



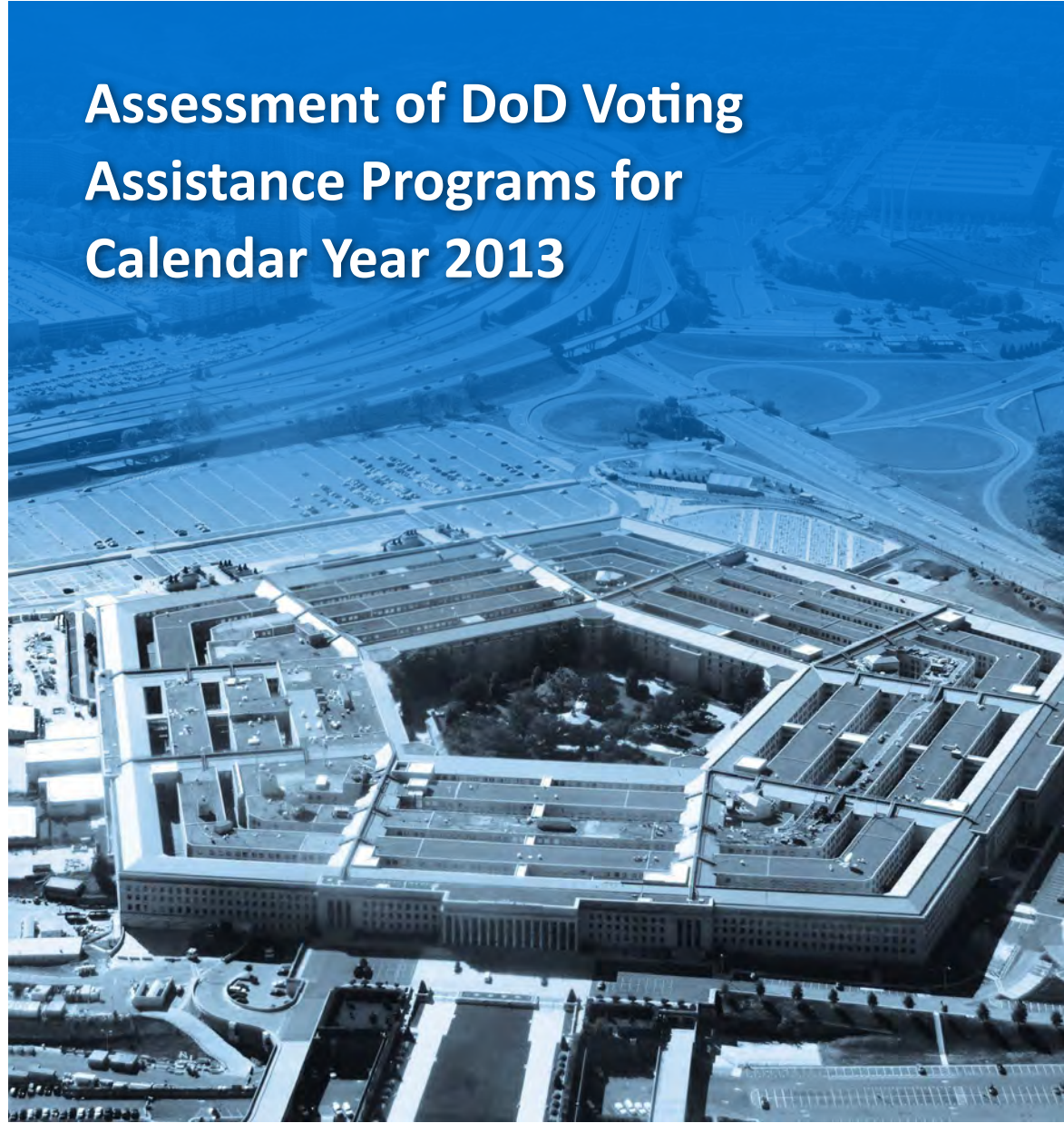
INSPECTOR GENERAL

U.S. Department of Defense

MARCH 31, 2014



Assessment of DoD Voting Assistance Programs for Calendar Year 2013



INTEGRITY ★ EFFICIENCY ★ ACCOUNTABILITY ★ EXCELLENCE

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INTEGRITY ★ EFFICIENCY ★ ACCOUNTABILITY ★ EXCELLENCE

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Our mission is to provide independent, relevant, and timely oversight of the Department of Defense that: supports the warfighter; promotes accountability, integrity, and efficiency; advises the Secretary of Defense and Congress; and informs the public.

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Results in Brief

Assessment of DoD Voting Assistance Programs for Calendar Year 2013

March 31, 2014

Objective

The objective of our voting assistance program assessment is to continue our ongoing evaluation of voting assistance to Service members and report as required on risks to program objectives, or violations of law, policy, or regulation, so public officials and those charged with governance can take appropriate action.

We will do this by assessing:

- Military Services' Voting Assistance programs, and
- the portion of Federal Voting Assistance Program Office responsibilities that fall within the DoD

for compliance and effectiveness in accordance with the requirements set forth in section 1566, title 10, United States Code, (10 U.S.C. § 1566 (c) (3), [2006]) "Voting assistance; compliance assessments; assistance." This statute requires the DoD Inspector General (IG) to:

- (3) Not later than March 31 each year, the Inspector General of the Department of Defense shall submit to Congress a report on—
 - (A) the effectiveness during the preceding calendar year of voting assistance programs; and
 - (B) the level of compliance during the preceding calendar year with voting assistance programs of each of the Army, Navy, Air Force, and Marine Corps.

Observations

The Army, Navy, Air Force, and Marine Corps did have functioning Voting Assistance Programs, had persons assigned to appropriate Voting Assistance Program duties, conducted regular oversight of the Voting Assistance Programs, identified deficiencies and areas for improvement, and implemented corrective actions. Therefore, the DoD Office of Inspector General concurs with the Service inspectors general determinations that their respective Service complied with Voting Assistance Programs and regulations. We found, however, that some Voting Assistance Program issues need to be addressed:

- Lack of an Established and Sustained Installation Voter Assistance Office
- Lack of Distribution of Standard Form 76, "Voter Registration and Absentee Ballot Request Federal Post Card Application" (FPCA)
- Lack of Command Oversight
- Incomplete Tracking of Voting Assistance Program Outreach Metrics
- Use of Standardized E-mail Addresses for Unit Voting Assistance Officers
- Voting Assistance Officer Duties Not Addressed in Performance Evaluations

In addition, several issues from the prior DoD Inspector General Voting Assistance Program report remain unaddressed:

- Lack of a Standardized Definition for an Installation
- Outdated Regulatory Requirements
- Measuring Federal Voting Assistance Program Effectiveness

Recommendations, Management Comments, and Our Response

Recommendation 1.a

The Commander, Air Force Materiel Command ensure that a fully functioning Installation Voter Assistance office is established and sustained at Hanscom Air Force Base.

Commander, Air Force Materiel Command

As of the publication of this report, the DoD Office of Inspector General had not received a formal response regarding Recommendation 1.a from the Commander, Air Force Materiel Command.

Our Response

The DoD Office of Inspector General requests that the Commander, Air Force Materiel Command respond to Recommendation 1.a in the final report by April 30, 2014, providing their plan to ensure that a fully functioning Installation Voter Assistance office is established and sustained at Hanscom Air Force Base or other bases within their command.

Recommendation 1.b

The Air Force Director of Services ensure Air Force compliance with the Department of Defense Instruction 1000.04, "Federal Voting Assistance Program (FVAP)," September 13, 2012, enclosure 4, section 2.c. requirement to establish an Installation Voter Assistance office on each military installation.

Air Force Director of Services

The Air Force Director of Services concurred with Recommendation 1.b, and provided the Air Force plan for addressing the lack of an established and sustained Installation Voter Assistance Office.

Our Response

The comments of the Air Force Director of Services were responsive to Recommendation 1.b. No further comment is required.

Recommendation 2

The Air Force Director of Services ensure that Unit Voting Assistance Officers are trained to implement the requirement to complete delivery of Standard Form 76, "Voter Registration and Absentee Ballot Request Federal Post Card Application" to all Service members as outlined in Air Force Instruction 36-3107, "Voting Assistance Program," February 27, 2014, and the most current version of the Air Force Voting Action Plan.

Air Force Director of Services

The Air Force Director of Services concurred with Recommendation 2, and provided the Air Force plan for ensuring complete delivery of Standard Form 76, "Voter Registration and Absentee Ballot Request Federal Post Card Application" (FPCA).

Our Response

The comments of the Air Force Director of Services were responsive to Recommendation 2. No further comment is required.

Recommendation 3

The Air Force Director of Services reemphasize the requirement for commanders to provide effective command oversight of Air Force Voting Assistance Programs to ensure compliance with Department of Defense Instruction 1000.04, "Federal Voting Assistance Program (FVAP)," September 13, 2012, and Air Force Instruction 36-3107, "Voting Assistance Program," February 27, 2014.

Air Force Director of Services

The Air Force Director of Services concurred with Recommendation 3, and provided the Air Force plan for engaging in a "Command Emphasis Campaign" regarding the Air Force Voting Assistance Program.

Our Response

The comments of the Air Force Director of Services were responsive to Recommendation 3. No further comment is required.

Recommendation 4

The Adjutant General, United States Army ensure that future versions of the Army Voting Action Plan include requirements for Installation and Unit Voting Assistance Officers to track and report the reasons why Service members requested voting assistance or a Standard Form 76, "Voter Registration and Absentee Ballot Request Federal Post Card Application," and associated metrics.

The Adjutant General, United States Army

The Adjutant General, United States Army, non-concurred with Recommendation 4, and stated the requested metrics were included in the Army Voting Action Plan 2012, but not the Army Voting Action Plan 2013 because CY 2013 was not an election year. The Adjutant General, United States Army further stated that the Army has added requirements to track the requested voting assistance program metrics in the Army Voting Action Plan 2014.

Our Response

Comments from the Adjutant General, United States Army partially addressed Recommendation 4. The DoD Office of Inspector General finds that, while the Army non-concurred,

in fact, they had responded to the intent of the observation and recommendation and initiated corrective action. The DoD Office of Inspector General requests that the Adjutant General, United States Army respond to the final report by April 30, 2014, with a plan to ensure continued emphasis on the tracking and reporting of voting outreach metrics in future Army Voting Action Plans.

Revised Recommendation 5

The Adjutant General, United States Army; Commander, Navy Installations Command; Air Force Director of Services; and Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs regularly verify the implementation of Federal Voting Assistance Program Office-approved, Service-level alternative procedures to meet the intent of the standardized e-mail address for Unit Voting Assistance Officers requirement of Department of Defense Instruction 1000.04, "Federal Voting Assistance Programs (FVAP)," September 13, 2012, enclosure 4, section 2.r.

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

All of the Services formally non-concurred with the previous draft Recommendation 5, "Use of Standardized E-mail Addresses for Unit Voting Assistance Officers," citing challenges in information technology.

Our Response

For Observation 5, "Use of Standardized E-mail Addresses for Unit Voting Assistance Officers," the Federal Voting Assistance Program Office, stated, after the release of the draft of this report for management comments, that the Services' current alternative procedures met the Federal Voting Assistance Program Office's revised interpretation of the intent of the DoD Instruction's standardized e-mail address requirement for unit voting assistance officers.

Based on the input from the Services and the Federal Voting Assistance Program Office, the DoD Office of Inspector General issued Revised Recommendation 5. The DoD Office of Inspector General requests, therefore, that the Adjutant General, United States Army; Commander, Navy Installations Command; Air Force Director of Services; and Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs respond to Revised Recommendation 5 by April 30, 2014, providing their plan for verification of the implementation of FVAP Office-approved Service level alternative procedures.

