of the DoD, each with a geographic or functional mission.

²⁸ The eight Combatant Commands without voting policies were: U.S. Central Command, U.S. Cyber Command, U.S. European Command, U.S. Indo-Pacific Command, U.S. Northern Command, U.S. Southern Command, U.S. Special Operations Command, and U.S. Strategic Command.

Appendix B

Federal Voting Assistance Program Overview

The FVAP Office provides voting assistance to military personnel, their eligible family members, and overseas citizens through a Federal mandate. The FVAP Office works to ensure that each of these groups is aware of the right to vote and has the tools and resources to successfully do so from anywhere in the world.

52 U.S.C. § 20301 requires the President to delegate the head of an executive department to have primary responsibility for the functions related to the registration and voting by absent Uniformed Services voters and overseas voters in elections for Federal office. Specifically, the Presidential designee shall:

- consult State and local election officials in carrying out this chapter, and ensure that such officials are aware of the requirements of this Act;
- prescribe an official postcard form, containing both an absentee voter registration application and an absentee-ballot application, for use by the States, as required under 52 U.S.C. § 20302(a)(4);
- carry out 52 U.S.C. § 20303 provisions with respect to the Federal write-in absentee ballot for absent Uniformed Services voters and overseas voters in general elections for Federal office;
- prescribe a suggested design for absentee-ballot mailing envelopes;
- compile and distribute:
 - descriptive material on State absentee registration and voting procedures, and
 - to the extent practicable, facts relating to specific elections, including dates, offices involved, and the text of ballot questions;
- not later than the end of each year after a Presidential election year, transmit to the President and the Congress a report on the effectiveness of assistance under this chapter, including a statistical analysis of Uniformed Services voter participation, a separate statistical analysis of overseas nonmilitary participation, and a description of State-Federal cooperation;
- prescribe a standard oath for use with any document under this chapter affirming that a material misstatement of fact in the completion of such a document may constitute grounds for a conviction for perjury;
- carry out 52 U.S.C. § 20304 with respect to the collection and delivery of marked absentee ballots of absent overseas Uniformed Services voters in elections for Federal office;

- to the greatest extent practicable, take such actions as may be necessary:
 - to ensure that absent Uniformed Services voters who cast absentee ballots at locations or facilities under the jurisdiction of the Presidential designee are able to do so in a private and independent manner; and
 - to protect the privacy of the contents of absentee ballots cast by absentee Uniformed Services voters and overseas voters while such ballots are in the possession or control of the Presidential designee;
- carry out 52 U.S.C. § 20305 with respect to Federal Voting Assistance Program Improvements; and
- working with the Election Assistance Commission and the chief State election official of each State, develop standards for:
 - States to report data on the number of absentee ballots transmitted and received under 52 U.S.C. § 20302(c) of this title and such other data as the Presidential designee determines appropriate; and
 - the Presidential designee to store the data reported.

Executive Order 12642 identified the Secretary of Defense as the Presidential designee. The Secretary of Defense delegated this authority and the reporting requirement to the Under Secretary of Defense for Personnel and Readiness. DoD Instruction 1000.04 further delegated UOCAVA responsibilities to the Assistant Secretary of Defense for Manpower and Reserve Affairs (for policy guidance, direction, and oversight), and the Director of the Defense Personnel and Family Support Center (for policy support and operational responsibilities).

The Office of the FVAP Director is under the Director of the Defense Personnel and Family Support Center. When exercising these duties, DoD FVAP Office coordinates with the Election Assistance Commission, the Departments of Commerce, Defense, Health and Human Services, Justice, State, Homeland Security, and Transportation.

DoD Instruction 1000.04 also assigns responsibilities to the DoD Components to develop written voting-related policies to support all eligible Uniformed Services personnel and their family members, including those in deployed, dispersed, and tenant organizations.

The FVAP Office is required to report the information specified within UOCAVA to the President and Congress not later than March 31st of each year. Its report is required to include descriptions of Military Department voter registration assistance programs and their use, absentee ballot collection and delivery, cooperation between States and the Federal Government, as well as assessments of absent Uniformed Services and overseas voter registration and participation.

