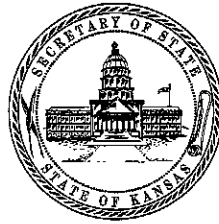


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STATE OF KANSAS
House Committee on Elections

Testimony on the Interstate Crosscheck Program

Bryan A. Caskey, Director of Elections

January 17, 2018

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to appear before you today to discuss the Interstate Crosscheck program. I am here to give you an overview of the program and I understand many of you have questions concerning the program. My hope is this overview will answer many of your questions, and if not, I will attempt to answer the remaining questions through-out the presentation.

BACKGROUND

In 2005, at a meeting of the Midwest Election Officials Conference (MEOC) in Kansas City, the idea of conducting a check of voter registration records between states was discussed and finalized by Kansas Secretary of State Ron Thornburgh (R), Iowa Secretary of State Chet Culver (D), Nebraska Secretary of State John Gale (R) and Missouri Secretary of State Robin Carnahan (D). This bi-partisan group of Secretaries of State was searching for a solution to maintain accurate voter registration lists, especially as states were bringing on-line statewide voter registration systems. The purpose of the check was two-fold. (1) Find potential duplicate voter registration records between states, share that information, and eventually remove verified duplicate records. (2) Identify potential duplicate votes between states and refer verified information to appropriate law enforcement officials for prosecution. The first data crosscheck was conducted in 2006 by the states of Kansas, Nebraska, Iowa, Missouri, and Minnesota. In 2007 the data crosscheck was conducted again, and added the state of South Dakota. In the years since then, the program has continued to grow and add states. In 2017, 28 states submitted data containing over 98 million voter registration records. I have included a hand-out that contains the number of records submitted for comparison in the last few years.

This program has been recognized nationally by several groups and organizations, including the Presidential Commission on Election Administration (PCEA) created by executive order by President Obama in March of 2013. This commission was comprised of election administrators and private sector businesses specializing in customer service to help identify best practices in

PCEA issued a report and recommendations concerning the American voting experience in January of 2014. The PCEA recommended the Interstate Voter Registration Crosscheck program and the Electronic Registration Information Center (ERIC) as two programs that work to share information between states in the interest of maintaining clean voter registration rolls. In describing these two programs the Commission stated ‘The Commission endorses state programs to share data and to collaborate in the synchronization of voter lists so that the states, on their own initiative, come as close as possible to creating an accurate database...’ The Commission also recommended both programs should be expanded.

PROGRAM DESIGN

How does the program work?

Each participating state signs a Memorandum of Understanding and agrees to transmit voter registration data to the Kansas Secretary of State. The data that is requested includes name (all components – first, middle, last, suffix), date of birth, last four digits of social security number (if available), voter history, date of registration, status, address, and voter registrant number. (See the attached hand-out). Once the data is received, Kansas conducts a comparison of all data and produces a set of results to each state that contains a complete match of first name, last name, date of birth, and last four of the social security number. This information is provided back to each participating state as potential ‘matches’ with instructions for each state to follow their own state and federal laws in processing the data. In the 2017 program, 28 states submitted 98,263,382 records of registered voters. Of that total, there were 141,250 potential duplicate records of voter registration records. I have included a spreadsheet that has the state by state results from the 2017 data.

In Kansas, the state provides a confidence score on each record to help determine the probability of a match. Records that are determined to be non-matches (i.e. different middle name) are not processed. After the confidence score has been provided, results files are provided to each of the 105 county election officials along with instructions on processing the results. If the county determines that (1) the record is a potential match and (2) Kansas has the most recent record – then the county transmits a forwardable confirmation notice to the new address and asks the voter to confirm his or her voter registration address. If the voter responds, the record is updated accordingly. If the notice comes back as undeliverable or the voter does not respond, the county must wait through the second succeeding November general election, before cancelling the registration. This is the same procedure used by county election officials when conducting other list maintenance activities annually under state and federal law.

If a potential double vote is identified, the state will collect additional registration and voting records to present to county, state or federal prosecutors for investigation and possible prosecution.

RESOURCE ALLOCATION

Since the inception of the program, Secretary Thornburgh and Secretary Kobach have committed existing resources within the Secretary of State's office to participate and to host the crosscheck. From 2005 to present, no state general fund dollars, nor secretary of state fee fund dollars have been spent on the program. Existing staff, hardware and software, has been utilized and also used for other agency functions. (Such as me). The Secretary of State's office has relied on other participating states, including Iowa and Arkansas, during the history of the program, to complete some of the tasks required. However, in this current fiscal year, secretary of state fee fund dollars will be used to enhance the security of the program. A total dollar amount is not yet available, but will be less than \$20,000 as Secretary Kobach stated last week in this committee.

