



Department of Defense

DIRECTIVE

NUMBER 1000.04

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USD(P&R)

SUBJECT: Federal Voting Assistance Program (FVAP)

- References:
- (a) DoD Directive 1000.4, "Federal Voting Assistance Program (FVAP)," June 3, 2002 (hereby canceled)
 - (b) Executive Order 12642, "Designation of the Secretary of Defense as the Presidential Designee Under Title I of the Uniformed and Overseas Citizens Absentee Voting Act," June 8, 1988
 - (c) Section 1973ff. of title 42, United States Code
 - (d) Sections 596, 608, and 609 of title 18, United States Code
 - (e) through (g), see enclosure 1

1. REISSUANCE AND PURPOSE

This Directive:

1.1. Reissues reference (a) to update policy and responsibilities for the FVAP under reference (b).

1.2. Continues to implement reference (b), wherein the Secretary of Defense is named the "Presidential designee" and assigned responsibility for oversight of the FVAP under reference (c).

2. APPLICABILITY AND SCOPE

This Directive applies to:

2.1. The Office of the Secretary of Defense, the Military Departments, the Coast Guard (when it is not operating as a Military Service of the Navy by agreement with the Department of Homeland Security), the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities and all other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components").

2.2. The Commissioned Corps of the Public Health Service (PHS) and the National Oceanic and Atmospheric Administration (NOAA) under agreements with the Departments of Health and Human Services, and Commerce, respectively. The term "Uniformed Services" refers to the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, and their Reserve components, as well as the Commissioned Corps of the PHS and the NOAA.

2.3. Other Federal Executive Departments and Agencies that provide assistance to the FVAP under reference (c). (Participating Federal Executive Departments and Agencies shall adopt regulations and procedures that conform to this Directive to the maximum extent practicable, consistent with their organizational missions.)

3. DEFINITIONS

Terms used in this Directive are defined in enclosure 2.

4. POLICY

It is DoD policy that:

4.1. The Heads of the DoD Components and the Uniformed Services shall encourage eligible voters in their organizations to register and vote in elections for Federal, State, and local office.

4.2. The FVAP shall ensure that eligible voters receive, under reference (c), information about registration and voting procedures and materials pertaining to scheduled elections, including dates, offices, constitutional amendments, and other ballot proposals.

4.3. Every eligible voter shall:

4.3.1. Be given, unless military necessity precludes it, an opportunity to register and vote in any election for which he or she is eligible.

4.3.2. Be able to vote in person or by absentee process when local conditions allow the voter to participate in the electoral process.

4.3.3. Receive voting assistance in a manner that safeguards the integrity of the electoral process and secrecy of the ballot.

4.4. All persons assisting in the voting process shall take all necessary steps to prevent fraud and to protect voters against any coercion, including the following:

4.4.1. No member of the Uniformed Services shall attempt to influence the vote of any other member, or to require any member to march to any polling place or place of voting as proscribed under 18 U.S.C. 608 and 609 (reference (d)). Nothing in this Directive shall be considered to prohibit free discussion about political issues or candidates for public office as proscribed in reference (d).

4.4.2. No person shall poll any member of the Armed Forces before or after he or she votes, as proscribed in reference (d). If any such member is polled, that event shall be reported through the chain of command to the Director, Federal Voting Assistance Program.

4.4.3. Nothing in this Directive shall preclude conducting official surveys authorized by reference (c) to report to the President and the Congress on the effectiveness of the assistance provided to eligible voters, including a separate statistical analysis of voter participation and a description of Federal-State cooperation.

5. RESPONSIBILITIES

5.1. The Undersecretary of Defense for Personnel and Readiness shall:

5.1.1. Administer the FVAP for the Presidential designee, the Secretary of Defense.

5.1.2. Designate a civilian employee as the Director, Federal Voting Assistance Program. The Director shall be responsible for all aspects of the FVAP, and shall have the necessary authority to administer that responsibility.

5.1.3. Act for the Presidential designee to coordinate and implement actions that may be necessary to discharge Federal responsibilities assigned in references (b) and (c).

5.1.4. Manage, coordinate, and perform the responsibilities assigned to the Presidential designee in reference (c).

5.1.5. Establish and maintain liaison with officials of the State legislatures, and with State and local government officials.

5.1.6. Be the sole Federal Executive Branch representative for obtaining from each State current voting information and disseminating it to other Federal Executive Departments, Agencies, and the DoD Components pursuant to reference (c). In this regard, the DoD Components and participating Departments and Agencies may not contact State and local government officials about voting matters.

