CHAPTER 4
ADDENDUM C

CRIMINAL HISTORY BACKGROUND CHECKS ON INDIVIDUALS IN CHILD CARE SERVICES

Department of Defense
INSTRUCTION

January 19, 1993
NUMBER 1402.5

ASD(FM&P)

SUBJECT: Criminal History Background Checks on Individuals In Child Care Services

References: (a) DoD 5400.11-R, "Department of Defense Privacy Program," August 1983, authorized by DoD Directive 5400.11, June 9, 1982
(b) Federal Personnel Manual, Chapter 731, "Personnel Suitability," and Chapter 736, "Personnel Investigations," September 29, 1988
(c) DoD 5200.2-R,"DoD Personnel Security Program," January 1987, authorized by DoD Directive 5200.3, May 6, 1992
(d) DoD Directive 6400.1, "Family Advocacy Program," June 23, 1992
(e) through (k), see enclosure 1

A. PURPOSE

This Instruction:

1. Implements Pub. L. No. 101-647, Section 231 (enclosure 3), and Pub. L. No. 102-190, Section 1094 (enclosure 4).

2. Requires procedures for existing and newly hired individuals and includes a review of personnel and security records to include a Federal Bureau of Investigation (FBI) fingerprint check and State Criminal History Repositories (SCHR) checks of residences listed on employment or certification applications.

3. Establishes policy, assigns responsibilities, and prescribes procedures for criminal history background checks for all existing and newly hired individuals involved in the provision of child care services as Federal employees, contractors, or in Federal facilities to children under the age of 18. The checks are required of all individuals in the Department of Defense involved in providing child care services defined in enclosure 3, and for policy reasons, those categories of individuals not expressly governed by the statute.

4. Allows the Department of Defense to provisionally hire such individuals before the completion of a background check (enclosure 4). However, at all times while children are in the care of that individual, the child care provider must be within sight and under the supervision of a staff person whose background check has been successfully completed. Healthcare personnel shall comply with guidance provided in enclosure 5.

B. APPLICABILITY AND SCOPE

This Instruction:

1. Applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff and the Joint Staff, the

Unified and Specified Commands, the Inspector General of the Department of Defense, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components").

2. Includes all individuals providing child care services to children in accordance with references (a) through (k).

C. DEFINITIONS

Terms used in this Instruction are defined in enclosure 2.

D. POLICY

It is DoD policy to:

1. Establish a standardized and comprehensive process for screening applicants for positions involving child care services on DoD installations and in DoD activities.

2. Provide fair, impartial, and equitable treatment before an individual may be deemed suitable to serve as an employee, a certified care provider, a specified volunteer position, or as an individual employed under contract in activities covered by this Instruction and references (a) through (k) by conducting a thorough review of all appropriate records as described herein.

3. Protect children by denying or removing from employment, contract, or volunteer status any applicant or current employee who is determined unsuitable to provide child care services because derogatory information is contained in a suitability investigation.

4. Ensure that an individual is advised of proposed disciplinary action, decertification, or refusal to hire by the hiring authority or designee if disqualifying derogatory information is contained in a suitability investigation. The individual is given the opportunity to challenge the accuracy and completeness of reported information.

5. Foster cooperation among the DoD Components, other Federal Agencies, State and county agencies, and other civilian authorities in conducting criminal history background checks.

E. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Force Management and Personnel) shall:

a. Develop policy for conducting criminal history background checks on individuals seeking positions involving child care services.

b. Monitor compliance with this Instruction.

c. Coordinate oversight of criminal history background checks as specified under this Instruction.

2. The Heads of the DoD Components shall:

a. Develop procedures to ensure compliance with the requirements of this Instruction, in accordance with enclosure 6.

Jan 19, 93
1402.5

b. Provide oversight of process and procedures to conduct criminal history background checks to include assignment of proponency.

c. Provide technical support and resources as required.

d. Coordinate participation of specific organizations within the DoD Component involved in the conduct of the checks.

e. Ensure that applicants and employees are made aware of their rights under DoD 5400.11-R (reference (a)) including the right to challenge accuracy of records.

f. Maintain the records of all individuals hired, certified, or employed under contract for positions that involve child care services for 2 years following termination of their service.

g. Establish a mechanism to evaluate all adverse information resulting from criminal history background checks, using the criteria in enclosure 7. Final suitability decisions are made by the DoD Component Head or designee.

F. PROCEDURES

The records of all existing employees and applicants for positions in child care services are reviewed by the Component designee according to the procedures prescribed in enclosure 6.

G. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Forward two copies of implementing documents to the Assistant Secretary of Defense (Force Management and Personnel) within 120 days.

Christopher Jehn
Assistant Secretary of Defense
Force Management and Personnel

Enclosures - 8
1. References
2. Definitions
3. Public Law 101-647, Section 231
4. Public Law 102-190, Section 1094
5. Memorandum from the Assistant Secretary of Defense Health Affairs, "Criminal History Background Checks on Health Care Personnel," April 20, 1992
6. Criminal History Background Check Procedures
7. Criteria for Criminal History Background Check Disqualification
8. State Information

Jan 19, 93
1402.5 (Encl 1)

REFERENCES, continued

(e) DoD Instruction 6060.2, "Child Development Programs," March 3, 1989
(f) DoD Instruction 6400.2, "Child and Spouse Abuse Report," July 10, 1987
(g) DoD Directive 1400.13, "Salaries and Personnel Practices Applicable to Teachers and Other Employees of the DoD Overseas Dependents' Schools System," July 8, 1976
(h) DoD Directive 1342.16, "Provision of Free Public Education for Eligible Dependent Children Pursuant to Section 6, Public Law 81-874, as Amended," October 16, 1987
(i) DoD Directive 6025.11, "DoD Health Care Provider Credentials Review and Clinical Privileging," May 20, 1988
(j) DoD Directive 1015.1, "Establishment, Management, and Control of Nonappropriated Fund Instrumentalities," August 19, 1981
(k) DoD Instruction 1000.15, "Private Organizations on DoD Installations," September 22, 1978

Jan 19, 93
1402.5 (Encl 2)

DEFINITIONS

1. Appropriated Fund (APF) Employees. Personnel hired by DoD Components with appropriated funds as defined in the FPM, Chapter 731 (reference (b)). This includes temporary employees, 18 years old or older, who work with children.