SECURITY

The security of the interstate crosscheck has been a popular topic since August of 2017 with the publication of an article from an out-of-state news source. First, I want to say this as clearly as possible – in the history of the interstate crosscheck, and to the best of my knowledge - there has been no data breach or data that has been compromised. Any report to the contrary is not factual.

That being said, security of the interstate crosscheck, along with the cybersecurity of all election infrastructure, is of utmost important to the Secretary of State's office. A comprehensive review of all security protocols involving election related assets began in October of 2016 and continues. As part of the review, the Secretary of State's office is changing how data is transmitted between states as part of the program. In some previous years, the state of Arkansas assisted the Secretary of State's office in the transmission of data between states. In 2018, Arkansas will not be assisting in this process. Instead, the Secretary of State's office is moving this function in-house and using multi-factor authentication between all participating states when transmitting data. It is important to note the entirety of the crosscheck database has not and will not appear on any public facing website.

In addition, the Secretary of State's office is partnering with the Department of Homeland Security to review all of the security protocols surrounding the Interstate Crosscheck program, as well as other election assets.

ERIC

I have also been asked to provide information concerning the other national entity comparing voter registration records between states, ERIC. ERIC stands for the Electronic Registration Information Center. Currently ERIC has 23 member states from across the country. There are several states that belong to both ERIC and the Interstate Crosscheck (Alabama, Colorado, Illinois, Virginia and West Virginia to name a few). ERIC is owned and managed by the participating states. Each state must pay a \$25,000 application fee and then annual dues to fund the program which is dependent on expenses, and the number of states participating in

the program. Each state is required to provide a copy of the driver's license database in addition to the voter registration database. Member states upload their data every 60 days. ERIC provides information back to the states that shows voters who moved within their state, voters who moved out of state, voters who have died, duplicate registrations, and persons who are potentially eligible to vote but are not yet registered. Member states must commit to contacting eligible but unregistered residents identified by ERIC, educating them on the most efficient means to register to vote. Members also commit to contacting voters whose registration information is identified by ERIC as inaccurate or outdated. ERIC is run by two full-time professional staff, an Executive Director, and a Systems and Technology Engineer.

This concludes my information concerning the Interstate Crosscheck Program. Since the inception of this program under Secretary Thornburgh and continuing to this day, I am proud of the work of this program and the collaboration between states that has taken place. The Secretary of State's office continually works to maintain clean and accurate voter registration lists, and this program serves as one, important component of that effort. I am happy to stand for questions. Thank you.