5.1.7. Encourage and assist States and other U.S. jurisdictions to adopt the mandatory and recommended provisions of reference (c) and advise them on how Federal laws and regulations apply to their individual electoral systems.

5.1.8. Establish and maintain a DoD Voting Assistance Program to cover all eligible voters of the Department of Defense (military and civilian) and other citizens covered by reference (c) and to assist those personnel to vote. Conduct Voting Assistance Workshops during even-numbered years worldwide.

5.1.9. Publicize the right of citizens to participate in the electoral process under reference (c).

5.1.10. Review and coordinate the informational and educational efforts directed toward all persons covered by reference (c).

5.1.11. Provide an ombudsman service for all persons covered by reference (c) and for State and local government officials.

5.1.12. Designate an "Armed Forces Voters Week" in August or September of each even-numbered year to encourage military personnel and their family members to exercise their right to vote.

5.1.13. Survey U.S. citizens (military and civilian) covered by reference (c) to gather necessary statistical information for the report to the President and the Congress required by reference (c).

5.1.14. Prescribe the standard oath to be used with any document under reference (c).

5.1.15. As discussed in DoD 4525.6-M (reference (e)), implement measures, to the maximum extent practicable, to ensure that a postmark or other proof of mailing date is provided on each absentee ballot collected at any overseas location or vessel at sea and that voting materials are moved expeditiously by military postal authorities.

5.2. The Heads of the DoD Components and the Uniformed Services shall:

5.2.1. Disseminate voting information to assist eligible voters in their organization in the following ways:

5.2.1.1. Develop written policies to support all eligible military personnel and their family members including those in deployed, dispersed, and tenant organizations. Establish the ratio and maximum number of voters that may be represented by a Voting Assistance Officer based on the ratio required in subparagraph 5.2.1.4.2.

5.2.1.2. Ensure command support at all levels for the FVAP.

5.2.1.3. Designate a uniformed officer of general or flag rank in each Uniformed Service as the "Senior Service Voting Representative" to manage the respective Service voting programs. A "Service Voting Action Officer," preferably a civilian employee (GS-12 or higher), shall assist the Senior Service Voting Representative and shall be responsible for voting assistance operations within his or her Service. If the Service Voting Action Officer is a

military member, he or she shall be at least of pay grade O-4, if an officer, or of pay grade E-8 if an enlisted member. The Service Voting Action Officer shall be a permanently assigned member within the Senior Service Voting Representative's organization and shall have such assistance as may be necessary to meet FVAP goals. The Chief/Director of each Reserve component shall coordinate with the Senior Service Voting Representative and the Director, FVAP, to maintain a contingency absentee voting program for the National Guard and Reserve units and personnel who have been activated and deployed.

5.2.1.4. Designate Voting Assistance Officers at every level of command.

5.2.1.4.1. Assign one Voting Assistance Officer on each installation and in each major command to coordinate the programs conducted by subordinate units and tenant commands. Each Reserve component shall also designate a Voting Assistance Officer at its Headquarters level. Where possible, Installation Voting Assistance Officers should be a civilian GS-12 or higher. If a military member is assigned as the Installation Voting Assistance Officer, that officer should hold the pay grade of O-4 or higher. Each Installation Voting Assistance Officer shall notify installation personnel of the last date before a general Federal election by which absentee ballots must be mailed from that installation to reasonably be delivered in time to State and local election officials.

5.2.1.4.2. Designate and assign in writing a Unit Voting Assistance Officer, at the O-2/E-7 level or above within each unit of 25 or more permanently assigned members. An additional Unit Voting Assistance Officer should be assigned for each additional 50 members above the 25-member base. Unit Voting Assistance Officers shall ensure that all small and geographically separated units are assisted. When military personnel (including noncommissioned officers) are designated as Voting Assistance Officers, this Directive authorizes them to administer oaths in connection with voter registration and voting.

5.2.1.4.3. Ensure that Voting Assistance Officers are available and equipped to personally assist voters for all elections. Additionally, any person appearing to need assistance in reading or understanding English language material on voting or voter registration should receive immediate assistance in the appropriate language. Voting Assistance Officers shall be provided the time and resources needed to perform their voting assistance duties, especially during even-numbered years. Ensure that Uniformed Services members and their voting-age dependents have ready access to absentee voter registration, ballot request and absentee ballot submission information, and deadlines.