2. Care Provider. As defined in Pub. L. No. 101-647, Section 231 and P.L. No. 102-190, Section 1094 (enclosures 3 and 4). Providers included are current and prospective individuals hired with APF and nonappropriated funds (NAF) for education, treatment or healthcare, child care or youth activities, individuals employed under contract who work with children and those who are certified for care. Care providers are individuals working within programs that include alphabetically: Child Development Programs, DoD Dependents Schools, DoD-Operated or -Sponsored Activities, DoD Section 6 School Arrangements, Foster Care, Private Organizations on DoD Installations, and Youth Programs. Background checks are required for all civilian and military providers (except military health care providers) involved in child care services who have regular contact with children.

3. Child. An unmarried person, whether natural child, adopted child, foster child, stepchild, or ward, who is a family member of a military member or DoD civilian or their spouse, and who is under the age of 18 years; or is incapable of self support because of a mental or physical incapacity and for whom treatment is authorized in a medical facility of the Military Services, as defined in DoD Directive 6400.1 (reference (d)).

4. Child Abuse and/or Neglect. The physical injury, sexual maltreatment, emotional maltreatment, deprivation of necessities, or other maltreatment of a child. The term encompasses both acts and omissions on the part of a responsible person, as defined in reference (d).

5. Child Care Services. DoD personnel and contractors who are involved in any of the following: "child protective services (including the investigation of child abuse and neglect reports), social services, health and mental health care, child (day) care, education (whether or not directly involved in teaching), foster care, residential care, recreational or rehabilitative programs, and detention, correctional, or treatment services," as defined in Pub. L. No.101-647, Section 231 (enclosure 3).

6. Child Development Center (CDC). An installation facility or part of a facility used for child care operated under the oversight of Component's Child Development Programs (CDPs) and as defined in DoD Instruction 6060.2 (reference (e)).

7. Child Development Programs (CDPs). Programs for dependents of DoD personnel provided in CDCs, family child care (FCC) homes, and alternative child care options. The care provided is on a full-day, part-day, or hourly basis. Care is designed to protect the health and safety of children and promote their physical, social, emotional, and intellectual development, as defined in reference (e).

8. Child Sexual Abuse. Employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct (or any simulation of such conduct) or the rape, molestation, prostitution, or any other such form of sexual exploitation of children, or incest with children. All sexual activity between an offender and a child, when the offender is in a position of power over the child, is considered sexual maltreatment, as defined in DoD Instruction 6400.2 (reference (f)).

9. Criminal History Background Check. An investigation based on fingerprints and other identifying information obtained by a law enforcement officer conducted through the Federal Bureau of Investigation-Identification Division (FBI-ID) and SCHR of all States that an employee or prospective employee list as current and former residences on an employment application initiated through the personnel programs of the applicable Federal Agencies, as defined in Pub. L. No. 101-647 (enclosure 3) or through the personnel program of a given government contractor.

10. Defense Clearance and Investigations Index (DCII). The central Department of Defense record of investigative files and adjudicative actions such as clearances and access determinations, revocations, and denials concerning military, civilian, and contract personnel.

11. DoD Dependents Schools (DoDDS). Schools operated by the Department of Defense for minor dependents of military members or DoD civilians assigned to duty in foreign countries, as defined in DoD Directive 1400.13 (reference (g)).

12. DoD-Operated or -Sponsored Activity. A contracted entity authorized by appropriate DoD officials to perform child care, education, treatment, or supervisory functions on DoD-controlled property (references (e), (g), (h), and (i)). Examples include but are not limited to CDPs, FCC Programs, Medical Treatment Facilities, DoDDS, DoD Section 6 Schools, and Youth Programs.

13. DoD Section 6 Schools. The educational arrangements made for the provision of education to eligible dependent children by the Department of Defense under Pub. L. 81-874, Section 6, as defined in DoD Directive 1342.16 (reference (h)), in the Continental United States, Alaska, Hawaii, Puerto Rico, Wake Island, Guam, American Samoa, the Northern Mariana Islands, and the Virgin Islands.

14. Family Child Care (FCC). Quarters-based child care provided in Government-owned or -leased quarters, in which care is provided on a regular basis for compensation, usually for more than 10 hours a week per child, to one or more (up to six) children, including the provider's own children under 8 years of age, as defined in reference (e).

15. Foreign National Employees Overseas. Non-U.S. citizens hired by the Department of Defense for employment on an overseas installation.

16. Foster Care. A voluntary or court-mandated program that provides 24-hour care and supportive services in a family home or group facility for children who cannot be properly cared for by their own family.

Jan 19, 93
1402.5 (Encl 2)

17. Government-Contracted Care Providers. An individual or a group of individuals hired under a Government contract to provide instruction, child care services, healthcare, or youth services. FCC providers are not considered contracted Government employees for this Instruction.

18. Healthcare Personnel. Personnel involved in the delivery of healthcare to children under the age of 18 on a frequent and regular basis. See enclosure 5. This may include:

a. Medical and Dental Care Staff. Physicians, dentists, nurse practitioners, clinical social workers, clinical psychologists, physicians' assistants, physical therapists, and speech pathologists.

b. Clinical Support Staff. Clinical providers not granted defined clinical privileges to include residents, registered nurses, licensed practical nurses, nursing assistants, play therapists, and technicians, as defined in DoD Directive 6025.11 (reference (i)).

19. Installation Records Check (IRC). An investigation conducted through the records of all installations of an individual's identified residencies for the preceding 2 years before the date of the application. This record check shall include, at a minimum, police (base and/or military police, security office, or criminal investigators or local law enforcement) local files check, Drug and Alcohol Program, Family Housing, Medical Treatment Facility for Family Advocacy Program to include Service Central Registry records and mental health records, and any other record checks as appropriate, to the extent permitted by law.

20. National Agency Check (NAC). As defined in DoD 5200.2-R (reference (c)).

21. National Agency Check and Inquiries (NACI). As defined in the FPM, Chapters 731 and 736 (reference (b)).

22. Nonappropriated Fund Instrumentalities (NAFI) Employees. Personnel hired by the DoD Components, compensated from NAFI funds as defined in DoD Directive 1015.1 (reference (j)). This includes temporary employees, 18 years old or older, who work with children.

23. Private Organizations on DoD Installations. A nongovernmental entity authorized by the Department of Defense to perform child care, services, education, or supervisory functions with children on DoD-controlled property, as defined in DoD Instruction 1000.15 (reference (k)). Examples include religious groups and associations, such as scouts.

24. Respite Care. Provides short-term child care and supportive services in a family home or group facility for children to relieve stress, prevent child abuse, and promote family unity for a parent, foster parent, guardian, or family member.

