

EXHIBIT J



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State to miss voter registration deadline

Feds set Dec. 31 for new system; officials nervous

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MONTGOMERY - Secretary of State Nancy Worley will miss the federal deadline for implementing a new statewide voter registration system, leaving some preparations for next year's elections unsettled.

Under the Help America Vote Act, the state had a Dec. 31 deadline to implement a new system, but Worley has not recommended a company to provide the new system.

The contract must go before the Legislature's Contract Review Committee, which will meet in January.

A spokeswoman for Worley, Tamara Cofield, said this week the state may still comply with the law even if it misses the deadline.

Meredith Inwalle, another Worley spokeswoman, said Friday afternoon the state will continue to use a combination of a statewide voter registration system known as ALVIN and some counties' independent systems through the June primary elections and runoffs. For the general election the state will switch to a new system, she said.

The U.S. Department of Justice will decide whether Alabama meets the new federal standards.

The law requires states to have a statewide voter registration system to cut down on voter fraud, and Alabama has been given \$43 million to implement one. The federal law requires a state to tie in all county databases. Alabama's current system falls short of that requirement.

"It's just a messed-up situation, to be candid," said Rep. Neal Morrison, D-Cullman, who sits on the Contract Review Committee. It could approve a new system the first week in January, if Worley presents a contract.

But the committee can hold up any contract for 45 days, in which case the soonest Alabama could start on the voter registration system would be in February, only four months from the June 6 primary election.

"It's just not very wise what they're doing," Morrison said.

The close shave has the people who run the elections - probate judges, county clerks and registrars -

nervous.

"I'm very frustrated," said Covington County Probate Judge Sherrie Phillips, head of the Probate Judges Association. "Most of the judges are."

Phillips said the judges have considered taking Worley to court.

The state should have already started implementing a new system, Phillips said, noting that it takes time to train workers. "This should have been resolved months ago."

Madison County voter registrar Lynda Hairston said the registrars haven't heard anything from Worley and are ready to give up hope on a new system.

"I don't think it could be done and be ready for the primary election," Hairston said.

Worley spokeswoman Cofield said the secretary of state is waiting for Gov. Bob Riley's new General Fund budget for money to pay for an annual licensing fee. The fee will be paid to the company hired to provide the new voting system.

"We're working as fast as we possibly can to ensure we have the new system in place as quickly as we can," Cofield said.

But Riley's spokesman, Jeff Emerson, said Worley's office already has the money to pay the fees - included in \$43 million given to the office to implement the new system.

"There's no hold up at all on our part," Emerson said. The new system "has got all the funds it needs to meet the deadline."

The process has been rocky since the beginning. Worley originally gave the bid to Diebold Inc. over the recommendation of a federally mandated advisory committee, which had recommended Election Systems and Software.

After an outcry by some on the committee, Worley re-bid the contract. Diebold and ES&S are under consideration again for the new contract.

Throughout the process, Worley has maintained that Alabama has a statewide voter registration system, ALVIN.

But Phillips said not every county uses ALVIN, notably Jefferson County which uses ES&S.

And Hairston wondered that if the state didn't meet the deadline, whether it would lose its federal funding to pay for the new system. Cofield, however, said the state is not in danger of losing the money.

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