The FVAP Office, in accordance with 52 U.S.C. § 20305, provides an online portal to inform absent Uniformed Service members, their families, and overseas citizens about voter registration and absentee ballot procedures. Military Service officials, election officials, and other stakeholders use data from the portal for dissemination, analysis, and program improvements.

Appendix C

FVAP Voting Assistance Metrics



DEFENSE HUMAN RESOURCES ACTIVITY
FEDERAL VOTING ASSISTANCE PROGRAM
4800 MARK CENTER DRIVE, SUITE 03J25-02
ALEXANDRIA, VA 22350-4000

OCT 15 2014

MEMORANDUM FOR SENIOR SERVICE VOTING REPRESENTATIVES OF THE
MILITARY DEPARTMENTS

SUBJECT: Voting Assistance Program Metrics

The Federal Voting Assistance Program (FVAP) coordinated with each Service on the voting assistance program performance metrics and reporting requirements, as required by the Department of Defense Instruction (DoDI) 1000.04. The attached Measures of Effect and Performance reflect the adjustments to FVAP's current measures of effectiveness based on research provided by the RAND Institute combined with the ongoing assessment FVAP applies to voting assistance.

FVAP prescribes the collection of the following data elements to commence January 1, 2015, via the FVAP portal, with quarterly entries to be provided no later than 15 days after the end of each quarter within CY 15. This guidance supersedes the FVAP memo dated 18 May 2011.

A handwritten signature in black ink, reading "Matthew D. Boehmer", is positioned above the typed name and title.

Matt Boehmer
Director, FVAP

Attachments:
As stated

FVAP Voting Assistance Metrics (cont'd)

<u>Measures of Effect & Performance</u>	
<u>Installation Voter Assistance Office</u>	
<u>Metrics</u>	<u>Justification</u>
Number of Personnel Assisted: Categorize into the following: <ul style="list-style-type: none"> ▪ Military ▪ Spouses/Dependents ▪ Other Civilians 	To provide an accurate representation of the utilization of this resource for voting assistance.
Of the Total Number of Personnel Assisted, how many did you directly assist with completing the following forms: <ul style="list-style-type: none"> ▪ Federal Post Card Application (FPCA) ▪ Federal Write-In Absentee Ballot (FWAB) ▪ National Voter Registration Form (NVRF) 	To provide an accurate representation on the level and type of assistance provided to qualified voters through each Installation Voter Assistance Office. "Directly assisting" refers to the assistance that instructs on the completion on one of the forms listed and/or responding to questions related to the completion of the form.
Of the total Number of Personnel Assisted, how many did you provide general information:	To provide a distinguishing characteristic for the levels of assistance that is provided and provide context for the type of assistance sought through this resource.
Total Number of FPCAs distributed:	To measure the extent of utilization for the use of the FPCA and potential penetration of the FPCA at an installation.
Of the total number of FPCAs distributed, describe the method of distribution: <ul style="list-style-type: none"> ▪ Hard Copy forms ▪ Electronic (e.g., e-mail, online) ▪ Referred voter to FVAP.gov 	To provide clarifying characteristics for the preferred method of distributing the FPCA.
Total Number of FWABs distributed:	To measure the extent of utilization for the use of the FWAB and potential penetration of the FWAB at an installation.
Of the total number of FWABs distributed, describe the method of distribution: <ul style="list-style-type: none"> ▪ Hard Copy forms ▪ Electronic (e.g., e-mail, online) ▪ Referred voter to FVAP.gov 	To provide clarifying characteristics for the preferred method of distributing the FWAB.
Total Number of NVRFs distributed:	To measure the extent of utilization for the use of the NVRF and potential penetration of the NVRF at an installation.
Of the total number of NVRFs distributed, describe the method of distribution: <ul style="list-style-type: none"> ▪ Hard Copy forms ▪ Electronic (e.g., e-mail, online) ▪ Referred voter to FVAP.gov 	To provide clarifying characteristics for the preferred method of distributing the FWAB.
Total Number of NVRFs mailed on behalf of the voter	To measure the extent and volume of NVRFs transmitted from an IVA Office

