



★ VIRGINIA ★  
DEPARTMENT *of* ELECTIONS

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## Annual List Maintenance Report

September 1, 2021 – August 31, 2022

## Executive Summary

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In accordance with the Code of Virginia § 24.2-404 (F) and § 24.2-404.4 (C), the Department of Elections (ELECT) is pleased to provide to the members of the House and Senate Privileges and Elections Committees of the Virginia General Assembly the Annual List Maintenance Report which details the list maintenance activities undertaken to maintain the Virginia voter registration system.

## Background

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ELECT is charged by federal and state law to maintain a central voter registration database. Va. Code § 24.2-404 charges ELECT with maintaining a “complete, separate, and accurate record of all registered voters in the Commonwealth.” As one of the first states in the country to introduce a centralized voter registration database, Virginia has consistently been a forward-thinking leader on list maintenance issues. In 2007, the state introduced the Voter and Election Registration Information System (VERIS), which expanded the database and enabled ELECT to handle other processes such as candidate and petition processing as well as list maintenance reporting. One of the many data reports available from VERIS is the Registration Statistics Report, which provides detailed numbers of registrants based on registration methods and is broken down by locality. These reports are posted monthly and are available for viewing on the [ELECT website](#).<sup>1</sup>

Virginia maintains its voter registration list through the use of various processes. Each of those processes are introduced below along with the relevant statutory references.

Previously, costs associated with maintaining an accurate list of registered voters were funded with general and federal dollars granted in 2002 to Virginia through the Help America Vote Act (HAVA). Those federal HAVA grant funds were exhausted in Fiscal Year 2018 and all list maintenance costs are now covered by state funds.

ELECT strives to make Virginia a national leader in the practices of list maintenance. Some of ELECT’s success requires ongoing cooperation with other states, including neighboring states, in the sharing of list information and voter registration data. This cooperation is streamlined through Virginia’s participation in the Electronic Registration Information Center (“ERIC”), a nationally recognized voter file list maintenance partnership of which Virginia was a founding member state.

Other activities such as felon, death, and non-citizen maintenance activities are also discussed below. While these activities do not have a specific dollar figure attached, they require a

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<sup>1</sup> ERIC, Electronic Registration Information Center (ERIC) FAQ, [https://ericstates.org/wp-content/uploads/2022/08/ERIC\\_FAQ\\_V1.2\\_08-18-2022.pdf](https://ericstates.org/wp-content/uploads/2022/08/ERIC_FAQ_V1.2_08-18-2022.pdf) FAQ\_V1.2\_08-18-2022.pdf (ericstates.org)

significant allocation of staff resources. These costs are being offset with the formation of the list maintenance team that was authorized and funded by the General Assembly Fiscal Year (FY) 2021.

In addition, ELECT relies heavily on local electoral boards, general registrars, and their staff to maintain an accurate list. With the ultimate authority to retain, remove, or update voters on the voter list, general registrars across the Commonwealth process thousands of voter registration transactions per month. Virginia's continued exceptional performance in list maintenance activities would not be possible without their involvement and outstanding hard work and dedication.

As of August 31, 2022, a total of 6,037,801 individuals are registered to vote in Virginia. For the period of September 1, 2021 through August 31, 2022, 76,166 voter registrations were cancelled after following the various processes for voter registration list maintenance.

## Comparison of Voter Registration Data with Other States

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### ELECT-427A Form

When a Virginia-registered voter moves out of state and registers to vote in another state, the voter often notifies the new state that they were previously registered in Virginia. The new state should then notify Virginia that the voter desires to cancel their Virginia voter registration. The voter also has the option of directly notifying Virginia through form, ELECT-427A, which can be found on [ELECT's website](#). This process relies on self-reporting by voters and other states, and has not previously been an efficient method to remove voters who have moved out of state.