25. Regular Contact. Responsible for a child or with access to children on a frequent basis as defined by the Component.

26. Specified Volunteer Position. A position, designated by the DoD Component Head or designee, such as installation commander, requiring an installation record check because of the nature of the volunteer work in child care services.

27. State Criminal History Repository (SCHR). The State's central record of investigative files. State information, including addresses, phone numbers, costs and remarks, is listed in enclosure 8.

28. Supervision. Refers to having temporary responsibility for children in child care services, and temporary or permanent authority to exercise direction and control by an individual over an individual whose required background checks have been initiated but not completed.

29. Temporary Employees. This category includes nonstatus appointments to a competitive service position for a specified period, not to exceed a year. This includes summer hires, student interns, and NAFI flexible category employees.

30. Volunteer Activities. Activities where individuals offer assistance on an unpaid basis in child and youth programs or other activities on DoD installations. Examples include sports programs, religious programs, scouting programs, and preschools sponsored by private parent cooperatives or other associations conducted on the installation.

31. Volunteers. Individuals who offer program assistance on an unpaid basis.

32. Youth Programs. DoD-sponsored activities, events, services, opportunities, information, and individual assistance responsive to the recreational, developmental, social, psychological, and cultural needs of eligible children and youth. Includes before and after school programs as well as holiday and summer camps.

Subtitle E—Child Care Worker Employee Background Checks

42 USC 13041.

SEC. 231. REQUIREMENT FOR BACKGROUND CHECKS.

(a) IN GENERAL.—(1) Each agency of the Federal Government, and every facility operated by the Federal Government (or operated under contract with the Federal Government), that hires (or contracts for hire) individuals involved with the provision to children under the age of 18 of child care services shall assure that all existing and newly-hired employees undergo a criminal history background check. All existing staff shall receive such checks not later than 6 months after the date of enactment of this chapter, and no additional staff shall be hired without a check having been completed.

(2) For the purposes of this section, the term "child care services" means child protective services (including the investigation of child abuse and neglect reports), social services, health and mental health care, child (day) care, education (whether or not directly involved in teaching), foster care, residential care, recreational or rehabilitative programs, and detention, correctional, or treatment services.

(b) CRIMINAL HISTORY CHECK.—(1) A background check required by subsection (a) shall be—

(A) based on a set of the employee's fingerprints obtained by a law enforcement officer and on other identifying information;

(B) conducted through the Identification Division of the Federal Bureau of Investigation and through the State criminal history repositories of all States that an employee or prospective employee lists as current and former residences in an employment application; and

(C) initiated through the personnel programs of the applicable Federal agencies.

(2) The results of the background check shall be communicated to the employing agency.

(c) APPLICABLE CRIMINAL HISTORIES.—Any conviction for a sex crime, an offense involving a child victim, or a drug felony, may be ground for denying employment or for dismissal of an employee in any of the positions listed in subsection (a)(2). In the case of an incident in which an individual has been charged with one of those offenses, when the charge has not yet been disposed of, an employer may suspend an employee from having any contact with children while on the job until the case is resolved. Conviction of a crime other than a sex crime may be considered if it bears on an individual's fitness to have responsibility for the safety and well-being of children.

(d) EMPLOYMENT APPLICATIONS.—(1) Employment applications for individuals who are seeking work for an agency of the Federal Government, or for a facility or program operated by (or through contract with) the Federal Government, in any of the positions listed in subsection (a)(1), shall contain a question asking whether the individual has ever been arrested for or charged with a crime involving a child, and if so requiring a description of the disposition of the arrest or charge. An application shall state that it is being signed under penalty of perjury, with the applicable Federal punishment for perjury stated on the application.

(2) A Federal agency seeking a criminal history record check shall first obtain the signature of the employee or prospective employee indicating that the employee or prospective employee has been notified of the employer's obligation to require a record check as a condition of employment and the employee's right to obtain a copy of the criminal history report made available to the employing Federal agency and the right to challenge the accuracy and completeness of any information contained in the report.

(e) ENCOURAGEMENT OF VOLUNTARY CRIMINAL HISTORY CHECKS FOR OTHERS WHO MAY HAVE CONTACT WITH CHILDREN.—Federal agencies and facilities are encouraged to submit identifying information for criminal history checks on volunteers working in any of the positions listed in subsection (a) and on adult household members in places where child care or foster care services are being provided in a home.

Jan 19, 93
1402.5 (Encl 4)

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEARS 1992 AND 1993

105 STAT. 1488 PUBLIC LAW 102-190—DEC. 5, 1991

SEC. 1094. PROVISIONAL SUPERVISED EMPLOYMENT OF FEDERAL CHILD CARE SERVICES PERSONNEL.

(a) EMPLOYMENT PENDING COMPLETION OF BACKGROUND CHECK.—Section 231 of the Crime Control Act of 1990 (42 U.S.C. 13041) is amended—

(1) in the second sentence of subsection (a)(1), by striking out "6 months after the date of enactment of this chapter, and no additional staff" and inserting in lieu thereof "May 29, 1991. Except as provided in subsection (b)(3), no additional staff"; and

(2) in subsection (b), by adding at the end the following new paragraph:

"(3) An agency or facility described in subsection (a)(1) may hire a staff person provisionally prior to the completion of a background check if, at all times prior to receipt of the background check during which children are in the care of the person, the person is within the sight and under the supervision of a staff person with respect to whom a background check has been completed.".

(b) ADDITIONAL SAFETY MEASURES FOR FEDERAL CHILD CARE SERVICE FACILITIES.—It is the sense of Congress that each agency of the Federal Government, each facility operated by the Federal Government, and each facility operated under contract with the Federal Government, that provides child care services to children under the age of 18—

(1) modify child care facilities to the extent necessary to ensure that, except for restrooms, there are no secluded areas not open to the general view of persons in such facilities;

(2) provide for regular oversight of the management and operations of child care facilities by an agency official who is not directly in charge of the operation of the facility; and

(3) to the maximum extent feasible allow parental access to children in child care facilities at all times.

Jan 19, 93
1402.5 (Encl 5)

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301-1200

HEALTH AFFAIRS

APR 2 0 1992

MEMORANDUM FOR SECRETARY OF THE ARMY
SECRETARY OF THE NAVY
SECRETARY OF THE AIR FORCE

SUBJECT: Criminal History Background Checks on Child Health Care Personnel

This memorandum clarifies procedures for Department of Defense (DoD) health care personnel relative to implementation of Public Law 101-647, Section 231, "Crime Control Act," November 29, 1990, as amended by section 1094 of Public Law 102-190.

