



A bold voice for transportation workers

June 7, 2010

Cosponsor the Fairness and Accuracy in Employment Background Checks Act (H.R. 5300)

Dear Representative:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I urge you to cosponsor The Fairness and Accuracy in Employment Background Checks Act of 2010 (H.R. 5300), a bipartisan measure that will improve the accuracy of criminal records maintained by the FBI. As the federal government and the private sector increase the use of criminal background checks as a condition of employment, it is critical for both employers and workers that the database used to conduct these checks is up to date and as accurate as possible.

Today, the FBI operates the central database used for employment background checks. However, 50 percent of the records in the database are incomplete or inaccurate, according to the U.S. Attorney General. H.R. 5300 will help address this problem by requiring the FBI to locate missing information within ten days of when a check is requested. This process is similar to that used when the FBI looks at an individual's criminal record to purchase firearms. To cover the costs of this effort, the bill authorizes the FBI to charge a reasonable fee to investigate and update incomplete records.

For transportation workers represented by TTD unions, the use of criminal background checks has increased dramatically since the terrorist attacks on 9/11. Congress specifically imposed criminal background checks as part of the Transportation Worker Identification Credential (TWIC) program and the Hazardous Materials Endorsement program. In addition, workers in the aviation sector are subject to enhanced criminal checks mandated by the Aviation and Transportation Security Act. As these programs were implemented, thousands of workers lost their jobs or were initially denied employment because of faulty records maintained by the FBI. While some of these workers were able to correct their records, this process can be expensive, time consuming, and often requires workers to physically visit courthouses or police departments to obtain necessary documents. The burden to ensure accuracy of criminal records should not fall to individual workers – the FBI is in a significantly better position to fulfill this objective. Furthermore, if policymakers are going to mandate criminal background checks as a condition of employment, they have a responsibility to make sure there is a process in place to ensure the accuracy of those records maintained by the federal government.

For these reason it is critical that Congress consider and pass H.R. 5300 and I ask that you cosponsor this important legislation. To add your name to this bill, please contract contact Jesselyn McCurdy with the House Judiciary Committee (Jesselyn.McCurdy@mail.house.gov, 202-225-5727).

Sincerely,

A handwritten signature in black ink, appearing to read 'Edward Wytkind', written over a light blue horizontal line.

Edward Wytkind
President

Transportation Trades Department, AFL-CIO

888 16th Street NW / Suite 650 / Washington DC 20006

Tel:202.628.9262 / Fax:202.628.0391 / www.ttd.org

Edward Wytkind, President / Larry I. Willis, Secretary-Treasurer

