



STATE OF KANSAS

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“Oversight with Secretaries of State: List Maintenance and Eligibility Verification” U.S. House of Representatives Committee on House Administration

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Thank you, Chairman Steil, Ranking Member Morelle and members of the committee for the opportunity to testify on the importance of voter list maintenance and eligibility verification. As Kansas Secretary of State and the state’s chief election official since 2019, maintaining voter rolls in accordance with federal and state law is critical to the integrity of our elections.

Kansas has been a leader in election security and integrity efforts. As part of strong voter roll maintenance and eligibility verification processes, Kansas enacted into law voter photo identification (ID) and documentary proof of citizenship (DPOC) in 2011 when I served as Chair of the Kansas Legislature’s House Committee on Elections.¹ Since I became Secretary of State, we have strengthened post-election audits, added procedural audits, enhanced signature verification for mail ballot applications and ballot envelopes, substantially increased the physical and cyber security requirements for county election offices, banned rank-choice voting, limited the ability of any person carrying another’s mail ballot, and the state eliminated the three-day grace period for receipt of mail ballots after election day. These enhancements strengthen election integrity without increasing the burden on voters.

Voter Roll Maintenance

Maintaining accurate and updated voter rolls for Kansas’s 2 million registered voters is a constant activity that is fundamental to election integrity. As Secretary of State, I have made it a priority to aggressively pursue every available legal tool to identify voters whose registration should be updated and to take appropriate action. In Kansas, 105 county election officials conduct voter roll maintenance daily in accordance with federal and state law. As provided by the National Voter Registration Act (NVRA), a voter’s registration record may be updated or the record may be removed from the voter rolls for the following reasons: no longer a Kansas resident for voting purposes,² death, felony conviction, or if they are a non-citizen. As a result of maintenance efforts,

¹Kansas was enjoined from enforcing DPOC. *Fish v. Schwab*, No. 18-3133 (10th Cir. 2020)

² If a county election officer receives an indication that a voter likely no longer lives at their address, a confirmation notice is sent. If it is returned as undeliverable, the voter is flagged as “inactive.” If there is no voter activity for two federal election cycles, the voter may be removed from the rolls. Permissible indications include not voting for four or more years, name appearing on the National Change of Address (NCOA) database, or returned official election mail.

approximately 5 percent of registrations are removed after every federal election. On average, the state registers over 200,000 per federal election cycle.

Change of Residence:

The most common voter roll maintenance activity is updating the records of voters who move. In 2025 an estimated 6 percent of active voter registration records changed addresses within the state, and another 6 percent were made inactive due to evidence of a move out of state.

No voter registration is removed without confirmation from the voter, or without following the requirements of the NVRA and state law regarding confirmation notices and waiting periods.

To help further maintain voter rolls the Kansas Legislature approved a bill my office introduced to provide an additional process for a county election official to remove voters who have moved out of state. If a voter has had no election activity for four years, and an address confirmation notice is returned “undeliverable,” and the voter subsequently has no election-related activity for an additional two federal election cycles, the voter may be removed from the rolls.

To address change of residence between Kansas counties, twice a year my office conducts a statewide de-duplication to identify and merge the older registration record with the new registration record for any voter registered in more than one county.

My office also uses the National Change of Address (NCOA) program at least once a year to identify Kansas voters who moved out of state. County election offices conduct mailings at least once a year to identify persons who have moved and send a confirmation notice. Any voter who has no voter activity for four years (one presidential cycle) is mailed a confirmation notice to determine if they are still a resident.

Identifying voters who move out of state is one of the greatest challenges in voter roll maintenance. That is why my office established memorandums of understanding (MOUs) with the secretaries of state in Texas and Missouri to compare voter lists, and we are close to entering into agreements with two more states. This is the only mechanism states have to verify duplicate voter registrations and prevent double voting across states.

To further assist with residence verification my office is working with the Kansas Legislature to change state law. The Legislature is considering legislation to permit the Secretary of State’s office to:

- Use DMV records, provided by the Democrat governor’s administration, when a Kansas voter obtains a driver’s license in a new state, which automatically cancels the Kansas license.
- Use other valid sources of residence change from other federal and state government agencies, indicating a change of residence.

These new sources of a potential change of residence information will be treated the same as NCOA information – an indication a voter has moved, but not alone adequate proof to remove a registration.

Previously, to identify voters who had moved out of state, Kansas ran the interstate cross-check program for 20 years, which at its height compared the voter rolls of 35 states. This was an

effective means to identify those who moved. However, for several reasons, it was compelled to be discontinued in 2018.

Death:

Kansas removes approximately 28,000 voter registrations annually because the voter died. Verification of a voter's death occurs from three sources. We have not identified any voters who cast a ballot after they were deceased.

First, my office receives a weekly data transfer from the state office of vital statistics of all death certificates issued in Kansas. Counties are promptly directed to remove these voters

Second, county election officials are required to scour local newspapers and online funeral home obituaries for county voters. An obituary serves as verification of a deceased voter.

Third, although Kansas law allows use of the Social Security Administration (SSA) Death Master File, this resource only became available after President Trump's March 25, 2025, Executive Order 14248 that requires the SSA to provide the data to states. For the first time in almost a decade, Kansas was able to cross index its voter rolls with the SSA death index last fall, allowing us to identify registered voters who died out of state. More than 5,500 deceased voter registrations were removed. Kansas requires any deceased record from SSA to be verified by an independent source, such as an obituary, to ensure the correct voter is removed. Again, no voter voted after they were deceased.

To further aid in identifying deceased persons on the voter rolls, the Kansas Legislature approved allowing county election officials to use sworn affidavits attesting to a death from close relatives as an additional basis to remove registrations.

