

# EXHIBIT M



U.S. Department of Justice

Civil Rights Division

Voting Section - Rm. 7254 - NWB.  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

January 19, 2006

The Honorable Nancy Worley  
Secretary of State  
P.O. Box 5616  
Montgomery, Alabama 36103-5616

Dear Secretary Worley:

We are writing to you as the chief elections official for your State for a detailed statement of the State's compliance with certain requirements of the federal Help America Vote Act of 2002 ("HAVA"), 42 U.S.C. 15301 *et seq.* Under Section 901 of HAVA, 42 U.S.C. 15541, the uniform and non-discriminatory election technology and administration requirements of Title III of HAVA, 42 U.S.C. 15481-15483, apply in elections for Federal office in 55 "states", which the Act defines to include all 50 States, the Commonwealth of Puerto Rico, Guam, American Samoa and the United States Virgin Islands.

Specifically, we write to follow up on our earlier inquiries regarding the status of your State's efforts to comply with Section 301 of HAVA, 42 U.S.C. 15481, which sets forth voting systems standards for all states for each voting system used in an election for Federal office, and Section 303(a) of HAVA, 42 U.S.C. 15483(a), which requires all states except a state which does not maintain voter registration in elections for federal office to implement a single, uniform, official, centralized, interactive computerized statewide voter registration list. The requirements of Section 301 went into effect on January 1, 2006, and the requirements of Section 303(a) went into effect on January 1, 2004 (except in those states which sought a waiver until January 1, 2006 from the U.S. Election Assistance Commission). As a consequence, both of these requirements are now in effect nationwide.

Under Section 401 of HAVA, 42 U.S.C. 15511, enforcement authority for Title III of HAVA resides in the Department of Justice. Pursuant to that authority, we are requesting information from each state pursuant to our responsibility to ensure compliance with HAVA's mandates. To that end, we would appreciate your providing us with a detailed update on the status of your State's efforts to comply with Sections 301 and 303(a) of HAVA, as follows:

**Section 301 - Voting Systems Standards**

Please provide a detailed update concerning the status of your State's efforts to ensure that all of its jurisdictions which conduct federal elections now have in place as of January 1, 2006, a voting system(s) for use in the next election for Federal office which meets the standards set out in Section 301. In responding to this request, please include at a minimum, the following information regarding your State's voting system(s): (1) whether there presently is a voting system(s) meeting Section 301's standards certified for use and actually present and in use throughout the State as of January 1, 2006, or present and in use in some parts of the State but not others; or (2) whether there will be a voting system(s) meeting Section 301's standards certified and in use throughout the State, or in some parts of the State, but not others. If a voting system(s) meeting Section 301's standards will be certified and in use for the next election for Federal office, please: (1) specify the date on which such system(s) will be (a) present and (b) in use throughout the State; (2) identify such system(s) (*by jurisdiction*) and date available for use in each; (3) if different than the system(s) already identified, identify the accessible voting system(s) (*by jurisdiction*) meeting the disability requirements of Section 301(a)(3) and date available for use; and (4) specify whether the State has in place standards for the definition of a vote and what will count as a vote for each type of voting system used in the State (with a citation to the state statute or rule embodying those standards). Where the State does not currently have in place the required machines or definition, please identify each step necessary to achieving full compliance (e.g., testing of machines, election official training, voter education) and the date on which each such step will be accomplished.

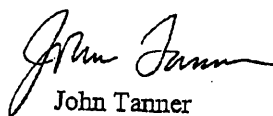
**Section 303(a) - Computerized Statewide Voter Registration List**

Please provide a detailed statement concerning the current status of your State's efforts to implement a HAVA-compliant statewide voter registration list, including the following: (1) whether such a database is currently in operation and, if not, the anticipated date of operation; (2) appropriate documentation describing the development, design and operation of the database (to the extent not already provided); and (3) whether the State is currently implementing the data verification procedures for all new registrants under Section 303(a)(5)(B), the list maintenance database coordination procedures under Section 303(a)(2)(A)(ii) and the data matching procedures for first-time registrants by mail under Section 303(b)(3)(B)(ii) (and if the State is not currently implementing any of these procedures, the anticipated date when such procedures will be operational, as well as the basis of any claimed exemption). Where the State is not currently implementing any of these requirements, please identify each necessary step the State will take to achieve full implementation of a HAVA-compliant statewide voter registration list and the date on which each such step will be accomplished.

We note that several states have placed documentation on their public websites, such as requests for proposals, contracts with vendors, and detailed system manuals, for their voting systems and/or voter registration databases. Where your State has done this, please provide a link to this information. Where the State has not publicly posted this information, we would appreciate your including such documentation with your response, unless you have already provided current documentation of these matters in response to our previous request of August 26, 2005.

As indicated above, HAVA's voting systems standards and statewide voter registration list requirements are now in effect for all states. Thus, we ask that you provide us the information requested above no later than two weeks from the date of this letter. Please send your written response to the following address: Voting Section, Civil Rights Division, Room 7254 - NWB, U.S. Department of Justice, 950 Pennsylvania Ave., N.W., Washington, DC 20530. If you have any questions regarding our request, please contact either Chris Herren (202-514-1416) or Brian Heffernan (202-514-4755), of the Civil Rights Division's Voting Section. We very much appreciate your cooperation in our efforts to monitor the progress nationwide of HAVA compliance.

Sincerely,



John Tanner  
Chief, Voting Section

cc: Troy King, Attorney General