These provisions were implemented within DoD by Assistant Secretary of Defense (Force Management & Personnel) (ASD(FM&P)) memorandum, dated March 6, 1992, Subject: "Criminal History Background Checks on Employees in Child Care Services" (copy attached). The ASD(FM&P) memorandum requires Federal Bureau of Investigation (FBI) fingerprint checks and State Criminal History Repositories (SCHR) checks of residences listed on employment applications for specific existing and newly hired health care personnel. Active duty military members are excluded from the requirements of the statutory provisions and the ASD(FM&P) memorandum. As explained in the ASD(FM&P) memorandum, health care personnel are defined as:

"Those personnel involved in the delivery of health care to children under the age of 18 on a frequent and regular basis. This may include: (1) Medical and Dental Care Staff: physicians, dentists, nurse practitioners, clinical social workers, clinical psychologists, physician assistants, physical therapists, and speech pathologists. (2) Clinical Support Staff: clinical providers not granted defined clinical privileges to include residents, registered nurses licensed practical nurses, nursing assistants, play therapists, and technicians."

Two provisions of the ASD(FM&P) memorandum, when applied to the medical setting, require additional Health Affairs guidance.

1. The ASD(FM&P) memorandum states that:

"DoD components may employ an individual pending completion of successful background checks. If an individual is so employed, at all times while children are in the care of that individual, he or she must be within sight and under the supervision of an individual whose background checks have been completed, with no derogatory reports."

5-1

Processing reports can take months. It is unlikely that Congress meant to create a situation that would potentially require two physicians to examine a patient or two nurses to give one medication to a child.

The DoD vigorously supports screening of health care workers involved in the delivery of health care to children under the age of 18 on a frequent and regular basis. Within the context of such medical care, line of sight supervision must be viewed through the prism of existing Medical Quality Assurance, Clinical Privileging, and Licensure Directives, which require pre-employment screens, enhanced surveillance of new employees and on-going monitoring of the performance of all health care providers. These programs are inherent to both quality medical care and patient safety and are adequate and equivalent mechanisms.

Therefore, pending completion of background checks, the Surgeons General shall require close clinical supervision and full compliance with existing DoD Directives, Instructions, and other guidance (issued by DoD and the Military Department concerned) on quality assurance, risk management, licensure, employee orientation, and credentials verification. These policies rely on process and judgment, and meet the intent of the "direct sight supervision" provision, affording local commanders a flexible and reasonable alternative.

2. Section 1094(b) of Public Law 102-190 provides that:

"It is the sense of Congress that each facility that provides childcare services to children under the age of 18 must modify child care facilities to the extent necessary that except for restrooms, there are no secluded areas not open to the general view of persons in such facilities."

This provision, which may be suitable for child development centers, is hortatory, not mandatory. Thus, the DoD must determine what effect to give it. Open areas in full view of the public eliminate patient privacy and, in some cases, are medically contraindicated. Thus, hospital commanders are not required to implement section 1094(b).

Enrique Mendez, Jr., M.D.

Attachment
As Stated

Jan 19, 93
1402.5 (Encl 6)

CRIMINAL HISTORY BACKGROUND CHECK PROCEDURES

This enclosure establishes the procedures for conducting criminal history background checks on existing and newly hired individuals required by Pub. L. No. 101-647, Section 231 and Pub. L. No. 102-190, Section 1094 (enclosures 3 and 4). Background checks are required for all civilian providers involved in child care services who have regular contact with children. The categories of providers include current and prospective individuals hired with APF and NAFI funds for education, treatment or healthcare, child care or youth activities, and individuals employed under contract involved in the provision of child care services. In addition to the mandates of enclosure 3, the Department of Defense requires that military members (except healthcare personnel), foster or respite care providers, FCC providers and family members, and specified volunteers shall have checks specified in sections A. through J. of this enclosure, below.

A. Conducting Checks

Component designees shall notify existing and newly hired individuals and contractors of the requirement for a review of personnel and security records to include an FBI fingerprint check and SCHR checks of residences listed on employment and security applications.

1. Fingerprint Check. Law enforcement personnel shall forward completed forms through channels to the Office of Personnel Management (OPM) or Defense Investigative Service (DIS) for processing of FBI fingerprint forms.

2. State Criminal History Repository (SCHR) Check. DoD Installation-level personnel offices, in collaboration with law enforcement and security personnel, shall process State criminal history background checks for employment and shall ordinarily communicate in writing with each State identified in enclosure 8, providing full identifying information on each applicant and request confirmation that the individual has not been convicted in that State of a sex crime, an offense involving a child victim, a drug felony, or a violent crime. The DoD Component Heads may establish alternate procedures for conducting SCHR checks; e.g., a computerized, written, or telephonic check. The DoD Components are not required to wait longer than 60 days from the date of the request for a response from the SCHR personnel before taking action on a particular application. Authorities will depend on FBI fingerprint check validation if States do not respond.

3. Installation Record Checks (IRC). Consists of a local record check on an individual for a minimum of 2 years before the date of the application. This record check shall include, at a minimum, police (base and/or military police, security office, criminal investigators, or local law enforcement) local files checks, Drug and Alcohol Program, Family Housing, Medical Treatment Facility for Family Advocacy Program Service Central Registry records and mental health records, and any other record checks as appropriate to the extent permitted by law. A Service DCII may be conducted. The IRC shall be conducted by DoD Component personnel at the installation level. An IRC will be completed on individuals with a DoD affiliation such as living or working on an installation or is active duty member or family member. Individuals without DoD affiliation have no installation system of records to check and an IRC is not completed. Upon favorable completion of the IRC, an individual may be

selected and provide child care services under line of sight supervision until the required background checks are completed.