### Election Registration Information Center (ERIC)

In order to build upon the aforementioned process, Va. Code § 24.2-404.4 requires ELECT to embark upon data sharing relationships with Virginia's neighboring states to maintain the accuracy of the voter registration list. ELECT complies with this requirement by participating in the Election Registration Information Center (ERIC), a national data sharing agreement. Founded in 2012, ERIC is a public non-profit membership organization that assist member states in improving the accuracy of America's voter rolls.<sup>2</sup>

Since January of 2014, ELECT has received data from ERIC monthly. ERIC incorporates Department of Motor Vehicle (DMV) data and other data sources allowing for a more robust matching program. ERIC also includes the United States Postal Service's National Change of Address (NCOA) data, which allows ELECT to utilize NCOA data with increased frequency. The partnership agreement that ELECT maintains with ERIC ensures that the data is properly

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<sup>2</sup> ERIC, Electronic Registration Information Center (ERIC) FAQ, [https://ericstates.org/wp-content/uploads/2022/08/ERIC\\_FAQ\\_V1.2\\_08-18-2022.pdf](https://ericstates.org/wp-content/uploads/2022/08/ERIC_FAQ_V1.2_08-18-2022.pdf) FAQ\_V1.2\_08-18-2022.pdf (ericstates.org)

managed and requires certain practices of each partner state related to improving data quality.<sup>3</sup> These measures are enumerated in detail in Exhibit A, Membership Agreement, Privacy; Use of Data.<sup>4</sup>

ERIC provides ELECT the following data reports:

- Cross-State Movers Report: This report identifies voters who appear to have moved from one ERIC member state to another;
- In-State Movers Report: This report identifies voters, who appear to have moved within the state;
- Duplicate Report: This report identifies voters with duplicate registrations;
- Deceased Report: This report identifies voters, who have passed away, by using voter registration data and Social Security death data;
- Eligible but Unregistered Report: This report identifies potential voters who appear to be eligible but who are not yet registered;
- National Change of Address (NCOA) Report: This report identifies voters, who have moved, using official data from the US Postal Service; *and*,
- Voter Participation Report: This report identifies voter, who may have cast ballots in more than one state or more than one ballot in the same state. This report is available after each federal election.<sup>5</sup>

The ERIC program membership fee from July 1, 2021 to June 30, 2022 was \$37, 644. The data quality from the ERIC program is significantly better than other interstate exchange programs and any program that ELECT could operate in-house with existing resources. The ERIC membership costs are less than the costs incurred if ELECT were required to create and manage an in-house program resulting in the same quality of data.

As a result of ELECT’s partnership with ERIC, Virginia has acquired registered voter data from a total of 30 states and the District of Columbia for use in list maintenance activities. States participating in ERIC during the reporting period include:

- Alabama
- Alaska
- Arizona
- Massachusetts
- Maryland
- Michigan
- Pennsylvania
- Rhode Island
- South Carolina

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<sup>3</sup> ERIC: Technology and Security Overview, [https://ericstates.org/wp-content/uploads/2022/02/ERIC\\_Tech\\_and\\_Security\\_Brief\\_v5.0.pdf](https://ericstates.org/wp-content/uploads/2022/02/ERIC_Tech_and_Security_Brief_v5.0.pdf) Security Brief (ericstates.org)

<sup>4</sup> Electronic Registration Information Center, Inc. Bylaws, [https://ericstates.org/wp-content/uploads/2022/06/ERIC\\_Bylaws\\_and\\_Membership\\_Agreement\\_June\\_2022\\_FINAL\\_FOR\\_PUBLICATION.pdf](https://ericstates.org/wp-content/uploads/2022/06/ERIC_Bylaws_and_Membership_Agreement_June_2022_FINAL_FOR_PUBLICATION.pdf) ord - ERIC Bylaw Amendment June 2022 FINAL FOR PUBLICATION.docx (ericstates.org)

<sup>5</sup> ERIC, Electronic Registration Information Center (ERIC) FAQ, [https://ericstates.org/wp-content/uploads/2022/08/ERIC\\_FAQ\\_V1.2\\_08-18-2022.pdf](https://ericstates.org/wp-content/uploads/2022/08/ERIC_FAQ_V1.2_08-18-2022.pdf) FAQ\_V1.2\_08-18-2022.pdf (ericstates.org)

- Colorado
- Connecticut
- Delaware
- Florida
- Georgia
- Illinois
- Iowa
- Kentucky\*
- Minnesota
- Missouri
- Nevada
- New Mexico
- New Jersey Ohio
- Ohio
- Oregon
- Texas
- Utah
- Vermont
- Washington
- Washington, DC\*
- West Virginia\*
- Wisconsin

\*Indicates states with whom Virginia is statutorily required to exchange data.