Candidate	Municipality	Municipal District	Municipal Ward	Municipal Councillor	Municipal Councillor Name	Municipal Councillor Party	Municipal Councillor Term	Municipal Councillor Age	Municipal Councillor Gender	Municipal Councillor Education	Municipal Councillor Occupation	Municipal Councillor Residence	Municipal Councillor Income	Municipal Councillor Assets	Municipal Councillor Debts	Municipal Councillor Net Worth	Municipal Councillor Spouse	Municipal Councillor Children	Municipal Councillor Parents	Municipal Councillor Siblings	Municipal Councillor Other Relatives	Municipal Councillor Other Information	Municipal Councillor Comments															
																								AL	AZ	AR	CO	GA	ID	IL	IN	IA	KS	KY	LA	ME	MA	MI
1	ALBERTA	3,533,449	271	48	61	0	6,224	3,488	4,388	4,264	5,893	85,045	690	11,118	3,208	1,295	2,210	11,120	6,738	1,022	2,885	10,707	205,74	8,682	1,491	1,593	787	14,872	10,737	3,051	10,679	17,549	4,907	7,892	9,924	1,591	239,801	
2	ALBERTA	4,074,285	1	87	64	0	14,035	4,036	4,324	4,934	30,534	16,185	3,685	30,041	20,940	6,676	5,546	6,347	3,023	2,102	6,339	27,242	3,151	10,883	4,697	15,598	2,789	13,649	17,549	6,403	6,233	4,907	6,444	9,956	2,086	274,823		
3	ALBERTA	1,172,085	48	72	187	0	2,408	2	4,264	4,934	5,708	9,977	487	8,788	6,332	2,313	4,468	5,014	7,017	8,977	1,341	5,688	8,346	15,684	1,423	1,677	467	6,086	5,970	12,655	6,423	6,881	8,947	3,870	9,879	1,018	138,750	
4	ALBERTA	3,900,400	0	3	87	0	3,783	4,600	5,277	6,589	30,534	5,708	21,158	2,984	28,089	17,171	1,198	12,724	8,397	5,800	3,477	8,021	15,100	3,612	13,449	9,655	7,624	3,144	18,225	15,820	9,920	7,929	6,046	7,458	13,138	2,235	288,026	
5	ALBERTA	6,122,070	0	22	16	0	10,932	17	65,043	16,185	21,158	1,709	1,709	38,125	30,717	5,341	7,273	28,605	18,322	3,014	13,704	33,384	23,138	16,595	3,316	7,203	3,350	84,197	38,350	8,340	78,219	1,613	47,937	49,897	6,286	669,708		
6	ALBERTA	797,534	0	19	82	0	134	600	3,838	487	2,984	1,709	1,709	38,125	30,717	5,341	689	983	364	299	482	1,346	390	695	371	1,507	287	1,426	1,381	693	789	427	984	1,397	291	22,119		
7	ALBERTA	8,008,441	83,385	103	104	0	62,897	0	11,118	30,041	8,788	25,699	38,125	1,576	98,553	33,689	7,439	7,194	27,820	6,996	11,597	51,799	11,785	60,675	4,776	6,594	2,485	28,213	34,735	6,813	12,883	1,587	16,828	15,871	2,595	54,085		
8	ALBERTA	4,856,312	3,437	87	203	0	28,031	3,686	5,277	20,940	6,322	17,171	1,490	98,553	33,689	7,439	5,496	72,820	5,581	11,597	51,799	6,339	7,585	16,472	2,774	6,185	2,485	28,213	34,735	6,813	12,883	1,587	16,828	15,871	2,595	54,085		
9	ALBERTA	2,120,890	1	12	23	0	407	185	1,981	5,676	2,313	8,138	5,341	33,689	7,194	5,485	4,270	3,247	1,703	1,340	1,340	3,130	3,130	4,270	3,247	1,703	1,340	1,340	4,320	3,247	1,703	1,340	1,340	4,320	3,247	1,703	1,340	
10	ALBERTA	1,285,084	6	13	108	0	784	516	6,738	8,317	5,014	8,397	28,085	983	6,885	5,581	1,340	3,247	1,703	1,340	1,340	3,130	3,130	4,270	3,247	1,703	1,340	1,340	4,320	3,247	1,703	1,340	1,340	4,320	3,247	1,703	1,340	
11	ALBERTA	3,313,079	0	0	117	0	4,589	3	11,120	8,317	5,014	8,397	28,085	983	6,885	5,581	1,340	3,247	1,703	1,340	1,340	3,130	3,130	4,270	3,247	1,703	1,340	1,340	4,320	3,247	1,703	1,340	1,340	4,320	3,247	1,703	1,340	
12	ALBERTA	2,976,301	0	0	3	0	45,221	792	6,738	8,317	5,014	8,397	28,085	983	6,885	5,581	1,340	3,247	1,703	1,340	1,340	3,130	3,130	4,270	3,247	1,703	1,340	1,340	4,320	3,247	1,703	1,340	1,340	4,320	3,247	1,703	1,340	
13	ALBERTA	1,082,819	0	2	6	0	2,286	22	6,738	8,317	5,014	8,397	28,085	983	6,885	5,581	1,340	3,247	1,703	1,340	1,340	3,130	3,130	4,270	3,247	1,703	1,340	1,340	4,320	3,247	1,703	1,340	1,340	4,320	3,247	1,703	1,340	