B. Applicants

1. APF Applicants

a. Except as otherwise provided in this subsection, the DoD Components shall process APF applicants using currently established procedures for completing background checks described in DoD 5400.11-R (reference (a)). APF applicants must complete a SF-171, "Application for Federal Employment," and attach a SF-87, "Fingerprint Chart," completed by a law enforcement officer; and a SF-85P, "Questionnaire for Public Trust Positions" (Annotate Block "B" with code 03), for conduct of a NACI. The package shall be forwarded to the OPM.

b. The DoD Components shall assign responsibility for conducting the criminal history background checks through the SCHR to personnel offices working with law enforcement or investigative agencies. They shall conduct checks in all States that an employee or prospective employee lists as current and former residences in an employment or security application. It is deemed unnecessary to conduct checks before 18 years of age because juvenile records are unavailable. If no response is received from the State(s) within 60 days, determinations based upon the FBI report may be made. Responses received after this determination has been made must be provided to the determining authority.

c. Under Pub. L. No. 102-190, Section 1094 (enclosure 4), the DoD Components may employ an individual pending completion of successful background checks described in Pub. L. No. 101-647, Section 231 (enclosure 3). If an individual is so employed, at all times while children are in the care of that individual, he or she must be within sight and under the supervision of an individual whose background checks have been completed, with no derogatory reports.

d. Once it is clear that no derogatory information exists, line of sight supervision is terminated by the designee. If a derogatory report exists, Component personnel procedures shall prescribe appropriate action consistent with the criteria contained in this Instruction.

2. NAFI Applicants

a. Except as otherwise provided in this subsection, the DoD Components shall process NAFI applicants following established procedures for completing background checks. NAFI applicants must complete a DD Form 398-2 "Department of Defense National Agency Questionnaire," with reason for request identified as OTHER and annotated as CHILD CARE, and FD Form 258, "FBI Applicant Fingerprint Card." Fingerprints shall be taken by the local law enforcement organization personnel and together with the DD Form 398-2 shall be forwarded to: Defense Investigative Service, Personnel Investigations Center, P.O. Box 1083, Baltimore, MD 21203-1083.

b. The DoD Components shall follow the procedures in the FPM, Chapter 731 and 736 (reference (b)) and above in subparagraph B.1.b.,c., and d. to obtain fingerprints for the FBI, conduct criminal history background checks

through the SCHR, and maintain employment of individuals pending the successful completion of the background checks.

3. Foreign National Employees Overseas. Foreign national employees overseas, while not expressly included within the law, are subject to the following record checks or those equivalent in scope to checks conducted on U.S. citizens:

a. Host-government law enforcement and security agency checks at the city, State (province), and national level, whenever permissible by the laws of the host government.

b. Defense Central Investigative Index (DCII).

c. FBI checks (when information exists regarding residence by the individual in the United States for 1 year or more since age 18).

d. When permissible by the laws of the host government, host-government checks are requested directly by the employing Service or agency. As an alternative, the DoD Components may request that overseas Military Service investigative elements obtain appropriate host-government checks. Where host-nations' arrangements preclude comparable criminal history checks, foreign nationals will not be eligible for employment in child care services.

4. Temporary Employees. This category includes summer hires, student interns, and NAFI flexible category employees. Background checks for these individuals are processed according to funding source; i.e., for APF employees (to OPM) or NAFI employees (to DIS). Installation designated points of contact shall notify applicants of report disposition.

5. Healthcare Personnel. This category includes civilian personnel involved in the delivery of healthcare (enclosure 5). Within the context of such medical care, line of sight supervision must be viewed through the prism of existing medical quality assurance, clinical privileging, and licensure directives, which require preemployment screens, enhanced surveillance of new employees, and on going monitoring of the performance of all healthcare providers. These programs are inherent to both quality medical care and patient safety and are adequate and equivalent mechanisms for the sight and supervision requirements in paragraphs B.1.c. and d. of this enclosure, above. It should be noted that these quality assurance programs are not sufficient in and of themselves under Pub. L. No. 101-647, Section 231 (enclosure 3). Therefore, the required FBI fingerprint check and the SCHR check must be completed as expeditiously as possible.

C. Current Employees. All currently employed individuals covered by this Instruction shall have the FBI fingerprint and criminal history background check as described in Pub. L. No. 101-647, Section 231 (enclosure 3). If the results of such checks, to include the SCHR, cannot be confirmed through an examination of available local records, action shall be initiated in accordance with subsection B.1., above, for APF employees and subsection B.2., above, for NAFI employees, and with section D., below, for individuals employed under contract. The SCHR checks are conducted in all cases in accordance with

subsection A.2., above. For the purposes of this Instruction, no IRC is required for individuals employed before June 1991.

D. Government Contract Employees

1. Sponsoring activities are responsible for ensuring that the requirements in this Instruction are included in the statement of work for all child care programs to be contracted. The contracting officer is responsible for performing an action necessary to verify that services provided by the contractor conform to contract quality requirements. Component designees for requiring activities shall ensure that the statement of work, at a minimum:

a. States that the contractor must ensure its employees have proper criminal history background checks as outlined in this Instruction.

b. States that actual checks are performed by the Government.

c. Includes procedures that the contractor must follow to obtain checks for its employees; for example, identify the office where employees report for processing, identify proper forms to be completed, etc. Also, identify the DoD Component for billing purposes, and identify the appropriate security point of contact or installation commander as the authorized recipient of background check results.

d. States that employees may be permitted to work before completion of background checks, provided the employee is within sight of an individual who has successfully completed a background check.

e. States that employees have the right to obtain a copy of the background check report, whom they should contact for the copy and whom to contact for procedures to challenge the accuracy and completeness of the information in the report.

f. Requires that contractor employees who have previously received a background check must provide proof of the check or obtain a new one.

2. Requirements for child care services must be submitted to the contracting officer sufficiently in advance of the required performance start date to provide time for obtaining background checks. Sponsoring activities' designees shall coordinate with the contracting officer as soon as possible after a requirement for child care services becomes known.

3. Procedures for obtaining responses for background checks are the same as those for NAFI employees and response to derogatory information will occur through the appropriate designee and contractor. An IRC will be performed if the individual is a military member or family member, or has worked or lived on a military installation within 5 years.

E. Other Providers. Criminal history background checks with the FBI and the States are not required. Duplication of previous background checks are not required for personnel where official records demonstrate that an adequate check has already been conducted. This category includes the following:

1. Military Members. These are active duty individuals (other than healthcare personnel) who seek to provide child care services as part of a normal duty assignment or are involved during off-duty hours. For these members an IRC and a current security clearance meet the requirements of this Instruction. In the absence of a current security clearance, a name check of the DCII must be conducted. When military members are employed in an APF or a NAFI position they will abide by background check requirements listed in subsections B.1. and B.2., above.

2. Foster and Respite Care Providers and Family Members. These are individuals who seek to provide foster care or respite child care within Government-owned or -leased quarters. The care provider; all other adults, and each child, age 12 and older, residing within the applicant's household must receive an IRC. In addition, the Component designee must also obtain a name check of the DCII on all adults.

3. FCC Providers and Family Members. These are individuals who seek licensing to provide child care within government-owned or -leased quarters. The care provider, all other adults, and each child, age 12 and older, residing within the applicant's household receive an IRC. In addition, the Component designee must obtain a name check of the DCII on all adults.

4. Specified Volunteers. Installation commanders shall designate those positions that are determined to be "specified." Individuals working in specified volunteer positions will have an IRC check because of the nature of their work in child care services. The opportunity for contact may be extensive, frequent, or over a period of time. They include, but are not limited to, positions involving extensive interaction alone, extended travel, and/or overnight activities with children. An IRC is required for volunteers who are active-duty, a family member, or a DoD civilian overseas. A volunteer is allowed to work upon completion of a favorable IRC. Background checks are not required for volunteers whose services will be of shorter duration than is required to perform the background checks and who are under line of sight supervision by an individual who has successfully completed a background check. The Components are required to provide additional implementing guidance.

F. Employment Application Requirement. Pub. L. No. 101-647, Section 231 (enclosure 3) requires that each application for employment shall include a question asking whether the individual has ever been arrested for or charged with a crime involving a child, and, if so, requires a description of the disposition of the arrest or charge. The forms identified above in paragraphs B.1.a. and B.2.a. are signed by the applicant under penalty of perjury, with the applicable Federal punishment for perjury stated on the respective forms.

1. An applicant's signature indicates an understanding of the employer's obligation to require a record check as a condition of employment. Information on background checks shall be maintained in accordance with applicable Component implementing regulations.

2. Payment for the conduct of any criminal history background check is the responsibility of the requesting Service or agency.

3. The results of the background check are forwarded to the Component designee at the sending installation for appropriate action. A derogatory

report would include, but not be limited to, the following applicable crimes: any charge or conviction for a sex crime, an offense involving a child victim, a substance abuse felony, or a violent crime.

4. The hiring authority or designee is responsible for notifying the individual of a derogatory report. The individual may obtain a copy of the criminal history report and has the right to challenge the accuracy and completeness of any information contained in the report through the Privacy Program described in DoD 5400.11-R (reference (a)). The individual may provide information concerning positive mitigating factors for any adverse information presented.

5. Employees whose criminal history background checks result in nonselection for employment or service shall be informed by the Component designee of the right to an administrative appeal under reference (a)). Under that Regulation, the individual may appeal with a specific request such as amendments to the records or request to file statement disagreeing with information in the record. If the employee's request for record information is refused, the individual is informed of his or her right to an administrative appeal. As appropriate, Component designees shall inform individuals of other avenues available to resolve matters of concern such as an administrative or negotiated grievance procedures. If the employee remains dissatisfied, he or she may seek a review. The Department of Defense recognizes the privacy interests and rights of all applicants and employees, and its own responsibility in ensuring a safe and secure environment for children within DoD activities or private organizations on DoD installations.

G. Record Re-Verification. This procedure consists of an IRC and a DCII name check and is required by the Component designee at a minimum every 5 years for all employees providing child care services and covers the time period since the completion of the last background check. NAFI employees who change duty stations will complete a new investigation when considered for employment. A new investigation is required by the Department of Defense if a break in service results in a time-lapse of more than 2 years. FCC, foster care and respite care providers, and their family members will complete an IRC annually.

H. Supervision. Refers to temporary responsibility for children in child care services, and relates to oversight for temporary or permanent authority to exercise direction and control by an individual over an individual whose required background checks have been initiated but not completed. Use of video equipment is acceptable provided it is monitored by an individual who has successfully completed a background check. Supervision procedures pending completion of background checks for healthcare personnel suggest that the Surgeons General shall require close clinical supervision and full compliance with existing DoD Directives, Instructions, and other guidance (issued by the Department of Defense and the Military Department concerned) on quality assurance, risk management, licensure, employee orientation, and credentials certification. These policies rely on process and judgment, and meet the intent of the "direct sight supervision" provision, affording local commanders a flexible and reasonable alternative.

I. Programs. Requirements cover all DoD-operated activities and private organizations on DoD installations and include, but are not limited to:

Jan 19, 93
1402.5 (Encl 6)

1. Child Development Programs.

a. Child development centers, part-day preschools, and enrichment programs.

b. Family child care.

c. Contracted Services, whether personal or non-personal services.

2. Youth Programs.

3. Dependents Schools operated by the Department of Defense.

4. Medical treatment facilities.

5. Other contracted services.

6. Private organizations on DoD installations.

7. Volunteer activities.

J. Background Check Matrix. This identifies the requirements of this Instruction for background checks by category of personnel. These checks are initiated through the personnel offices in collaboration with law enforcement and security personnel. (Reminder: An IRC may only be completed on an individual who is a military member or family member, or who lives or works on a military installation.)

1. APF. FBI, SCHR, and IRC. (SF-171, SF-87, and SF-85P)

2. NAFI. FBI, SCHR, and IRC. (DD Form 398-2 and FD Form 258)

3. Foreign National Employees Overseas. IRC and local government check.

4. Temporary Employees. FBI, SCHR, and IRC.

5. Current Employees. FBI and SCHR.

6. Government Contract Employees. FBI, SCHR, and IRC.

7. Other Providers.

a. Military Members. Military members will have an IRC and, if no current security clearance exists, a name check of the DCII. Checks are not required for military healthcare personnel.

b. Foster and Respite Care Providers and Family Members (age 12 and older). IRC and Service DCII (for adults).

c. FCC Providers and Family Members (age 12 and older). IRC and Service DCII (for adults).

d. Specified Volunteers. IRC.

Jan 19, 93
1402.5 (Encl 7)

CRITERIA FOR CRIMINAL HISTORY BACKGROUND CHECK DISQUALIFICATION

The ultimate decision to determine how to use information obtained from the criminal history background checks in selection for positions involving the care, treatment, supervision, or education of children must incorporate a common sense decision based upon all known facts. Adverse information is evaluated by the DoD Component Head or designee who is qualified at the appropriate level of command in interpreting criminal history background checks. All information of record both favorable and unfavorable will be assessed in terms of its relevance, recentness, and seriousness. Likewise, positive mitigating factors should be considered. Final suitability decisions shall be made by that commander or designee. Criteria that will result in disqualification of an applicant require careful screening of the data and include, but are not limited to, the following:

A. Mandatory Disqualifying Criteria

Any conviction for a sexual offense, a drug felony, a violent crime, or a criminal offense involving a child or children.

B. Discretionary Criteria

1. Acts that may tend to indicate poor judgment, unreliability, or untrustworthiness in working with children.

2. Any behavior; illness; or mental, physical, or emotional condition that in the opinion of a competent medical authority may cause a defect in judgment or reliability.