In order to maintain compliance with Va. Code § 24.2-404.4, ELECT attempted to establish one-to-one data sharing relationships with Virginia’s bordering states that do not currently have ERIC memberships: North Carolina and Tennessee. ELECT has reached out to the Election Directors in both states to start discussions of establishing bilateral data sharing agreements. These requests can be seen in Appendix B.

In the previous reporting period, ELECT did not receive a response from Tennessee; however, in that same period, North Carolina did respond with instructions on how to access a publicly provided list of voters. Since North Carolina does not provide social security numbers or complete dates of birth, there is not sufficient information to identify voters registered in Virginia. As of September of 2022, North Carolina informed ELECT that they intend to join ERIC and will begin exchanging data during the first two quarters of 2023.

## Confirmation Mailings

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Pursuant to state law (§ 24.2-428) and the National Voter Registration Act (NVRA), ELECT conducts an annual address match of Virginia’s voters against records in the United States Postal Service’s (USPS) National Change of Address (NCOA) registry, which is a process that is conducted as part of ELECT’s membership in ERIC. The NCOA database catalogs change of address requests submitted by individuals to the USPS when moving. ELECT relies on this database to identify voters registered in Virginia who may have moved and may need to update or cancel their voter registration.

Voters registered in Virginia who are identified as potential movers by the NCOA list are sent a forwarded confirmation mailing to their last known Virginia address asking the voter to either verify their residential address or request cancellation of their Virginia voter registration. These

letters include a postage prepaid post card and a confirmation form that voters can utilize to either: confirm that their address did or did not change or to request that the general registrar cancel their registration, if appropriate. Voters, who respond to the mailing within 30 days and confirm that their place of residence has not changed or that their new address is in Virginia, remain on the voter registration list as ‘*Active*’, Virginia-registered voters. Voters, who do not respond to the notice within 30 days or whose confirmation mailing is returned as undeliverable, are then classified as ‘*Inactive*’ on the voter registration file.

Voters identified ‘*Inactive*’ will be removed from the voter registration list, if the voter fails to either vote or update their voter registration over a period of two federal general elections (2 to 4 years). Voters who have been designated as ‘*Inactive*’ by the process outlined above may still cast a ballot on Election Day. The voter must have their eligible voting status verified by the general registrar, sign a statement declaring that they are a qualified and registered voter of the precinct at which they are present, and be added to the pollbook by officers of election. Following each federal general election, ELECT will cancel individuals who have been on the ‘*Inactive*’ list without voting for a period of two federal general elections.

Virginia voters identified by ERIC as those who moved, whether in-jurisdiction or to another jurisdiction, are entered into the confirmation process as required by the NVRA and Va. Code § 24.2-428 and receive confirmation mailers at their Virginia addresses by forwarded mail.

In addition, ELECT sends cancellation request mailers to those on the Virginia voter registration list who have been identified by ERIC as having moved out-of-state. The out-of-state mailer project is expected to reach voters soon after they move, allowing voters to cancel their registration immediately without having to wait for the routine confirmation process. This additional mailer to the out-of-state addresses increases the likelihood that registered voters will receive the notice and instruct ELECT to cancel their Virginia voter registrations. This effective tactic is just one of the optional processes used by ELECT that makes Virginia a national leader in effective list maintenance programs.

The confirmation mailings described above, including NCOA, in-state movers, and out-of-state cancellations, occurred once during this reporting period in July 2022. Due to supply chain issues with printing supplies and the timeframe to receive paper and envelopes, only one confirmation mailing was possible in 2022. The 2022 NCOA confirmation mailing process delivered the confirmation mailers to the United States Postal Service (USPS) on July 1, 2022, which ensures compliance with existing statutes as described in Va. Codes § 24.2-306 & § 24.2-428.

During the reporting period, September 1, 2021 – August 31, 2022, approximately 266,097 voters were mailed a confirmation notice or had their record updated (in-jurisdiction movers). Approximately 69,528 cancellation request mailers were sent to voters' out-of-state addresses.

As a part of this process 22,296 confirmation mailers were sent to registered voters who, according to NCOA data, had potentially moved within a single Virginia jurisdiction. Pursuant to

Va. Code § 24.2-428, registered voters who have moved within a locality will have their resident address updated automatically by the general registrar. This state requirement permits general registrars to ensure that voters' records stay up-to-date and maintain precinct and polling place assignments.

As a result of confirmation mailing process, approximately 122,430 voters were classified as *'Inactive'* in August 2022.

## Felon Records

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Felon records are received by ELECT from two sources:

- Va. Code § 24.2-409 requires the Virginia State Police (VSP) Central Criminal Record Exchange (CCRE) to provide ELECT with monthly lists of felony convictions. This section of the Code of Virginia also requires CCRE to provide ELECT with an annual list of all felony convictions.
- NVRA requires that the U.S. Attorney's Offices provide ELECT with felony conviction information on the federal level. § 24.2-409.1 requires ELECT to share this information with the local general registrars.

Each month, the data from CCRE downloaded from the VSP is loaded into the Virginia voter registration system. The federal felony conviction information is received on paper at ELECT, and staff enters the conviction information into the voter registration system. The records are matched against existing registered voters and any potential matches are provided to the appropriate local general registrar for further review and processing.

From September 1, 2021 – August 31, 2022, 4,667 voters were cancelled after a felony conviction was reported to ELECT.

## Restoration of Rights Records

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Pursuant to §53.1-231.2, on a monthly basis, ELECT receives a list of convicted felons who have successfully presented petitions through the Secretary of the Commonwealth to the Governor to have their right to vote restored. This list is matched to Virginia's list of prohibited voters, and potential matches are provided to the appropriate general registrars for further review and processing.

From September 1, 2021 - August 31, 2022, 7,882 citizens registered to vote after having their rights restored by the Secretary of the Commonwealth.

## Mentally Incapacitated Adjudications

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Pursuant to § 24.2-410 of the Code of Virginia, the clerks of the circuit courts send ELECT a paper-based monthly report indicating any individuals who were adjudicated mentally incapacitated. This information is sent to the appropriate local general registrar for further review and processing. ELECT is currently investigating means of gathering these data electronically.

From September 1, 2021 – August 31, 2022, 596 voters were cancelled after a mentally incapacitated adjudication was reported to ELECT.

## Non-Citizen Records

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### Citizenship Status; Department of Motor Vehicles (DMV)

The Va. Code § 24.2-410.1 requires the Department of Motor Vehicles (DMV) to request all customers identify their citizenship status. On a monthly basis, The DMV shares the list of individuals who responded ‘No’ to the citizenship question to ELECT. ELECT matches this information to the list of existing registered voters, and any potential matches are provided to the appropriate local general registrar for further review and processing. This process results in removal of any registered voter if the voter does not subsequently affirm their U.S. citizenship to the general registrar within 14 days of the registrar notifying the voter of the potential cancellation. From September 1, 2021 – August 31, 2022, 2,771 voters were cancelled after declaring themselves “non-citizen” within the DMV process.

### Systematic Alien Verification for Entitlements Program (SAVE)

Va. Code § 24.2-404(E) requires ELECT to participate in the Systematic Alien Verification for Entitlements (SAVE) Program operated by U.S. Citizenship and Immigration Services of the U.S. Department of Homeland Security (DHS-USCIS) for the purpose of verifying that voters listed in the Virginia voter registration system are United States citizens. In 2014, the SBE entered into a Memorandum of Agreement with DHS-USCIS authorizing ELECT's use of SAVE. In 2016, the SBE amended 1VAC20-40-70 to account for the use of SAVE in existing cancellation processes. Members of ELECT staff also received SAVE training.

While those preliminary actions were taken, it was ultimately determined that SAVE was unusable for list maintenance purposes due to limitations within the system. The SAVE database only contains information for individuals residing in the U.S. in a formal immigration status (name, date of birth, document type and number). Therefore, the data required to run a search on SAVE includes an individual's document type and alien number/document number of a document issued by DHS-USCIS.



Upon receiving inquiries from citizens and stakeholders, ELECT has revisited the issue of the SAVE program to determine whether a feasible use exists in furtherance of the Code requirements. ELECT staff has conducted research, completed SAVE training, and engaged in internal discussions about options for the use of SAVE. ELECT will continue to examine applications for SAVE. ELECT is committed to implementing all feasible processes and procedures that will ensure compliance with the Code. Additionally, ELECT will propose to the SBE any necessary additional regulatory action.

## Death Records

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Pursuant to Va. Code §§ 24.2-404.3 and 24.2-408, ELECT is required ensure that voters who have died are removed from the voter registration list in a timely manner:

- Va. Code § 24.2-404.3 requires ELECT to conduct a match of the voter registration list against the list of deceased persons maintained by the Social Security Administration (SSA). The SSA distributes its death records through the U.S. Department of Commerce's National Technical Information Service (NTIS).
- Va. Code § 24.2-408 requires the Bureau of Vital Statistics (BVS) at the Virginia Department of Health to provide ELECT a weekly list of those who have died in the previous month.

As of July 1, 2022, ELECT has increased the frequency with which it receives information each month from NTIS and BVS. After being loaded into the Virginia voter registration system, the records are matched against existing registered voters and any potential matches are provided to the responsible local general registrar for further review and processing.

ELECT also receives a death report from the Electronic Registration Information Center (ERIC). ERIC also subscribes to the NTIS data and compares Virginia's data to the Social Security Administration (SSA) data. Death records identified by the ERIC process are provided to the responsible local general registrar for further review and processing.

ELECT had previously paid \$2,730 for its annual subscription for the SSA data, and the BVS data is provided free of charge. SSA data has been added to ERIC and made available to member states, thus increasing the value of ERIC membership and offsetting some of the cost of the ERIC membership fee.

From September 1, 2021 – August 31, 2022, 68,132 voters were cancelled due to having been identified as deceased.

## Pre-Registration of 16 year of age or older

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Pursuant to Virginia Code § 24.2-403.1, effective October 1, 2022, ELECT will begin to collect registration data associated with any applicant who is otherwise qualified and is 16 years or older but will not be 18 years of age on or before the day of the next general election. ELECT is working closely with the Department of Motor Vehicles (DMV) to gather this data to make such available to general registrars in the pre-registration process.

## List Maintenance Team

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During the 2022 General Assembly session, general funds were allocated for 1.00 full-time equivalents (FTE) to add one voter list maintenance positions to the Department. The Department is actively recruiting qualified candidates for this position.