5.2.1.5. Expediently obtain and disseminate voting information and related materials, such as the "Voting Assistance Guide"; Standard Form (SF) 76, "Federal Post Card Application (FPCA)"; and SF 186, "Federal Write-In Absentee Ballot (FWAB)." To do this:

5.2.1.5.1. Purchase sufficient materials to furnish registration and ballot request support for all elections.

5.2.1.5.2. Establish a DoD Component-wide means to communicate effectively with and expeditiously disseminate voting information to Commanders, Voting Assistance Officers, and military and overseas DoD civilian members of the DoD Component and their voting age dependents. Establish within each military installation and major command a Voting Assistance Officer network and communications capability to quickly disseminate voting information throughout the installation or major command.

5.2.1.5.3. Develop a system to ensure the in-hand delivery of Federal Post Card Applications to all eligible voters. The system record keeping may include numbers or percent contacted, but may not include names (or any other identifying information) of individual citizens.

5.2.1.6. Ensure the delivery of SFs 76:

5.2.1.6.1. By January 15 of each calendar year deliver SFs 76 in-hand to eligible voters and their voting-age dependents.

5.2.1.6.2. By August 15 of even-numbered years provide SFs 76 to eligible voters, including DoD civilian employees and voting-age dependents, who are serving outside the territorial limits of the United States.

5.2.1.6.3. By September 15 of even-numbered years provide SFs 76 to eligible voters, including voting-age dependents, in the United States.

5.2.1.6.4. Before graduation and detachment from recruit training.

5.2.1.7. Ensure that adequate numbers of SFs 76 are available for military members and their voting-age dependents, and overseas DoD civilians during check-in processing as a result of permanent change of station orders and that they receive assistance in properly completing the form. These SFs 76 shall be used to notify local election officials of the change of mailing address.

5.2.1.8. Require the Inspectors General of the Military Departments to review their voting assistance program annually at every level of command to ensure compliance with DoD regulations and public law and submit their reports to the DoD Inspector General by January 31 of the following year.

5.2.1.9. Continually evaluate command voting programs.

5.2.1.10. Establish and maintain a Voting Assistance Program homepage on the DoD Component's website. This homepage shall provide DoD Component-specific information regarding its Voting Assistance Program, including links to the assigned Voting Assistance Officers (company/squadron level and above and commissioned units) within the DoD Component; procedures to order voting materials; and links to other Federal and State voting websites, including a link to the FVAP website. Designate at least one well-advertised fixed

location on bases, installations, and ships where absentee voting material and voting assistance are available to all military personnel, family members, and overseas DoD civilian employees.

5.2.1.11. Develop comprehensive command-wide voting awareness and assistance programs and activities in conjunction with Armed Forces Voters Week. A special day or days shall be designated at each military installation to inform Uniformed Services members and their voting-age dependents of absentee registration and voting procedures and, minimally, of the absentee registration and ballot request deadlines preceding general elections for Federal offices.

5.2.1.12. Establish and publicize a special telephone service, the "Voting Action Line," to link unit voting officers with their respective Service or Departmental Voting Action Officer. Emphasize rapid and accurate responses and solutions to voting-oriented problems.

5.2.1.13. Provide telephone operators at every military installation with the names, e-mail addresses, and office telephone numbers of unit or installation Voting Assistance Officers.

5.2.1.14. Train all Service members (including activated National Guard and Reserve personnel) on absentee registration and voting procedures during years of elections for Federal offices. All basic training and command courses shall emphasize and advertise voting assistance programs to encourage junior Service members to register and subsequently vote and include instruction on voting rights and responsibilities and procedures on absentee registration and voting. They also shall provide training and voting assistance for units preparing for deployment where voting materials and accessibility to register may be limited due to at-sea or remote area deployment. Train all Reserve component personnel during years of elections for Federal offices on all aspects of the voting program, to include familiarity with the FPCA and the FWAB.

5.2.1.15. Require that all major command, Installation and Unit Voting Assistance Officers attend an FVAP Voting Assistance Workshop during even-numbered years with elections for Federal offices. If the installation is not scheduled to receive FVAP workshop training, Installation and Unit Voting Assistance Officers should attend training at a nearby installation. Voting Assistance Officers at remote locations can access the FVAP website for training. Document the training of Voting Assistance Officers at the installation or base level and within local personnel records.

5.2.1.16. Require commanders to rate Voting Assistance Officers on the way they perform their voting assistance duties. Commanders shall establish the evaluation criteria for Voting Assistance Officer performance within their command.

