

**STATEMENT OF**  
**MR. MATT BOEHMER**  
**DIRECTOR**  
**DEPARTMENT OF DEFENSE**  
**FEDERAL VOTING ASSISTANCE PROGRAM**  
**BEFORE THE**  
**COMMITTEE ON HOUSE ADMINISTRATION**  
**HEARING ON**  
**MILITARY AND OVERSEAS VOTING IN THE 2012 ELECTION**

**November 20, 2013**

Chairman Miller, Ranking Member Brady and distinguished members of the Committee, thank you for the opportunity to appear before you today to discuss the Department of Defense's (DoD) Federal Voting Assistance Program (FVAP) and its mission to ensure Uniformed Services personnel, their eligible family members and overseas citizens are aware of their right to vote and have the tools and resources to do so — from anywhere in the world.

As Congress and the courts have repeatedly affirmed, voting is a citizen's most fundamental right. Traditionally, voting is an interaction between individual citizens, who receive, mark and cast a ballot, and a State or local government that distributes, collects and counts the ballots. Recognizing that absent members of the military, their families and U.S. citizens living abroad face unique challenges to participating in U.S. elections, Congress created a set of protections to make voting in Federal elections easier and more accessible. These protections are codified in the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. § 1973ff, *et seq.*, hereafter "UOCAVA" or "the Act"), most recently amended by the 2009 Military and Overseas Voter Empowerment (MOVE) Act.

For military and overseas citizen voters, as for all U.S. citizens, the decision to cast a vote in an election is a personal choice. The mission of FVAP is to provide assistance to Service members and overseas citizens in exercising this choice. First, FVAP assists voters directly through voter education campaigns to raise awareness of the right to vote by absentee ballot and by offering easy-to-use online tools and resources. Second, FVAP assists the Military Services and the Department of State (DOS) by providing training tools and other resources to support their specific voting assistance programs. Third, FVAP assists State and local election officials to ensure they are aware of the requirements of the Act, and to support their efforts to expand services provided to absent military and overseas citizen voters. Through these assistance

efforts, FVAP optimizes the opportunity for absent Uniformed Service and overseas citizen voters to exercise their voting rights.

The remainder of this statement focuses in greater detail on the challenges UOCAVA voters face, FVAP's accomplishments during the 2012 election cycle and preparations for 2014.

### **UOCAVA Voting Challenges**

The two primary obstacles faced by military and overseas citizen voters are time and complexity. For absentee voters, the voting process may take significantly more time compared to that of the general population. Ballots and other election materials may face lengthy round-trip transit time, especially if absentee voters and election officials rely upon foreign postal services to reach more remote areas of the world. Absentee voting rules are complex. For example, the deadline for ballot requests, even within a State, can vary based on the geographic location of the voter, and the eligibility of the voter to participate in local elections can vary based on whether the voter is a Service member or a civilian. Military families face an additional challenge given they are an especially mobile population, often moving between or during election ballot mailing periods. To successfully receive, mark and return their ballots, these voters must keep their registration and ballot request information current with their local election official — an important action to be sure, but only one of many important tasks for families when moving or when preparing for a loved one's deployment.

A key element of the MOVE Act amendments to UOCAVA sought to address the transit-time obstacle by placing several requirements on States to ensure more timely delivery of ballots. States are now required to transmit any previously requested blank absentee ballots to voters at least 45 days before any election for Federal office. States must offer at least one means of electronic transmission (*e.g.*, email, online download or fax) for sending blank ballots and

materials to voters. Sending blank ballots to voters electronically significantly reduces a ballot's round-trip transit time. As demonstrated above, hurdles remain due to the complexity of the process, and FVAP is working to reduce them by directly assisting voters.

## **2012 Election Cycle**

### **Serving Voters**

FVAP provides tools and resources to make the absentee voting process as simple and accessible as possible for military members, their eligible family members and overseas citizens. As required by UOCAVA, FVAP provides online assistants that guide voters through the process of filling out the Federal Post Card Application (FPCA) and Federal Write-In Absentee Ballot (FWAB), which are key absentee voting forms. At the end of the voter's experience, each is provided a completed form to sign and send to their election official. The online assistants at FVAP.gov reflect the individual absentee voting rules for all 50 States, the territories and the District of Columbia, by seamlessly prompting voters to fill out only the information required by their voting jurisdiction. In 2012, to ensure UOCAVA voters could participate in all primary elections for Federal office, FVAP adjusted the online FWAB assistant to accommodate primary election rules, including Presidential primaries, within each of the States and successfully incorporated newly established redistricting data.

UOCAVA requires FVAP to send voting notifications to military members 90, 60 and 30 days prior to a regularly scheduled Federal election. FVAP sends messages to all ".mil" email addresses directing them to FVAP.gov, making it easy for Service members to take action. In 2012, FVAP sent a total of 18.4 million emails to military members, to include communications sent in January, February and June, then 90, 60, 30, 15, 10 and three days prior to the General Election. Additionally, the Voting Assistance Officers (VAO) network established by the

Services and DOS disseminated FVAP voting information in person and *via* electronic means. Following each of these messages, FVAP experienced significant increases in traffic on FVAP.gov. During the calendar year 2012, FVAP.gov received more than 20 million page views.

