

ATTACHMENT B - E-VERIFY SUPPORTING DOCUMENTATION (IF
APPLICABLE)

**AFFIDAVIT OF ALABAMA IMMIGRATION COMPLIANCE BY A
CONTRACTOR OR GRANTEE TO LOCAL SCHOOL BOARD IN THE STATE OF ALABAMA AND/ OR
THE STATE BOARD OF EDUCATION**

In compliance with SECTIONS 9 (a) and (b) BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (the "Act"); CODE OF ALABAMA, SECTIONS 31-13-9 (a) and (b), this Affidavit of Alabama Immigration Compliance is to be completed and signed by an officer or owner of a contractor or grantee and notarized, as a condition for the award of any contract by a local school board ("the Board") or by the Alabama Department of Education (ALSDE) to an employer that employs one or more employees in the State of Alabama and is a recipient of funds from the State of Alabama Department of Education, or funds from any political subdivision of the State of Alabama, or any public funded entity. As determined by the Superintendent of the Alabama Department of Education, a notarized Contractor or Grantee Affidavit in this format shall be acceptable by all local school boards in the State of Alabama and the ALSDE in compliance with the Act. Contractors and Grantees are to provide notice to their Subcontractors of their Alabama Immigration Compliance obligations.

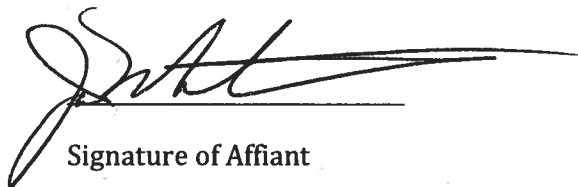
State of Alabama:

County of Madison:

Before me, a notary public, personally appeared JAMES E. MATTHEWS (print name) who, is duly authorized by the business entity/employer which appears below, being sworn, says as follows:

As a condition for being a contractor or grantee on a project paid for by contract, grant, or incentive by the State of Alabama, or any political subdivision thereof, or any state-funded entity, I hereby attest that in my capacity as Chief Financial Off (your position) for ADTRAN, INC (name of contractor or grantee), said Contractor or Grantee does not knowingly employ, hire for employment, or continue to employ an unauthorized alien. Further, Contractor or Grantee affirms that it is providing notice to its subcontractors of their Alabama Immigration Compliance obligations.

I further attest that said Contractor or Grantee is enrolled in the E-Verify program and attached to this Affidavit is our E-Verify Memorandum of Understanding confirming such program enrollment. I have read this Affidavit and swear and affirm that it is true and correct.


Signature of Affiant

Sworn to and subscribed before me this 10th day of February, 2012

I certify that the affiant is known (or made known) to me to be the identical party he or she claims to be.

Sandra Bartels

Signature and Seal of Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Nov 23, 2013
BONDED THRU NOTARY PUBLIC UNDERWRITERS

To be returned to the ALSDE

**AFFIDAVIT OF ALABAMA IMMIGRATION COMPLIANCE BY A
SUBCONTRACTOR TO LOCAL SCHOOL BOARD IN THE STATE OF ALABAMA
AND/ OR THE STATE BOARD OF EDUCATION**

In compliance with SECTIONS 9 (a) and (b) BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (the "Act"); CODE OF ALABAMA, SECTIONS 31-13-9 (a) and (b), this Affidavit of Alabama Immigration Compliance is to be completed and signed by an officer or owner of a subcontractor and notarized, as a condition for the award of any contract by a local school board ("the Board") or by the Alabama Department of Education (ALSDE) to a Contractor that employs one or more employees in the State of Alabama and is a recipient of funds from the State of Alabama Department of Education, or funds from any political subdivision of the State of Alabama, or any public funded entity. As determined by the Superintendent of the Alabama Department of Education, a notarized Subcontractor Affidavit in this format shall be acceptable by all Contractors to local school boards in the State of Alabama and the ALSDE in compliance with the Act. Subcontractors are to provide notice to their Subcontractors of their Alabama Immigration Compliance obligations.

State of Alabama:

County of Madison _____:

Before me, a notary public, personally appeared JAMES E. MATHEWS (print name) who, is duly authorized by the business entity/employer which appears below, being sworn, says as follows:

As a condition for being a subcontractor to a contractor or grantee on a project paid for by contract, grant, or incentive by the State of Alabama, or any political subdivision thereof, or any state-funded entity, I hereby attest that in my capacity as Chief Financial Officer (your position) for ADTRAN, INC (name of subcontractor), said subcontractor does not knowingly employ, hire for employment, or continue to employ an unauthorized alien. Further, subcontractor affirms that it is providing notice to its subcontractors of their Alabama Immigration Compliance obligations.

