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Statement of  
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Subcommittee on Military Personnel,  
House Armed Services Committee

On the

Federal Voting Assistance Program



Good morning Chairman Wilson, Ranking Member Davis, and distinguished members of the Subcommittee on Military Personnel.

Thank you for the opportunity to appear before you today to discuss past and ongoing Department of Defense (DoD) Office of Inspector General (DoD IG) oversight regarding the Federal Voting Assistance Program (FVAP).

We share your commitment to ensuring that U.S. military services members worldwide and other eligible overseas citizens have the opportunity to exercise their rights as American citizens to vote in federal elections.

### **The Military and Overseas Voter Empowerment Act**

The Uniformed and Overseas Citizens Absentee Voting Act of 1986, amended and modified by the Military and Overseas Voter Empowerment (MOVE) Act of 2009, specified that the right to vote was fundamental. The law explained that many logistical, geographical, operational, and environmental barriers restricted the ability to vote for military and other eligible overseas citizens. Accordingly, the law established various programs and requirements intended to help military and eligible overseas citizens register, vote, and have their votes counted.

The MOVE Act contained numerous provisions. Notable among them were:

- The Military Services were required to have an installation voting assistance office (IVAO) on every installation worldwide, with the exception of installations in a warzone.
- States were required to transmit ballots to absentee voters at least 45 days before federal elections.

- States were required to transmit voting information and blank ballots electronically to absentee voters.
- The use of the Federal Write-in Absentee Ballot<sup>1</sup> for all federal elections was expanded.
- Notarization requirements for military and overseas absentee ballots were prohibited.
- DoD (through FVAP) was required to implement a number of new electronic voting support systems.

The law impacted numerous federal agencies, including the Departments of State, Homeland Security and Justice, and the U.S. Postal Service, as well as the DoD and its Military Departments and Services.

The MOVE Act also required the FVAP Office to report to Congress:

- Within 180 days of MOVE Act implementation on their assessment of compliance with the law's provisions, and the effectiveness of programs intended to assist military personnel and overseas citizens vote<sup>2</sup>.
- Not later than March 31st of each year, on their assessment of compliance with voting assistance laws, and the effectiveness of voting assistance programs, including programs implemented by each of the Military Services.

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<sup>1</sup> The Federal Write-in Absentee Ballot can be used as a back-up measure in case the ballot requested from the local jurisdiction does not arrive in time to be returned. The ballot only has federal offices listed.

<sup>2</sup> The MOVE Act was passed by Congress on October 28, 2009; consequently, the initial MOVE Act implementation report was due to Congress on April 26, 2010, a date preceding the 2010 Federal election. However, the initial report was not issued until March 17, 2011.

## **Unit Voting Assistance Officers**

Various DoD policy documents stipulate that one Unit Voting Assistance Officers (UVAO) has to be assigned at the O2/E7 level to every military unit worldwide, with an additional UVAO assigned for each 50 unit members after the first 25. The UVAO are authorized to perform all functions performed by voting assistance officers assigned at higher echelons. These functions include activities such as assisting personnel with registering, and obtaining and submitting absentee ballots. UVAO are specifically charged to ensure that all small and geographically separated units are assisted.

## **Federal Voting Assistance Program Office**

The FVAP office administers the Uniformed and Overseas Citizens Absentee Voting Act and the MOVE Act on behalf of the Secretary of Defense. The FVAP provides U.S. citizens worldwide, estimated at approximately 6 million potential voters, including Military personnel and their families, a broad range of non-partisan information and assistance to facilitate their participation in the democratic voting process - regardless of where they work or live.

The FVAP exists to:

- Assist uniformed services and overseas voters to exercise their right to vote so that they have an equal opportunity with the general population to have their vote counted.
- Assist the States in complying with relevant federal laws, and advise them on ways to best comply.

- Advocate on behalf of the uniformed services and overseas voters, identifying impediments to their ability to exercise their right to vote, and proposing methods to overcome those impediments.

