

FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING

This First Amendment (Amendment) to Memorandum of Understanding (MOU) is entered into between the United States of America, through the Civil Rights Division of the U.S. Department of Justice, and the State of Alabama, the Alabama Secretary of State (Secretary of State), and the Alabama Law Enforcement Agency (ALEA).

The United States, the State of Alabama, the Secretary of State, and ALEA entered into a MOU on November 13, 2015. The United States, the State of Alabama, the Secretary of State, ALEA now amend the terms of the MOU as set forth below.

Paragraphs 38 and 41 of the MOU are hereby amended and restated in their entirety and shall hereafter be and read as follows:

38. In consultation with the Secretary of State, ALEA shall integrate an electronic, NVRA-compliant voter registration application into each in-person application for an Alabama driver's license or other personal identification document, including any renewal application, within seven months of the effective date of this MOU, excepting self-service kiosks. In consultation with the Secretary of State, ALEA shall integrate an electronic, NVRA-compliant voter registration application into each renewal application submitted using a self-service kiosk within ten months of the original effective date of this MOU.
41. The Secretary of State and ALEA shall develop and implement a mechanism to accept and transfer the voter registration component of an in-person application or renewal of a driver's license or other personal identification document to appropriate State election officials within the timelines established in the Motor Voter provision of the NVRA, 52 U.S.C. § 20504(e), within seven months of the effective date of this MOU, excepting self-service kiosks. The Secretary of State and ALEA shall develop and implement a mechanism to accept and transfer the voter registration component of a renewal application submitted using a self-service kiosk to appropriate State election officials within the timelines established in the Motor Voter provision of the NVRA within ten months of the original effective date of this MOU.

Paragraph 61A is hereby inserted between Paragraphs 61 and 62 of the MOU and shall hereafter be and read as follows:

- 61A. On or before January 17, 2017, the Secretary of State shall provide the United States with copies of the performance dataset that his office submitted to the Electronic Registration Information Center (ERIC), pursuant to Exhibit C of the ERIC Membership Agreement (attached as Exhibit 1), preceding the remedial mailing described in Paragraph 57 and the performance dataset that his office submitted to ERIC following the remedial mailing described in Paragraph 57.

This Amendment embodies the entire agreement between the United States, the State of Alabama, the Secretary of State, and ALEA with respect to the amendment of the MOU. In the

event of any conflict or inconsistency between the provisions of the MOU and this Amendment, the provisions of this Amendment shall control and govern.

Except as specifically modified and amended herein, all of the terms, provisions, requirements, and specifications contained in the MOU remain in full force and effect. Except as otherwise expressly provided herein, the parties do not intend to, and the execution of this Amendment shall not, in any manner impair the MOU, the purpose of this Amendment being to amend and ratify the MOU, as hereby amended and ratified, and to confirm and carry forward the MOU, as hereby amended, in full force and effect.

The undersigned agree to the terms of the First Amendment to the Memorandum of Understanding.

FOR THE UNITED STATES:



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Principal Deputy Assistant Attorney General
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7/21/2016

Date



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July 25, 2016
Date


GEORGE L. BECK, JR.

United States Attorney
Middle District of Alabama
131 Clayton Street
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7-25-16
Date



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United States Attorney

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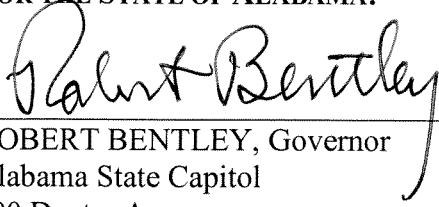
63 South Royal Street, Suite 600

Mobile, Alabama 36602



Date


FOR THE STATE OF ALABAMA:

A handwritten signature in black ink, reading "Robert Bentley". The signature is written in a cursive style with a large, stylized "R" and "B".

ROBERT BENTLEY, Governor
Alabama State Capitol
600 Dexter Avenue
Montgomery, Alabama 36130

Date

FOR THE ALABAMA SECRETARY OF STATE:



JOHN H. MERRILL, Secretary of State
Alabama State Capitol
600 Dexter Avenue
Montgomery, Alabama 36130

July 27, 2016
Date

FOR THE ALABAMA LAW ENFORCEMENT AGENCY:

A handwritten signature in cursive script, reading "Stan Stabler", positioned above a horizontal line.

STAN STABLER, Secretary of ALEA
201 S. Union Street, Suite 300
Montgomery, Alabama 36104

July 26, 2016
Date

Exhibit 1

EXHIBIT C

ELECTRONIC REGISTRATION INFORMATION CENTER, INC.

Performance data to be submitted to ERIC by each participating jurisdiction

Each jurisdiction will have two types of performance data submission:

- A. Prior to receiving the first ERIC reports, the jurisdiction will submit a set of baseline data for a representative period of time to use for comparisons.
- B. After receiving the first ERIC reports, the jurisdiction will begin submitting data for the activity within the specified time period.

Performance Data Points

1. Number of voter registration applications new to the Member's jurisdiction submitted by the voter on a paper form
2. Number of new voter registration applications new to the Member's jurisdiction submitted by the voter electronically
3. Number of updates to a voter's existing voter registration submitted by the voter on a paper form
4. Number of updates to a voter's existing voter registration submitted by the voter electronically
5. Number of records reported from ERIC on In-state Movers report who updated through the jurisdiction's online voter registration system (if available)
6. Election statistics, totals for any federal elections within the period of:
 - a. Number of new voters to the Member's jurisdiction who registered and voted on the same day, where applicable
 - b. Number of updates to a voter's existing registration submitted on the same day on which they voted, where applicable
 - c. Total number of provisional ballots cast
 - d. Total number of provisional ballots counted
 - e. Total number of provisional ballots uncounted, by reason (if available)

Note: for context, ERIC will use voter turnout data from the United States Elections Project (www.electproject.org)
7. Number of individuals for whom contact was initiated and invited to register as a result of reports received from ERIC within the period
8. Number of individuals for whom contact was initiated and invited to correct their registration as a result of reports received from ERIC within the period