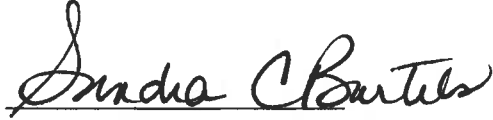
I further attest that said subcontractor is enrolled in the E-Verify program and attached to this Affidavit is our E-Verify Memorandum of Understanding confirming such program enrollment. Further, as a direct subcontractor, for those current employees for whom the E-Verify system may not be used in accordance with applicable federal rules and regulations, subcontractor has reviewed, or had reviewed, the Form I-9s for each of its current employees and has a good faith belief that it has complied with ALA. CODE § 31-13-9(c) and (d).

I have read this Affidavit and swear and affirm that it is true and correct.


Signature of Affiant

Sworn to and subscribed before me this 10th day of February, 2012

I certify that the affiant is known (or made known) to me to be the identical party he or she claims to be.



Signature and Seal of Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Nov 23, 2013
BONDED THRU NOTARY PUBLIC UNDERWRITERS

To be returned to the Contractor or Grantee of the **ALSDE**



Notice of Alabama Immigration Law Compliance Requirements to all Contractors of the Alabama State Department of Education

As a contractor, as defined in the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (hereinafter "the Act"), to the Alabama State Department of Education (hereinafter "the ALSDE"), it is critical to your relationship (future or continuing) with the ALSDE that you comply with the Immigration Reform and Control Act of 1986, as amended by the Immigration Act of 1990, and the Beason-Hammon Alabama Taxpayer and Citizen Protection Act. Accordingly, please provide your Affidavit of Immigration Compliance with attached E-Verify Memorandum of Understanding, as requested in the attached memorandum. If you do not believe these obligations apply to you, please notify the ALSDE immediately.

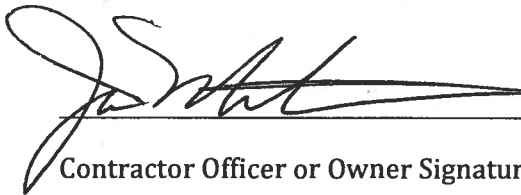
Every contract entered into by the ALSDE from this point forward with a contractor will contain the following clause or one substantially similar:

Alabama Immigration Law Compliance Contract: Contractor agrees that it will fully comply with the Immigration Reform and Control Act of 1986, as amended by the Immigration Act of 1990, and the Beason-Hammon Alabama Taxpayer and Citizen Protection Act, which makes it unlawful for an employer in Alabama to *knowingly* hire or continue to employ an alien who is or has become unauthorized with respect to such employment or to fail to comply with the Form I-9 requirements or fails to use E-Verify to verify the eligibility to legally work in the United States for all of its new hires who are employed to work in the State of Alabama. Without limiting the foregoing, contractor shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien, and shall have an officer or other managerial employee who is personally familiar with the contractor's hiring practices to execute an affidavit to this effect on the form supplied by the ALSDE and return the same to the ALSDE. Contractor shall also enroll in the E-Verify Program prior to performing any work, or continuing to perform any ongoing work, and shall remain enrolled throughout the entire course of its performance hereunder, and shall attach to its affidavit the E-Verify Program for Employment Verification and Memorandum of Understanding and such other documentation as the ALSDE may require to confirm contractor's enrollment in the E-Verify Program. Contractor agrees not to knowingly allow any of its subcontractors, or any other party with whom it has a contract, to employ in the State of Alabama any illegal or undocumented aliens to perform any work in connection with the Project, and shall include in all of its contracts a provision substantially similar to this paragraph. If contractor receives *actual knowledge* of the unauthorized status of one of its employees in the State of Alabama, it will remove that employee from the project, jobsite or premises of the ALSDE and shall comply with the Immigration Reform and Control Act of 1986, as amended by the Immigration Act of 1990, and the

Beason-Hammon Alabama Taxpayer and Citizen Protection Act. Contractor shall require each of its subcontractors, or other parties with whom it has a contract, to act in a similar fashion. If contractor violates any term of this provision, this agreement will be subject to immediate termination by the ALSDE. To the fullest extent permitted by law, contractor shall defend, indemnify and hold harmless the ALSDE from any and all losses, consequential damages, expenses (including, but not limited to, attorneys' fees), claims, suits, liabilities, fines, penalties, and any other costs arising out of or in any way related to contractor's failure to fulfill its obligations contained in this paragraph.

To the extent that there is no formal written contract between the ALSDE and the contractor, such as where business is conducted by purchase order, this document shall serve as the Alabama Immigration Compliance Contract.

