

Congress of the United States
Washington, DC 20515

May 11, 2015

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, D.C.

Dear Mr. President:

Our nation's legal and moral underpinnings provide that anyone who makes a mistake and learns from it deserves a second chance. Those who have accepted the consequences of their actions and who have paid the price for their past transgressions, should have the opportunity to reenter the workplace. Yet, too often, the over 70 million Americans who have criminal histories face unreasonable barriers that prevent them from securing gainful employment. These barriers have prevented millions from becoming productive members of society and serve as one of the leading causes of recidivism. According to one study, men who reported criminal convictions were about 50 percent less likely to receive a callback or a job offer and African-American men with a conviction are 40 percent less likely to receive an interview. The result is a hiring process which denies millions the ability to fully participate in the labor market, and limits their ability to care for themselves and their families while contributing to our economy.

We urge you to use your power as our nation's Chief Executive to require that federal contractors incorporate "fair chance" hiring practices and that federal agencies take additional steps to create a more fair and transparent hiring process. Specifically, we ask you to require federal contractors and agencies to refrain from asking job applicants about prior convictions until later in the hiring process. This policy would eliminate unnecessary barriers to employment for all job seekers and would give individuals re-entering the workforce the opportunity to apply for work based on their current merits rather than past wrong-doings. Employers would retain the ability to inquire about past convictions or conduct background checks regarding a potential employee before making an employment decision.

In the last few years, the list of jurisdictions with similar laws has expanded rapidly. Sixteen states and over 100 cities and counties have taken steps to prohibit public agencies from asking job applicants about criminal convictions until later in the application process. Most recently, Georgia Governor Nathan Deal signed an Executive Order making the case that "'Ban the Box' hiring policies enhance Georgia's reputation as the number one place to do business by increasing qualified applicant pools and improving the likelihood that the employer will identify the best candidate for the position." Six states and a number of cities have extended the policy to include both public and private sector workers, and some of the nation's largest companies, including Walmart; Target; Bed, Bath & Beyond; Koch industries; and Home Depot have stopped asking about criminal records at the beginning of the job application process.

Your administration has also acknowledged the necessity of taking action. In 2011, Attorney General Holder convened a federal commission, called the Reentry Council, which called for

“making the federal government a model employer.” And in 2014, the White House’s My Brother’s Keeper Task Force strongly endorsed these “fair chance” reforms because they “give applicants a fair chance and allow employers the opportunity to judge individual job candidates on their merits as they reenter the workforce.”

Taking executive action to address this problem is firmly within the authority of your office. As early as 1943, President Roosevelt issued an executive order that required all government contracts to include a non-discrimination clause, an effort that multiple Administrations have built upon and which helped to increase the speed by which the private sector moved to address discrimination and to ensure equal employment opportunities for all Americans.

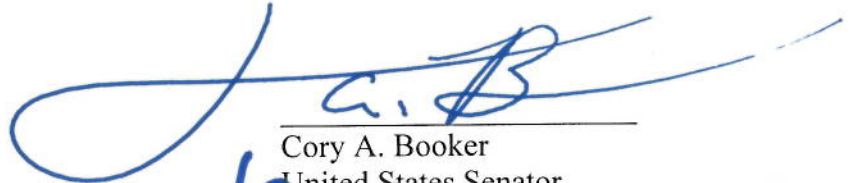
We urge you to build on this momentum and take executive action to assist the large number of job seekers who have been unfairly locked out of the job market because of a record. These reforms would restore hope and opportunity to those with criminal records who face substantial obstacles in their quest to be productive members of their communities.

Thank you for your consideration of this request.

Sincerely,



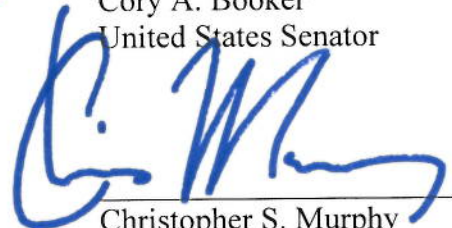
Sherrod Brown
United States Senator



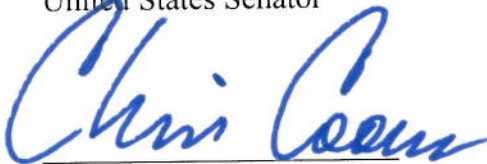
Cory A. Booker
United States Senator



Sheldon Whitehouse
United States Senator



Christopher S. Murphy
United States Senator



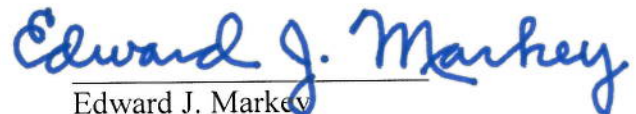
Christopher Coons
United States Senator



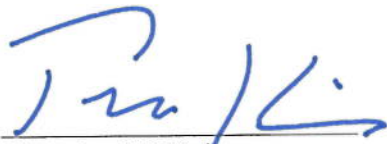
Richard J. Durbin
United States Senator



Al Franken
United States Senator



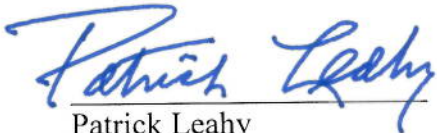
Edward J. Markey
United States Senator



Timothy M. Kaine
United States Senator



Jeffrey A. Merkley
United States Senator



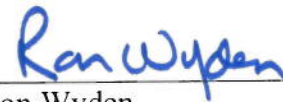
Patrick Leahy
United States Senator



Mazie K. Hirono
United State Senator



Timmy Baldwin
United States Senator



Ron Wyden
United States Senator



Mark R. Warner
United States Senator



Kirsten Gillibrand
United States Senator



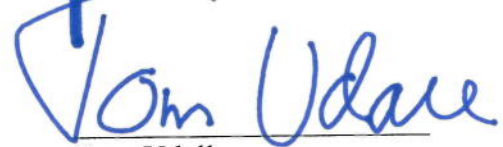
Richard Blumenthal
United States Senator



Elizabeth Warren
United State Senator



Patty Murray
United States Senator



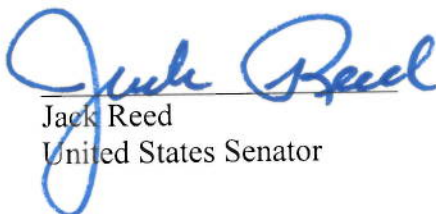
Tom Udall
United States Senator



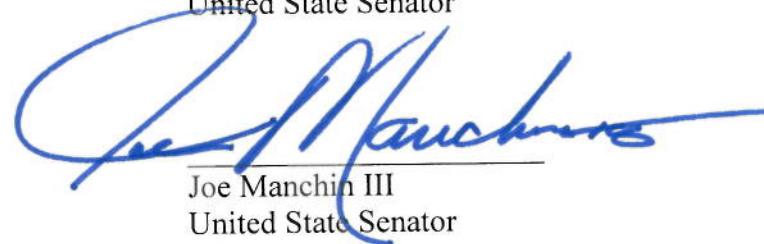
Thomas R. Carper
United States Senator



Benjamin L. Cardin
United State Senator



Jack Reed
United States Senator



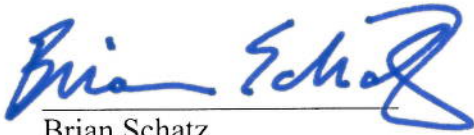
Joe Manchin III
United State Senator



Amy Klobuchar
United States Senator



Bernard Sanders
United State Senator



Brian Schatz
United States Senator