

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) CASE NO. 2:06-cv-392-WKW
)
 The STATE OF ALABAMA and)
 BETH CHAPMAN, Secretary of State,)
 in her official capacity,)
)
 Defendants.)

ORDER

Upon consideration of the Special Master's Final Status Report (Doc. # 153) and the matters raised therein related to (1) security concerns, in particular, certain non-compliance by St. Clair County and perhaps others, and (2) continuing compliance obligations of the State of Alabama, including maintaining system uniformity and (primarily software) currency, it is **ORDERED** that the parties shall show cause in writing **on or before September 10, 2008**, why the following (or substantially similar) language should not be included in the final order and judgment proposed by the Defendant, modified and attached as Exhibit 1:

1. To ensure the integrity and security of the Alabama Voter Registration System, the Alabama Voter Registration System Security Policy, Final Version 1.0, last revised August 8, 2008, attached hereto as Appendix 1, shall be binding upon the Defendants and all users of the Alabama Voter Registration System throughout the 2008 federal election cycle, and thereafter, as it may be modified from time to time by the Alabama Secretary of State, the Alabama Legislature,

or a court of competent jurisdiction.

2. To ensure an orderly transition of the Alabama Voter Registration System to the control of the Alabama Secretary of State, and to ensure the integrity of the Alabama Voter Registration System through the 2008 federal election cycle in Alabama, the Software Review Committee shall remain intact and operative until the completion of all contract obligations by Election Systems & Software (“ES&S”), including the fulfillment of all warranty obligations by ES&S. The Software Review Committee shall operate under the control and supervision of the Alabama Secretary of State.

3. To ensure uniformity in the system and to address the resolution of the security concerns set forth in the Special Master’s Final Status Report, no local election official shall produce a voter list reflecting that persons are qualified to vote in a particular box or voting location if that box or location does not encompass their place of residence. No voting official shall participate in the conduct of a federal election in which a voter is capable of voting in more than one voting location.

Any objections to this language shall be stated with particularity.

DONE this 4th day of September, 2008.


UNITED STATES DISTRICT JUDGE