

United States Senate

WASHINGTON, DC 20510

September 14, 2020

David Beirne
Director
Federal Voting Assistance Program
Department of Defense
4800 Mark Center Drive, Suite 05E22
Alexandria, VA 22350-5000

Dear Director Beirne,

I write to express concern regarding potential issues military voters may face during the 2020 general election and to respectfully request information on steps you are taking to ensure overseas military members can safely vote during the COVID-19 pandemic.

The Federal Voting Assistance Program's (FVAP) mission is to inform voters of the right to vote and provide the tools and resources necessary to vote successfully from anywhere in the world. Your agency plays a key role in ensuring one of the most fundamental rights of every American – the right to vote – is upheld for overseas military voters.

According to FVAP's 2018 Post-Election Report to Congress, election offices sent 655,409 absentee ballots to military and overseas voters and received 344,392 of them back – a 53% return rate. This return rate tracks with the overall midterm voting rate of 53%, but turnout among overseas military members specifically was 26%, a difference of 27 percentage points. Voting for overseas military members remains difficult, and many myths about the voting process remain. Following the 2016 election, a study conducted by your agency on perceptions of the voting process found that these “myths include the notion that overseas military mail may not be successfully delivered or that ballots submitted by military personnel are not even considered by local election officials unless an election is close.” Recent changes in processing mail at the United States Postal Service, which interacts closely with the Military Postal Service Agency on delivering absentee ballots, have led to renewed scrutiny on whether these ballots will be delivered on time. At a minimum, we need to do more to instill confidence in our election system for our overseas military members.

More confidence in the voting process can be achieved through the expanded use of Voting Assistance Officers (VAOs). VAOs are military members or civilians who help military and overseas voters have access to accurate voting information and ensure they understand the voting process. Your 2018 Post-Election Report to Congress found that many military members were not aware of the important role that VAOs play. It found that “[o]f all military members, 44% were aware of VAOs at the unit level, and 43% were aware of Voting Assistance Offices on their installations. However, only 23% of first-time absentee voters were aware of both...” It is critical that FVAP continues to inform military members of the existence of VAOs in order to expand access to voting.

Reports indicate that military members also have had difficulty accessing state election websites while serving abroad. During the 2018 midterm election, military and overseas voters had problems accessing state election websites due to increased cybersecurity measures. In Pennsylvania alone, a report found that “[t]housands of registered Pennsylvania voters who live outside the United States are being blocked from accessing absentee ballots on the state's website in a move intended to beef up election security.” The 2020 primary election also encountered similar issues, with reports that eligible voters have been unable to access their states' election websites. This is unacceptable. I urge FVAP to work with state election directors to improve access issues for military and overseas citizens.

We must take steps now to overcome the challenges that military and overseas citizens face. It is vital that all Americans are able to cast their votes during the pandemic. There are many Americans who are serving our country overseas and they deserve to be heard. Accordingly, I request answers to the following questions regarding the efforts that you are making to increase voting accessibility to military and overseas voters during the pandemic. I respectfully request a response by September 28th.

1. Since the release of FVAP's 2018 Post-Election Report to Congress, what steps, if any, has FVAP taken to inform military members and overseas voters of the existence of VAOs and the services they provide? If no steps have been taken, what plan is in place to ensure these voters have access to VAOs during this election cycle?
2. Since the release of FVAP's 2018 Post-Election Report to Congress, what steps, if any, has FVAP taken to dispel the myths about the voting process addressed in this letter? If no steps have been taken, what plan is in place to ensure military members and overseas voters have access to accurate information?
3. Since the release of FVAP's 2018 Post-Election Report to Congress, what tools and resources have been provided to military members and overseas voters, or what adjustments have been made, to ensure the right to vote is available to all?
4. Have military members and overseas voters expressed concern to FVAP regarding their ability to vote during the pandemic? If so, what are these concerns, and has FVAP taken steps to address them?
5. Has FVAP been in contact with state election agencies to address the inability of military members and overseas voters to access absentee ballots due to their living in other countries? If so, what steps have been taken? If not, what is FVAP's plan to ensure military members and overseas voters have access to absentee ballots through state election agencies' websites?
6. Due to recent changes at the United States Postal Service (USPS), mail delivery times have been delayed for many Americans. Given that the Military Postal Service Agency (MPSA) relies on USPS to deliver absentee ballots, has FVAP received any complaints about delayed delivery times?
7. In a recent article, a Pentagon spokesperson said that "slight delays" on mail delivery have occurred at MPSA. Can you please provide more detail on these delays, and can you provide more information on what steps FVAP is taking to ensure that overseas military members' ballots arrive to state election offices in time to be counted?

Sincerely,



Amy Klobuchar
United States Senator