Recommendation 6.a

The Under Secretary of Defense for Personnel and Readiness issue guidance that requires the Services to comply with the section 1566 (f)(1), title 10, United States Code requirement regarding Voting Assistance Officer performance evaluation reports..

Under Secretary of Defense for Personnel and Readiness

The Under Secretary of Defense for Personnel and Readiness concurred with Recommendation 6.a, and stated that they “will incorporate guidance regarding Voting Assistance Officer performance evaluation reports into DoD Instruction 1000.04, “Federal Voting Assistance Program,” which is currently under revision.”

Our Response

The DoD OIG finds the management comments of the Under Secretary of Defense for Personnel and Readiness to be responsive to Recommendation 6.a. No further comments are required.

Revised Recommendation 6.b

The Adjutant General, United States Army, ensure continued command emphasis on the section 1566 (f)(1), title 10, United States Code and Army Regulation 608-20, “Army Voting Assistance Program,” October 28, 2004, requirement for comment on voting assistance officer performance in their evaluations in future-versions of the Army VAP regulations and Army Voting Action Plans.

The Adjutant General, United States Army

The Adjutant General, United States Army non-concurred with the previous draft Recommendations 6.b.1 and 6.b.2. regarding continued command emphasis on Voting Assistance Officer duties, and stated that the Army Voting Action Plan 2014 addressed the requirement.

Our Response

Based on the United States Army Adjutant General’s management comments, the DoD Office of Inspector General added Revised Recommendation 6.b. The comments by the United States Army Adjutant General were partially responsive to Revised Recommendation 6.b. The DoD Office of Inspector General requests that the Adjutant General, United States Army, respond to Recommendation 6.b in the final report by April 30, 2014, with a plan to ensure continued emphasis on this requirement in future years Army Voting Action Plans.

Revised Recommendation 6.c.1 and 6.c.2

Commander, Navy Installations Command ensure that:

- (1) Evaluations of Service members designated as Voting Assistance Officers include comments on their Voting Assistance Officer performance in accordance with section 1566 (f)(1), title 10, United States Code.
- (2) Service Voting Assistance Program regulations require that Voting Assistance Officer performance is commented on in their performance evaluations in accordance with section 1566 (f)(1), title 10, United States Code.

The Commander, Navy Installations Command

The Commander, Navy Installations Command non-concurred with the previous draft Recommendations 6.b.1 and 6.b.2 and stated that DoD Instruction 1000.04, "Federal Voting Assistance Program (FVAP)," September 13, 2012, does not require Service Voting Assistance Programs to require voting assistance officer performance to be commented on in their performance evaluations. The Commander, Navy Installations Command further stated that the Navy Voting Assistance Program will continue to strictly adhere to Department of Defense guidance and instruction.

Our Response

The management comments of the Commander, Navy Installations Command were not responsive to draft Recommendations 6.b.1, and 6.b.2. Based on their comments, the DoD Office of Inspector General revised the recommendations and changed them to 6.c.1, and 6.c.2, to reflect that United States Code is the source of the requirement. The DoD Office of Inspector General requests that the Commander, Navy Installations Command, respond to Revised Recommendations 6.c.1. and 6.c.2. in the final report by April 30, 2014, with their plan to update Navy Voting Assistance Program regulations and ensure that voting assistance officer performance is commented on in their performance evaluations in accordance with 10 U.S.C. § 1566 (f)(1)[2006].

Recommendations Table

Management	Recommendations Requiring Response	No Additional Comments Required
The Under Secretary of Defense for Personnel and Readiness		6.a
The Adjutant General, United States Army	4, 5, 6.b	
Commander, Navy Installations Command	5, 6.c.1, 6.c.2	
Commander, Air Force Materiel Command	1.a	
Air Force Director of Services	5	1.b, 2, 3
Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs	5	

Total Recommendations in this report: 10

For recommendations requiring response, please reply by April 30, 2014.



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

March 31, 2014

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

DIRECTOR, FEDERAL VOTING ASSISTANCE PROGRAM
ADJUTANT GENERAL, ARMY
INSPECTOR GENERAL, DEPARTMENT OF THE ARMY
COMMANDER, NAVY INSTALLATIONS COMMAND
NAVAL INSPECTOR GENERAL
COMMANDER, AIR FORCE MATERIEL COMMAND
AIR FORCE DIRECTOR OF SERVICES
U.S. AIR FORCE INSPECTOR GENERAL
DEPUTY COMMANDANT OF THE MARINE CORPS FOR
MANPOWER AND RESERVE AFFAIRS
INSPECTOR GENERAL OF THE MARINE CORPS

SUBJECT: Assessment of DoD Voting Assistance Programs for Calendar Year 2013
(DODIG-2014-051)

The Deputy Inspector General, Special Plans and Operations is providing this report for review and comment. We considered management comments to a draft of this report when preparing the final report.

The Commander, Air Force Materiel Command did not provide a formal response to this report at the time of its publication. We request that they respond to Recommendation 1.a of the final report by April 30, 2014.

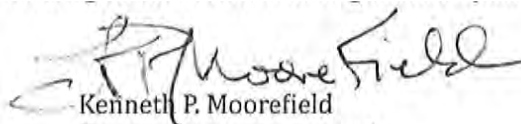
Comments from the Air Force Director of Services were responsive. Comments from the Adjutant General, United States Army; Commander, Navy Installations Command; and Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs were either partially responsive or non-responsive. Based on comments we received from all of the Services, we issued a Revised Recommendation 5. As a result, we ask that all Services respond to the Revised Recommendation 5.

We request a response by April 30, 2014, on the following recommendations:

- Adjutant General, United States Army—Recommendations 4, 5, and 6.b.
- Commander, Navy Installations Command—Recommendations 5, 6.c.1, and 6.c.2.
- Commander, Air Force Materiel Command—Recommendation 1.a.
- Air Force Director of Services—Recommendation 5.
- Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs—Recommendation 5.

Please provide a response that conforms to the requirements of DoD Directive 7650.3. If possible, send your response in electronic format (Adobe Acrobat file only) to SPO@dodig.mil. Copies of your response must have the actual signature of the authorizing official for your organization. We are unable to accept the /Signed/ symbol in place of the actual signature. We should receive your response by April 30, 2014.

We appreciate the courtesies extended to the DoD OIG assessment team. Please direct questions to SPO@dodig.mil. We will provide a formal briefing on the results if management requests.


Kenneth P. Moorefield
Deputy Inspector General
Special Plans and Operations



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Acronyms and Abbreviations

Introduction

In this section, we will detail the purpose, background, and supporting statutes and regulations behind the DoD's Voting Assistance Programs (VAPs).

Objective

The objective of this assessment is to continue the DoD Office of Inspector General (OIG) evaluation of the DoD VAP support provided to Service members. In addition, we will report to Congress and the DoD on risks to program objectives or violations of law, policy, or regulation, so public officials and those charged with governance can take appropriate action. We will do this by assessing the Military Services' VAPs and the portion of Federal Voting Assistance Program (FVAP) Office responsibilities that fall within the DoD. The assessment will also address compliance and effectiveness in accordance with the requirements set forth in section 1566, title 10, United States Code, (10 U.S.C. § 1566 (c) (3), [2006]) "Voting assistance; compliance assessments; assistance." This statute requires:

- (3) Not later than March 31 each year, the Inspector General of the Department of Defense shall submit to Congress a report on—
 - (A) the effectiveness during the preceding calendar year of voting assistance programs; and
 - (B) the level of compliance during the preceding calendar year with voting assistance programs of each of the Army, Navy, Air Force, and Marine Corps.

Background

The DoD VAPs include the FVAP Office in the Office of the Under Secretary of Defense for Personnel and Readiness and the Military Service VAPs. These VAPs work to provide U.S. citizens worldwide a broad range of non-partisan information and support to facilitate their participation in the voting process regardless of where they work or live.

The roles and responsibilities of the FVAP Office and the Military Services, along with other relevant organizations, are described in Appendix B, Federal Voting Assistance Program Overview, of this report.

Criteria

Federal Guidance

42 U.S.C. Chapter 20 (2012)—Elective Franchise This chapter provides requirements for elections in the United States and articulates that all citizens of the United States who are otherwise qualified by law to vote at any election by the people in any state shall be entitled and allowed to vote at all elections, without discrimination.¹

42 U.S.C. Chapter 20, Subchapter I-H (2012)—National Voter Registration further expands the concept by stating that Congress finds that the right of citizens of the United States to vote is a fundamental right, and it is the duty of the Federal, state, and local governments to promote the exercise of that right. Two of the purposes of section 1973gg, title 42, United States Code, (42 U.S.C. § 1973gg [2012]) are to establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office, and to make it possible for Federal, state, and local governments to implement this subchapter in a manner that facilitates the participation of eligible citizens as voters in elections for Federal office.

42 U.S.C. Chapter 20, Subchapter I-G (2012)—Registration and Voting by Absent Uniformed Services Voters and Overseas Voters in Elections For Federal Office was amended by Public Law 99-410, “The Uniformed and Overseas Citizens Absentee Voting Act” (UOCAVA) which established various programs intended to help Military and eligible overseas voters to register, vote, and have their votes counted. For further discussion on roles and responsibilities, see Appendix B, Federal Voting Assistance Program Overview.

Public Law 111-84, title V, subtitle H, “The Military and Overseas Voter Empowerment Act” (MOVE Act) expanded the Federal election laws to provide voter assistance to Service members who may be stationed away from their home. It included additional requirements for:

- a website that listed election office contact information for each state;
- ballot collection and delivery;
- voter registration outreach;

¹ Public Law 111-84, title V, subtitle H, of October 28, 2009, subsequently codified in 10 U.S.C. §1566a (2006), and 42 U.S.C. §1973ff (2012) et seq.

- VAP reporting; and
- utilization of technology for voting assistance.

The VAP statutes provide voting assistance to eligible voters that fall into the following categories:

- Service members, absentee Service members (stationed away from home), and spouses and dependents of Service members who are of voting age;
- absent DoD civilians, Merchant Marine, Public Health Service, National Oceanic and Atmospheric Administration, and their spouses and dependents who are of voting age; and
- U.S. citizens (non-military) residing outside of the United States who are of voting age.

When we use the term “Service member,” we mean it to only include all DoD military and civilian personnel and their spouses and dependents.

DoD Guidance

DoD Instruction 1000.04, “Federal Voting Assistance Program,” September 13, 2012 (FVAP DoDI) reissued DoD Directive 1000.4 as a DoD Instruction to establish policy and assign responsibilities for the FVAP in accordance with UOCAVA. It established policy and assigned responsibilities for the development and implementation of Installation Voter Assistance (IVA) offices in accordance with 10 U.S.C. § 1566a (2006). The instruction also established policy and assigned responsibilities for the development and implementation, jointly with each state, of procedures for persons to apply to register to vote at recruitment offices of the Military Services in accordance with 42 U.S.C. § 1973gg-5 (2012).

The FVAP DoDI is applicable to the Office of the Secretary of Defense, all Military Departments, and the DoD IG, as well as other organizational entities within the DoD. It requires the Military Service IGs to annually review their VAP and submit a copy of the report to the DoD IG by January 31.