3. Offenses involving assault, battery, or other abuse of a victim, regardless of age of the victim.

4. Evidence or documentation of substance abuse dependency.

5. Illegal or improper use, possession, or addiction to any controlled or psychoactive substances, narcotic, cannibas, or other dangerous drug.

6. Sexual acts, conduct, or behavior that, because of the circumstances in which they occur, may indicate untrustworthiness, unreliability, lack of judgment, or irresponsibility in working with children.

7. A wide range of offenses such as arson, homicide, robbery, fraud, or any offense involving possession or use of a firearm.

8. Evidence that the individual is a fugitive from justice.

9. Evidence that the individual is an illegal alien who is not entitled to accept gainful employment for a position.

10. A finding of negligence in a mishap causing death or serious injury to a child or dependent person entrusted to their care.

C. Suitability Considerations

In making a determination of suitability, the evaluator shall consider the following additional factors to the extent that these examples are considered pertinent to the individual case:

1. The kind of position for which the individual is applying or employed.

2. The nature and seriousness of the conduct.

3. The recentness of the conduct.

4. The age of the individual at the time of the conduct.

5. The circumstances surrounding the conduct.

6. Contributing social or environmental conditions.

7. The absence or presence of rehabilitation or efforts toward rehabilitation.

8. The nexus of the arrests in regard to the job to be performed.

D. Questions

1. All applications, for each of the categories of individuals identified in enclosure 2, will include the following questions: "Have you ever been arrested for or charged with a crime involving a child? Have you ever been asked to resign because of or been decertified for a sexual offense?" And, if so, "provide a description of the case disposition." For FCC, foster care, and respite care providers, this question is asked of the applicant regarding all adults, and all children 12 years and older, who reside in the household.

2. All applications shall state that the form is being signed under penalty of perjury. In addition, a false statement rendered by an employee may result in adverse action up to and including removal from Federal service.

3. Evaluation of criminal history background checks is made and monitored by qualified personnel at the appropriate level designated by the Component. Final suitability decisions are made by the designee.

Jan 19, 93
1402.5 (Encl 8)

STATE INFORMATION

All SCHR checks should be accompanied by the following:

1. State form, if required. If no State form is required, the request should be on letterhead, beginning with the statement that the check is in accordance with Pub. L. No. 101-647 (enclosure 3). The request must include full identifying information, such as: Name, date of birth, social security number, complete addresses, etc.

2. Fingerprint set if required. Some State laws require a fingerprint set either on a State form or forms used by the agency.

3. Release statement signed by the applicant or employee. If required by the State, the release must be notarized.

4. Payment for the SCHR check.

5. Self-addressed, stamped envelope.

The following is an updated listing of State addresses, fees, and other information:

ADDRESS	FEE	REMARKS
State of Alabama Alabama Dept. of Public Safety ATTN: ABI Division 5002 Washington Ave. Montgomery, AL 36130	$25	Name check COMM: 205-242-4372
State of Alaska Alaska Dept. of Public Safety Information Systems Section 5700 Tudor Road Anchorage, AK 99507	$20	Fingerprints req'd, reason for request req'd (comply with Pub. L.), Name and Address authorized to request and receive SCHRC COMM: 907-269-5 511
State of Arizona Arizona Criminal Justice Dept. of Public Safety Information Systems Division P.O. Box 6638 Phoenix, AZ 85005	No Check	Limited release, call or write for information. COMM: 602-223-2229
State of Arkansas Arkansas State Police P.O. Box 5901 Little Rock, AR 72215	No Fee	Name Check Written Consent Req'd COMM: 501-221-8233
State of California	$27	Fingerprints Req'd

8-1

Dept. of Justice Bureau of Criminal Justice Identification and Information Bureau P.O. Box 903417 Sacramento, CA 94203-4170		COMM: 916-739-2786
State of Colorado Crime Information Center Colorado Bureau of Investigation 690 Kipling Street, #3000 Lakewood, CO 80215	$ 4.50	Write or call for form Name Check COMM: 303-239-4222/4229
State of Connecticut Dept. of State Police Bureau of Investigation, Building 4 294 Colony Street Meriden, CT 06450	No Fee	Name Check Written Consent Req'd Copy of Pub. L. Req'd COMM: 203-238-6155
State of Delaware Delaware State Police-SBI State Bureau of Investigation P.O. Box 430 Dover, DE 19903	$25	Fingerprints Req'd COMM: 302-739-5871
Washington, D.C. Identification and Records Division Metropolitan Police Dept., Room 2076 300 Indiana Avenue, N.W. Washington, D.C. 20001	No Fee	Name Check Written Request Req'd COMM: 202-727-4245
State of Florida Florida Dept. of Law Enforcement P.O. Box 1489 Tallahassee, FL 32302	$10	Name Check Check to: Dept. of Law Enforcement COMM: 904-488-6236
State of Georgia Georgia Criminal Information Center Post Office Box 370748 Decatur, GA 30037-0748	$15	Write or call for form Notary & Fingerprints Req'd COMM: 404-244-2644
State of Hawaii Criminal Justice Data Center 465 South King Street, Room 101 Honolulu, HI 96813	No Fee	Name Check COMM: 808-587-3100
State of Idaho Idaho Dept. of Law Enforcement Criminal Identification Bureau 6064 Corporal Lane Boise, ID 83704	$5	Name Check Written Consent Req'd Payment to: Dept. of Law Enforcement COMM: 208-327-7130

Jan 19, 93
1402.5 (Encl 8)

State of Illinois Bureau of Identification 260 North Chicago Street Joliet, IL 60431-1060	$14	Write or call for form Name Check COMM: 815-740-5184
State of Indiana Indiana State Police 100 North Senate Avenue, Room 312 Indianapolis, IN 46204	$7	Write or call for form Name Check COMM: 317-232-8266
State of Iowa Commissioner Paul H. Wieck II Iowa Dept. of Public Safety Wallace State Office Building Des Moines, IA 50319	$6	Release within State COMM: 515-281-5138
State of Kansas Kansas Bureau of Investigation 1620 Southwest Tyler Topeka, KS 66612	$10	Write or call for form Name Check, $5 per name over two names COMM: 913-232-6000
State of Kentucky Kentucky State Police Records State Office Building 1250 Louisville Road Frankfort, KY 40601	$4	Write or call for form Name Check COMM: 502-227-8700 x214
State of Louisiana Louisiana State Police Department of Public Safety P.O. Box 66614 Baton Rouge, LA 70896	$13	Write or call for form Fingerprints Req'd COMM: 504-925-6095
State of Maine State Bureau of Identification Department of Public Safety Maine State Police, 36 Hospital Street Augusta, ME 04333	No Fee	Name Check Reason for Check Req'd, i.e., Comply with Pub. L. COMM: 207-624-7009
State of Maryland Criminal Justice Information Service Central Repository, Building G4 1201 Reistertown Road Pikesville, MD 21208	$18	Write or call for form Name Check COMM: 410-764-4501
State of Massachusetts Executive Office of Public Safety Criminal History Systems Board 1010 Commonwealth Avenue Boston, MA 02215	No Fee	Write or call for form Name Check COMM: 617-727-0090 x12