Alabama Immigration Law Compliance Contract Notice Acknowledged and Agreed by contractor whose name appears below:

 02-10-2012
Contractor Officer or Owner Signature/Date

JAMES E MATTHEWS, Chief Financial Officer
ADTRAN, inc.
Print Name/Title/Company

Please execute and return to Alabama State Department of Education within the next 10 days

MEMORANDUM

TO: ALL CONTRACTORS AND GRANTEES
FROM: (INSERT ALSDE CONTACT HERE)
DATE: JANUARY 13, 2012
RE: H.B. 56 - ALABAMA IMMIGRATION LAW COMPLIANCE

The purpose of this Memorandum is to direct your prompt attention to Alabama Immigration Law Compliance flow-down requirements that will be in effect on January 1, 2012. Those are discussed herein and can be summarized as follows:

1. PROVIDE the Alabama State Department of Education (ALSDE) proof that you are in compliance with the immigration law by timely submitting a notarized *Affidavit of Immigration Law Compliance – Contractor and Grantee* (in the attached form with a customizable version at www.alsde.edu) and an *E-Verify Memorandum of Understanding* See ALA. CODE § 31-13-9 (c);
2. PROVIDE the Alabama State Department of Education (ALSDE) a signed *Alabama Immigration Law Compliance Contract* (in the attached *Notice* form provided);
3. PROVIDE your subcontractors notice of their compliance obligations and OBTAIN from each a notarized *Affidavit of Immigration Law Compliance - SUBCONTRACTOR* (in the attached form with a customizable version at www.alsde.edu).

The requirements above, imposed by H.B. 56, are “a condition for the award of any contract, grant, or incentive by the State of Alabama, any political subdivision thereof, or any state-funded entity to a business entity or employer that employs one or more employees [working in the State of Alabama].”³ AS A Contractor⁴ or a Grantee, if you believe these obligations do not apply to you, please notify the ALSDE immediately.

In turn, you are to obtain from your subcontractors a notarized *AFFIDAVIT OF IMMIGRATION COMPLIANCE–SUBCONTRACTOR*. A careful review of the broad definition below of the term “Contractor” in the Act will assist you in deciding to whom to provide notice.

³ ALA. CODE § 31-13-9 (a) and (b). See <http://www.ago.state.al.us/File-Immigration-AL-Law-2011-535> . The law is now codified in ALA. CODE §§ 31-13-1 to 31-13-30 as well as § 32-6-9. (the “Act”)

⁴ A **Contractor** is defined broadly in the Act as “A person, employer, or business entity that enters into an agreement to perform any service or work or to provide a certain product in exchange for valuable consideration. This designation shall include, but not be limited to, a general contractor, subcontractor, independent contractor, contract employee, project manager, or a recruiting or staffing entity.” ALA. CODE §§ 31-13-3 (3).

These affidavits have been approved by the Superintendent of the Alabama State Department of Education (ALSDE) as acceptable by all local boards and the ALSDE. If you contract with more than one school system, you will only need to have one affidavit completed and notarized, and then provide a copy to the requesting Boards. You are required to maintain your subcontractors' affidavits at your offices. These documents will be subject to audit. You may provide a copy of this Memorandum with your notification memorandum to your subcontractors as an explanation for this mandatory requirement.

Finally, you will find a NOTICE OF ALABAMA IMMIGRATION LAW COMPLIANCE REQUIREMENTS TO ALL CONTRACTORS ("CONTRACTORS") OF THE ALABAMA STATE DEPARTMENT OF EDUCATION for execution by contractors and to be returned to the ALSDE. To the extent that there is no formal written contract between a contractor and the ALSDE, such as where business is conducted by purchase order, this document shall serve as your Alabama Immigration Law Compliance Contract. Similar language will also be in contractual agreements or grant documents with the ALSDE.

We sincerely regret any inconvenience that the implementation of the Act may cause you and we hope that you understand our need to comply



Company ID Number: 32855
Client Company ID Number: 366090

The individuals whose signatures appear below represent that they are authorized to enter into this MOU on behalf of the Employer, the E-Verify Employer Agent and DHS respectively.

If you have any questions, contact E-Verify at 1-888-464-4218.

Approved by:

Employer ADTRAN Inc.

Kay Gray
 Name (Please Type or Print)

Director Human Reso
 Title

Kay Gray
 Signature

11-4-10
 Date

E-Verify Employer Agent ADP (SC)

Kenneth Hampton

Name (Please Type or Print)

Title

Electronically Signed

Signature

10/20/2010

Date

Department of Homeland Security – Verification Division

Name (Please Type or Print)

Title

Signature

Date

**Information Required
 For the E-Verify E-Verify Employer Agent Program**

Information relating to your Company: