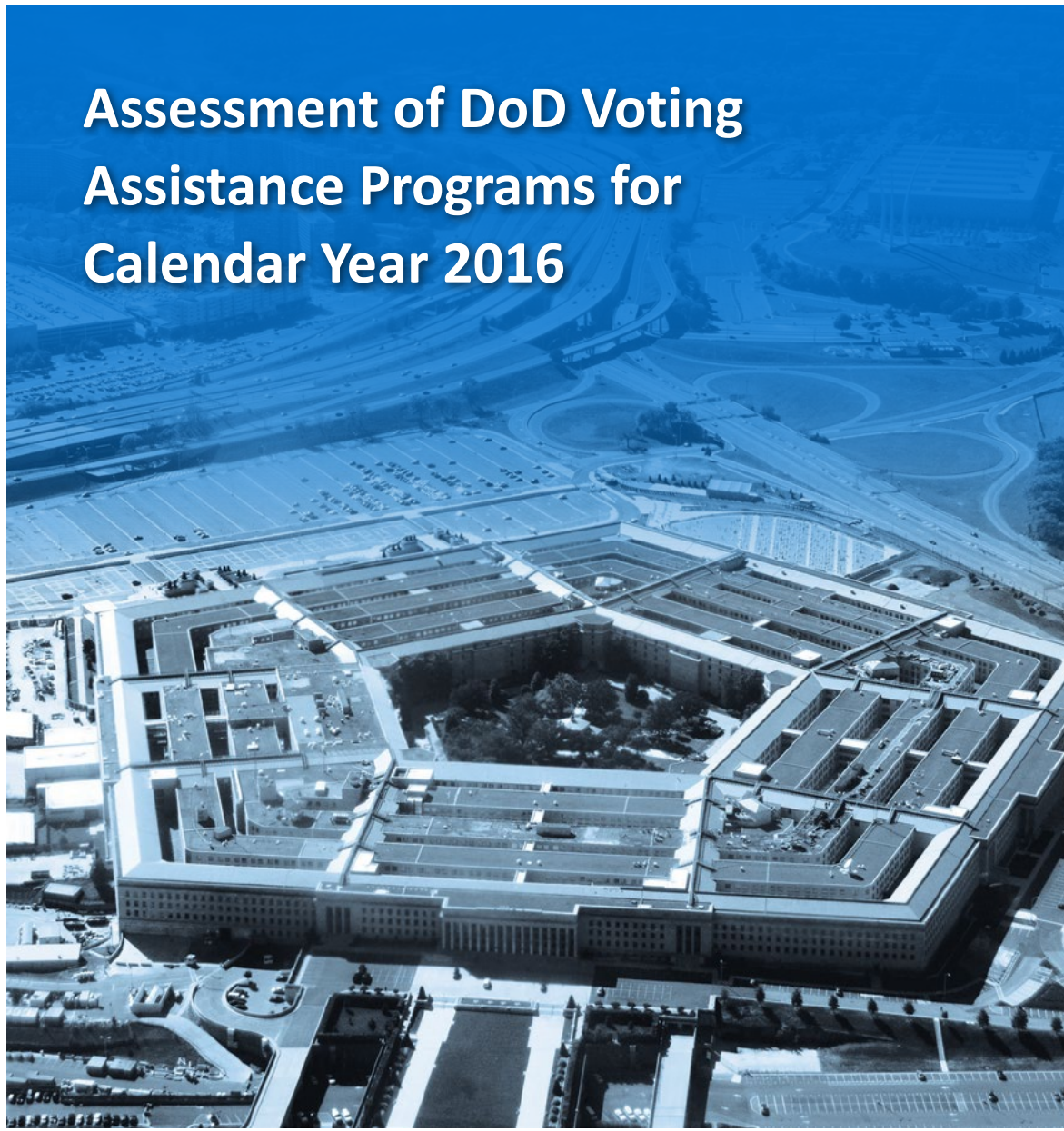




INSPECTOR GENERAL

U.S. Department of Defense

MARCH 31, 2017



Assessment of DoD Voting Assistance Programs for Calendar Year 2016

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Results in Brief

Assessment of DoD Voting Assistance Programs for Calendar Year 2016

March 31, 2017

Objective

The objective of this project was to report on the effectiveness and level of compliance of DoD Voting Assistance Programs (VAP) based on their respective Service Inspector General (IG) annual reviews, and to review the National Guard Bureau's VAP.

Service-Report Summaries

We also reviewed the annual assessments of Voting Assistance Programs for 2016 submitted by the IGs of the Military Services. We found no issue that warranted recommendation for improvement.

- The Army IG reported that the Army VAP complied with Federal statutes and DoD policies, and that the Army conducted an effective program for 2016. The Army IG specifically noted an increase in the amount of training conducted by Voting Assistance Officers across all reportable fields, and the number of voting assistance officers who had their VAP-related duties documented in their performance evaluations.
- The Naval IG stated that the Navy VAP complied with Federal statutes and DoD policies, and was effective in 2016. The Naval IG reported that all VAP deficiencies from prior years were corrected and closed, and that no new deficiencies were found.
- The Air Force IG reported that the Air Force VAP complied with Federal statutes and DoD policies, and that the Air Force VAP was effective for 2016. The IG also stated that the assignment of the Airman and Family Readiness Center, with responsibility for execution and oversight of Federal

Service-Report Summaries (cont'd)

Voting Assistance Program requirements across the Air Force, should help to resolve the most frequent discrepancies identified in its current inspection cycle and to improve overall compliance.

- The Marine Corps IG concluded that the Marine Corps' VAP complied with Federal statutes and DoD policy, and was effective. For 2016 the IG confirmed the implementation of new VAP performance metrics as prescribed by the Federal Voting Assistance Program Office. The IG reported that the collection of this data through the new Federal Voting Assistance Program Administrative Portal provides a more accurate representation of the use of resources for voting assistance and identified those installations and commands that did not meet voting assistance requirements.