Service Guidance

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

- Army Regulation 608-20, “Army Voting Assistance Program,” October 28, 2004, (Army VAP regulation) and Army Voting Action Plans for 2013, and 2014;
- Office of the Chief of Naval Operations Instruction 1742.1B, “Navy Voting Assistance Program,” May 15, 2007, (Navy VAP regulation) and the Navy Voting Action Plans for 2011-2012, and 2014-2015;
- Air Force Instruction 36-3107, “Voting Assistance Program,” September 10, 2003, and revised and reissued on February 27, 2014, (Air Force VAP regulation) and Air Force Voting Action Plans for 2012-2013, and 2014-2015; and
- Marine Corps Order 1742.1B, “Voting Assistance Program,” April 1, 2013, (Marine Corps VAP regulation) and Marine Corps Voting Action Plan for 2014.

The Services supplement their VAP regulations with regularly updated Voting Action Plans. The plans provide some lower level guidance and serve as interim guidance on voting assistance until the next revision of the Service VAP regulations.

Scope and Methodology

See Appendix A.

Part I

Military Service VAP Compliance

The Service IGs reported to the DoD OIG on the results of their CY 2013 VAP compliance and effectiveness in accordance with 10 U.S.C. § 1566 (2006). The DoD OIG reviewed the results to determine the effectiveness and compliance of Service VAPs in accordance with applicable laws and regulations. The following sections will discuss the reports.



Army Voting Assistance Program Compliance

The United States Army Inspector General Agency (Army IG) issued its “Calendar Year 2013 Annual Report of the U.S. Army Compliance with Department of Defense (DoD) Federal Voting Assistance Program (FVAP) requirements” (Army IG 2013 VAP Report). As reflected in a consolidation of compliance data, from sampled Army organizations, provided from command IG Army VAP assessments, the Army IG reported that the Army complied with the Army VAP Regulation and FVAP DoDI. It was also reported that installation commanders, the Army Voting Action Officer, Installation Voting Assistance Officers (IVAOs), and Unit Voting Assistance Officers (UVAOs) continue to work together to improve the Army VAP.

The Army IG 2013 VAP Report reflects responses from 24 installations encompassing 845 organizations across 7 commands. Additionally, the report included results from 391 organizations within the U.S. Army Recruiting Command related to voting requirements for enlistees. A rotational system was used by the Army IG to determine the major commands to be inspected over a four-year election cycle. In a four-year cycle, each Army command is inspected at least twice, while some are inspected annually. The report concluded that the Army continues to enable and encourage Soldiers, Department of the Army civilians, family members, and contractors to fully participate in the American election process.

The Army IG developed a standardized inspection tool based on the FVAP DoDI. This inspection tool was provided to select command IGs who, in turn, distributed the tool within their subordinate organizations as part of their annual VAP assessments. The Army IG 2013 VAP Report provided compliance assessments in six specific categories: staffing, training, material distribution, communication and information network, commander/installation-level involvement, and VAP outreach metrics.

As discussed, the Army IG 2013 VAP Report stated the Army VAP complied with DoD and Army VAP requirements. However, there were two instances where the Army reported that they applied corrective actions to improve compliance in 2014 and beyond.

- Confusion existed among the UVAOs regarding the standard for staffing more than one Voting Assistance Officer (VAO) based on the number of personnel in a given unit. The FVAP DoDI and Army VAP regulation stated that the Services shall designate a UVAO within each unit of 25 or more permanently assigned members with an additional UVAO assigned for each additional 50 members above the 25-member base. The Army Voting

Action Plan 2013 included this standard and added additional language that stated commanders may adjust the ratio of VAOs to the number of personnel assigned to a given unit to meet local conditions. The Army Voting Action Officer stated they will continue to revise the language in the Army Voting Action Plan to better reflect DoD and Army VAP regulations. (The Army IG 2013 VAP report stated that 94 percent of inspected units complied with the VAO staffing requirement.)

- Confusion existed among the UVAOs regarding the standard for when VAOs should receive training. The Army Voting Action Plan 2013 stated that VAOs should be trained within 30 days of appointment. The FVAP DoDI states that VAOs should be trained prior to assignment, not within 30 days. The Army Voting Action Officer took corrective action and adjusted the language in the Army Voting Action Plan 2014 to reflect the training requirements stated in the FVAP DoDI. (The Army IG stated in the Army IG 2013 VAP report that 89 percent of inspected units complied with the VAO training requirements.)

The DoD OIG concurred with the Army IG determination that the Army was compliant with VAP statutes and regulations. However, the DoD OIG's review of the Army IG 2013 VAP Report identified additional areas where the Army VAP did not meet all DoD and Army-level requirements. These areas included tracking and reporting certain VAP outreach metrics, developing standardized e-mail addresses for UVAOs, and documenting duty performance in VAO evaluation reports. The issues are discussed further in Part II, Observations 4, 5, and 6 of this report.

In addition, the Army had not completed agreed upon recommendations from DoD IG Report No. DODIG-2013-074, "Assessment of Voting Assistance Programs for Calendar Year 2012," April 29, 2013. Specifically, as of February 2014, the Army had not provided criteria associated with a standardized definition of an installation for the purpose of voting assistance nor updated the Army VAP Regulation to reflect all current requirements in DoD FVAP guidance. These issues are also discussed in further detail in Part III, Follow-up on Prior Observations and Recommendations.

Navy Voting Assistance Program Compliance

The Naval Inspector General (Navy IG) issued its “Report of Assessment of Navy Voting Assistance Program for CY 2013” (Navy IG 2013 VAP report). The Navy IG stated that the Navy’s VAP was compliant and effective based on the VAP requirements outlined in UOCAVA, FVAP DoDI, and the Navy VAP regulation.

The Navy IG 2013 VAP report stated that the Navy IG “independently assessed compliance with FVAP DoDI during CY13’s scheduled Area Visits and Command Inspections through on-site interviews with UVAOs and IVAOs.” In addition, each Echelon 2 Command IG completed a Self-assessment using a Navy developed checklist.

The Navy IG utilized data from the Voting Information Management System to support this assessment. They reviewed a sampling of approximately 70 percent of all Navy commands listed in the Standard Naval Distribution List for compliance with key program elements. Additionally, the Navy IG based their assessment on direct findings from three Echelon 2 Command Inspections and three geographic Area Visits.

The Navy IG 2013 VAP report stated “while minor discrepancies are found and corrected at commands during our visits, our principal focus is to ensure that the program has mechanisms in place that continue to identify and correct discrepancies identified through self-assessments and inspections by higher echelons.”

The Navy noted two minor discrepancies:

1. Not all UVAOs were designated in writing, as required in the FVAP DoDI.² Eighty-nine percent were designated in writing. The Navy stated that they will use the Navy Voting Action Plan 2014-2015 to remind UVAOs and IVAOs of this requirement. The Navy IG reported that it will stress this requirement during their 2014 area visits.
2. Not all UVAOs had completed required FVAP training as required by the FVAP DoDI.³ Ninety five percent completed the training. A 2014 FVAP VAO workshop training series was in progress. The Navy Voting Program Office will follow up to ensure that all command VAOs complete the training.

² DoDI 1000.04, Enclosure 4, paragraph 2 (f).

³ DoDI 1000.04, Enclosure 4, paragraph 2 (f), (1).

The Navy IG 2013 VAP report provided the requested metrics regarding voting assistance. Metrics were gathered from in-person requests for assistance, based on a “snapshot” measure of Navy end-strength. However, the metrics did not reflect the use of the FVAP website for requesting assistance.

The DoD OIG concurred with the Navy IG that the Navy did have a VAP, appropriately assigned personnel to VAP duties, conducted oversight of the VAP, identified areas for improvement, and implemented corrective actions. Therefore, we agree with the Navy IG determination that the Navy was compliant with VAP statutes and regulations.

The DoD OIG review identified two areas within the Navy VAP Report that indicated the Navy may have not met public law or DoD requirements. The Navy did not have standardized e-mail addresses for UVAOs, consistent with the requirements of the FVAP DoDI, “Federal Voting Assistance Program (FVAP),” September 13, 2012. Further discussion is at Part II, Observation 5. Additionally, the Navy had discontinued the requirement for ensuring voting assistance duties were recorded on personnel evaluations. Documentation of voting duties in VAO performance evaluations was not completed as required. Further discussion is at Part II, Observation 6.

Air Force Voting Assistance Program Compliance

The U.S. Air Force Inspector General (Air Force IG) issued its “Annual United States Air Force (USAF) Federal Voting Assistance Program (FVAP) Inspection Report - 2013” (Air Force IG 2013 VAP report) which provided a summary of their assessment of Air Force compliance with VAP statutes and requirements.

After reviewing the results of the Major Command IG inspections and the Air Force VAP, the Air Force Service Voting Action Officer concluded that the Air Force was in full compliance with current VAP law and DoD FVAP policy. The Air Force Service Voting Action Officer informed the DoD OIG that an inspection checklist was prepared to provide Wing Inspection Teams, Installation Commanders, and IVAOs with a full complement of resources at each level to adequately assess and guide the Air Force VAP.

The Air Force IG reported that they inspected their VAP for CY 2013 during Major Command IG inspections at 3 Numbered Air Forces, 42 Wings, 9 Groups, 12 Squadrons, 3 Detachment/Flights, and 6 Field Operating Agencies/Direct Reporting Units. There were 24 reported deficiencies noted in 10 of the 75 units inspected. The Major Command IG evaluated the Air Force VAP by conducting personal interviews with IVAOs and UVAOs that reviewed program implementation and management.

Of the 24 deficiencies identified by the Air Force, corrective actions had been taken to address and close a number of deficiencies. Several deficiencies were open with no explanation in the report or responses to requests for clarifications indicating that corrective actions have been or will be taken to close these remaining deficiencies. The deficiencies reported were an IVAO staffing issue, untrained IVAOs and UVAOs, UVAOs that did not deliver Standard Form 76, “Voter Registration and Absentee Ballot Request Federal Post Card Application” (FPCA) to all assigned personnel and quarterly reports not submitted in the prescribed timeframe. These deficiencies are discussed in further detail in Part II, Observations 1, 2, and 3.

Overall, the DoD OIG concurred that the Air Force had an active VAP, assigned personnel to accomplish VAP duties, conducted an inspection and review of the VAP, identified areas for correction or improvement, and implemented corrective actions to some of the deficiencies identified. As a result, Air Force Service members had the resources necessary to exercise their right to vote. Therefore, the DoD OIG agreed with

the Air Force IG's expressed confidence that the Air Force was compliant with VAP statutes and regulations.

The Air Force issued a new "Air Force Voting Action Plan, 2014-15" on February 10, 2014, which addressed new VAP requirements directed by current statutes and DoD regulations. The Air Force also published a new "Air Force Instruction 36-3107" on February 27, 2014, that addressed statutory and DoD regulatory VAP requirements that were added since the prior Air Force VAP instruction was published on September 10, 2003. The new Air Force Instruction will be discussed in further detail in Part III, Outdated Regulatory Requirements.

We provide a follow-up on prior observations and recommendations and discuss measuring FVAP effectiveness in further detail in Part III, Follow-up on Prior Observations and Recommendations.

Marine Corps Voting Assistance Program Compliance

The Inspector General of the Marine Corps (Marine Corps IG) issued its “Annual Assessment of the Marine Corps Voting Assistance Program for Calendar Year 2013” (Marine Corps IG 2013 VAP report) in accordance with 10 U.S.C. § 1566 (2006). The Marine Corps IG concluded in their report that the Marine Corps VAP complied with the FVAP DoDI, and Marine Corps VAP regulation, and that its annual assessment verified the Marine Corps had an effective VAP.