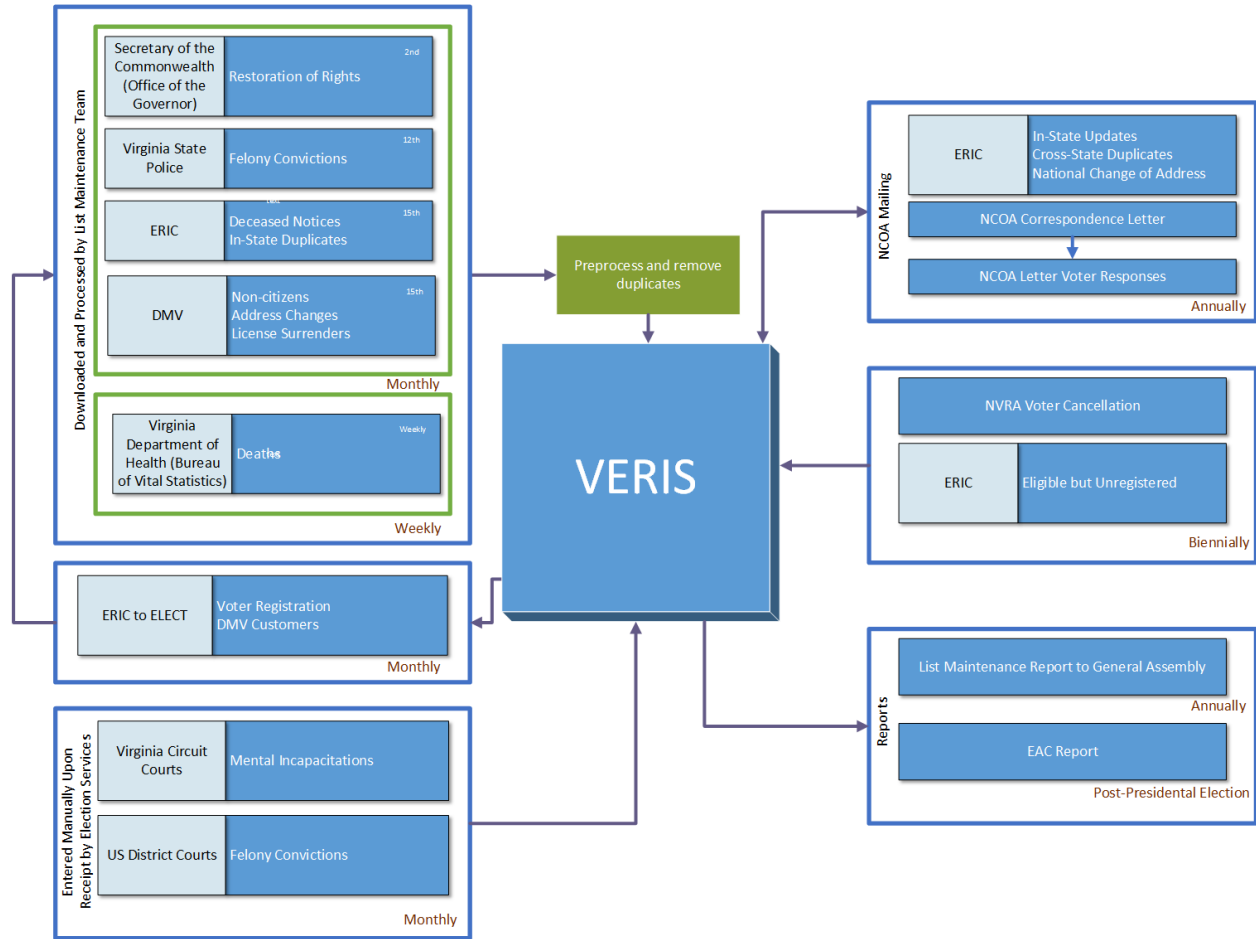
The List Maintenance Team continues to maintain a timeline that includes each list maintenance process throughout the year within the context of election dates, list maintenance blackout periods, and reporting requirements. This calendar facilitates continuity of list maintenance practices amongst ELECT and general registrars.

The List Maintenance Team continues to provide timely communication with general registrars with the bimonthly list maintenance schedule updates. These updates, sent to the general registrars through email at the beginning and mid-point of each month, include dates of expected data downloads, estimated processing time, and are updated with the actual availability date of data within VERIS, and are intended to serve as a planning tool for the general registrars at each of Virginia's 133 localities.

ELECT is planning ahead for the migration from VERIS to a new SVRS system in the future. The List Maintenance Team is creating a project plan to improve the automation of processing for list maintenance to aid in a seamless transition of processing when the new SVRS system is fully implemented.