FVAP Voting Assistance Metrics (cont'd)

Reporting Requirements and usage of the FVAP Portal located at FVAP.gov:

- 1. Date of appointment**
- 2. Date and method of most recent training**
- 3. Continuity Book created and available for inspection**

FVAP Voting Assistance Metrics (cont'd)

Unit Voting Assistance Officers

Metrics	Justification
Number of Personnel Assisted: Categorize into the following: <ul style="list-style-type: none"> ▪ Military ▪ Spouses/Dependents ▪ Other Civilians 	To provide an accurate representation of the utilization of this resource for voting assistance.
Total Number of Personnel Assisted, how many did you directly assist with completing the following forms: <ul style="list-style-type: none"> ▪ Federal Post Card Application (FPCA) ▪ Federal Write-In Absentee Ballot (FWAB) 	To provide an accurate representation on the level and type of assistance provided to qualified voters through each Installation Voter Assistance Office. "Directly assisting" refers to the assistance that instructs on the completion on one of the forms listed and/or responding to questions related to the completion of the form.
Total Number of Personnel Assisted, how many did you provide general information:	To provide a distinguishing characteristic for the levels of assistance that is provided and provide context for the type of assistance sought through this resource.
Total Number of FPCAs distributed:	To measure the extent of utilization for the use of the FPCA and potential penetration of the FPCA at an installation.
Of the total number of FPCAs distributed, describe the method of distribution: <ul style="list-style-type: none"> ▪ Hard Copy forms ▪ Electronic (e.g., e-mail, online) ▪ Referred voter to FVAP.gov 	To provide clarifying characteristics for the preferred method of distributing the FPCA.
Total Number of FWABs distributed:	To measure the extent of utilization for the use of the FWAB and potential penetration of the FWAB at an installation.
Of the total number of FWABs distributed, describe the method of distribution: <ul style="list-style-type: none"> ▪ Hard Copy forms ▪ Electronic (e.g., e-mail, online) ▪ Referred voter to FVAP.gov 	To provide clarifying characteristics for the preferred method of distributing the FWAB.

Reporting Requirements and usage of the FVAP Portal located at FVAP.gov:

4. Date of appointment
5. Date and method of most recent training
6. Continuity Book created and available for inspection

FVAP Voting Assistance Metrics (cont'd)

Recruiting Offices

Metrics	Justification
Number of Personnel Assisted for Recruiting Services (Total Number of Persons Entering the Recruiting Office)	To provide an accurate representation of the utilization of this resource for voting assistance.
Number of DD Form 2645 (Yes/No) Completed (Must be Citizen and 18 Years Old by Date of Election to Complete Form)	To provide an accurate representation of the utilization of this resource for voting assistance.
Number of Voter Registration Applications Submitted by Recruiting Offices, By State	To provide an accurate representation of the utilization of this resource for voting assistance.
Number of Voter Registration Applications Taken by Citizens, but Not Submitted by Recruiting Offices	To provide an accurate representation of the utilization of this resource for voting assistance.
Total Mailing Costs to Submit Voter Registration Application to States	To provide an accurate representation of the cost of this resource for voting assistance.

Appendix D

FVAP.gov Website Outreach Material



FVAP.gov
FEDERAL VOTING ASSISTANCE PROGRAM

Voting assistance for Service members,
their families and overseas citizens

Election Forms and Materials | Voting Assistance Guide | FAQs | Links | Contact

Looking for Something?

Home | **Military Voter** | Overseas Citizen Voter | Voting Assistance Officer | Election Official | General Information

info outreach Share    

General Information

About FVAP

Leadership

FVAP Purpose

About Absentee Voting

About Elections

About The Laws

UOCAVA

NVRA

HAVA

Voting Residence

Political Activities

Reports And Surveys

Search Surveys And Reports

Electronic Voting Demo Project

Overseas Citizen Population Analysis

State Of The Military Voter

Report To Congress 2018 Post Election Report Highlights

News

Outreach Materials

Absentee Voting Video Series

Infographics

Contact

IVA Office

Interactive Data Center

Military

Overseas

States

Outreach Materials

To assist Service members, their families and overseas citizens, FVAP has created materials to cover many topics related to absentee voting. These tools are available below for you to download, print and share as you see fit. We are always looking for ways to improve the voter experience through information, so check back over the next few months to see what has been added! To order hard copy materials if you are a Voting Assistance Officer for the Services or State Department, please check the guidance provided.

