

WASHINGTON, DC - Today, Congressman Robert C. “Bobby” Scott (D-VA), Chairman of the House Judiciary Subcommittee on Crime, Terrorism and Homeland Security, introduced the “Fairness and Accuracy in Employment Background Checks Act of 2008.”

The Act will mandate reasonable procedures to ensure the accuracy and completeness of federal criminal records. In recent years, public and private employers have increasingly used background checks, issued by the Federal Bureau of Investigation, to investigate potential and current employees. Background checks serve a critical purpose; they seek to promote public safety and national security by providing necessary information on persons seeking employment in a wide array of industries, from airport screeners and port workers, to those who work with vulnerable populations such as children and the elderly.

However, the system needs improvement as many of these background records are inaccurate or misleading, leading to lower-quality hiring decisions and labor shortages in critical industries.

“Over the past few years, we have seen an array of problems with respect to criminal background records; as noted by the Department of Justice, 50% of all background records are incomplete or inaccurate, mostly due to arrest information that has not been updated,” stated Rep. Scott. “Flawed background records are a problem for employers, for workers, and for the economy. The purpose of this legislation is to require the relevant government agencies to update old or incomplete arrest information and to afford individuals about whom an inquiry is made an opportunity to challenge the accuracy of the information collected on them.”

The legislation is supported by a broad coalition of civil rights, labor, and legal services organizations, including the National Employment Law

Project, the American Federation of Teachers, and the Leadership Conference on Civil Rights.

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