Finding

The National Guard Bureau did not have a written VAP and a current-year voting assistance plan as required by applicable regulations. As a result, the National Guard Bureau will have difficulty accomplishing its responsibilities under DoD Instruction 1000.04, "Federal Voting Assistance Program (FVAP)," September 13, 2012, specifically to ensure effective coordination with the Adjutants General of the states to provide required voting assistance to activated National Guard Bureau personnel. The failure of the National Guard Bureau to have written voting assistance guidance, as required by both DoD and Service policy, results in an unclear chain-of-command authority and responsibility in regard to Army National Guard and Air National Guard VAP issues.

Recommendation

We recommend that the Chief, National Guard Bureau, develop and issue voting assistance policy that includes a contingency voting assistance program and a current-year voting assistance plan that complies with DoD Instruction 1000.04, "Federal Voting Assistance Program (FVAP)," September 13, 2012, and Army Regulation 608-20, "Army Voting Assistance Program," April 22, 2014.



Results in Brief

Assessment of DoD Voting Assistance Programs for Calendar Year 2016

Management Comments and Our Response

The Deputy Director/Planner, National Guard Bureau, on behalf of the Chief, National Guard Bureau, reviewed a draft of this report, and provided technical and administrative comments. The Deputy Director/Planner agreed with the recommendation, with comment, stating that the NGB plans to develop and issue NGB VAP policy, program, and plan documents to comply with DODI 1000.04 and Army Regulation 608-20, "Army Voting Assistance Program," April 22, 2014, as well as to address identified VAP deficiencies. Specifically, the Deputy Director/Planner stated the NGB intent to:

- designate a Senior Service Voting Representative and Service Voting Action Officer, and
- coordinate with the Adjutants General of the states and the Commanding General of the DC National Guard to inform the state or territory chief election officials when National Guard units are mobilized or placed in Federal status.

Comments from the Deputy Director/Planner, National Guard Bureau, on behalf of the Chief, National Guard Bureau, addressed the recommendation; therefore the recommendation is resolved, but it remains open. We will close the recommendation after we verify that the NGB has developed and issued voting assistance policy that complies with DODI 1000.04 and AR 608-20.

Follow-Up on Prior Recommendations

The following summarizes two recommendations from prior DoD OIG reports, along with actions taken in response.

DoD IG Report No. DODIG-2016-071, "Assessment of DoD Voting Assistance Programs for Calendar Year 2015," March 31, 2016, recommended that the Director, Federal Voting Assistance Program Office, coordinate with the Inspector General, United States Army; the

Naval Inspector General; the Inspector General, United States Air Force; and the Inspector General of the Marine Corps to initiate a dialogue with the Senior Service Voting Representatives to consider establishing a standard DoD definition of Voting Assistance Program compliance. The Director, Federal Voting Assistance Program Office, concurred with the recommendation and formed a multi-Service working group. In January 2017 the working group met, drafted tenets defining compliance, agreed to include the Service IGs in future meetings, and planned to meet again after the release of this report. We therefore consider this recommendation closed. However, in future reports we will continue to review developments about the establishment of a standard DoD definition of VAP compliance.

DoD IG Report No. DODIG-2013-074, "Assessment of Voting Assistance Programs for Calendar Year 2012," April 29, 2013, recommended that the Director, Federal Voting Assistance Program Office, develop enhanced performance goals and metrics to enable better measurement of VAP program effectiveness. In October 2014 the Director distributed Voting Assistance Program "Measures of Effect and Performance" to each of the Services. Service IG VAP reports showed that the Services incorporated the Measures of Effect and Performance into their annual reporting. The Service IGs reports for 2015 and 2016 stated that Installation Voting Assistance Officers, Unit Voting Assistance Officers, and recruiting personnel collected data and reported results quarterly through the Federal Voting Assistance Program portal. We therefore consider the recommendation closed. However, a full four-year general-election cycle using this new data-collection methodology will be required to fully realize and assess the results of using the new metrics, and we will continue to review the Services' use of these new VAP metrics.

Recommendations Table

Management	Recommendation Unresolved	Recommendation Resolved	Recommendation Closed
Chief of the National Guard Bureau	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 31, 2017

MEMORANDUM FOR CHIEF OF THE NATIONAL GUARD BUREAU
INSPECTOR GENERAL OF THE UNITED STATES ARMY
NAVAL INSPECTOR GENERAL
INSPECTOR GENERAL OF THE UNITED STATES AIR FORCE
INSPECTOR GENERAL OF THE MARINE CORPS

SUBJECT: Assessment of DoD Voting Assistance Programs for Calendar Year 2016
(Report No. DODIG-2017-071)

We are providing this report for information and review. We conducted this assessment from November 2016 to March 2017 in compliance with the "Quality Standards for Inspections and Evaluations," published in January 2012 by the Council of Inspectors General on Integrity and Efficiency.

This assessment is part of an annual reporting requirement specified by section 1566, title 10, United States Code (2016).

We considered management comments to the draft of this final report. Comments from the Deputy Director/Planner, National Guard Bureau, on behalf of the Chief, National Guard Bureau, were responsive and conformed to the requirements of DoD Instruction 7650.03; therefore we do not require additional comments.

We appreciate the courtesies extended to the staff. Please direct questions [REDACTED]

[REDACTED]

A handwritten signature in black ink, appearing to read "K. Moorefield".

Kenneth P. Moorefield
Deputy Inspector General
Special Plans and Operations



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Introduction

Objective

The objective of this project was to report on the effectiveness and level of compliance of DoD Voting Assistance Programs (VAPs) based on their respective Service Inspector General's (IGs) annual reviews, and to review the National Guard Bureau's (NGB) VAP, in accordance with section 1566, title 10, United States Code [10 U.S.C. § 1566 (c) (2016)].

This law requires that:

1. The IG of each of the Army, Navy, Air Force, and Marine Corps must conduct:
 - (A) an annual review of the effectiveness of voting assistance programs, and
 - (B) an annual review of the compliance with voting assistance programs of that armed force.
2. The Service IGs must submit their reviews to the DoD OIG.
3. Not later than March 31 each year, the DoD IG must submit to Congress a report on:
 - (A) the effectiveness of voting assistance programs during the preceding calendar year; and
 - (B) the level of compliance of voting assistance programs of each of the Army, Navy, Air Force, and Marine Corps during the preceding calendar year.