In addition to email messaging, FVAP developed and executed a comprehensive communication and media engagement plan to promote awareness of the resources available at FVAP.gov. The Armed Forces Network heavily promoted voting videos, and FVAP placed print advertisements in *Military Times*, *Stars and Stripes* and *Military Spouse*, which were complemented with targeted placement of online advertisements.

U.S. citizens residing abroad can be more difficult to reach than their military cohort due to their greater geographic dispersion and the lack of a centralized method to make contact with this group. To address this, FVAP partners with the DOS Voting Assistance Officer network to ensure voting assistance is provided to this important population. During the 2012 election cycle, FVAP conducted several outreach activities specifically targeted at overseas citizens: online advertising; a video contest resulting in a new PSA for overseas citizens; blogger network participation; and various social media efforts. Other key outreach activities are detailed in FVAP's 2012 Post-Election Report to Congress (see enclosure).

As social media has become integrated into the daily routine of many citizens, FVAP is active on popular networks such as Facebook, Twitter and LinkedIn. These platforms enable two-way conversations with voters and offer an effective means to disseminate news and information quickly within the military and overseas citizen communities. FVAP social media efforts primarily target 18- to 24-year-old members of the military who, like their general population counterparts, have less experience voting and may be less familiar with the process.

For the 2012 General Election, FVAP provided a professional call center to handle voting-related questions from military and overseas voters utilizing long-established toll-free numbers. The call center handled more than 60,000 requests for assistance in the form of calls, web chats, emails and faxes.

While FVAP is the Federal source of information for absent military and overseas citizen voters, it is by no means the only source of information. Individual States set their own electoral policies and procedures. Each State, as required by the Act, maintains a webpage dedicated to military and overseas voters. Several advocacy groups provide voting information and tools to military and overseas voters, and FVAP often works with these groups to share messaging and ensure accuracy of information.

UOCAVA requires expedited mail delivery service for marked absentee ballots of overseas Uniformed Services personnel in general elections and is facilitated by the U.S. Postal Service and Military Postal Service Agency (MPSA). The voted ballots of overseas Service members and their eligible family members are processed using the Express Mail Service (EMS) Label 11-DoD. Upon receipt from military voters, the MPSA applies the label to each ballot, ensuring expedited delivery to the local election office upon arrival in the U.S. The label provides voters and MPSA the capability to track ballots from acceptance through delivery using scans at the initial intake point, en route and upon arrival at the U.S. International Gateway and a final delivery scan conducted by the U.S. Postal Service upon delivery to the election office. During 2012, the overall average transit time of voted ballots from the absentee voter to election offices was 5.6 days — more than a day faster than UOCAVA's seven-day requirement. (See enclosure for details regarding the collection and delivery of overseas military ballots.)

Several State Chief Election Officers witnessed DoD's commitment to timely ballot transmission while on a trip to Southwest Asia during the 2012 election cycle. A bipartisan delegation of five Secretaries of State traveled to Kuwait, Qatar and Bahrain in September 2012 to observe military and State Department voting assistance activities and to talk with Uniformed Service members and overseas citizens about the absentee voting process. FVAP sponsored a similar trip in 2008. FVAP and Navy staff escorted the Secretaries of State as they met with troops, VAOs, senior military commanders and U.S. Embassy staff, and visited MPSA facilities. The bipartisan group of Secretaries of State jointly drafted a report on the trip and presented their observations at the annual meeting of the National Association of Secretaries of State.

### **Supporting the Services**

The Act directs the Military Services to administer their own voting assistance programs, including requiring the designation of Installation Voter Assistance (IVA) Offices on military installations. Department of Defense Instruction (DoDI) 1000.04, "Federal Voting Assistance Program" outlines the requirements and procedures the Services must follow in establishing and maintaining voting assistance programs, including assigning one VAO to each military unit.

To assist the Services with these requirements, FVAP provides in-person and webinar training, self-paced courses, handbooks and document templates for all personnel providing voting assistance. The training suite provides the Services with an "IVA Office in a box" turnkey course. FVAP provides these training materials on FVAP.gov and through the network of Service Voting Action Officers. In 2012, FVAP staff conducted assistance visits and in-person "train-the-trainer" workshops at 43 installations. FVAP continues to make these offices a priority and conducted more than 50 site visits earlier this year to provide training, assistance and feedback to ensure IVA Office staffs fully understand their responsibilities. While FVAP

provides assistance, the Services are responsible for execution and compliance, and are required to submit annual assessment reports to FVAP. The Department of Defense Inspector General conducts its own assessment of the Services' respective voting assistance programs; its April 2013 report confirmed the Services' programs are compliant with UOCAVA.

FVAP provides in-person training for Unit Voting Assistance Officers (UVAOs), conducts webinars, and last year FVAP developed and deployed a self-paced UVAO online training for greater convenience and flexibility for VAOs in geographically separated locations and those assigned to their VAO duties closer to the election.