5.2.1.17. File an after-action report in the format and manner that the Director, FVAP specifies.

5.2.1.18. Assist the FVAP in conducting official surveys in the manner specified by the Director, FVAP.

5.2.2. Refrain from contacting State and local government officials about voting matters. The Principal Deputy Under Secretary of Defense (Personnel and Readiness) shall be the sole DoD representative for contact and coordination with Federal, State, and local government entities for voting assistance and elections pursuant to reference (c).

5.3. In accordance with 10 U.S.C. 1566 (reference (f)), the Inspector General of the Department of Defense shall periodically conduct, at DoD installations, unannounced assessments of those installations' compliance with the provisions of reference (c) and with this Directive.

5.4. The Inspectors General of the Military Departments shall provide a report of their assessment required under subparagraph 5.2.1.8., to the Inspector General of the Department of Defense, by January 31 of each year.

5.5. Combatant Commanders: Combatant Commanders bear additional responsibility to ensure that deployed forces have access to federal voting assistance information, particularly in remote or difficult locations. Combatant Commanders shall highlight within the operational chain of command the importance they and the Department attach to participation by U.S. forces in the Federal, State, and local election process, and make every reasonable effort to assist the Military Departments in discharging the responsibilities outlined elsewhere in this Directive.


6. INFORMATION REQUIREMENTS

6.1. The Statistical Analysis and Reporting requirements in paragraphs 5.1.13. and 5.2.1.18., above, have been assigned Report Control Symbol DD-DA&M(AR)1918 according to DoD 8910.1-M (reference (g)).

6.2. The after action reports referred to in subparagraph 5.2.1.17., above, are exempt from licensing in accordance with reference (g).

7. EFFECTIVE DATE

This Directive is effective immediately.


Paul Wolfowitz
Deputy Secretary of Defense

Enclosures - 2

E1. References, continued

E2. Definitions

E1. ENCLOSURE 1

REFERENCES, continued

- (e) DoD 4525.6-M, "Department of Defense Postal Manual," August 15, 2002
- (f) Section 1566 of title 10, United States Code
- (g) DoD 8910.1-M, "DoD Procedures for Management of Information Requirements," June 30, 1998

E2. ENCLOSURE 2

DEFINITIONS

E2.1.1. Eligible Voter. Any of the following:

E2.1.1.1. An "absent Uniformed Services voter," defined as an active duty member of the Uniformed Services or a member of the Merchant Marine who is absent from the place of residence where he or she is otherwise qualified to vote, and their accompanying dependents.

E2.1.1.2. An "overseas voter," defined as:

E2.1.1.2.1. An absent Uniformed Services voter who, by reason of active duty or service, is absent from the United States on the date of the election;

E2.1.1.2.2. A person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States; or

E2.1.1.2.3. A person who resides outside the United States and (but for such residence) would be qualified to vote in the last place in which the person was domiciled before leaving the United States.

E2.1.2. Federal Office. The offices of President and Vice President; Presidential Elector; Member of the U.S. Senate or of the U.S. House of Representatives; Resident Commissioner from the Commonwealth of Puerto Rico to the Congress; or Delegate from American Samoa, the District of Columbia, Guam, or the Virgin Islands to the Congress.

E2.1.3. Installation Voting Assistance Officer. An individual responsible for the FVAP at the installation level.

E2.1.4. Local Election. An election for candidates for a Local government, such as municipal, county, township or village elections, or referenda of local interest.

E2.1.5. Official Survey. A survey of citizens covered by reference (c), as required for the report to the President and the Congress.

E2.1.6. Poll. Any request for information regarding the content of an individual's vote.

E2.1.7. Senior Service Voting Representative. A uniformed member at the O-7 grade, or higher, responsible for implementing the FVAP in his or her respective Uniformed Service.

E2.1.8. Service Voting Action Officer. An individual at a Uniformed Service Headquarters level responsible for voting assistance operations for his or her respective Service.

E2.1.9. State Election. Any election held solely, or in part, for selecting, nominating, or electing any candidate for any State office, such as Governor, Lieutenant Governor, Attorney General, or State Legislator, or on issues of State-wide interest.

E2.1.10. Uniformed Services. The Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, and their Reserve components, as well as the Commissioned Corps of the PHS and the NOAA.

E2.1.11. Unit Voting Assistance Officer. An individual at the unit level of a Uniformed Service responsible for voting assistance.

E2.1.12. Voting Residence. The legal residence in which the voter is registered to vote.