The Service IGs provide these VAP reviews to the DoD Office of Inspector General (DoD OIG) by January 31 of each year in accordance with DoD Instruction 1000.04, "Federal Voting Assistance Program (FVAP)," enclosure 4, section 2.n, September 13, 2012.

During the assessment we reviewed the Military Services' VAPs, the NGB's VAP responsibilities (including the Army National Guard and Air National Guard),¹ and the portion of the FVAP Office responsibilities that fall within the DoD. Specifically, we inspected the NGB's execution of, and compliance with, voting assistance responsibilities in DoD Instruction 1000.04, enclosure 2, section 4, and enclosure 4.

¹ For this report, the National Guard Bureau includes the Chief, National Guard Bureau, (the Commanding General) and his supporting headquarters staff (titled the National Guard Bureau Joint Staff) consisting of full-time members of the Army and Air National Guards.

Background

Federal Voting Assistance Program Office (FVAP Office)

The FVAP Office coordinates with the Military Services to ensure that Service members, their eligible dependents, and U.S. Citizens overseas are aware of their right to vote and to have the tools and resources needed to successfully exercise that right. (See Appendix B, FVAP Overview.)

National Guard Bureau

Before 2008, the Army and Air National Guards were considered as elements of their respective Services, and the Chief, NGB, advised the Army and Air Force Secretaries and Chiefs of Staff. In 2008 the position of Chief, NGB, was elevated from Lieutenant General (3 stars) to full General (4 stars), and at the same time he was assigned as the principal advisor to the Secretary of Defense “on matters involving non-federalized National Guard forces.” The Directors of the Army and Air National Guard (Lieutenant Generals) are responsible for formulating, developing, and coordinating all policies, plans, and programs for their respective forces.

The Chief, NGB, became a member of the Joint Chiefs of Staff in 2011, and he serves as a military advisor to the President, the Secretary of Defense, and the National Security Council. He also acts as the official channel of communication between the DoD and state governors or Adjutants General on all matters pertaining to the National Guard. He is responsible for the readiness of more than 453,000 Army and Air National Guard members assigned throughout the United States and territories while they serve in Title 32 status.² He also has direct responsibility for about 1,200 Army Guardsmen and about 1,450 Air Guardsmen serving under Title 10.

Today the Chief, NGB, is tasked with providing voting assistance to eligible voters assigned to NGB headquarters and VAP support throughout his command. DoD Instruction 1000.04 assigns specific responsibilities to the Chief, while voting assistance for the Army and Air Guard units are governed by their respective Services’ regulations.

² Members of the National Guard perform military duty either for their states (under Title 32 of the United States Code, “National Guard”), or the Federal government (under title 10 of the United States Code, “Armed Forces”). Members of the National Guard are mobilized under both sections of the code.

Criteria

Federal Guidance

Uniformed and Overseas Citizens Absentee Voting Act

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) (title 52, United States Code, Chapter 203 [2016]) provides the legal basis for absentee voting requirements for Federal offices. It requires that each state permit absent Uniformed Services voters and overseas voters to use absentee registration procedures to vote by absentee ballot in general, special, primary, and runoff elections for Federal offices. Section 20310 of UOCAVA (52 U.S.C. § 20310 [2016]) defines an absent Uniformed Service voter as:

- a member of a Uniformed Service 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; and
- a spouse or dependent of a Uniformed Service member or member of the Merchant Marine who, by reason of the active duty or service of the member, is absent from the place of residence where the spouse or dependent is otherwise qualified to vote.

Section 20310 also defines an “overseas voter” as:

- an absent 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 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 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.

Military and Overseas Voter Empowerment Act

The Military and Overseas Voter Empowerment (MOVE) Act of 2009 amended UOCAVA by providing greater protections for service members, their eligible family members, and other overseas citizens. Some of the provisions introduced by the MOVE Act require the States to:

- provide UOCAVA voters with an option to request and receive voter registration and absentee-ballot applications by electronic transmissions,
- transmit validly requested absentee ballots to UOCAVA voters no later than 45 days before an election for Federal office,
- allow UOCAVA voters to track the receipt of their absentee ballots through a free access system, and
- take steps to ensure that electronic transmission procedures protect the security of the balloting process and the privacy of the identity and personal data of UOCAVA voters using the procedures.

DoD Guidance

DoD Instruction 1000.04, enclosure 3, assigns responsibilities to the FVAP Office (which is within the Office of the Under Secretary of Defense for Personnel and Readiness), in accordance with UOCAVA. DoD Instruction 1000.04 states that the FVAP Office shall, among other things, assist all eligible voters in receiving information (such as dates, offices, constitutional amendments, and other ballot proposals) about registration, voting procedures, and materials pertaining to scheduled elections. It further outlines the roles and responsibilities of the Under Secretary of Defense for Personnel and Readiness, DoD Components, the Services, the Chief of the NGB, and the Director of the FVAP Office.

In addition, enclosure 2 states that “The Chief, National Guard Bureau, in addition to the responsibilities in section 5 of this enclosure, shall:

- a. Designate in writing a uniformed officer or a civilian employee of the appropriate grade as the senior service voting representative (SSVR) to manage the voting assistance program within the National Guard.
- b. Designate a service voting action officer (SVAO), preferably a civilian employee (GS-12 or higher), to assist the SSVR and who shall be responsible for voting assistance operations within the National Guard.
- c. In coordination with the Adjutants General of the National Guard of the States and territories, inform the State or territory chief election official when National Guard units are mobilized or placed in a Federal status.

DoD Component Guidance

Each Service has its own VAP to implement law and DoD policy. Service policies governing the Army, Navy, Air Force, and Marine Corps VAPs are:

- Army Regulation 608-20, “Army Voting Assistance Program,” April 22, 2014;
- Chief of Naval Operations Instruction (OPNAVINST) 1742.1C, “Navy Voting Assistance Program,” February 5, 2016;
- Air Force Instruction 36-3107, “Voting Assistance Program,” February 27, 2014; and
- Marine Corps Order 1742.1B, “Voting Assistance Program,” April 1, 2013.

Each of the Services supplements its VAP policies with regularly updated voting action plans. These plans provide lower-level guidance to commanders and voting assistance officers (VAOs) on the implementation of law and DoD policy. The plans also identify key dates that change between election years, recommended ordering and mailing dates for voting material, and reporting dates for voting assistance metrics.

The NGB and the Army National Guard do not have their own VAP guidance but follow the requirements in AR 608-20, under which the NGB reports to the Army IG on FVAP suspense and metrics. The Air National Guard also does not have its own guidance but follows Air Force Instruction 36-3107, “Voting Assistance Program,” and the Air Force Voting Action Plan. The Air National Guard submits FVAP reports to the Air Force IG through the Installation Voting Assistance Officer (IVAO) at Joint Base Andrews.

Federal Election Year Voting Assistance Program Requirements

In accordance with statutes and DoD VAP policies and requirements, the Services addressed required VAP activities in 2016. As a part of preparation for the Federal election, to promote voter registration and absentee voting, the Services conducted special events, which included:

- Armed Forces and Overseas Citizens Voters Week, which promoted voter registration and absentee voting; and
- Absentee Voting Week, which encouraged eligible voters to return their completed ballots as soon as possible or to use the Federal Write-In Absentee Ballot.³

³ Standard Form 186, “Federal Write-In Absentee Ballot,” serves as a backup ballot for UOCAVA-eligible voters who do not receive their absentee ballots in time to return to their State election office by the deadline. The Federal Write-In Absentee Ballot can be used in all states and territories to vote for federal offices.

Further, IVAOs are responsible for the delivery of Federal Postcard Applications to eligible voters by January 15 of each calendar year and by July 15 of even-numbered years. In addition, every major-command, installation, and unit VAO is required to attend a FVAP voting-assistance workshop during even-numbered years with elections for Federal offices.

DoD Instruction 1000.04 also includes requirements for DoD Components other than the Military Services. For our 2016 assessment we reviewed the VAP responsibilities assigned to the Chief of the NGB. The results of our review of the National Guard Bureau are discussed in the Finding of this report.

Observations

Army Voting Assistance Program Compliance

The Department of the Army Inspector General (Army IG) issued “Calendar Year 2016 Annual Report of the U.S. Army Compliance with Department of Defense Federal Voting Assistance Program Requirements,” on January 17, 2017. The Army IG reported that the Army complied with both DoD Instruction 1000.04 and Army Regulation 608-20, based on the consolidated results of Army Command IG inspections at Army organizations. The Army IG also concluded that the Army VAP continued to enable soldiers, civilian employees of the Army, family members, and contractors to fully participate in the American election process.

In the 2016 report, the Army IG summarized inspection results from 26 senior commands and 53 installations, encompassing 1,675 distinct organizations. The report also documented the compliance of 53 IVAOs and 2,814 Unit Voting Assistance Officers (UVAOs) supporting units at all levels of command. The report further includes data from the U.S. Army Recruiting Command, describing voting support provided to Army enlistees.

The Army IG uses a rotational system to inspect all Army commands during the 4-year election cycle. The system is designed to ensure that Army IGs inspect every major command at least twice in the 4-year period, with some Army commands receiving annual inspections. Finally, the inspection methodology requires the inspection of every senior-level command in presidential election years.

The Army IG uses a standardized inspection tool that incorporates requirements from 10 U.S.C. § 1566 (2016) and DoD Instruction 1000.04 to conduct VAP inspections. Command IGs use this standardized tool to inspect their subordinate organizations. The consolidated Army IG report detailed organizational compliance in seven specific categories: staffing, training, material distribution, communication and information network, commander- and installation-level involvement, VAP compliance, and VAP effectiveness. The Army IG reported that:

- Army VAP complied with Federal and DoD policies and continued efforts toward 100-percent compliance in all seven assessment categories, and it identified no major deficiency for the reporting period.
- Training of UVAOs continues to show progress, resulting in a training rate of 93 percent.
- Supervisors documented VAP responsibilities and performance in evaluation reports for 100 percent of IVAOs and 93 percent of UVAOs (an increase from the 90 percent reported in the 2015 report).

Additionally, the Army IG reported that during 2016 the Army Voting Assistance Program conducted an installation-level Army-wide FVAP survey to assess Service member VAP awareness, which resulted in increased marketing of the Installation Voting Assistance Offices. The IG also reported that Army organizations continue to expand the use of electronic and social media, such as installation and Army websites, Facebook, Twitter, and Pinterest as an around-the-clock means for delivering voting material to eligible voters. Finally, the Army IG noted that the Army Service Voting Action Officer participated in a multi-Service working group to discuss the development of a standard DoD definition of VAP compliance.

The Army IG report concluded that the Army has an effective VAP, enabling soldiers, Department of the civilian employees of the Army, family members, and contractors to participate in the election process.

Navy Voting Assistance Program Compliance

The Naval IG issued its “Assessment of Navy Voting Assistance Program (NVAP) for Calendar Year 2016,” on January 30, 2017, stating that the Navy VAP was compliant with 10 U.S.C. 1566 (2016), DoD Instruction 1000.04, and OPNAVINST 1742.1C. The Naval IG assessed compliance through on-site interviews with IVAOs and UVAOs during scheduled area visits and command inspections throughout 2016.

The Naval IG report reflects results from four echelon 2 command inspections, three area visits, and site visits to voting assistance offices. Inspection teams interviewed personnel assigned to voting assistance offices, and reviewed documents on-site.⁴ The Naval IG executes an inspection cycle to check operational commands and their subordinate units on a rotating basis.⁵ The system requires echelon 2 commands to inspect at least 10 percent of their subordinate commands annually.

The Naval IG reported on Navy VAP compliance in seven specific categories: staffing, training, material distribution, communication and information network, commander-and installation-level involvement, VAP compliance, and VAP effectiveness. The IG indicated that all units that underwent the VAP inspection were found to be compliant, stated that units and installations had corrected deficiencies from prior years, and that no new deficiencies were found.

⁴ Echelon 2 commands are those that answer directly to the Chief of Naval Operations, and area visits are to Navy Regional Commands.

⁵ Operational commands are those that provide Naval forces.

The Naval IG report further stated that the Navy VAP for 2016 was effective and that it showed improvement since 2015. It reported that annual self-assessments and quarterly calls with IVAOs and UVAOs (weekly before the November election) contributed to program effectiveness. In addition, the Navy VAP did frequent distribution of voting assistance marketing materials via social media and e-mail; radio, television, and newspapers; all-hands calls and other in-person events; and Naval training events.

Finally, the Naval IG reported that the Navy personnel participated in a multi-Service working group to discuss the development of a standard DoD definition of VAP compliance.

Air Force Voting Assistance Program Compliance

The Inspector General of the Air Force (Air Force IG) issued its “Federal Voting Assistance Program Inspection Report – FY16,” on January 25, 2017. The report summarized the comprehensive assessment of the Air Force VAP and compliance with Federal statutes, DoD instruction, and Air Force guidance.

The Air Force IG report reflects reviews and inspections of the Air Force VAP at all levels of command during IG inspections. The Air Force IG reported that teams inspected VAP in accordance with Air Force Instruction 90-201, “The Air Force Inspection System (AFIS),” April 21, 2015. Inspections reviewed program implementation and management, and included interviews with IVAOs and UVAOs. Based on the reported VAP inspections, the Air Force IG, while noting deficiencies, stated that the Air Force VAP complied with Federal statutes and DoD policy.

The Air Force IG reported on Air Force VAP compliance in seven specific categories: staffing, training, material distribution, communication and information network, commander- and installation-level involvement, VAP compliance, and VAP effectiveness. The IG reported that in FY 2016 command IGs conducted a total of 422 VAP inspections and identified 501 deficiencies, with 19 classified as significant.

The Air Force IG reported the top-two trends from the significant deficiencies identified during their current inspection cycle:

1. some unit leaders and FVAP managers failed to comply with published requirements (for example, newcomer orientation briefings, maintaining VAP documentation, and VAO training), that accounted for 71 percent of the deficiencies; and
2. some commanders failed to establish or maintain VAP programs (for example, some failed to establish Headquarters Air Force, major-command, installation, and unit programs), that accounted for 24 percent more.

These are repeat trends from the 2015 Air Force IG FVAP report. However, in the 2016 report, the Air Force IG stated that designating a representative to manage the Air Force VAP will resolve the top-two trends identified. The Secretary of the Air Force had recently assigned the Airman and Family Readiness Center with the responsibility for the execution and oversight of FVAP requirements at Air Force organizations.

The Air Force IG concurred with their VAP representatives, stating that implementation of the policy should improve compliance in these areas.

The Air Force IG reported that the Air Force assessed VAP effectiveness based on a qualitative evaluation of compliance with FVAP statutes and regulations, interviews, and surveys. To describe how the Air Force VAP remained effective for FY 2016, the Air Force IG stated that:

1. Documentation, such as the Air Force Voting Action Plan, was updated on a continuous basis.
2. Collaboration with field activities, such as the Air Force SVAO, Major Command VAOs, and IVAOs, was in place.
3. The VAO SharePoint site contained directives, guidance, best practices, and updated documents for use by VAOs at every level.
4. Communication continued from the FVAP office to the Service Voting Assistance Officer, then to IVAOs and UVAOs, who then provided relevant news and updates to their personnel.

The Air Force IG concluded that the Air Force VAP was effective for 2016. Finally, the Air Force IG reported that the Air Force participated in a multi-Service working group to discuss the development of a standard DoD definition of VAP compliance.

Marine Corps Voting Assistance Program Compliance

The Marine Corps IG issued its “Annual Assessment of the Marine Corps Federal Voting Assistance Program (FVAP) for Calendar Year (CY) 2016,” on January 25, 2017, in accordance with 10 U.S.C. § 1566 (2016). The guiding policies for the Marine Corps IG inspections were DoD Instruction 1000.04 and Marine Corps Order 1742.1B. Based on consolidated results of the inspections and quarterly voting reports, the Marine Corps IG concluded that the Marine Corps’ VAP complied with all relevant guidance.

The Marine Corps IG reported that all 35 organizations inspected during 2016 were in compliance. Further, the Marine Corps reported training 966 VAOs in 2016 through attendance at scheduled FVAP workshops or via online training provided by the FVAP office. IGs conducted inspections at installations and all levels of command.

The Marine Corps IG reported on VAP compliance in seven specific categories: staffing, training, material distribution, communication and information network, commander- and installation-level involvement, VAP compliance, and VAP effectiveness. The Marine Corps IG reported that 2016 VAP inspections identified 46 discrepancies. The three most common discrepancies were:

- Unit failed to maintain copies of annual unit voting assistance training rosters.
- Unit did not have voting and election posters displayed in common areas.
- Unit Voting Assistance Officer did not have contact information, or contact information was not updated, on unit's website or command directory.

To address the deficiencies, inspectors provided immediate training or had responsible officials make on-the-spot corrections. Marine Corps IG officials reported that all findings and deficiencies identified during the 2016 inspection cycle were addressed and corrected.

The Marine Corps IG inspects their VAP on a cyclic basis: Marine forces commands are inspected every 2 years, and all Marine expeditionary force, installation, and major subordinate command are inspected every 3 years. In addition to inspections by Marine Corps IGs, commanding generals include VAP in their command inspection programs, for which units are reviewed every two years.

The Marine Corps IG and the commanding generals use a standardized functional area checklist for every VAP inspection. Inspections include interviews with major command voting officers, IVAOs, UVAOs, commanding officers, and randomly selected Marines. Inspection teams also review documents and procedures to ensure compliance with applicable Marine Corps orders and directives. They checked whether voting assistance materials were displayed in accordance with Marine Corps Order 1742.1B. Each unit or installation received a grade of mission capable, mission capable with discrepancies, mission capable with findings, or non-mission-capable.

For 2016, the Marine Corps IG confirmed the use of the new VAP performance metrics as prescribed by FVAP. The IG reported that the collection of this data through the new FVAP Administrative Portal provides a more accurate representation of the use of resources for voting assistance, and it identifies those installations and commands not meeting voting-assistance requirements. Finally, the Marine Corps IG reported that the Marine Corps participated in a multi-Service working group to discuss developing a standard DoD definition of VAP compliance.

Overall, the Marine Corps expressed confidence that its VAP was effective, ensuring that Service members and their eligible family members were made aware of all 2016 voting events, and received appropriate assistance in meeting all absentee-voting requirements.

Finding

National Guard Bureau Noncompliance with DoD Voting Regulations

The Chief of the NGB is responsible for the VAP for all Army and Air National Guard units and the NGB Headquarters. We found no evidence of Guardsmen who were unable to access voting information, even though the Army and Air National Guards employ Service regulations and submit VAP data through Service channels. However, the NGB did not have a written VAP and a current-year voting assistance plan as required by both DoD and Service policies.

The NGB had not complied with DoD Instruction 1000.04 and Army Regulation 608-20.

As a result, the NGB will have difficulty in ensuring effective support to all eligible uniformed personnel and their family members and in coordinating with the Adjutants General of the states to assist mobilized National Guard personnel. The failure of the NGB to have a written VAP and a current-year voting-assistance plan, as required by both DoD and Service policy, results in an unclear chain-of-command authority and responsibility in regard to Army National Guard and Air National Guard VAP issues.

Discussion

During our review of the NGB VAP program, we identified several areas of program noncompliance with requirements mandated in DoD Instruction 1000.04 and AR 608-20. These deficiencies were:

- Senior Service Voting Representative. DoD Instruction 1000.04, enclosure 2, section 4.a, requires the Chief, NGB, to designate in writing a uniformed officer or a civilian employee of the appropriate grade as the senior service voting representative (SSVR) to manage the VAP within the National Guard. The position was not designated.
- Service Voting Action Officer. DoD Instruction 1000.04, enclosure 2, section 4.b., requires the Chief, NGB, to designate a Service Voting Action Officer preferably a civilian employee (General Schedule (GS) -12 or higher), to assist the SSVR [Senior Service Voting Representative].⁶ A NGB IG VAP inspection found that the NGB was non-compliant with AR 608-20, paragraph 3-3a, which requires that a VAO for a

⁶ For the uniformed services, DoD Instruction 1000.04 enclosure 4, section 2.b.1 requires "he or she should be at least of pay grade O-4 (if an officer) or E-8 (if enlisted)"

direct reporting unit be a soldier in the rank of Lieutenant Colonel or above, or a civilian equivalent. Senior Officials at the NGB stated that the NGB had identified but not appointed a service member with E-8 rank. We observed that the Army Guard had assigned a uniformed service member with E-7 rank, and therefore the NGB was non-compliant with both the DoD Instruction 1000.04 and the AR 608-20.

- Informing state and territory election officials of National Guard mobilization. DoD Instruction 1000.04, enclosure 2, section 4.c, requires the Chief, NGB, “in coordination with the Adjutants General of the National Guard of the States and territories, inform the State or territory chief election officials when National Guard units are mobilized or placed in Federal status.” National Guard representatives stated that they reacted to states contacting them rather than reaching out when units were mobilized.
- Contingency Army Voting Assistance Program. AR 608-20, chapter 2-3.a., requires the Chief, NGB, in coordination with the Army Voting Action Officer, “to maintain a contingency AVAP [Army Voting Assistance Program] for National Guard units and personnel who have been activated and deployed” We noted that the Army Guard Service Voting Action Officer established and maintained contact with the Army Voting Action Officer, but the NGB did not have a contingency VAP.
- Voting Assistance Officers in National Guard units. AR 608-20, chapter 2-3,c, requires the Chief, NGB, “to ensure a unit VAO [Voting Assistance Officer] is appointed within each activated unit.” The NGB Voting Action Officer was unable to verify that activated units had appointed Voting Assistance Officers.

In addition, DoD Instruction 1000.04, enclosure 4, section 1.a, requires all 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.” Further, AR 608-20, chapter 2-3,c, specifically requires the Chief, NGB, to “furnish a current year voting assistance plan to the senior voting action officer ... and State Adjutants General.” Both governing documents require the NGB to publish written guidance describing the policies and procedures used to provide voter assistance to eligible personnel. During our fieldwork, NGB representatives stated that they followed AR 608-20 and guidance in the 2016 Army Voting Assistance Instructions. However, they confirmed that they had no written voting-assistance plan for 2016 or 2017.

The lack of written VAP guidance, which includes a contingency VAP and current-year voting-assistance plan, detracted from the ability of the NGB to satisfy the intent and specified requirements of DoD Instruction 1000.04 and AR 608-20. The publication of a comprehensive voting-assistance policy for the

NGB headquarters would facilitate NGB compliance with FVAP requirements. The policy should include, but not be limited to, guidance for filling required positions, tracking information and training, and coordinating with external organizations. The implementation of such a policy would enable commanders to remedy noted deficiencies and identify and address future voting assistance issues, and potentially increase NGB oversight of voting assistance to mobilizing National Guard members.

Recommendation, Management Comments, and Our Response

Recommendation

Chief, National Guard Bureau, develop and issue voting assistance policy that includes a contingency voting assistance program and a current-year voting assistance plan that complies with Department of Defense Instruction 1000.04, “Federal Voting Assistance Program (FVAP),” September 13, 2012, and Army Regulation 608-20, “Army Voting Assistance Program,” April 22, 2014.

The Deputy Director/Planner, National Guard Bureau

The Deputy Director/Planner, National Guard Bureau, on behalf of the Chief, National Guard Bureau, reviewed a draft of this report and provided technical and administrative comments. The Deputy Director/Planner agreed with the recommendation, with comment, stating that the NGB plans to develop and issue NGB VAP policy, program, and plan documents to comply with DoD Instruction 1000.04 and Army Regulation 608-20, as well as to address identified VAP deficiencies. Specifically, the Deputy Director/Planner stated the NGB intent to:

- designate a Senior Service Voting Representative and a Service Voting Assistance Officer.
- coordinate with the Adjutants General of the states and the Commanding General of the DC National Guard to inform the state or territory chief election officials when National Guard units are mobilized or placed in Federal status,

Our Response

Comments from the Deputy Director/Planner, National Guard Bureau, on behalf of the Chief, National Guard Bureau, addressed the recommendation; therefore the recommendation is resolved, but it remains open. We will close the recommendation after we verify that the NGB has developed and issued voting assistance policy that complies with DoD Instruction 1000.04 and AR 608-20.



Prior Findings and Recommendations

Lack of a Standardized Definition of Voting Assistance Program Compliance

In DoD OIG Report No. DODIG-2016-071, “Assessment of DoD Voting Assistance Programs for Calendar Year 2015,” March 31, 2016, we stated that each Service IG determined and reported on their respective Military Service’s VAP compliance with Federal statutes and DoD policy in a different manner. The lack of a standardized definition for VAP compliance made verification of IG determinations of Service VAP compliance difficult, which could hinder the ability of Congress and other stakeholders to assess VAP compliance across the Services.

The report recommended that “the Director, Federal Voting Assistance Program Office, coordinate with the Inspector General, United States Army; the Naval Inspector General; the Inspector General, United States Air Force; and the Inspector General of the Marine Corps to initiate a dialogue with the Senior Service Voting Representatives to consider establishing a standard DoD definition of Voting Assistance Program compliance.”

The FVAP Director concurred with the recommendation and stated the desire to form a working group with the Services to address the matter. The working group met in January 2017, and planned to meet again in the spring of 2017. In January the group developed draft tenets defining compliance, agreed to include the Service IGs in future meetings, and decided to wait for the release of the DoD OIG annual FVAP report (this report) before meeting again. We determined that the actions of the FVAP office satisfied the recommendation as written and therefore consider this recommendation closed. However, in future reports we will continue to review developments related to the establishment of a standard DoD definition of VAP compliance.

Lack of Clearly Defined Performance Measures to Assess DoD Voting Assistance Programs

In DoD OIG Report No. DODIG-2013-074, “Assessment of Voting Assistance Programs for Calendar Year 2012,” April 29, 2013, we stated that, while the FVAP Office and Military Services had developed and applied some VAP goals and metrics, they were not sufficient to be able to comprehensively evaluate and report on the effectiveness of program accomplishment. The report recommended:

- 3.a. The Director, Federal Voting Assistance Program Office, on behalf of the Under Secretary of Defense for Personnel and Readiness, coordinate with

the Adjutant General, Army; Commander, Navy Installations Command; Director of Air Force Services; and Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs to:

1. Enhance performance goals and indicators for annual assessment of voting assistance activities to enable measurement of program effectiveness.
 2. Provide guidance to the Military Services regarding voting assistance program performance goals and indicators to enable them to measure program effectiveness at the Service level.
- 3.b. The Inspectors General of the Army, Navy, Air Force, and Marine Corps: upon receipt of the performance goals and indicators from the Federal Voting Assistance Program Office, include an evaluation of their respective voting assistance programs' effectiveness in their annual voting assistance program reports to the Department of Defense Inspector General.

In response, the FVAP Office developed a list of key metrics to help the Services to focus data collection and analysis of factors that matter most for voting success, and to use that data not just to monitor, but to improve performance. In October 2014, the FVAP Office distributed these metrics, termed "Measures of Effect and Performance," to each of the Services for reporting on VAP performance. The first full reporting cycle for which the Military Services collected data against the Measures of Effect and Performance was 2015. The FVAP Office's response and actions satisfied recommendations 3.a.1 and 3.a.2 above, and we considered them closed.

Our review of the VAP reports of the Service IGs showed that the Services had incorporated the FVAP Office's Measures of Effect and Performance into their annual reporting. The Service IGs reports for 2015 and 2016 stated that IVAOs, UVAOs, and recruiting personnel collected data and reported results quarterly through the FVAP portal. We therefore consider recommendation 3.b. above closed.

In DoD OIG Report No. DoDIG-2016-071, "Assessment of DoD Voting Assistance Programs for Calendar Year 2015," March 31, 2016, we noted that the FVAP Office stated that a full four-year general-election cycle using the new data collection methodology would be required to fully realize and assess the results. We agree that consistent use of these metrics over several years should allow the FVAP Office and the Services to monitor, assess, and improve VAP effectiveness throughout each election cycle. We encourage the Service IGs to provide more in-depth analyses of their VAP "Measures of Effect and Performance," as well as actions taken as a result of such analyses, in future VAP assessments. We will continue to review the Services' use of these new VAP metrics.

Appendix A

Scope and Methodology

We conducted this assessment from December 2016 through March 2017 in accordance with “Quality Standards for Inspection and Evaluation,” Council of the Inspectors General on Integrity and Efficiency, January 2012, and the DoD Inspector General “Inspection and Evaluation Handbook,” second edition, October 2016. This report meets our responsibilities under 10 U.S.C. § 1566 (2016) and DoD Instruction 1000.04, September 13, 2012.

During the 2016 reporting cycle we reviewed relevant Federal laws, DoD policies, Service policies, and other appropriate documents. We met with the DoD FVAP Office, the Service IG representatives and Service VAP representatives. We also met with officials responsible for VAP and its oversight in the NGB, Army National Guard, and Air National Guard to assess implementation of their requirements specified in DoD Instruction 1000.04.