The Marine Corps IG stated that the Marine Corps employed a continuous assessment methodology to assess the Marine Corps VAP for compliance and effectiveness as well as to determine if Installation Voter Assistance (IVA) offices are operational. The Marine Corps IG stated that the Marine Corps VAP inspections used an ongoing cycle of inspections for every Marine Forces Command on a biennial basis and for every Marine Expeditionary Force, installation, and Major Subordinate Command on a triennial basis. In addition, each commanding general had their own Commanding General Inspection Program that inspected their units biennially.

To ensure oversight of the Marine Corps VAP, both the Marine Corps IG and Commanding General Inspection Program conducted inspections using a standardized Functional Area Checklist 210. Both the Marine Corps IG and the command inspection processes established that the Marine Corps VAP had VAOs in place by conducting interviews with Major Command Voting Officers, IVAOs, UVAOs, commanding officers, and Marines randomly selected from Marine units.

The Marine Corps inspection teams reviewed documents and procedures to ensure compliance with Marine Corps orders and directives as well as VAP statutes and regulations. The Marine Corps inspection teams also inspected facilities to ensure that voting assistance materials were displayed in accordance with Marine Corps VAP regulation. Each inspection was graded as: Mission Capable, Mission Capable with discrepancies, Mission Capable with findings, or Non-mission Capable. The Marine Corps IG found no discrepancies but some units required minor corrections to be implemented on-the-spot, even though all were determined to be programmatically compliant. Among the minor corrections implemented at Marine Corps units:

- Outdated appointment letters.
- Late submission of quarterly reports.

The Marine Corps IG concluded in their Marine Corps IG 2013 VAP report that their inspection results and quarterly voting reports confirm that “the Marine Corps’ VAP operates in accordance with established policies and procedures and is effective in assisting eligible voters.”

The Marine Corps IG indicated that Marine Corps Order 1742.1A, “Voter Registration Program,” May 14, 2002, was updated as a direct result of the issuance of the FVAP DoDI. The Marine Corps IG stated that the new Marine Corps VAP regulation, published on April 1, 2013, incorporated best practices to improve accuracy and reporting timeliness and reflected new capabilities supporting the program with respect to communication and information networks.

The DoD OIG concurred that the Marine Corps had an active VAP, had appropriately assigned personnel to VAP duties, and conducted continuous oversight of the VAP. While no discrepancies were reported for CY 2013, past Marine Corps VAP assessments reported discrepancies and corrective actions which confirmed program oversight. The DoD OIG agreed with the Marine Corps IG determination that the Marine Corps was compliant with VAP statutes and regulations with the exception of an issue regarding the implementation of requirement to use standardized e-mail addresses for UVAOs which is addressed in Part II, Observation 5.

In addition, there were two unresolved follow-up issues from the prior DoD IG assessment report (DoD IG Report No. DODIG-2013-074, “Assessment of Voting Assistance Programs for Calendar Year 2012,” April 29, 2013):

- Development of supporting criteria for the Marine Corps definition of an installation for the purposes of voting assistance.
- Measurement of Marine Corps VAP program effectiveness.

These unresolved Marine Corps VAP issues are further discussed in Part III, Follow-up on Prior Observations and Recommendations.

Part II

Observations

The following observations cover areas associated with issues in DoD VAP implementation:

1. Lack of an Established and Sustained Installation Voter Assistance Office
2. Lack of Proper Distribution of Federal Post Card Applications
3. Lack of Command Oversight
4. Incomplete Tracking of Voting Assistance Program Outreach Metrics
5. Use of Standardized E-mail Addresses for Unit Voting Assistance Officers
6. Voting Assistance Officer Duties Not Addressed in Performance Evaluations



Observation 1

Lack of an Established and Sustained Installation Voter Assistance Office

An IVA office was not established and sustained by the 66 Air Base Wing at Hanscom Air Force Base.

This occurred because the 66 Air Base Wing Commander at Hanscom Air Force Base did not sustain an IVA office during building renovations.

As a result, Service members at Hanscom Air Force Base were not provided the level of voting assistance required by statute and regulation.

Applicable Criteria

- MOVE Act
- FVAP DoDI, enclosure 4, section 2.c
- Air Force Policy Directive 36-31, "Personal Affairs," April 2, 2012, section 2.1
- Air Force VAP regulation

Discussion

The Air Force IG identified a "minor deficiency" in which the 66 Air Base Wing Commander did not establish and sustain an IVA office.

A significant provision of the MOVE Act and the FVAP DoDI was a requirement for the Military Services to establish an IVA office on every installation under their jurisdiction to perform certain voting assistance functions. This requirement is not addressed in the Air Force VAP Regulation (2003). The Air Force IG stated that Air Force Policy Directive 36-31, "Personal Affairs," April 2, 2012, section 2.1, places the responsibility for establishing an IVA office on the Installation Commanders. In DoD IG Report No. DoDIG-2012-123, "Assessment of the Federal Voting Assistance Program Office Implementation of the Military and Overseas Voter Empowerment Act," August 31, 2012, the Air Force reported that their installations had established functioning IVA offices as required by law. In March 2012, the FVAP website identified an IVA office at Hanscom Air Force Base, and the DoD OIG established contact via telephone.

However, according to the Air Force IG, the Hanscom Air Force Base accidentally closed the IVA office during building renovations and did not reinstitute it. This deficiency was discovered during the Major Command IG inspection. Further, while the IVA Office was reported to have previously existed, this was not verified by the Air Force IG until at least August 2012 to when the Air Force IG inspected the 66 Air Base Wing in June 2013. In that timeframe, the 66 Air Base Wing Commander did not maintain full compliance with FVAP DoDI and Air Force Policy Directive 36-31 regarding establishing and sustaining an IVA office. The Air Force IG reported that the impact of not having an established and sustained IVA office was that Service members were not provided the level of voting assistance required by statute and regulation.

The Air Force IG reported that once the Major Command IG inspection identified the deficiency, the IVA office was reestablished. However, the 66 Air Base Wing was still working on computer configuration issues in order to restore the full functional capabilities of the IVA office.

Recommendations, Management Comments, and Our Response

Recommendation 1.a

The Commander, Air Force Materiel Command ensure that a fully functioning Installation Voter Assistance office is established and sustained at Hanscom Air Force Base.

Commander, Air Force Materiel Command

As of the publication of this report, the DoD OIG had not received a formal response regarding Recommendation 1.a from the Commander, Air Force Materiel Command, or an Air Force organization authorized to respond on their behalf.

Our Response

The DoD OIG requests that the Commander, Air Force Materiel Command respond to Recommendation 1.a in the final report by April 30, 2014, providing their plan to ensure that a fully functioning Installation Voter Assistance office is established and sustained at Hanscom Air Force Base or other bases within their command.

Recommendation 1.b

The Air Force Director of Services ensure Air Force compliance with the Department of Defense Instruction 1000.04, "Federal Voting Assistance Program (FVAP)," September 13, 2012, enclosure 4, section 2.c. requirement to establish an Installation Voter Assistance office on each military installation.

Air Force Director of Services

The Air Force Director of Services concurred with Recommendation 1.b, and provided the Air Force plan for addressing Recommendation 1.b through enhanced coordination with and oversight of Air Force IVA offices, as well as publishing updated Air Force VAP Regulations and guidance.

Our Response

The comments of the Air Force Director of Services were responsive to Recommendation 1.b. No further comment is required.



Observation 2

Lack of Proper Distribution of Federal Post Card Applications

The Air Force did not distribute FPCAs to all Service members at several Air Force installations. Distribution of the FPCA is required by FVAP statutes, the FVAP DoDI, the Air Force VAP regulation, and the “Air Force Voting Action Plan 2012-2013,” dated November 6, 2012.

This occurred because Air Force UVAOs did not apply due diligence in the distribution or verification of delivery of FPCA to all Service members in the Air Force.

As a result, some Service members may have been hindered in obtaining voting assistance.

Applicable Criteria

- FVAP DoDI
- Air Force VAP Regulation, September 10, 2003 and reissued on February 27, 2014
- Air Force Voting Action Plan – 2012-13
- Air Force Voting Action Plan, 2014-15

Discussion

The FVAP DoDI requires the Services to develop a system to directly deliver FPCAs to eligible voters by January 15 of each year.

The FPCA is a U.S. Government form that can be used by Service members to register to vote, to request an absentee ballot, or to change their address or record. The FPCA can be used by Service members as an alternative method to submitting state or local municipality voter forms.

The Air Force Voting Action Plan for 2012-2013 implements the FVAP DoDI and requires distribution of the FPCA to eligible voters at set intervals. The Air Force Major Command IG identified nine separate instances within the Air Combat Command, the Air Force Materiel Command, and the Air Force Special Operations Command in

which UVAOs did not deliver the FPCA to all assigned personnel or did not use read or delivery receipts as part of their confirmation of the successful e-mail distribution of the forms. The Air Force IG stated that some of the units with deficiencies were implementing corrective actions.

Recommendations, Management Comments, and Our Response

Recommendation 2

The Air Force Director of Services ensure that Unit Voting Assistance Officers are trained to implement the requirement to complete delivery of Standard Form 76, "Voter Registration and Absentee Ballot Request Federal Post Card Application" to all Service members as outlined in Air Force Instruction 36-3107, "Voting Assistance Program," February 27, 2014, and the most current version of the Air Force Voting Action Plan.

Air Force Director of Services

The Air Force Director of Services concurred with Recommendation 2, and provided the Air Force plan for ensuring complete delivery of FPCAs as well as updating Air Force VAP Regulations and guidance.

Our Response

The comments of the Air Force Director of Services were responsive to Recommendation 2. No further comment is required.

Observation 3

Lack of Command Oversight

Some Air Force IVA offices had multiple VAP compliance deficiencies.

This occurred because Air Force Installation Commanders did not provide effective emphasis on and oversight of Air Force VAPs.

As a result, some Service members may have been hindered in obtaining voting assistance.

Applicable Criteria

- FVAP DoDI, enclosure 4
- Air Force VAP Regulation, September 10, 2003 and reissued on February 27, 2014
- Air Force Instruction 90-201, "The Air Force Inspection System," August 2, 2013

Discussion

The Air Force IG 2013 VAP report inspected 75 units for FVAP compliance and found 24 deficiencies reported across 10 units. The 75 units inspected by the Air Force IG were located at 54 installations and assigned to 12 Air Force Major Commands. Nine of the 54 installations (approximately 17 percent) had deficiencies. Three of the nine installations (approximately 33 percent) accounted for 13 of the 24 deficiencies (approximately 54 percent). Additionally, 6 of the 12 major commands (50 percent) inspected had deficiencies. Air Force Materiel Command alone accounted for 10 of the 24 deficiencies (approximately 42 percent).

The DoD OIG reviewed the Air Force IG 2013 VAP report and found that several of these deficiencies were indicative of ineffective Command emphasis or oversight of the local implementation of the Air Force VAP. Examples of some of these deficiencies include:

- As discussed in Observation 2 of this report, Air Force Major Command IGs identified nine separate units, under three commands, where UVAOs did not deliver or verify delivery of the FPCA to all assigned personnel. This occurred because Air Force UVAOs did not apply due diligence in the distribution or verification of delivery of FPCA to all Service members.

- At four installations, VAOs did not receive appropriate, timely training to complete their duties or could not provide records that the training was completed. At 1 installation, the IVAO could not confirm if 34 of the 41 assigned UVAOs (approximately 83 percent) had received required training.
- Commanders did not ensure the IVAOs coordinated with the Military Personnel Section during in-processing procedures for military personnel and civilians. The Air Force IG specifically reported that the IVAO was not included on the Military Personnel Section in-processing checklist for newly arriving personnel or as a briefer during “Right Start” or “INTRO” programs.
- Several IVAOs did not ensure that a plan for Armed Forces Voters Week/ Overseas Citizens Voters Week and Absentee Voters Week was sent to the Air Force Senior VAO by the suspense date, as established in the Air Force Voting Action Plan.
- Several IVAOs did not gather metrics from UVAOs and submit quarterly “Measures of Effect and Performance” reports and the end-of-year report by required suspense dates.