Handouts

The Federal Voting Assistance Program has handouts that can help explain the absentee voting process, provide election dates and important contact information. Download and share these handouts when needed:

- Frequently Asked Questions Handout
- Primary Election Dates Calendar
 - Primary Election Dates Calendar Handout
- U.S. Embassy and Consulate Email Addresses Handout
- Tri-Fold Brochure
- Wallet Card
- FPCA and FWAB Reference for State Instruction
- Flow Chart for Overseas Military Voting
- Translation of FPCA Instructions in Español
- Translation of FPCA Instructions in Português
- Translation of FPCA Instructions in Français
- Translation of FPCA Instructions in العربية
- Translation of FWAB Instructions in Español
- Translation of FWAB Instructions in Português
- Translation of FWAB Instructions in Français
- Translation of FWAB Instructions in العربية

Fact Sheets

- The Federal Post Card Application - FPCA
- The Federal Write-In Absentee Ballot - FWAB
- Common Questions
- Separating from Active Duty - Voter Assistance
- Military Mail Complexities
- Voting Residence - Military Service Members and Families
- Voting Residence - Overseas Citizens
- Spouses and Eligible Family Members
- Federal Employees Working Outside the U.S.
- New VAO
- Deployment Tips
- Primary Elections

Posters

FVAP produces a voting poster for every election year. This poster is available to help ensure absentee voters are aware of the tools and resources FVAP provides, as well as how to contact FVAP and the local Voting Assistance Officer.



Digital Graphics

- Infographics

FVAP.gov Website Outreach Material (cont'd)

Overseas

States

Posters

FVAP produces a voting poster for every election year. This poster is available to help ensure absentee voters are aware of the tools and resources FVAP provides, as well as how to contact FVAP and the local Voting Assistance Officer.

- 2020-2021 Posters
 - Army Poster
 - Navy Poster
 - Marine Poster
 - Air Force Poster
 - Coast Guard Poster
 - All Military Poster
 - Overseas Citizen Poster
- 2018-2019 Poster
- 2016-2017 Poster
 - Military Service Member Version
 - Overseas Citizen Version
- 2014-2015 Poster
- 2012-2013 Poster
- 2010-2011 Poster
- 2008-2009 Poster

Additional Resources

- Voting Assistance Guide
- Two versions of 30-second radio ads:
 - You
 - Press Release Template

Service Ads

Many local news outlets will be able to give you free space when available, so we have created three sizes of the ads for each Service. If you need a specific size, email vote@FVAP.gov and we will do our best to accommodate your request. Click your Service below to open the three ads and save the PDFs for your use:

* Army * Navy * Marine Corps * Air Force * Coast Guard * Guard/Reserve

Digital Graphics

- Infographics

Videos

YouTube:

- Your Greatest Weapon Ad
- Voter Call to Action PSA
- "You Can Vote From Here: Vote Now" Videos
- "You Can Vote From Here: Register & Request" Videos
- UOCAVA Absentee Voting Process Videos
- Informational videos for
 - Military Service Members
 - Military Families

On FVAP.gov:

- Your Greatest Weapon Ad
- Voter Call to Action PSA
- "You Can Vote From Here Playlist"
- UOCAVA Absentee Voting Process Videos
- Informational videos for
 - Military Service Members
 - Military Families

Digital Media Content Toolkits

These toolkits support like-minded organizations in their efforts to help Service members, their families and overseas citizens vote absentee. You're welcome to customize and publish this shared content on digital channels like websites, blogs, social media and email. Please [contact FVAP](mailto:contact@FVAP.gov) if you would like assistance sharing this information, experience any issues downloading the files or would like to request additional materials.

- Organizations Serving Military Service Members
 - Military Toolkit Instructions
 - Military Toolkit Assets
- Organizations Serving Military Spouses and Families
 - Military Families Toolkit Instructions
 - Military Families Toolkit Assets
- Organizations Serving Overseas Citizens
 - Overseas Citizens Toolkit Instructions
 - Overseas Citizens Toolkit Assets
- Service Voting Action Officers
 - Service Voting Action Officers Toolkit Instructions
 - Service Voting Action Officers Toolkit Assets
- Election Officials
 - Election Official Communications Toolkit Instructions
 - Election Official Communications Toolkit Assets
- Voting Week Toolkits
 - Overseas Citizens Voting Week Instructions
 - Overseas Citizens Voting Week Toolkit Assets
 - Active Duty Voting Week Instructions
 - Active Duty Voting Week Toolkit Assets

Pre-Printed Resources

Some products such as wallet cards, tri-fold brochures and posters are better shared using our pre-printed copies. To request hardcopy products, email vote@FVAP.gov. We have limited resources, so please be respectful in the number of items you request.

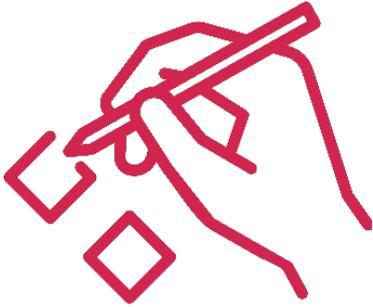


Can't find what you need? Let us know what we can create to help you! Email Media@FVAP.gov with suggestions.

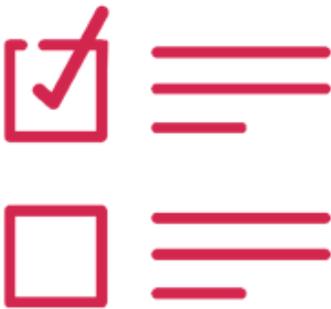
Appendix E

UOCAVA Voting Process

Here is how the UOCAVA voting process works for eligible voters:*



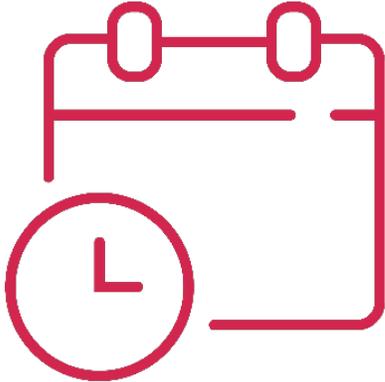
A citizen registers to vote and requests an absentee ballot by submitting the Federal Postcard Application to the election office.



The election office verifies the voter's eligibility and either accepts or rejects the Federal Postcard Application.



If the voter is eligible, the election office sends an absentee ballot at least 45 days before a Federal election.



The voter completes the ballot and sends it back to the election office by the deadline.

If the ballot does not arrive in time to send it back before the deadline, the voter can use the Federal Write-In Absentee Ballot as a back-up ballot.



The election office received and counts the ballot.

The voter can check that the ballot was received by contacting their election office.

Management Comments

Federal Voting Assistance Program Response



FEDERAL VOTING ASSISTANCE PROGRAM
DEFENSE PERSONNEL AND FAMILY SUPPORT CENTER
4800 MARK CENTER DRIVE, SUITE 05E22
ALEXANDRIA, VA 22350-4000

MEMORANDUM FOR PROGRAM DIRECTOR, EVALUATIONS PROGRAMS,
COMBATANT COMMANDS, OVERSEAS CONTINGENCY
OPERATIONS

SUBJECT: Response to Draft Report on "Evaluation of Department of Defense Voting Assistance Programs for Calendar Year 2020" Project No. D2021-DEV0PA-0004.000, March 15, 2021

Thank you for the opportunity to comment on the draft report. In response to the findings and associated recommendation contained in your report, we provide the following response:

- **Recommendation:** We recommend that the Director of the Federal Voting Assistance Program (FVAP) develop and implement agreements, such as memorandums of understanding, with all external stakeholder agencies to enhance outreach and ensure a collaborative and efficient effort to support Uniformed and Overseas Citizen Absentee Voter Act voters and their eligible family members, including those in deployed, dispersed, and tenant organizations.
- **Concur:** Entering into agreements such as memorandums of understanding with Federal Agencies will allow the Federal Voting Assistance Program to standardize its approach for meeting the requirements of the Uniformed and Overseas Citizen Absentee Voting Act and leverage opportunities to increase the reach of its existing information awareness efforts.