### **Annual Reporting Requirements**

The Army, Naval, Air Force, and Marine Corps IGs are required by law to annually review compliance with their own Service's voting assistance program, review the effectiveness of those programs, and report the results to the DoD IG. Since 2001, in compliance with the law, the DoD IG has issued eleven reports on the Service's voting assistance programs.

In March 2012, the DoD IG released its 11<sup>th</sup> report<sup>3</sup> on the voting assistance program. The Army, Naval, Air Force, and Marine Corps IGs reported that their Service voting assistance programs were effective and compliant with relevant policy, regulation, and public law.

The services' reports also identified that the services were increasingly using electronic and social media techniques to reach potential voters, especially in the 18-25 year old age bracket. In this regard, the Army IG reported that although some units did not receive voting materials on time, the problem was mitigated because Army organizations were now utilizing social media techniques, such as Facebook, Twitter, websites, and email as their principal methods of distributing information. The Navy IG report also emphasized that the Navy voting assistance program was using electronic media techniques, including websites and electronic bulletin boards—to conduct outreach.

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<sup>3</sup> "Assessment of Voting Assistance Programs for Calendar Year 2011," released March 30, 2012 (Report No. DODIG-2012-068).

## **Current DoD IG Oversight**

In August 2012, the DoD IG released its 12<sup>th</sup> report<sup>4</sup>, a self-initiated inspection assessing whether voting assistance programs carried out under the Uniformed and Overseas Absentee Voting Act, amended and modified by the MOVE Act, complied with the law and were effective in meeting the law's intent.

As indicated earlier, the FVAP is a major multidimensional program impacting numerous Federal, state, and local agencies and jurisdictions, and is subject to repetitive examination and reporting by various Federal oversight organizations, especially the Government Accountability Office (GAO). Collectively, the reports form a substantial body of work to which senior public officials and those charged with governance can refer in shaping their decisions and actions.

The IG Act of 1978 requires DoD IG to avoid duplication in reporting by coordinating with the GAO, other Federal IGs, Military Service IGs, and other Federal entities. To avoid duplication and repetition—and accomplish the DoD IG oversight mission—we focused this assessment on:

- compliance with the MOVE Act requirement to establish a voting assistance office on every military installation worldwide.
- the sufficiency of survey data used by the FVAP office to manage and assess DoD's voting assistance program effectiveness.

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<sup>4</sup> "Assessment of the Federal Voting Assistance Program Implementation of the Military and Overseas Voter Empowerment (MOVE) Act," released August 30, 2012 (Report No. DoDIG-2012-123).

## **Installation Voting Assistance Offices**

One of the most significant requirements of the MOVE Act was for the Military Services to have an installation voting assistance office (IVAO) on every installation worldwide, with the exception of installations in a warzone. The law envisioned an extensive system of offices offering walk-in, face-to-face voting assistance to military members, families, and overseas citizens. The law required the Services to actively inform voters of what help was available from the IVAO's—and the time, location, and manner in which they might get that help.

DoD implementing guidance reiterated the requirement and emphasized that the intent was to provide “robust” assistance to military personnel, dependents, and overseas citizens. It specified that IVAOs would report directly to installation commanders; be located in fixed, well-advertised places easily accessible to personnel who might need help; and estimated staffing at one or two full-time people in each office.

The FVAP 2010 Post Election Survey Report to Congress, dated September 2011, enumerated a purported universe of all installations worldwide that required IVAOs, and stated that there were 224 installations in that universe, including 13 Coast Guard installations. The FVAP report also said that with the exception of five Air Force installations, all installations worldwide had established the mandated offices. The FVAP report did not identify the 224 installations by name.

To determine whether the Services complied with the requirement to establish an IVAO on all installations worldwide, we asked the FVAP to provide the names of the 224 installations. After receiving the list, we immediately noted that the FVAP's universal requirement list was inaccurate, and some major installations we determined existed were not identified. Examples of omitted installations included Fort Meade, Maryland; Camp



Casey, Korea; the U.S Army Garrison in Kaiserslautern, Germany; and the Naval Support Activity in Philadelphia.