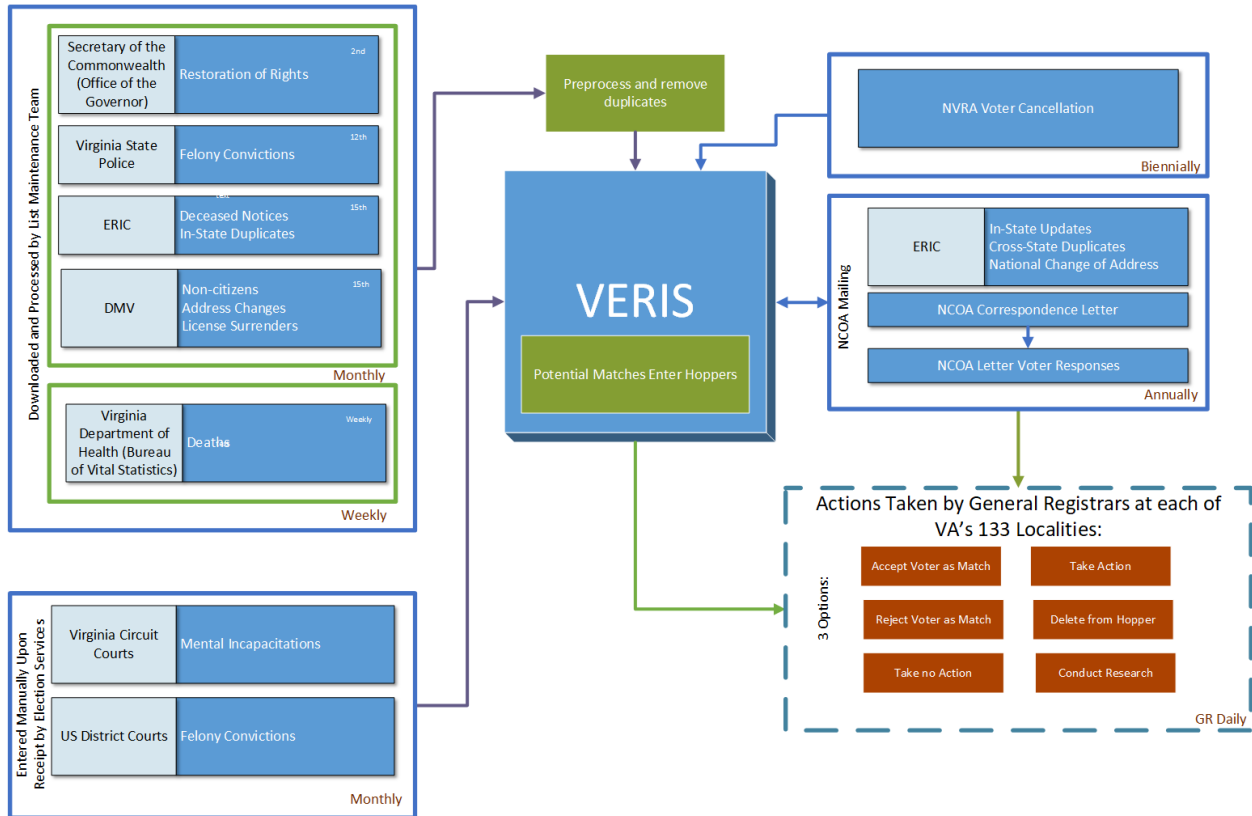
# Appendix A: List Maintenance Sources and Processing Frequency Diagram

## List Maintenance Processes



As of August 22, 2022

# List Maintenance Processes: GR Actions



As of August 22, 2022

Appendix B: Correspondence with Non-ERIC Member, Neighboring States to Establish Data-Sharing Agreements





COMMONWEALTH of VIRGINIA  
DEPARTMENT OF ELECTIONS

Susan J. Beals  
Commissioner

September 19, 2022

Karen Brinson Bell  
Executive Director  
North Carolina State Board of Elections  
P.O. Box 27255  
Raleigh, NC 27611  
[karen.bell@ncsbe.gov](mailto:karen.bell@ncsbe.gov)

Dear Ms. Bell:

The Code of Virginia 24.2-404.4 requires that Virginia compares its voter registration list to those of neighboring states annually. Historically, Virginia has relied upon the Interstate Crosscheck and the Electronic Registration Information Center (ERIC) programs to complete this task.