To the extent practicable, FVAP will adopt this recommendation for the 2022 election cycle.

Please direct questions to my point of contact, [REDACTED]

A handwritten signature in blue ink that reads "David Beirne".

David Beirne
Director

Acronyms and Abbreviations

FVAP	Federal Voting Assistance Program
GAO	Government Accountability Office
IG	Inspector General
MOVE	Military and Overseas Voter Empowerment Act
OIG	Office of Inspector General
OSD	Office of the Secretary of Defense
UOCAVA	The Uniformed and Overseas Citizens Absentee Voting Act

Glossary

Eligible Voter. An eligible voter is any of the following:

- Absent member of a Uniformed Service voter.
 - A member of the Uniformed Services on active duty who, by reason of such active duty, is absent from the place of residence where the member is otherwise qualified to vote.
 - A member of the Merchant Marine who, by reason of service in the Merchant Marine, is absent from the place of residence where the member is otherwise qualified to vote.
- Eligible family member
 - A spouse or dependent of an absent member of a Uniformed Service voter who, by reason of the active duty or service of the member, is absent from the place of residence where the eligible family member is otherwise qualified to vote.
- Overseas voter.
 - An absent member of a Uniformed Service voter who, by reason of active duty or service, is absent from the United States on the date of the election involved;
 - A person who resides outside of the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States; or
 - A person who resides outside of the United States and (but for such residence) would be qualified to vote in the last place in which the person was domiciled before leaving the United States.

Federal Post Card Application. A form for Service members, their eligible family members, and overseas citizens to both register to vote and request absentee ballots.

Federal Write-in Absentee Ballot. A backup ballot for voters who do not receive their requested State absentee ballot in time to vote and return it.

Geographically Separated Units. Mission elements that are dispersed from a regular-type military installation and do not normally have the same level of support associated with a host-base configuration. Geographically separated units typically rely on additional administrative and operational support from a designated main installation and command component.

Installation Voting Assistance Office. The office designated by the installation commander to provide voter assistance to members of a Uniformed Service, voting-age military dependents, government employees, contractors, and other civilian U.S. citizens with access to the installation. Installation voting assistance offices also serve as voter registration agencies under Chapter 205 of Title 52, U.S.C.

Installation Voting Assistance Officer. A civilian, or a member of a Uniformed Service responsible for voting assistance coordination at the installation level.

Metrics. A systematic means of measuring essential management information for reporting, control, and process improvement.

Online Portals of Information. A customized website designated by the FVAP Office that immerses information from a wide array of sources in a consistent and uniformed manner.

Service Voting Action Officer. Individual designated for his or her respective component responsible for the implementation of voting assistance operations.

Uniformed and Overseas Absentee Voting Act (UOCAVA) Citizens. Uniformed and Overseas Absentee Voting Act citizens are U.S. citizens who are active members of the Uniformed Services, the Merchant Marine, and the Commissioned Officer Corps of the Public Health Service and the National Oceanic and Atmospheric Administration, their eligible family members, and U.S. citizens residing outside the United States.

Uniformed Services. The Army, Navy, Air Force, Marine Corps, Coast Guard, Commissioned Corps of the Public Health Service, and the Commissioned Officer Corps of the National Oceanic and Atmospheric Administration as defined in 52 U.S.C. § 20310(7).

Voting Assistance Officer. A member of a Uniformed Service or civilian appointed to support unit level voting assistance activities and support the broader execution of voting assistance responsibilities at an installation level.

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U.S. DEPARTMENT OF DEFENSE

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