Updated Air Force Inspection System

The Air Force IG stated that Air Force units were inspected on a 2- to 3-year inspection cycle for active duty units and a 5-year inspection cycle for Reserve units. The Air Force IG further stated that the inspection cycle will be changed to comply with the recently published Air Force Instruction 90-201, “Air Force Inspection System,” dated August 2, 2013. The Air Force IG stated that in CY 2014, every Wing would have a formal annual VAP inspection conducted by either a Wing or Major Command IG team. The updated Air Force Instruction 90-201 mandated that each Wing implement a unit self-assessment program and use the required Web-enabled self-assessment tool to document all self-assessment results. The Air Force IG stated that Air Force line organizations will develop standardized checklists to be uploaded into the required Web-enabled, self-assessment tool for field units to demonstrate compliance with public law, DoD, and Air Force directives. The Air Force Service Voting Action Officer stated that a revised VAP checklist that identified roles and responsibilities for all levels of VAOs was submitted to the Air Staff for review.

The DoD OIG concluded that proper and adequate command emphasis and oversight would likely reduce the occurrence of Air Force VAP deficiencies. Overall, the DoD OIG observed that the Air Force is taking appropriate actions and implementing necessary and constructive improvements to comply with VAP requirements. However, the Air Force

Commands need to ensure that IVAOs and UVAOs comply with directives by providing appropriate command emphasis and oversight in order to ensure Service members receive required voting assistance and guidance.

Recommendations, Management Comments, and Our Response

Recommendation 3

The Air Force Director of Services reemphasize the requirement for commanders to provide effective command oversight of Air Force Voting Assistance Programs to ensure compliance with Department of Defense Instruction 1000.04, "Federal Voting Assistance Program (FVAP)," September 13, 2012, and Air Force Instruction 36-3107, "Voting Assistance Program," February 27, 2014.

Air Force Director of Services

The Air Force Director of Services concurred with Recommendation 3, and provided the Air Force plan for engaging in a "Command Emphasis Campaign" regarding the Air Force VAP.

Our Response

The comments of the Air Force Director of Services were responsive to Recommendation 3. No further comment is required.



Observation 4

Incomplete Tracking of Voting Assistance Program Outreach Metrics

The Army did not effectively track and report why Service members requested FPCA and the associated metrics for each reason.

This occurred because the Army did not have a requirement for VAOs to track the specific reasons and associated metrics regarding why Service members requested the FPCA.

As a result, the Army could not provide specific data on the number of FPCAs that were requested for voter registration or for change of address for voting purposes. Further, the Army could not actively report the extent of outreach between the Army VAOs and Service members requesting voting assistance.

Discussion

In July 2013, DoD OIG representatives met with Congressional staff regarding DoD's implementation of the FVAP. The staff expressed an interest in knowing the number of Service members that IVAOs and UVAOs were directly supporting. In September 2013, the DoD OIG met with the Service IGs and Service VAOs and developed an agreed upon format for reporting on voting compliance in the Service IGs' 2013 VAP reports. The report format included metrics to measure voting outreach that included tracking and reporting the number of Service members who requested voting assistance for voter registration, absentee ballots, change of address, and the total number of FPCA requests for the calendar year.

The Army directed service members to fill out a FPCA for multiple reasons such as voter registration and for change of address. In 2013, the Army reported that 47,409 FPCAs were requested through Army VAOs, recruiters, and other service representatives. While the Army did track the total number of FPCAs requested, the Army stated that it did not disseminate the DoD OIG request for the VAP outreach metrics to the IVAOs and UVAOs to track and report the reasons why service members requested FPCAs. As a result, the Army did not track the number of Service members who requested a FPCA for a change of address for voting purposes and reported this metric as "not available."

In contrast, although not required by law or regulation, the Navy, Air Force, and Marine Corps did track and report all VAP outreach metrics for CY 2013.

The Army Voting Action Plan 2013, published in November 2012, did not include a requirement for the IVAOs and UVAOs to collect this data. The Army addressed this deficiency in the Army Voting Action Plan 2014, which included a requirement for IVAOs and UVAOs to track and report the number of service members who requested assistance for voter registration, absentee ballot requests, and change of address notifications. As the Army collects this data it will be able to measure the voting outreach metrics that it agreed to provide to the DoD OIG.

Recommendations, Management Comments, and Our Response

Recommendation 4

The Adjutant General, United States Army ensure that future versions of the Army Voting Action Plan include requirements for Installation and Unit Voting Assistance Officers to track and report the reasons why Service members requested voting assistance or a Standard Form 76, "Voter Registration and Absentee Ballot Request Federal Post Card Application," and associated metrics.

The Adjutant General, United States Army

The Adjutant General, United States Army, non-concurred with Recommendation 4. The Adjutant General, United States Army stated the requested metrics were included in the Army Voting Action Plan 2012, but not the Army Voting Action Plan 2013 because CY 2013 was not an election year. The Army stated that FVAP metrics were collected and reported to the FVAP Office except for the metric for "change of address for voting purposes," which should be indicated as not available for CY 2013.

The Adjutant General, United States Army further stated that the Army has put systems in place to ensure that VAP metrics reporting requirements include requirements for IVAOs and UVAOs to track and report the reasons why Service members request voter assistance, voter registration, absentee ballots, and FPCAs. The Army stated that these systems are addressed in the Army Voting Action Plan 2014 and that the corrective action taken by the Army is sufficient.

Our Response

Comments from the Adjutant General, United States Army partially addressed the recommendation. The DoD OIG finds that while the Army non-concurred, in fact, they had responded to the intent of the observation and recommendation, and initiated corrective action.

As stated in the discussion section of Observation 4, the Army did note the deficiency in tracking and reporting all of the agreed upon VAP outreach metrics, and added a requirement for IVAOs and UVAOs to track and report the number of Service members who requested assistance for voter registration, absentee ballots, and changes of address in the Army Voting Action Plan 2014. The DoD OIG commends the Army for being proactive and taking corrective action to ensure appropriate tracking and reporting of the VAP outreach metrics by IVAOs and UVAOs. However, the Army stated that including the requirement in the Army Voting Action Plan 2014 is sufficient and no further action is required. Ensuring this requirement is emphasized in future Army Voting Action Plans should raise the awareness of tracking these metrics with IVAOs and UVAOs. We request the Adjutant General, United States Army respond to Recommendation 4 in the final report by April 30, 2014, with a plan to ensure continued emphasis on the tracking and reporting of voting outreach metrics in subsequent Army Voting Action Plans.



Observation 5

Use of Standardized E-mail Addresses for Unit Voting Assistance Officers

The Army, Navy, Air Force, and Marine Corps did not have standardized e-mail addresses for UVAOs, consistent with the requirements of the FVAP DoDI.

The Services reported that there were challenges in information technology, high personnel turnover rates, and maintaining UVAO records.

As a result, Service members may have been impeded in contacting their UVAO to obtain voting assistance.

Applicable Criteria

- FVAP DoDI, enclosure 4, section 2.r

Discussion

The FVAP DoDI, in enclosure 4, section 2.r requires that the Services:

establish and maintain a standard e-mail address in the form
Vote@{unit}.{Service}.mil, Vote.{unit}@{Service}.mil or similar
format to contact all UVAOs within that Service.

As recent as February 18, 2014, the DoD FVAP Office had stated that the requirement had applied to all VAOs, including those at the unit level.

A review of Service IG VAP reports as well as the FVAP and Service VAP websites indicated that the Services did not meet the regulatory requirement to have standardized e-mail addresses for all UVAOs. The Services stated that several factors contributed to the inability to meet this requirement, such as:

- established e-mail systems could not support the format identified in the requirement. An example provided by the Army Voting Action Officer shows the difficulty the Army had in meeting the provided e-mail format, usarmy.knox.hrc.mbx.tagd-voting-questions@mail.mil;

- high turnover rates existed among UVAOs within the Navy and Marine Corps making it difficult for units to provide VAO continuity for voting assistance; and
- maintaining up-to-date e-mail records for the more than 13,000 UVAOs across the Services, was challenging.

However, the Services had developed procedures to ensure Service members had the ability to obtain voting assistance through e-mail. For example, the Marine Corps developed a centralized headquarters-level e-mail address at vote@usmc.mil. The Marine Corps stated that they relied on this centralized e-mail to receive and be able to directly respond to Service member e-mail requests for voting assistance from the Marine Corps Headquarters level. The Army, Navy, and Air Force follow a similar format, with the use of published IVAO e-mail addresses, relying on the IVAO as the initial point of contact, who will forward Service Members' e-mail requests for voting assistance to an appropriate UVAO for a personal and timely response.

The DoD OIG developed a draft Recommendation 5 to address the Services' compliance with the requirement:

The Adjutant General, Army; Commander, Navy Installation Command; Air Force Director of Services; and Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs establish and maintain a standard e-mail address for Unit Voting Assistance Officers consistent with the requirement of DoD Instruction 1000.04, "Federal Voting Assistance Programs (FVAP)," September 13, 2012, enclosure 4, section 2.r.

On February 27, 2014, 2 days after the DoD OIG provided a draft report to the FVAP Office and Services for management comments, the FVAP Office met with Service Voting Action Officers and discussed the Services' difficulties in complying with the FVAP DoDI requirement for standardized e-mail addresses for UVAOs. After that meeting, the Director, DoD FVAP Office, revised their interpretation of the requirement for a standardized e-mail address for UVAOs by stating that the intent of the requirement was to ensure that Service members were able to request voting assistance via e-mail and receive a personal and timely response. The Director, DoD FVAP Office, stated that the procedures developed by the Services appeared to have met the intent of the requirement, provided that the Services regularly verify implementation of the Services' alternative and are found in compliance by their Service IGs. Further, the Director stated that the FVAP Office intended to revise this requirement during

the next revision of the FVAP DoDI. Consequently, the DoD OIG revised draft Recommendation 5 from a request to implement the FVAP DoDI enclosure 4, section 2.r. requirement, to a request to regularly verify implementation of the FVAP Office approved Service level alternative procedures.

Revised Recommendation, Management Comments, and Our Response

Revised Recommendation 5

The Adjutant General, United States Army; Commander, Navy Installations Command; Air Force Director of Services; and Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs regularly verify the implementation of Federal Voting Assistance Program Office-approved Service-level alternative procedures to meet the intent of the standardized e-mail address for Unit Voting Assistance Officers requirement of Department of Defense Instruction 1000.04, "Federal Voting Assistance Programs (FVAP)," September 13, 2012, enclosure 4, section 2.r.

The Adjutant General, United States Army

The Adjutant General, United States Army non-concurred with the draft Recommendation 5 requirement to establish and maintain a standard e-mail address for UVAOs. They stated that the Army has strict rules pertaining to the requirements of e-mail addresses. Each Army e-mail address requires a certain set of nomenclatures that do not meet the format outlined in FVAP DoDI, enclosure 4, section 2.r. The Army gave the example: us.army.knox.hrc.mbx.tag-voting-questions@mail.mil to emphasize one aspect of the difficulty of implementing this FVAP DoDI requirement.

Our Response

The FVAP Office stated that the current Army alternative procedures met the intent of the standardized e-mail address for the UVAO requirement of the FVAP DoDI. The DoD OIG therefore revised Recommendation 5 in accordance with the FVAP Office's new interpretation of FVAP DoDI enclosure 4, section 2.r, to require that the Services regularly verify implementation of the FVAP Office-approved Service level alternative procedures.