It also became apparent that installation closures or consolidations resulting from the 2005 Defense Base Closure and Realignment Commission, such as the consolidation of the twelve multi-Service Joint Bases, had apparently contributed to certain installation omissions.

To assess the effectiveness of IVAOs that reportedly existed, we placed ourselves in the shoes of potential voters seeking help. Using official FVAP website contact information, as posted on the FVAP website in late March 2012, we attempted to contact the 229 IVAOs the website identified. These attempts excluded Fort McPherson and Fort Monroe in Virginia, which appeared on the website but had been closed. We initially called the IVAO telephone number; if no one answered, we left a voice mail asking for a return call, and if possible, followed-up with an email. It became evident that some FVAP website information was inaccurate. Accordingly, depending on circumstances, we contacted installation operators or accessed installation websites to obtain updated contact information. The results were clear.

About half of the time, we were unable to contact the IVAOs the FVAP website identified. In addition, we believe the number of IVAOs necessary to comply with the spirit of the law may significantly exceed the number of IVAOs actually in existence today. Some senior military officials pointed out the law had not authorized DoD additional funding for this initiative, which the FVAP estimated would cost more than \$15-20 million per year.

DoD officials also posed concerns about the relative effectiveness of IVAO's. They noted that younger military personnel were the biggest DoD military population

segment and that IVAOs were likely not the most cost effective way to reach out to them with voting information given their familiarity and general preference for communicating via on-line social media and obtaining data from internet websites. They suggested military voter assistance might be provided more effectively and efficiently by using targeted advertising, technology, social media like Twitter and Facebook, and online tools, along with trained unit voting assistance officers.

### **Use of Social Media**

Throughout our work, we noted that the FVAP had made significant efforts to develop and implement a communications and marketing plan—principally focused on younger military personnel—using technology, advertising, social media, email notifications, and web-based systems. FVAP officials, as had unit voting officers, asserted that these efforts appear to be effective. For example, at the end of 2011, as they began their outreach and communication program for the 2012 primaries, they explained that activity on their web-based voter assistance systems significantly increased.

### **Data Sufficiency**

The FVAP 2010 Post Election Survey Report to Congress, dated September 2011, asserted that voting assistance programs were effective because when survey data was properly adjusted to compensate for demographic and other differences, analysis indicated military populations registered and voted at higher rates than their civilian counterparts, and that military participation had improved appreciably between 2006 and 2010. To ensure rigorous, data-driven statistical analysis for the 2010 Post Election

Survey Report to Congress, FVAP officials prepared the report with the help of the Defense Manpower Data Center<sup>5</sup> (DMDC).

To determine if the conclusions of the FVAP 2010 Post Election Survey Report to Congress were reliable, and accurately reflected the effectiveness of voting assistance programs, the DoD IG assessed the FVAP/DMDC's 2010 post-election survey methodology.

The DoD IG's Quantitative Methods Division determined that FVAP's assertions about voting by active duty personnel in the 2010 Post Election Survey Report to Congress were based on a participation rate of only 15 percent of military personnel queried in the survey. The DoD IG quantitative specialists concluded the assertions would have been more credible if more people had responded to the survey.

Because the response rate was low, the DMDC performed a non-response bias analysis as required by Office of Management and Budget guidance. The objective was to determine if the 85 percent of military members not responding to the survey would have responded in the same way as the 15 percent who did respond. The DoD IG quantitative specialists reviewed the DMDC non-response bias analysis and found the 2010 post-election survey was inconclusive. Because DMDC considered non-response bias the largest source of survey error, FVAP and DMDC need to work to increase response rates.

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<sup>5</sup> The Defense Manpower Data Center is a central repository for data within the DoD and manages programs such as the Common Access Card; its Statistical Information and Analysis Division provides survey and analytical services to various clients throughout the DoD, including to the Federal Voting Assistance Program.

## **Future Survey Efforts**

The FVAP staff explained that they were aware of the issues involved and were already actively working with DMDC to improve the upcoming 2012 post-election survey response rate by using various survey techniques.

## **Conclusion**

The DoD IG remains committed to providing oversight of the federal voting assistance program.

I thank you again for this opportunity to speak to you today.