Felony Conviction:

The Secretary of State's office receives felony conviction reports from the federal courts as these occur, and weekly from the state department of corrections. This information is sent to the appropriate county election official within five days to remove the voter's registration. The voter may re-register to vote once the incarceration, probation or parole is complete.

Non-citizen:

Kansas was at the forefront of enacting several provisions to ensure election integrity in 2011 when I chaired the Kansas Legislature's House Committee on Elections. This included requiring government issued photo ID to vote in every election, and enactment of state law requiring documentary proof of citizenship to register to vote. However, in 2018, the federal courts banned Kansas from enforcing its documentary proof of citizenship laws. Unable to check for citizenship at the initial voter registration stage, Kansas has since focused its efforts on screening the voter rolls for potential non-citizens for further investigation and possible removal or criminal prosecution. Kansas has three methods to screen the voter rolls for non-citizens:

- 1) Review of individuals issued a temporary driver's license. My office introduced legislation in 2025 that was enacted into law that requires the Kansas Department of Motor Vehicles to provide the Secretary of State's office with a list of individuals issued a temporary driver's license to compare to the voter rolls to verify that only citizens are registered to vote. This list is required to be provided quarterly.

- 2) My office receives reports from the judicial branch of any potential juror who claims non-citizenship.
- 3) Beginning in October 2025 my office has utilized the United States Customs and Immigration Services (USCIS) Systematic Alien Verification for Entitlements (SAVE) system to review the entire state voter roll and immediately began processing and investigating the results. We understand Kansas was one of the first states to use SAVE.

SAVE is one of the most important tools states now have to maintain voter rolls. We are grateful to President Trump for prioritizing the availability of the SAVE database, as well as the Social Security Administrations Death Master File, for states to access at no cost. After running our voter roll through the system:

- The voter rolls are cross-indexed for potential non-citizens for follow-up and possible criminal prosecution if there is evidence amounting to reasonable suspicion of a crime. The Kansas Secretary of State and the Kansas Attorney General have a close working relationship, and when there is reasonable suspicion of an election crime, including non-citizen voting, it is referred to the criminal division and it is always fully investigated and if warranted, prosecuted.
- Since September 2025, two criminal indictments have been brought by the Attorney General, and my office has referred seven more suspected non-citizens to the Attorney General's Office. The importance of this collaboration is highlighted by the recent discovery of a non-citizen being the mayor of Coldwater, a small town in south-central Kansas. This person became a registered voter prior to the Kansas proof of citizenship law, which grandfathered him in. Having access to the SAVE system prior to the current administration would have identified this person and prevented any alleged additional crimes from being committed.
- The agency's review of the information provided by SAVE is ongoing and we anticipate additional referrals for potential non-citizens.
- The agency intends to continue vetting the state's voter list against the SAVE database on a routine basis. During this legislative session, my office successfully requested a bill to require reports to my office of non-citizens who applied for benefits from state agencies for voter roll comparison and mandate the use of the SAVE program twice a year.

When a registered voter is flagged as a possible non-citizen, my office conducts rigorous due diligence including a 30-day notice to the voter before the voter's registration is removed or any public notice is given to avoid privacy violations and incorrect public pronouncements.

Voter Eligibility Verification

Kansas, like other states, has three criteria for a person to be a qualified elector and able to register to vote: citizenship, residence, and aged 18 on election day.

Photo ID – Kansas' government issued photo ID has been state law since 2011, and all voters are required to show photo ID when voting at the polls on election day, voting in-person advance, or voting by mail.

Citizenship – Because Kansas is enjoined from requiring DPOC, during the act of registration, Kansas is left with a citizenship affirmation statement on the registration form made under penalty of perjury.

Signature verification – Kansas requires signature verification on all advance voting ballots cast by mail. The signature on the ballot envelope must match the signature on file and the signature on the ballot application.

Recommendations

As noted earlier, voter roll maintenance is an activity governed in part by NVRA, which is more than 30 years old. It is time to open the conversation about how NVRA can be modernized so it can work more effectively for election officials. We would encourage Congress to consider the following:

- 1) Shortening the 90-day period to 45 days during which voter list maintenance is limited. This would allow local election officials to continue to maintain their voter rolls during a time when there may be a significant influx of newly registered voters – i.e. prior to a federal election. Under the NVRA, Kansas is unable to perform voter roll maintenance following the deadline to register to vote for the state’s primary election on August 4, and the general election on November 3 – over six months in an even-numbered year. A shorter period would permit counties to conduct maintenance activities.
- 2) Establishing a litigation safe harbor for list maintenance activities during any maintenance moratorium. This would provide assurance to local election officials in their performance of routine maintenance.
- 3) Eliminating the requirement that a voter registration agency must offer an individual a voter registration application every time there is a transaction with the individual. A voter registration agency would not be required to provide an application if the individual identifies as a non-citizen. In addition, voter registration agencies would be permitted to provide an application only if an individual affirmatively requests an application.
- 4) Allowing voter registration agencies to refer applicants to a state online voter registration system, rather than providing a paper application. This would reduce the opportunity for error on the application and improve efficiency in the collection of voter registration information.

Conclusion

Kansas has strong checks in place to ensure that only eligible voters are on the voter rolls and that the removal of any voter from the rolls occurs only after their ineligibility has been verified. We appreciate the support of the Trump administration to make available USCIS SAVE and Social Security Administration data, which are critical to assisting states in cleaning voter rolls. As Secretary of State, I am grateful for these tools, and appreciate the diligence exercised by our county election officials in their review to ensure that errors are not made in voter roll maintenance and voter verification that would jeopardize the public’s confidence in our election system.