8-3

State of Michigan Michigan State Police, FOI Unit 7150 Harris Drive Lansing, MI 48913	No Check	No release COMM: 517-322-5531
State of Minnesota Criminal Justice Information Systems Bureau of Criminal Apprehension Minnesota Dept. of Public Safety 1246 University Avenue St. Paul, MN 55104	$8	Name Check Written Consent Req'd COMM: 612-642-0670
State of Mississippi Department of Public Safety ATTN: Identification Bureau P.O. Box 958 Jackson, MS 39225	No Fee	Write or call for info Name Check COMM: 601-987-1212
State of Missouri Criminal Records Division State Highway Patrol Department of Public Safety P.O. Box 568 Jefferson City, MO 65102	$5	Write or call for form Name Check COMM: 314-751-3313
State of Montana Identification Bureau Department of Justice 303 North Roberts Helena, MT 59620-1418	$5	Name Check COMM: 406-444-3625
State of Nebraska Nebraska State Patrol P.O. Box 94907 State House Station, ATTN: CID Lincoln, NE 68509-4907	$10	Name Check COMM: 402-471-4545
State of Nevada Nevada Highway Patrol 555 Wright Way Carson City, NV 89711	$15	Write or call for form Fingerprints Req'd COMM: 702-687-5300
State of New Hampshire New Hampshire State Police HQ Criminal Records 10 Hazen Drive Concord, NH 03305	$10	Write or call for form Name Check COMM: 603-271-2538

Jan 19, 93
1402.5 (Encl 8)

State of New Jersey Division of State Police Records and ID Section P.O. Box 7068 West Trenton, NJ 08625-0068	$12	Copy of Pub. L. Req'd Name Check COMM: 609-882-2000
State of New Mexico Department of Public Safety Records Bureau P.O. Box 1628 Santa Fe, NM 87504-1628	$5	Write or call for form Name Check, Notary Req'd COMM: 505-827-9181
State of New York Division of Criminal Justice Services Executive Park Tower Stuyvesant Plaza Albany, NY 12203	No Check	No Release at current time, State Req's an Agreement with Agency to process. COMM: 518-485-7685
State of North Carolina Division of Criminal Information Bureau of Investigation 407 North Blount Street Raleigh, NC 27601-1009	$14	Fingerprint form req'd, Copy of Pub. L. req'd, Call or write for form COMM: 919-662-4500
State of North Dakota Bureau of Criminal Information P.O. Box 1054 Bismark, ND 58502	$20	Name Check Written Consent Req'd COMM: 701-221-6180
State of Ohio Bureau of Criminal Information P.O. Box 365 London, OH 43140	$15	Write or call for form Written Consent Req'd Fingerprints Req'd COMM: 614-852-2556
State of Oklahoma Oklahoma Law Enforcement Criminal History Information ATTN: Criminal History P.O. Box 11497 Oklahoma City, OK 73136	$10	Write or call for form Name Check COMM: 405-848-6724
State of Oregon Criminal ID, State Police 155 Cottage Street, NE Salem, OR 97310	$10	Name Check COMM: 503-378-3070
State of Pennsylvania Records and ID Division Pennsylvania State Police, Dept. HQ 1800 Elmerton Avenue Harrisburg, PA 17110	$10	Write or call for form Name Check COMM: 717-783-5592

8-5

State of Rhode Island Rhode Island State Police P.O. Box 185 North Scituate, RI 02857	No Fee	Name Check Written Consent Req's COMM: 401-647-3311
State of South Carolina State Law Enforcement Division ATTN: Criminal Records Post Office Box 21398 Columbia, SC 29221-1398	$10	Name Check COMM: 803-737-4205 DSN: 734-1110
State of South Dakota Division of Criminal Investigation Attorney General's Office East Highway 34 Pierre, SD 57501-5070	$15	Write or call for form Fingerprints Req'd COMM: 605-773-3331
State of Tennessee Tennessee Crime Information Center Tennessee Bureau of Investigation P.O. Box 100940 Nashville, TN 37210	$23	Write or call for form Fingerprints Req'd COMM: 615-741-3241
State of Texas Texas Crime Records Division Texas Dept. of Public Safety P.O. Box 15999 Austin, TX 78761-5999	$15	Fingerprints Req'd Written Consent Req'd COMM: 512-465-2079
State of Utah Bureau of Criminal Identification Utah Dept. of Public Safety 4501 South 2700 West Salt Lake City, UT 84119	No Fee	Write or call for form Name Check Copy of Law Req'd COMM: 801-965-4571
State of Vermont Vermont Criminal Information Center Dept. of Public Safety P.O. Box 189 Waterbury, VT 05676	No Fee	Name Check Written Consent Req'd Comm: 802-244-8786
Commonwealth of Virginia Virginia Records Management Division Dept. of State Police P.O. Box 850761 Richmond, VA 23261-5076	$10	Write or call for form Name Check COMM: 804-674-2024

Jan 19, 93
1402.5 (Encl 8)

State of Washington Washington State Patrol Identification Section P.O. Box 42633 Olympia, WA 98504-2633	$10	Write or call for form Name Check COMM: 206-753-0230/7272
West Virginia State Police Dept. of Public Safety 725 Jefferson Road South Charleston, WV 25309	$5	Write or call for form Name Check COMM: 304-746-2180
State of Wisconsin Crime Information Bureau Dept. of Justice ATTN: Records Data Unit P.O. Box 2718 Madison, WI 53701-2718	$2	Write or call for form Name Check COMM: 608-266-7314
State of Wyoming Division of Criminal Investigation 316 West 22nd Street Cheyenne, WY 82002	$15	Write or call for form Fingerprints Req'd Written Consent Req'd COMM: 307-777-7181