The DoD OIG requests that the Adjutant General, United States Army, respond to Revised Recommendation 5 in the final report by April 30, 2014, providing their plan for verification of the implementation of FVAP Office-approved Army alternative procedures to meet the intent of the standardized e-mail address for UVAOs requirement of FVAP DoDI, enclosure 4, section 2.r.

Commander, Navy Installations Command

The Navy non-concurred with the draft Recommendation 5 requirement to establish and maintain a standard e-mail address for UVAOs and stated in response that their VAOs do not have special e-mail addresses. They were aware that there was a requirement to maintain e-mail addresses at the unit-level, per DoD Instruction 1000.04, enclosure 4., section 2.r. The Navy stated that, along with other Service Voting Action Officers, they have brought this issue to the FVAP's attention as a possible error. They find that creating unit-level e-mail addresses is impractical because many commands have different e-mail systems, and this does not allow e-mail addresses to be standardized at the unit-level. The Navy stressed that creating such e-mail addresses is not useful because individual units are of such scale that people know who their VAO is or how to find them; therefore, the VAOs don't need a specific e-mail address. Lastly, the Navy stated that because there are already so many VAOs, maintaining e-mail accounts to keep up with personnel turnovers would be very challenging.

Our Response

The FVAP Office stated that the current Navy alternative procedures met the intent of the standardized e-mail address for UVAOs requirement of the FVAP DoDI. The DoD OIG therefore revised Recommendation 5 in accordance with the FVAP Office's new interpretation of FVAP DoDI enclosure 4, section 2.r, to require that the Services regularly verify implementation of the FVAP Office-approved, Service-level alternative procedures. The DoD OIG requests that the Commander, Navy Installations Command respond to Revised Recommendation 5 in the final report by April 30, 2014, providing their plan for verification of the implementation of FVAP Office-approved Navy alternative procedures to meet the intent of the standardized e-mail address for UVAOs requirement of FVAP DoDI, enclosure 4, section 2.r.

Air Force Director of Services

The Air Force Director of Services non-concurred with the draft Recommendation 5 requirement to establish and maintain a standard e-mail address for UVAOs and stated in

response that they had submitted a request to the FVAP Office to change the requirement in the FVAP DoDI to standardized e-mail addresses at the installation level instead of the unit level.

Our Response

The FVAP Office stated that the current Air Force alternative procedures met the intent of the standardized e-mail address for UVAOs requirement of the FVAP DoDI. The DoD OIG therefore revised Recommendation 5 in accordance with the FVAP Office's new interpretation of FVAP DoDI enclosure 4, section 2.r, to require that the Services regularly verify implementation of the FVAP Office-approved, Service-level alternative procedures. The DoD OIG requests that the Air Force Director of Services respond to Revised Recommendation 5 in the final report by April 30, 2014, providing their plan for verification of the implementation of FVAP Office-approved Air Force alternative procedures to meet the intent of the standardized e-mail address for UVAOs requirement of FVAP DoDI, enclosure 4, section 2.r.

Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs

The Marine Corps non-concurred with the draft Recommendation 5 requirement to establish and maintain a standard e-mail address for UVAOs. They stated that they interpreted the FVAP DoDI enclosure 4, section 2.r requirement to apply to the Service level and not the unit level.

Our Response

The FVAP Office stated that the current Marine Corps alternative procedures met the intent of the standardized e-mail address for UVAOs requirement of the FVAP DoDI. The DoD OIG revised draft Recommendation 5 in accordance with the FVAP Office's new interpretation of FVAP DoDI enclosure 4, section 2.r, to require that the Services regularly verify implementation of the FVAP Office approved Service-level alternative procedures. The DoD OIG requests that the Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs respond to Revised Recommendation 5 in the final report by April 30, 2014, providing their plan for verification of the implementation of FVAP Office-approved Marine Corps alternative procedures to meet the intent of the standardized e-mail address for UVAOs requirement of FVAP DoDI, enclosure 4, section 2.r.



Observation 6

Voting Assistance Officer Duties Not Addressed in Performance Evaluations

Not all Army or Navy personnel designated as VAOs had performance evaluations that commented on their VAO performance.

The Army and Navy Commanders did not comply with statute or Service VAP regulations by providing sufficient command emphasis and oversight regarding voting assistance requirements.

The Army and Navy cannot ensure that voting assistance was appropriately provided in units where the VAO had not been rated on the performance of their voting assistance duties.

Applicable Criteria

- 10 U.S.C. 1566 (f)(1) [2006]
- FVAP DoDI
- Army VAP Regulation
- Navy VAP Regulation
- Navy Bureau of Personnel Instruction 1610.10C, "Navy Performance Evaluation System," April 20, 2011

Discussion

Section 1566, title 10, U.S.C.⁴ states:

Performance evaluation reports pertaining to a member who has been assigned to serve as a voting assistance officer shall comment on the performance of the member as a voting assistance officer.

The FVAP DoDI does not address this requirement.

⁴ 10 U.S.C. § 1566 [2006](f)(1)

Army VAP regulation⁵ states:

Establish evaluation criteria for VAO performance and ensure that VAOs' evaluation reports reflect how well they perform their voting assistance duties.

Additionally, this requirement was included in the Army Voting Action Plan 2013 and the Army Voting Action Plan 2014.

The Army IG 2013 VAP report stated that 79 percent of inspected units within the Army complied with the requirement to document VAO performance in evaluations. While the Army did have some compliance with the requirement, opportunities exist to improve the reporting of VAO performance in evaluations. The Army IG 2013 VAP report recommended the Commander, U.S. Army Installation Management Command ensures IVAO's performance of duties are documented in their performance evaluations.

Navy VAP Regulations do not address the 10 U.S.C. § 1566(f)(1) [2006] requirement to document VAO performance in evaluations. Navy Bureau of Personnel Instruction 1610.10C "Navy Performance Evaluation System," April 20, 2011, paragraph 13-11 only implies evaluating additional/corollary duties such as paragraph 13-11.K. "Civic Activities Beneficial to the Navy," but does not specifically refer to VAO performance.

The DoD OIG review of the Navy IG 2013 VAP report found that the Navy did not document VAO performance. The Navy Voting Action Officer stated it was not a requirement to document VAO performance because the requirement was not addressed in the FVAP DoDI and therefore not a requirement for the Navy VAP to follow.

Revised Recommendations, Management Comments, and Our Response

Recommendation 6.a

The Under Secretary of Defense for Personnel and Readiness issue guidance that requires the Services to comply with the section 1566 (f)(1), title 10, United States Code requirement regarding Voting Assistance Officer performance evaluation reports.

⁵ Army Regulation 608-20, paragraph-2-10(i)

Under Secretary of Defense for Personnel and Readiness

The Under Secretary of Defense for Personnel and Readiness concurred with Recommendation 6.a, and stated that they “will incorporate guidance regarding Voting Assistance Officer performance evaluation reports into DoD Instruction 1000.04, “Federal Voting Assistance Program,” which is currently under revision.”

Our Response

The DoD OIG finds the management comments of the Under Secretary of Defense for Personnel and Readiness to be responsive to Recommendation 6.a. No further comments are required

Revised Recommendation 6.b

The Adjutant General, United States Army, ensure continued command emphasis on the section 1566 (f)(1), title 10, United States Code and Army Regulation 608-20, “Army Voting Assistance Program,” October 28, 2004, requirement for comment on voting assistance officer performance in their evaluations in future-versions of the Army VAP regulations and Army Voting Action Plans.

The Adjutant General, United States Army

The Adjutant General, United States Army non-concurred with previous draft Recommendations 6.b.1 and 6.b.2. The DoD OIG had issued a draft Recommendation 6.b requiring:

The Adjutant General, Army; and the Commander, Navy Installations Command ensure that:

- (1) Evaluations of Service members designated as Voting Assistance Officers include comments on their Voting Assistance Officer performance.
- (2) Service Voting Assistance Program regulations require that Voting Assistance Officer performance is commented on in their performance evaluations.

The Adjutant General, United States Army stated the requirement was addressed in the Army Voting Action Plan 2014 and therefore no further action was required.

Our Response

Based upon the Army's non-concurrence with the draft Recommendations 6.b.1 and 6.b.2 the DoD OIG:

- added Revised Recommendation 6.b to account for the Army's partial compliance with the requirement; and
- revised draft Recommendations 6.b.1 and 6.b.2 as final Recommendations 6.c.1 and 6.c.2, to remove the Adjutant General, United States Army as an action officer.

The comments by the Adjutant General, United States Army were partially responsive to Recommendation 6.b. The DoD OIG commends the Army for proactively including the requirement in the Army Voting Action Plan 2014. However, the DoD OIG added a Revised Recommendation 6.b to ensure that this requirement is emphasized in future Army Voting Action Plans so as to increase the awareness of this requirement by commanders.

The DoD OIG requests that the Adjutant General, United States Army respond to Revised Recommendation 6.b in the final report by April 30, 2014 with a plan to ensure continued emphasis on this requirement in future Army Voting Action Plans.

Revised Recommendation 6.c

Commander, Navy Installations Command ensure that:

- (1) Evaluations of Service members designated as Voting Assistance Officers include comments on their Voting Assistance Officer performance in accordance with section 1566 (f)(1), title 10, United States Code.
- (2) Service Voting Assistance Program regulations require that Voting Assistance Officer performance is commented on in their performance evaluations in accordance with section 1566 (f)(1), title 10, United States Code.

The Commander, Navy Installations Command

The Commander, Navy Installations Command non-concurred with previous draft Recommendations 6.b.1 and 6.b.2. The Commander, Navy Installations Command stated the current FVAP DoDI does not require Service VAPs to require VAO performance to be commented on in performance evaluations. The Commander, Navy Installations Command stated that the Navy VAP will continue to strictly adhere to DoD guidance and instruction.

Our Response

The comments by the Commander, Navy Installations Command to draft Recommendations 6.b.1 and 6.b.2 were not responsive. Any deficiency in the FVAP DoDI does not remove the Navy's obligation to comply with 10 U.S.C. § 1566 (f)(1) [2006].

Based upon the Navy's non-concurrence with the draft Recommendations 6.b.1 and 6.b.2 the DoD OIG revised draft Recommendations 6.b.1 and 6.b.2 as final Revised Recommendations 6.c.1 and 6.c.2, to remove the Adjutant General, United States Army as an action officer, as well as to reflect that United States Code is the source of the requirement.

The DoD OIG requests that the Commander, Navy Installations Command respond to Revised Recommendations 6.c.1 and 6.c.2 in the final report by April 30, 2014, with their plan to update Navy VAP regulations to ensure VAO performance is documented in performance evaluations in accordance with 10 U.S.C. § 1566 (f)(1) [2006].



Part III

Follow-up on Prior Observations and Recommendations

The following observations were included in DoD IG Report No. DoDIG-2013-074, "Assessment of Voting Assistance Programs for Calendar Year 2012," April 29, 2013, but remain unaddressed by the Services.

- Lack of Standardized Definition for an Installation
- Outdated Regulatory Requirements
- Measuring Federal Voting Assistance Program Effectiveness



Lack of a Standardized Definition for an Installation

In DoD IG Report No. DoDIG-2013-074, “Assessment of Voting Assistance Programs for Calendar Year 2012” April 29, 2013, the DoD OIG reported that the FVAP Office and the Military Services had not indicated why one particular installation had an IVA office, where other installations did not have an IVA office.

