June 8, 2010

Re: Cosponsor H.R. 5300, the Fairness and Accuracy in Employment Background Checks Act

Dear Representative,

On behalf of The Leadership Conference on Civil and Human Rights, we urge you to cosponsor H.R. 5300, the “Fairness and Accuracy in Employment Background Checks Act.” H.R. 5300, introduced by Rep. Bobby Scott, D. Va., with bipartisan support, would require the FBI to review and update old and incomplete arrest records before they are available for employment screening purposes. The implementation of new FBI record-keeping procedures will ensure a more reliable and accurate pre-employment screening process for job applicants, employers, and government agencies.

It is imperative that the FBI act now to thoroughly review and update its outdated national background check system. The FBI provides nearly six million criminal background checks annually to state and federal agencies, and some private employers also request background checks from the FBI. In a 2006 report to Congress, the U.S. Attorney General stated that nearly 50 percent of the FBI’s background checks were incomplete or inaccurate, largely due to arrest records in need of updating. This systematic failure impedes our national goal of improving the economy as well as the job prospects of potential candidates.

Fortunately, there are effective solutions that are reasonable and can be implemented without much inconvenience. The proposed legislation would require that the FBI update incomplete records and notify all local authorities of corrections; the FBI spend at least 10 days attempting to locate missing disposition information before making someone’s criminal record available to employers; and job applicants be able to receive a copy of their criminal record to verify and challenge the accuracy of the information. These solutions along with the other measures provided in the bill are necessary to improve the current system.

Again, we urge you to co-sponsor H.R. 5300. If you have any questions, please feel free to contact Lexer Quamie at (202) 466-3648 or at quamie@civilrights.org. If you want to become a cosponsor contact Jesselyn McCurdy at (202) 225-5727 jesselyn.mccurdy@mail.house.gov. Thank you for your valued consideration.

Sincerely,

Wade Henderson
President and CEO

Nancy Zirkin
Executive Vice President