



October 24, 2023

Representative Bride Rose Sweeney  
Vern Riffe Center, 10<sup>th</sup> Floor  
77 South High Street  
Columbus, Ohio 43215  
[Rep16@OhioHouse.gov](mailto:Rep16@OhioHouse.gov)

**RE: Ensuring the Accuracy of Ohio's Voter Rolls**

Dear Representative Sweeney:

I write in response to your letter dated October 20, 2023, which asks the Secretary of State to clarify a process commonly referred to among election officials as voter registration list maintenance. Your assertions about that process are in fact inaccurate, so I appreciate the opportunity to help explain how this works.

Congress adopted the National Voter Registration Act in 1993 to establish clear legal requirements and timelines for maintaining accurate voter registration lists, as well as safeguards to prevent the removal of lawfully registered active voters. This is not an "optional" process. In fact, what you hyperbolically describe as a controversial, reviled, aggressive, and reckless practice has been ongoing under bipartisan administrations for three decades and became law under President Bill Clinton. Additionally, it's inaccurate to call this a "voter purge," as the NVRA list maintenance process removes registrations that are demonstrably *no longer active* at a particular address and therefore by definition are not legally defined as a voter at that location. That's why the records are being updated.

As you know, registered voters can sometimes move to a new address, and they often neglect to cancel their previous registration record. The NVRA process utilizes publicly available records, such as those made available through the National Change of Address (NCOA) registry, to determine whether a registration is no longer active. I'll get into that process more extensively in a moment, but I suspect you're inaccurately conflating the federally required NVRA list maintenance process with Ohio's supplemental process. We can agree to disagree on the value of the latter, but I'll remind you that the

supplemental process is also required by law and has been carried out by both Republican and Democratic Secretaries of State for many years. It's also been upheld by the United States Supreme Court; however, that's *not* the process at issue here today. The process you reference and cite from Directive 2023-10 is the NVRA process required under both federal<sup>1</sup> and state law<sup>2</sup>.

Under the NVRA process, there's a limited timeframe during which our Office is permitted by federal law to conduct updates to the voter rolls in order to ensure the accuracy of Ohio's registration records. During years in which there's no federal election, the NVRA process may not occur within 30 days of an election, but it may occur at any other point of the year. As no federal election occurred in 2023, our Office originally instructed the boards of elections to complete the NVRA process in July of 2023 in [Directive 2023-05](#). After the General Assembly ordered the August 8, 2023 election, our Office then shifted the NVRA process to occur in September of this year. All of the Secretary's instructions to the boards of elections on how to carry out that process are found in both [Directive 2023-10](#) and [Chapter 4](#) of the Election Official Manual.

The NVRA process is based on thorough data analysis and review – and one that's heavily safeguarded against the removal of active, lawful registrations. A record is flagged for potential cancellation only after a voter fills out a change of address form with the United States Postal Service. Before any removal takes place, both our Office and the boards of elections meticulously follow a process to ensure that no active registered individual is inadvertently removed from the voter rolls. These steps include verifying a consistent lack of voter-initiated activity, sending numerous letters notifying a recipient that a registration is eligible for removal for lack of activity, and ensuring that duplicate registrations are removed from the voter rolls.

Moreover, on the [Registration Readiness](#) portion of the Ohio Secretary of State's website, our Office took the historic step of transparently publishing the list of registrations eligible for removal. Please note that any voter whose registration is removed for lack of activity can easily re-register by following the clear instructions explained on that website. Your letter describes this page as "outdated." However, I'll note that it's typically only updated twice a year. In the first phase, we provide a list of all registrations eligible for removal to allow the public to review the list. The second phase, which was completed only this week as we awaited final data from the counties, involves posting a list of registrations that have been removed. As you know, that list is compiled from county data and can only be published after all counties have submitted their lists.

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<sup>1</sup> 52 U.S. Code § 20507

<sup>2</sup> R.C. 3503.16; R.C. 3503.21

Lastly, it's inaccurate to claim that the Election Official Manual is not currently updated. The Election Official Manual is a series of permanent directives set forth by our Office to ensure consistent application of election law across all 88 county boards of elections. To that end, Ohio law prohibits permanent directives from being issued between ninety days prior to the day of an election and 40 days after an election<sup>3</sup>. With the extensive changes made by the General Assembly this year to Ohio law, our Office has routinely published directives to ensure that boards of elections are fully updated as to all legislative changes that will remain in effect until such time that the updated Election Official Manual is published at the end of this year. This list of published directives can be found here: <https://www.ohiosos.gov/elections/elections-officials/rules/>. Further, while many areas of the Revised Code have been amended and will require the Election Official Manual to be updated, Chapter 4 of the Election Official Manual is still current as it relates to state and federal law.

Finally, it's ridiculous and provably false to assert that "this is a purge of choice" and that "you are not required to do this." As I've hopefully demonstrated by now, it's not a choice; it's longstanding federal law. This process is also essential to ensuring the integrity and accuracy of Ohio's elections. Our Office and the county boards of elections will always take the appropriate steps under the law to maintain the accuracy of Ohio's voter records. We've also followed all state and federal laws designed to prevent any voter disenfranchisement. Ohio's entire team of election officials are among the most talented and tireless public employees in the nation, and we're grateful for their ability to confidently manage our electoral process amid exaggerated, politically motivated, and often misguided criticism. As always, if you have any questions, please contact me at [pdisantis@OhioSoS.gov](mailto:pdisantis@OhioSoS.gov).

Sincerely,

*Paul Disantis*

Paul Disantis,  
Chief Legal Counsel & Director of Public Policy  
Ohio Secretary of State

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<sup>3</sup> [R.C. § 3501.053](#)