This occurred because the FVAP Office and the Military Services had not defined “installation for the purpose of providing appropriate voting assistance to Service members” through the establishment of an IVA office. The DoD OIG recommended that:

The Adjutant General, United States Army; Commander, Navy Installations Command; Director of Air Force Services; and Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs develop Service-specific definitions of an installation, with associated criteria, for the purposes of voting assistance, and provide it to the Federal Voting Assistance Program Office for publication on their Website. (Recommendation 4)

All four Services had previously concurred with the recommendation, and had either provided a definition, or stated that a definition was in development.

Army

As of March 18, 2014, the Army stated that their installation definition was:

An aggregation of contiguous or near contiguous, real property holdings commanded by a centrally-selected commander. An installation may be made of one or more sites.⁶

The DoD OIG found the Army definition of an installation for the purposes of providing voting assistance to be partially responsive. We await further information to be provided by the Army, to include documentation of supporting criteria or factors that the Army used to determine that a given base did not need an IVA office, as well as what alternative voting assistance is provided to Service members stationed at Army bases that do not have an IVA office. Without this information, it will be difficult to determine

⁶ Army Regulation 420-1, “Army Facilities Management,” August 24, 2012, page 441.

Army compliance with VAP statutes and regulations regarding whether each Army installation that merited an IVA office had one.

Navy

The Navy reported that it had revised and clarified the Navy installation definition on July 3, 2013, to include applicable criteria and an explanation of what Naval bases would not be required to have an IVA office, and what voting assistance services would be available at those locations. The Navy provided the following definition:

A Navy Shore Installation is defined in reference (b) as a Secretary of the Navy established activity on shore with a Commanding Officer (CO) or Officer in Charge (OIC), a prescribed mission, a holder of real property, and has facilities.

The Navy has adopted its definition of a Shore Installation for the purposes of voting assistance and determining where Installation Voting Assistance (IVA) Offices are required. While, in some cases, Installations and Naval Activities both have property, a mission, and CO/OIC, only Navy Installations also have facilities. Facilities include Installation-specific services such as Morale Welfare and Recreation facilities, messing and berthing facilities, operations facilities, etc. Naval Activities do not maintain facilities nor do they have the funding for them. They are thus distinguished from Installations. For example, Naval Surface Warfare Center Carderock, Naval Support Activity Philadelphia, and the Naval Academy are all Naval Activities. They all have a CO/OIC, property, and a mission; however, they do not have the facilities that distinguish them from Installations.

Voters at Naval Activities that are not defined as Installations and, therefore, do not have IVA Offices have several resources available to receive voting assistance. Their command will have a Unit Voting Assistance Officer (UVAO) assigned to maintain a command-level Voting Assistance Program. Installation Voting Assistance Officers (IVAOs) are available to supplement and support VAOs. Additionally, voters can receive assistance from the Federal Voting Assistance Program (FVAP) via their online Web portal, e-mail, or telephone call centers.

The DoD OIG found the Navy definition of an installation for the purposes of providing voting assistance to be responsive, and met the requirement of the previous DoD OIG report recommendation.

Air Force

The Air Force reported it had revised and clarified the Air Force installation definition in the Air Force Voting Action Plan 2014-2015, December 24, 2013, to include applicable criteria and an explanation of which Air Force bases would not have IVA offices, and what voting assistance services would be available at those locations. Section 3.g(1)(a) states:

The Military and Overseas Voter Empowerment Act (MOVE Act) of 2009 requires the DoD to establish IVA Offices on all military installations. AFPD 10-5, "Basing" defines a "major installation" in attachment 2 (para A2.1.2): A self-supporting center of operations for actions of importance to the Air Force combat, combat support, or training activities. Operated by an active unit of wing size or larger with all land, facilities, and organic support needed to accomplish the unit mission. Must have real property accountability through ownership, lease, permit, or other written agreement for all real estate and facilities. Agreements with foreign governments which give the Air Force jurisdiction over real property meet this requirement. Shared-use agreements (as opposed to joint-use agreements where the Air Force owns the runway) do not meet the criteria to be major installations. Guard and Reserve bases are not included in this definition, nor are deployed locations. Criteria to support this definition for the purpose of voting assistance: An Installation Voter Assistance Office will be required at every active duty installation location where a wing HQs is established and a full complement of groups is locally assigned. Wings with dispersed units to geographically separated units (GSUs) will not have a stand-alone IVA Office, but will appoint an IVAO and UVAOs as required by AFI 36-3107. Examples of USAF installations that do not fit this criteria include RAF Alconbury which consists of multiple GSUs; Arnold AFB which does not operate at wing level or above and has a very small, mostly civilian (non-UOCAVA) population; Creech AFB, which is part of Nellis AFB and assigns its own IVAO/Alt IVAO;

Cavalier AFS which operates at the squadron level; and Thule AB, which operates at the group level. All levels of command, regardless of population size are to be supported for voting assistance as required by AFI 36-3107. The establishment of IVA Offices on Joint Bases is executed IAW the Memorandum of Agreement between the SVAOs representing each of the Branches of Service. See paragraph 3i(30) regarding joint bases. Deployed steady state locations, with the exception of Al Udeid, are not to establish an IVA Office, but will appoint an IVAO for the entire course of his/her deployment. The USAF determines that the installations in subparagraph (b) below meet this criteria.

The DoD OIG found the Air Force definition of an installation for the purposes of providing voting assistance to be responsive, and met the requirement of the previous DoD OIG report recommendation.

Marine Corps

In February 2014, the Marine Corps restated their installation definition, which was essentially identical to what they provided in their “Annual Assessment by the Inspector General of the Marine Corps of the United States Marine Corps’ Voting Assistance Program for Calendar Year 2012,” January 30, 2013. The Marine Corps provided the following definition:

From the IGMC CY2012 Voting report—A Marine Corps installation is not defined by the service member population or geographical area it covers. The Marine Corps installations are defined by the support provided to the operating forces. According to the USMC Installations Strategic Plan published by the Marine Corps Installation Command (MCICOM): “Marine Corps installations consistently provide high quality and affordable support that is directly linked to the requirements of Marine Corps Operating Forces, individual Marines, and family members. Marine Corps installations provide a significant and measurable contribution to the combat readiness of the Marine Corps. Marine Corps installations are key national defense assets which offer a unique combination of ocean, coastal, riverine, inland, and airspace training areas. This makes them essential components in the foundation of our national defense

as they directly support the combat readiness of Marine Corps Operating Forces.”

The concept of “support provided’ in defining an installation includes support provided for Voting assistance purposes. To define an installation is like defining a city. For the military men and women, installations are the cities we work and live in. USMC has defined a list of 18 Installations, with the clarification on the two exceptions of MCAS New River and Camp Mujuk.

The Marine Corps definition of an installation did not include clear criteria to determine which Marine Corps bases are required to have an IVA office, and which do not. The Marine Corps did provide examples of two bases that do not have IVA offices,

- The Marine Corps stated that Marine Corps Air Station New River does not have an IVA office because there is an IVA office available at Camp LeJune, which is less than 2 miles away. The DoD OIG finds this to be a reasonable explanation.
- However, for Camp Mujuk, the Marine Corps stated that it has a population of 43 Service members and cannot support an IVA office.

The DoD OIG found the Marine Corps definition of an installation for the purposes of providing voting assistance to be responsive, and met the requirement of the previous DoD OIG report recommendation.



Outdated Regulatory Requirements

To implement the MOVE Act requirements, the Under Secretary of Defense for Personnel and Readiness issued the FVAP DoDI, which changed the VAP requirements toward the end of the Services' CY 2012 VAP review cycles.

The DoD OIG stated in DoD IG Report No. DoDIG-2013-074, "Assessment of Voting Assistance Programs for Calendar Year 2012," April 29, 2013, that the Army, Navy, and Air Force VAP regulations had not been updated and did not address all current requirements in DoD FVAP guidance. For example, the requirement to provide voting awareness training to all Service members regarding "... absentee registration and voting procedures" changed from "during years of elections for Federal offices" to "annually."

As a result, the Services could not verify that they were addressing all current and relevant areas of VAP compliance or ensure that they were providing optimal voting assistance to Service members.

The DoD OIG recommended in the report that:

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

- a. Issue interim Military Service guidance to implement Department of Defense Instruction 1000.04, "Federal Voting Assistance Program."
- b. Revise Military Service Voting Assistance Program regulations to implement Department of Defense Instruction 1000.04, "Federal Voting Assistance Program." (Recommendation 2)

In April 2013, the Army, Navy, Air Force, and Marine Corps concurred with Recommendation 2.a., and provided their voting action plans and other supporting documents as part of their comments to the draft report to demonstrate that they had provided interim guidance while their Service VAP guidance was being revised.

In response to Recommendation 2.b. of DoD IG Report No. DoDIG-2013-074, "Assessment of Voting Assistance Programs for Calendar Year 2012" April 29, 2013, the Marine Corps stated that they had issued Marine Corps Order 1742.1B, "Voting Assistance

Program,” on April 1, 2013, which addressed the changes to VAP requirements brought about by the MOVE Act and the issuance of the FVAP DoDI.

The Air Force concurred with Recommendation 2.b of DoD IG Report No. DODIG-2013-074, “Assessment of Voting Assistance Programs for Calendar Year 2012” April 29, 2013, and stated that the Air Force VAP regulations was in the final coordination and publication process. Subsequently on February 27, 2014, the revised Air Force VAP regulation was published. This revised Air Force VAP regulation addressed the changes to VAP requirements as a result of the MOVE Act in 2008 and the issuance of the updated FVAP DoDI in 2012. The Air Force also issued a new “Air Force Voting Action Plan, 2014-15” on February 10, 2014.

In response to Recommendation 2.b, of DoD IG Report No. DoDIG-2013-074, “Assessment of Voting Assistance Programs for Calendar Year 2012” April 29, 2013, the Army and Navy concurred and stated that they were in the process of revising their VAP regulations to bring them into conformity with the FVAP DoDI. In April 2013 and March 2014, the Army stated that their VAP regulation was in internal review and anticipated a spring 2014 release date. The Navy stated in February 2014 that they anticipated publication of their revised VAP regulation within the second quarter of calendar year 2014.

The DoD OIG looks forward to the receipt of revised published Army and Navy VAP regulations.

Measuring Federal Voting Assistance Program Effectiveness

The DoD OIG stated in DoD IG Report No. DoDIG-2013-074, “Assessment of Voting Assistance Programs for Calendar Year 2012,” April 29, 2013 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.

This occurred because while the DoD FVAP Office has identified some voting assistance activity goals and metrics consistent with congressional intent, it had not aligned its activity to outcome-focused goals to ensure its activity is focused on continually improving program performance and effectiveness. Further, the DoD FVAP Office had not provided sufficient guidance to the Military Services for them to comprehensively assess the effectiveness of their VAP performance, nor coordinated implementation with them.

As a result, although the Services reported the results of compliance inspections of their respective VAP programs with indicated levels of required activity, the metrics did not clearly show the actual effectiveness of program performance with respect to specific VAP goals.

In its report, the DoD OIG recommended that:

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. (Recommendation 3.a)

The Army, Navy, Air Force, and Marine Corps Inspectors General: 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. (Recommendation 3.b)

The FVAP Office concurred with our recommendations and stated that the collection of metrics to measure effectiveness can be improved, and they have been working with the Military Services to gather VAP metrics.

The FVAP Office also engaged with the RAND Corporation, a National Defense Research Institute, to examine the Department's voter assistance responsibilities, the role played by IVA offices, and to help define new metrics and refine those currently collected. The preliminary results of this research are expected in early 2014 for use in developing a legislative proposal to revise the statutory requirements regarding how the FVAP Office will be expected to operate, with the final report results anticipated in June 2014.