As North Carolina does not currently participate in ERIC and Virginia no longer participates in the Interstate Crosscheck, we respectfully request that North Carolina provide Virginia with a current list of registered voters so that we can conduct our own comparison. Upon request, Virginia will share the results of such a comparison with your office. Excluding any matches, Virginia will destroy all data received from your state office once the review is complete. We will also attempt to contact any North Carolina voters that match an older Virginia record at both their North Carolina and Virginia addresses in hopes that the voters will contact Virginia and update their record accordingly.

Thank you in advance for your consideration. I look forward to receiving your formal response. If you have any questions, please feel free to contact me directly at [susan.beals@elections.virginia.gov](mailto:susan.beals@elections.virginia.gov) or via telephone at 804-864-8901.

Many thanks,

A handwritten signature in cursive script that reads "Susan Beals".

Susan J. Beals  
Commissioner



# NORTH CAROLINA STATE BOARD OF ELECTIONS

*Mailing Address:*  
P.O. Box 27255,  
Raleigh, NC 27611  
(919) 814-0700 or  
(866) 522-4723  
*Fax:* (919) 715-0135

September 21, 2022

Susan J. Beals, Commissioner  
Commonwealth of Virginia Department of Elections  
Washington Building  
1100 Bank Street, First Floor  
Richmond, VA 23219  
*via* susan.beals@elections.virginia.gov

Dear Commissioner Beals:

Thank you for your September 19, 2022 request to conduct a voter registration list comparison between Virginia and North Carolina per the Code of Virginia § 24.2-404.4.

We are pleased to inform you that we have received authorization and funding to join the Electronic Registration Information Center (ERIC) through [North Carolina Session Law 2022-74](#), which will allow our state to exchange information with Virginia and the other member states. We anticipate making a formal request for membership following the November 8, 2022 General Election and beginning the initial membership mailings and data exchanges in the first two quarters of 2023.

Please let us know if our ERIC membership plans and timeline meet the requirements of the Code of Virginia § 24.2-404.4 or if we need to discuss further. I can be reached at [karen.bell@ncsbe.gov](mailto:karen.bell@ncsbe.gov) or (919) 814-0747. We look forward to working with you and the other ERIC member states.

Sincerely,

Karen Brinson Bell  
Executive Director





COMMONWEALTH of VIRGINIA  
DEPARTMENT OF ELECTIONS

Susan J. Beals  
Commissioner

September 19, 2022

Mark Goins  
Elections Coordinator  
State of Tennessee  
312 Rosa L. Parks Avenue  
9<sup>th</sup> Floor  
William R. Snodgrass Tn Tower  
Nashville, TN 37243

Dear Mr. Goins:

The Code of Virginia § 24.2-404.4 requires that Virginia compares its voter registration list to those of neighboring states annually. Historically, Virginia has relied upon the Interstate Crosscheck and the Electronic Registration Information Center (ERIC) programs to complete this task.

As Tennessee does not currently participate in ERIC and Virginia no longer participates in the Interstate Crosscheck, we respectfully request that Tennessee provide Virginia with a current list of registered voters so that we can conduct our own comparison. Upon request, Virginia will share the results of such a comparison with your office. Excluding any matches, Virginia will destroy all data received from your state office once the review is complete. We will also attempt to contact any Tennessee voters that match an older Virginia record at both their Tennessee and Virginia addresses in hopes that the voters will contact Virginia and update their record accordingly.

Thank you in advance for your consideration. I look forward to receiving your formal response. If you have any questions, please feel free to contact me directly at [susan.beals@elections.virginia.gov](mailto:susan.beals@elections.virginia.gov) or via telephone at 804-864-8901.

Many thanks,

Susan J. Beals  
Commissioner