To prepare for the 2012 election, FVAP conducted UVAO training workshops at 81 military installations and DOS posts around the world and provided 42 webinar training sessions. In addition to supporting the Services, FVAP assists DOS in providing voting assistance at embassies and consulates around the world. In 2012, FVAP and DOS partnered to host 22 in-person workshops for overseas citizens and held a series of conference calls for consular officers to address questions from overseas voters and organizations of American citizens abroad. (See enclosure for further information regarding military and DOS voting assistance programs.)

### **Building State Capabilities**

By law, the Department consults with State and local election officials to ensure they are aware of the requirements of the Act. Additionally, FVAP works closely with State election officials as they expand and improve the services available to absent Uniformed Service and overseas citizen voters.

FVAP expanded its partnerships with States during the 2012 election cycle and awarded more than \$25 million in 35 research grants to States and localities between October 2011 and June 2012. The Electronic Absentee Systems for Elections (EASE) research grants explore



technological improvements such as online ballot delivery, online voter registration, automated ballot duplication, online ballot requests and online ballot tracking. It is important to note awardees are not permitted to use grant award funds to develop any system for the electronic return of voted ballots in a live election. For the next five years, awardees are required to submit detailed data reports to FVAP following each Federal election in which a grant-funded tool or system is used.

Although too early to identify trends, research grant recipients Minnesota and Louisiana reported the rejection rate for absentee ballots from military and overseas voters was lower than the rate for absentee ballots cast by members of the general, domestic population. Additionally, blank ballot delivery systems were well-received by voters and local election officials. FVAP's 2013 Annual Report to Congress will provide a more comprehensive analysis of research data gathered during the 2012 General Election, but further details regarding the grant program and FVAP's partnership with the States are available in the enclosed 2012 Post-Election Report to Congress.

FVAP announced a second round of research grants in May 2013. EASE 2 grants are more focused and concentrate on the development and effect of online blank ballot delivery tools and the establishment and effect of a single point of contact in a State election office for the transmission of election materials. In 2002, the Help America Vote Act (HAVA) recommended each State establish a single office for sending and receiving election materials, including voted ballots, from military and overseas voters. Since HAVA, only one State, Maine, has adopted this Congressional recommendation (Alaska established its single office prior to HAVA). FVAP believes the establishment of a single point of contact will help streamline a complexity inherent to the UOCAVA voting process. State adoption of these procedures could reduce the list of

thousands of election offices nationwide to only 55 — one for each State, territory and the District of Columbia. Currently, voters have to comb through a list of local offices if they do not have immediate access to FVAP's automated tools or similar online resources.

### **Post-Election Analysis**

Following the 2012 General Election, FVAP surveyed five stakeholder populations. The Defense Manpower Data Center used industry standards in the development and administration of the surveys of active duty military, military spouses, UVAOs, DOS VAOs and local election officials.

As the enclosed 2012 Post-Election Report to Congress illustrates, active duty military voter registration and participation rates remained steady from the 2008 election. In terms of evaluating overall approach and effectiveness of the DoD network of voting assistance resources, FVAP's post-election analysis revealed a statistically significant relationship between the use of DoD voting assistant resources and the likelihood of an active duty member actually voting and returning his or her absentee ballot. For 2014, FVAP will attempt to further isolate and refine this relationship. The survey results also provided FVAP with valuable information regarding opportunities for improvement such as increasing awareness of the tools and resources available to voters and election officials.

While voter participation rate may be an indicator, it does not provide a complete picture of FVAP's ability to effectively assist voters or reduce obstacles to voter success. The available suite of DoD voting assistance tools work together to support each UOCAVA voter's needs and ability to participate in the electoral process. To enable better measurement of program effectiveness and research the most appropriate methods for evaluating military voter behavior

and trends, FVAP is working with a Federally Funded Research and Development Center and expects recommendations in 2014.

### **2014 Preparations**

FVAP's 2014 election cycle preparations are in full swing. FVAP is working with the Services on a comprehensive Voting Action Plan to increase military and eligible family member awareness of voting resources and is expanding several key outreach efforts and launching new initiatives, tools and resources for FVAP stakeholder groups.

Specifically, FVAP is developing new Public Service Announcements targeting overseas citizens and military spouses, launching a redesigned and dynamic website and providing customized digital toolkits for VAOs, election officials, advocacy organizations and overseas companies with large numbers of U.S. citizen employees.

This year, in further preparation for 2014, FVAP has optimized absentee voting forms to improve clarity and usability, refreshed interactive training modules for VAOs and election officials and updated State absentee voting regulations, laws, deadlines and procedures in FVAP's newly redesigned Voting Assistance Guide.

### **Conclusion**

Madam Chairman, members of the Committee, thank you for the opportunity to speak with you today about FVAP's efforts during the 2012 election cycle and its preparations for the upcoming 2014 election.

Voting is fundamentally an individual's right, choice and personal responsibility. FVAP provides for those who want to vote a myriad of resources, including a call center, well-trained VAOs, automated tools and an intuitive website at FVAP.gov. FVAP is working diligently to increase awareness of these resources to further ensure any Uniformed Service member, eligible

family member or overseas citizen who wants to vote is able to successfully cast his or her ballot from anywhere in the world. I look forward to answering your questions.