The FVAP Office will also use the RAND study to review, develop, and revise FVAP policies to generate standard VAP goals for the services to optimize voting assistance to military personnel and other overseas citizens.

The DoD OIG awaits the outcome of the RAND Corporation review, and the FVAP Office implementation of enhanced FVAP Office performance goals and indicators, as well as guidance for the Services to apply in assessing performance effectiveness of their VAPs.

Once the FVAP Office provides VAP performance measurement guidance to the Services, the DoD OIG also awaits the Services' evaluations of their own VAP program effectiveness.

Appendix A

Scope and Methodology

We conducted this assessment from November 2013 through March 2014 in accordance with our responsibilities under 10 U.S.C. § 1566 (2006), and in accordance with provisions of the Inspector General Act of 1978, as amended; “Quality Standards for Inspection and Evaluation,” Council of the Inspectors General on Integrity and Efficiency, January 2012; and the FVAP DoDI.

To accomplish our objectives, we used a continuous assessment methodology to accommodate the law’s annual reporting requirements. The methodology involves continual risk assessment based on:

- routine and on-going dialog with senior officials and other stakeholders involved in the administration of the voting assistance program;
- analysis of previous oversight activities and reports issued by the DoD IG, Government Accountability Office (GAO), and others (see “Prior Report Coverage”); and
- “real-time” feedback to senior officials and other senior stakeholders outside formal or traditional reporting mechanisms.

During the current reporting cycle, we reviewed relevant laws, policies, Military regulations, and other appropriate documents. In accordance with 10 U.S.C. § 1566 (2006), we received assessment reports from the Army, Navy, Air Force, and Marine Corps IGs covering calendar year 2013. We reviewed the Service IG reports and supporting data, as needed; met with Service Voting Action Officers and Service IG representatives from the Army, Navy, Air Force, and Marine Corps; and discussed their data collection procedures and criteria used as a basis for their conclusions. We did not validate the information the Service IGs provided. However, we applied alternate qualitative assessment techniques, such as discussion with senior program officials and knowledgeable personnel. We had a preliminary meeting with the FVAP Director to discuss the scope of our VAP assessment, and reviewed publicly available reports prepared by the FVAP Office staff.

For this report, our intent in accordance with 10 U.S.C. § 1566 (2006) was to report on the overall effectiveness of the DoD VAPs. In doing so, we sought to view effectiveness in terms of “results” as opposed to “activity.” Therefore, we defined effectiveness as

the measurable progress the program made in fulfilling its congressionally intended purpose: to increase opportunities for voter registration and voter participation.

Use of Computer-Processed Data

We used computer-processed data to perform this assessment. However, the DoD OIG Assessment Team relied on the reports generated by the Service IGs based on their inspections of the Service VAPs. We did not test the validity or verify the results of any computer processed data used by the Service IGs in their reporting because we determined that the reliability of the data would not materially affect our ability to make conclusions on the Services' compliance with applicable VAP laws and regulations.

Appendix B

Federal Voting Assistance Program Overview

Title 42, Chapter 20, Subchapter I-G, “Registration and Voting by Absent Uniformed Services Voters and Overseas Voters in Elections for Federal Office,” U.S.C., Section 1973ff(a) and (b) required the President to designate the head of an executive department to have primary responsibility for the implementation of voting assistance duties.

In response, the President issued 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,” which did as the title stated. The Secretary of Defense had further delegated this authority and the reporting requirement to the Under Secretary of Defense for Personnel and Readiness.⁷

The Under Secretary of Defense for Personnel and Readiness administers the FVAP in accordance with 42 U.S.C. § 1973ff (2012):

- to coordinate and implement actions that may be necessary to discharge Federal voting responsibilities,
- to develop policy and procedures to implement DoD responsibilities, also known as the National Voter Registration Act (Section 1973gg-5),
- to grant or deny hardship exemption waivers submitted by a State (after consultation with the Attorney General’s designee) and inform the State of the results of the waiver request (Section 1973ff-1(g)), and
- to ensure that the Director, Department of Defense Human Resources Activity designates a civilian Director of the FVAP.

The Under Secretary of Defense for Personnel and Readiness delegated these duties to a subordinate organization, the FVAP Office, and its Director, who implements the day-to-day Voting Assistance functions.

The MOVE Act was designed to address issues associated with providing overseas military personnel and civilians their right to vote and to have their votes counted.⁸ The

⁷ Department of Defense Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008, Sections 6.13 and 6.14

⁸ Public Law 111-84, “National Defense Authorization Act for Fiscal Year 2010,” Title V, “Military Personnel Policy,” Subtitle H, “Military Voting,” October 28, 2009.

MOVE Act amended the UOCAVA by placing new authorities and responsibilities on the Presidential designee, the Secretary of Defense. The Secretary of Defense delegated authority and responsibility to the Director, FVAP Office. The new authorities are to

- (1) develop online portals of information to inform absent uniformed services voters regarding voter registration procedures and absentee ballot procedures to be used by such voters with respect to elections for Federal office.
- (2) establish a program to notify absent uniformed services voters of voter registration information and resources, the availability of the Federal postcard application, and the availability of the Federal write-in absentee ballot on the military Global Network, and shall use the military Global Network to notify absent uniformed services voters of the foregoing 90, 60, and 30 days prior to each election for Federal office.

The FVAP Office is required to report the UOCAVA specified information to 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 utilization, 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 shall:

- (1) consult State and local election officials in carrying out this subchapter, and ensure that such officials are aware of the requirements of this Act;
- (2) prescribe an official post card form, containing both an absentee voter registration application and an absentee ballot application, for use by the States as required under section 1973ff-1(a)(4) of this title;
- (3) carry out section 1973ff-2 of this title 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 subchapter, 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 subchapter 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 1973ff-2a 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
- (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;

⁹ DoDI 1000.04, enclosure 4, section “ad,” delegated this responsibility to the Military Postal Service Agency, of the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics.

- (10) carry out section 1973ff-2b of this title 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 1973ff-1(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.

Service VAP Role

Military Services' VAPs utilize the chain-of-command and installation structure to ensure that Service members and their family members receive FVAP information about absentee voting, including registration and voting procedures, dates of scheduled elections for Federal offices, points of contact for additional assistance, and voting materials such as absentee ballots.

Each Service provides extensive voting assistance starting at the unit level. Assistance with any portion of the absentee voting process can be obtained by contacting the IVA office. Service specific voting information can be found by contacting the Service Voting Action Officer.

Service IG Role

Section 1566, title 10, United States Code¹⁰ requires the Service IGs to 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.

And report it to the DoD IG annually.

¹⁰ 10 U.S.C. §1566 (c) [2006]

DoD IG Role

Section 1566, title 10, United States Code,¹¹ requires that the DoD IG submit a report to Congress by March 31 of each year that assesses:

- (A) the effectiveness during the preceding calendar year of voting assistance programs; and
- (B) the level of compliance during the preceding calendar year with voting assistance programs of each of the Army, Navy, Air Force, and Marine Corps.

Roles of Other DoD Organizations

The FVAP DoDI assigns 42 U.S.C. §1973ff—2a (2012) “Procedures for collection and delivery of marked absentee ballots of absent overseas uniformed services voters,” duties to the Military Postal Service Agency, of the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics.

Other Executive Branch Roles

Section 1973, title 42, United States Code,¹² states the head of each Government department, agency, or other entity shall, upon request of the Presidential designee, distribute balloting materials and otherwise cooperate in carrying out registration and voting by absent uniformed services voters and overseas voters in election for federal office.

Section 1973, title 42, United States Code,¹³ states 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 this subchapter.

Administrator of General Services Role

As directed by the Presidential designee, the Administrator of General Services shall furnish official post card forms and Federal write-in absentee ballots.¹⁴

¹¹ 10 U.S.C. §1566 (c)(3) [2006]

¹² 42 U.S.C. §1973ff(c)(1) [2012]

¹³ 42 U.S.C. § 1973ff—4 (a) [2012]

¹⁴ 42 U.S.C. § 1973ff(c)(2) [2012]

States Role

Section 1973, title 42, United States Code,¹⁵ stated “In general, each state shall permit absent uniformed services voters and overseas voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and runoff elections for Federal office. UOCAVA, as amended by the MOVE Act, requires states to transmit requested absentee ballots to UOCAVA voters no later than 45 days before a Federal election, and electronically upon request.”

Section 1973, title 42, United States Code,¹⁶ stated “A State may not refuse to accept or process, with respect to any election for Federal office, any otherwise valid voter registration application or absentee ballot application submitted by an absent uniformed services voter during a year on the grounds that the voter submitted the application before the first date on which the State otherwise accepts or processes such applications for that year submitted by absentee voters who are not members of the uniformed services.”

¹⁵ 42 U.S.C. §1973ff—1 (2012)

¹⁶ 42 U.S.C. §1973ff—3 (2012)

Appendix C

Prior Coverage

During the last 5 years, the Government Accountability Office (GAO) and the DoD IG issued seven reports discussing DoD Voting Assistance Programs. Unrestricted GAO reports can be accessed over the Internet at <http://www.gao.gov>. Unrestricted DoD IG reports can be accessed at <http://www.dodig.mil/pubs/index.cfm>.

GAO

Report No. GAO-10-476, "Elections: DoD Can Strengthen Evaluation of Its Absentee Voting Assistance Program," June 17, 2010

DoD OIG

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

Report No. DoDIG-2012-123, "Assessment of the Federal Voting Assistance Program Office Implementation of the Military and Overseas Voter Empowerment Act," August 31, 2012

Report No. DoDIG-2012-068, "Assessment of Voting Assistance Programs for Calendar Year 2011," March 30, 2012

Report No. SPO-2011-006, "2010 Evaluation of the DoD Federal Voting Assistance Program (FVAP)," March 22, 2011

Report No. SPO-2010-004, "2009 Evaluation of the DoD Voting Assistance Program," September 27, 2010

Report No. IE-2009-005, "2008 Evaluation of the DoD Voting Assistance Program," April 30, 2009



Acronyms and Abbreviations

Air Force IG	Air Force Inspector General
Army IG	United States Army Inspector General Agency
DoDI	Department of Defense Instruction
FPCA	Standard Form 76, "Voter Registration and Absentee Ballot Request Federal Post Card Application"
FVAP	Federal Voting Assistance Program
IG	Inspector General
IVA	Installation Voter Assistance
IVAO	Installation Voting Assistance Officer
Marine Corps IG	Inspector General of the Marine Corps
MOVE	Military and Overseas Voter Empowerment
Navy IG	Naval Inspector General
OIG	Office of Inspector General
UOCAVA	The Uniformed and Overseas Citizens Absentee Voting Act
UVAO	Unit Voting Assistance Officer
U.S.C.	United States Code
VAP	Voting Assistance Program
VAO	Voting Assistance Officer



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U.S. DEPARTMENT OF DEFENSE

The Whistleblower Protection Enhancement Act of 2012 requires the Inspector General to designate a Whistleblower Protection Ombudsman to educate agency employees about prohibitions on retaliation, and rights and remedies against retaliation for protected disclosures. The designated ombudsman is the DoD IG Director for Whistleblowing & Transparency. For more information on your rights and remedies against retaliation, go to the Whistleblower webpage at www.dodig.mil/programs/whistleblower.

For more information about DoD IG reports or activities, please contact us:

Congressional Liaison

Congressional@dodig.mil; 703.604.8324

Media Contact

Public.Affairs@dodig.mil; 703.604.8324

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4800 Mark Center Drive
Alexandria, VA 22350-1500
www.dodig.mil
Defense Hotline 1.800.424.9098