14	ALBERTA	4,491,777	112	48	27	0	2,102	26	2,885	5,293	3,312	13,794	492	11,597	6,009	1,537	1,443	3,887	2,303	2,303	18,881	10,058	7,719	11,546	2,693	2,693	698	13,370	6,287	2,844	641	3,068	5,071	4,897	1,177	134,588		
15	ALBERTA	7,413,689	4	0	2	0	48,188	1	15,707	27,242	6,053	16,100	33,384	1,349	57,780	56,351	6,638	4,421	18,405	5,689	2,559	10,058	10,058	7,719	11,546	2,693	2,693	698	13,370	6,287	2,844	641	3,068	5,071	4,897	1,177	134,588	
16	ALBERTA	2,892,886	382	282	230	0	25,946	189	20,514	3,161	8,398	3,312	23,188	380	11,785	7,355	1,636	6,239	2,179	608	1,459	7,719	10,058	7,719	11,546	2,693	2,693	698	13,370	6,287	2,844	641	3,068	5,071	4,897	1,177	134,588	
17	ALBERTA	4,123,546	4	54	622	0	5,839	11,070	6,682	10,833	15,684	13,449	16,695	695	50,575	16,472	10,132	30,081	10,739	6,033	1,277	4,047	11,546	5,812	5,522	5,522	1,209	274	2,634	2,611	1,540	1,328	3,659	1,533	1,807	288,846		
18	ALBERTA	1,618,227	27	9	62	0	680	0	1,181	4,897	1,423	9,035	3,316	371	4,778	2,774	11,571	5,440	1,581	844	372	877	2,888	952	5,522	5,522	1,209	274	2,634	2,611	1,540	1,328	3,659	1,533	1,807	288,846		
19	ALBERTA	991,636	0	41	11	0	4,444	119	1,583	15,838	1,677	7,524	7,203	1,907	8,594	5,165	1,498	1,633	2,693	698	1,098	6,286	1,594	3,225	1,203	1,203	690	690	4,882	2,634	2,634	1,071	1,071	274	274	78,005		
20	ALBERTA	991,636	0	41	11	0	4,444	119	1,583	15,838	1,677	7,524	7,203	1,907	8,594	5,165	1,498	1,633	2,693	698	1,098	6,286	1,594	3,225	1,203	1,203	690	690	4,882	2,634	2,634	1,071	1,071	274	274	78,005		
21	ALBERTA	7,489,278	0	7	73	0	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512		
22	ALBERTA	7,489,278	0	7	73	0	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	14,512	
23	ALBERTA	2,153,141	64	142	61	0	3,910	34	3,081	6,103	12,155	9,920	8,340	888	5,813	5,697	1,880	10,517	4,820	64,771	3,004	641	1,520	1,520	1,520	1,520	2,434	3,443	102,194	20,811	5,544	5,544	3,033	3,033	891	912		
24	ALBERTA	3,285,397	0	9	187	0	5,638	3,223	10,873	6,129	3,845	7,829	78,219	789	12,083	15,535	2,393	2,748	17,897	3,979	3,068	3,004	641	1,520	1,520	1,520	1,520	2,434	3,443	102,194	20,811	5,544	5,544	3,033	3,033	891	912	
25	ALBERTA	589,214	0	7	14	0	134	12	587	4,807	688	5,646	1,813	684	1,587	1,638	1,540	1,540	877	363	281	432	1,373	486	1,273	3,883	981	197	1,513	1,508	891	912	823	1,188	266	41,920		
26	ALBERTA	3,588,744	289	40	85	0	4,810	2,381	17,892	6,664	8,847	7,355	47,631	684	16,598	18,117	2,541	3,672	30,697	4,592	4,277	14,482	15,488	6,736	9,481	3,287	4,232	74,492	20,758	4,000	21,705	1,188	13,034	13,034	3,310	258,484		
27	ALBERTA	6,629,081	0	8	18	0	3,325	31	8,984	6,664	8,847	7,355	47,631	684	16,598	18,117	2,541	3,672	30,697	4,592	4,277	14,482	15,488	6,736	9,481	3,287	4,232	74,492	20,758	4,000	21,705	1,188	13,034	13,034	3,310	258,484		
28	ALBERTA	1,208,953	0	33	24	0	3,712	1,388	1,931	2,089	1,018	2,328	6,286	297	2,595	4,034	682	800	9,305	1,177	659	1,258	3,997	3,997	1,250	1,815	444	78,005	95,240	94,610	61,871	479,083	18,347	381,148	41,920	258,484	354,482	105,725

Crosscheck Program—Number of Records Compared

2006	9 million
2010	30 million
2012	45 million
2013	85 million
2014	101 million
2015	109 million
2016	98 million

Interstate Crosscheck Data Format

Field	Format	Example
Status	A=Active; I=Inactive	A
Date_Generated	YYYY/MM/DD	2010/01/01
First_Name		Bob
Middle_Name		Alan
Last_Name		Jones
Suffix Name		Jr
Date_of_Birth	YYYY/MM/DD	1940/06/16
Voter_ID_Number		123456
Last_4_SSN		7890
Mailing Address	Line 1 Line 2 City State Zip	123 Anywhere St...
County		Allen
Date_of_Registration	YYYY/MM/DD	1970/01/01
Voted_in_2016	Y=did vote; N=did not vote	Y