In accordance with 10 U.S.C. § 1566 (2016), we received assessment reports from the Inspectors General of the Army, Navy, Air Force, and Marine Corps covering 2016. We reviewed the reports and supporting data, as needed. We met with representatives of the Service Inspectors General and Service Voting Action Officers from the Army, Navy, Air Force, and Marine Corps to discuss their data-collection procedures and criteria used as a basis for their conclusions. While we performed a qualitative review and analysis of the content of the 2016 VAP reports issued by the Service Inspectors General, we did not independently validate their data and conclusions.

Use of Computer-Processed Data

The Service IGs used computer-processed data to generate their annual reports to the DoD OIG. We did not test their results for accuracy, completeness, or consistency. However, based on our review of the methodologies used by the Service IGs to collect their data, we determined that results presented were sufficiently reliable to meet our objective.

Prior Coverage

During the past 4 years the Government Accountability Office (GAO) and the DoD OIG issued five reports discussing DoD support to service members who qualify under UOCAVA. Unrestricted GAO reports may be accessed at <http://www.gao.gov>. Unrestricted DoD OIG reports may be accessed at <http://www.dodig.mil/pubs/index.cfm>.

GAO

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

GAO found that the DoD, through the Federal Voting Assistance Program, had taken steps to identify challenges and needed improvements to its military and overseas absentee voting assistance efforts. However, two long-standing issues – limited awareness of resources for voters and the unpredictable postal delivery of absentee ballots – continued to pose challenges. GAO recommended that the DoD establish time frames for actions to address challenges, fully implement the selected leading practices of federal strategic planning into day-to-day operations, and develop a strategic plan with the six selected leading practices of Federal strategic planning. As of March 2017, GAO reported that it has "not yet confirmed" what actions the DoD has taken, so the recommendations remain open.

DoD OIG

The DoD OIG has reported annually on the DoD execution of Federal Voting Assistance in accordance with section 1566, title 10, United States Code (10 U.S.C. § 1566 (c)) since 2001. A summary of our four most recent reports is included below.

Report No. DODIG-2016-071, "Assessment of DoD Voting Assistance Programs for Calendar Year 2015," March 31, 2016

We concluded that the Service IGs lacked a standardized definition for voting assistance program compliance with Federal statutes and DoD policy, which made it difficult for stakeholders to verify or to assess compliance across the Services. We recommended that the Director, Federal Voting Assistance Program Office, coordinate with the Service Inspectors General to initiate a dialogue with the Senior Service Voting Representatives to consider establishing a standard DoD definition of voting assistance program compliance.

Report No. DODIG-2015-098, "Assessment of DoD Voting Assistance Programs for Calendar Year 2014," March 31, 2015

We concluded that varying performance-evaluation cycles and understanding of the requirement resulted in the Military Services not always commenting on Voting Assistance Officers' performance in their evaluations in accordance with 10 U.S.C. § 1566 (2016). We recommended that the Services further emphasize the requirement and that the Service Inspectors General update their inspection checklists to accurately report Service compliance.

Report No. DODIG-2014-051, "Assessment of DoD Voting Assistance Programs for Calendar Year 2013," March 31, 2014

We concurred with Service Inspectors General determinations that their respective Services complied with voting assistance programs and regulation, while noting several minor deficiencies to which we recommended correction. We reemphasized our prior recommendation that the Federal Voting Assistance Program Office formulate guidance to the Military Services regarding their measurement of voting assistance program performance goals and indicators.

Report No. DODIG-2013-074, "Assessment of Voting Assistance Programs for Calendar Year 2012," April 29, 2013

We found that the FVAP Office and Services had not applied clearly defined voting assistance program goals and metrics that would enable evaluation of program effectiveness, and several issues affecting execution of Voting Assistance Programs. We recommended that the Services periodically assess the means by which Service members request voting assistance and revise Service Voting Assistance Office and Officer staffing requirements accordingly, and for the FVAP Office to provide guidance to the Services on VAP performance goals and performance indicators to facilitate Service measurement and reporting on VAP effectiveness.

Appendix B

Federal Voting Assistance Program Overview

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

Section 20301, title 52, United States Code, 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 –

- (1) consult state and local election officials in carrying out this chapter, and ensure that such officials are aware of the requirements of this Act;
- (2) 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 section 20302(a)(4) of title 52;
- (3) carry out section 20303 of title 52 with respect to the Federal write-in absentee ballot for absent Uniformed Services voters and overseas voters in general elections for Federal office;
- (4) prescribe a suggested design for absentee-ballot mailing envelopes;
- (5) compile and distribute
 - (A) descriptive material on state absentee registration and voting procedures, and
 - (B) to the extent practicable, facts relating to specific elections, including dates, offices involved, and the text of ballot questions;
- (6) 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;
- (7) 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;
- (8) carry out section 20304 of this title with respect to the collection and delivery of marked absentee ballots of absent overseas uniformed services voters in elections for Federal office;

- (9) to the greatest extent practicable, take such actions as may be necessary –
 - (A) 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
 - (B) 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;
- (10) carry out section 20305 of title 52 with respect to Federal Voting Assistance Program Improvements; and
- (11) working with the Election Assistance Commission and the chief State election official of each state, develop standards –
 - (A) for states to report data on the number of absentee ballots transmitted and received under section 20302(c) of this title and such other data as the Presidential designee determines appropriate; and
 - (B) for the Presidential designee to store the data reported.

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,” 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. The Under Secretary of Defense further delegated this authority to the Director, FVAP.

The FVAP Office is required to report the information specified within UOCAVA to the President and Congress not later than March 31 of each year. Their 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 [2016], provides an online portal to inform absent Uniformed Service members, their families, and overseas citizens about voter registration and absentee-ballot procedures. The portal is also used by the Services, election officials, and other stakeholders in the provision of data for dissemination, analysis, and program improvements.

Acronyms and Abbreviations

FVAP	Federal Voting Assistance Program
IG	Inspector General
IVAO	Installation Voting Assistance Officer
NGB	National Guard Bureau
OPNAVINST	Chief of Naval Operations Instruction
U.S.C.	United States Code
UOCAVA	Uniformed and Overseas Citizens Absentee Voting Act
UVAO	Unit Voting Assistance Officer
VAO	Voting Assistance Officer
VAP	Voting Assistance Program

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