

Criminal Background Check Policy	Policy # 35
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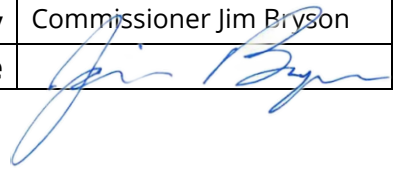
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	Signature	

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A. Purpose

The Department of Finance and Administration (F&A) performs a variety of functions. The type of criminal background check required for each candidate, employee, and staffing augmentation contractor depends on the individual position and applicable federal law, state law, and grant conditions.

B. Scope

F&A's Office of People and Development (OPD) conducts all required F&A background checks. This policy does not apply to the Office of Inspector General (OIG). OPD conducts OIG background checks according to OIG's Background Check Policy (F&A Policy No. 40). This policy does not apply to contractors other than staffing augmentation contractors. Background checks for other contractors are governed by the contracts between the F&A Division and the contractor. OPD reviews this policy at least annually for accuracy and compliance.

C. Policy

1. Employee Classifications

F&A positions are either [Sensitive Positions](#) or [Covered Positions](#).

F&A has designated four categories of Covered Positions: [CJIS Covered Positions](#), [FTI Covered Positions](#), [Volunteer Tennessee Covered Position](#), and [Supporting Covered Position](#). OPD shall maintain a list of the four categories of Covered Positions within F&A based on annual reports provided by F&A's division heads.

All F&A positions will receive a name-based background check. Covered Positions require additional background check(s). No candidate, whether seeking employment or transfer into a position, shall be permitted to begin work in an F&A position until the completion of the background check procedure and OPD approval.

Internal transfers within F&A do not require new background checks if OPD is in possession of all documentation of current and relevant background checks for the new position. State employees transferring from outside of F&A must receive applicable background checks as new hires.

Criminal background checks are not limited in scope or time. All checks must include all available data dating as far back as the source can legally provide.

2. Available Background Checks

Name-Based Background Check. A check of Tennessee state criminal records conducted by the TBI.

Local Background Check. A check of local law enforcement agencies where the candidate has lived, worked, and/or attended school within the 5 years prior to the date of the background check conducted by a third-party vendor.

Fingerprint Background Check. A check of federal and state criminal records conducted by the Federal Bureau of Investigation (FBI) through the Tennessee Bureau of Investigation (TBI).

Registry Check. A check of certain registries, including the National Sex Offender Registry.
Federal Grant Conditions may have additional background check requirements. F&A will comply with all grant requirements regarding background checks.

Senior-level Executive Positions within F&A that require hiring approval from the Governor's Office will undergo background checks directed by the Governor's Office and TBI.

TBI Step I, II, or III background checks may be required for certain high security positions.

3. Candidate and Existing Employee Responsibilities

If a candidate refuses to consent to a required background check, the candidate will be deemed ineligible for the position.

F&A employees have an absolute responsibility to report to OPD any misdemeanor or felony conviction that occurs while employed by F&A. OPD will review such information in light of this policy to evaluate its impact upon the continuation of employment. Failure to report a criminal conviction to OPD within 10 days may result in disciplinary action up to and including termination.

4. OPD Responsibilities

A. Job Announcements

1. Job announcements for Covered Positions must include the following statement:

NOTICE

This position requires a criminal background check. Therefore, you may be required to provide information about your criminal history in order to be considered for this position.

2. Job announcements for Sensitive Positions may not mention criminal history background checks and F&A may not inquire about an applicant's criminal history on the initial application form.
3. Inquiries into criminal history may only be made after the initial screening of applications.

B. Notice Requirements

1. Written Consent to a background check: OPD must provide notice of any background check and receive a signed F&A Criminal History Check Consent Form (Attachment A) prior to conducting all background checks.
2. Utilization of a third-party vendor: if a third-party vendor is to conduct any part of any background check, OPD must also provide a copy of the Fair Credit Reporting Act (FCRA) Summary of Rights (Attachment B) to the candidate.
3. Notice Requirements for the rescission of an offer: If a decision to rescind a conditional offer of employment or transfer of a position that has been extended to a candidate, is based, in whole or in part, on a report obtained from a third-party-vendor, OPD must also provide a FCRA Summary of Rights (Attachment B) to the candidate.

C. Confidentiality and Retention

1. Background check documentation is maintained separate from an employee's personnel file. Background check documentation is maintained in accordance with State retention procedures and the FBI CJIS Security Policy if applicable. Background check documentation includes:
 - Copy of the job announcement for Covered Positions, including the statement advising of the background check requirement;
 - Notification and signed consent documents;
 - Statement of rights, if provided;
 - Background check and registry check results; and
 - All letters, documents, and other communications between OPD and the candidate related to background checks.
2. OPD must preserve background check documentation for at least 5 years after the records were generated or after a personnel action was taken in reliance upon the results, whichever is later, regardless of whether the candidate was placed into the relevant F&A position. If an employment-related claim is filed against F&A, OPD must preserve the relevant background check documentation until the case is concluded or 5 years, whichever is longer.
3. After all record retention requirements have been satisfied, OPD shall dispose of all background check records in a secure manner which meets industry standards for the destruction of confidential and/or sensitive information. This may include shredding, burning, or pulverizing, or permanently destroying electronic records, which are all considered reasonable measures of disposal.

D. Disclosure

1. Although OPD shall disclose adverse findings to the candidate, the actual criminal history report obtained by F&A is confidential and shall not be disclosed unless required by federal or state law. Divisional management will only be provided with the employee's determination letter.
2. Any unauthorized disclosure (intentional or unintentional) of a criminal history shall be reported to OPD immediately. Persons who release or use this information without proper authorization may be subject to disciplinary action up to and including termination.

D. Procedures

1. Procedure for F&A Employees in Sensitive Positions

A. Background check performed

After a conditional offer of employment or transfer of a position has been extended to a candidate for a Sensitive position within F&A, OPD will obtain written consent from the candidate and conduct a Name-Based Background Check.

B. Evaluation of background check results

If a background check reveals [Relevant Criminal History](#), OPD shall generate a letter including the background check findings to the candidate. OPD may take into consideration an active pending criminal charge which, if convicted, would impact the candidate's ability to perform the duties of the position.

C. Opportunity for Candidate Response

Candidates have 5 calendar days from receipt of OPD's letter of finding to:

1. Verify that the information is correct;
2. Dispute the information and provide information to support the dispute;
3. Provide an explanation and/or documentation about the finding(s) and the applicant's current circumstances to aid in evaluating the background check results; or
4. Withdraw from consideration for the position.

D. Review and Recommendation

OPD reviews all relevant information, including any explanation provided by the candidate, in light of all the following **Position and Candidate Considerations**:

1. The specific duties and responsibilities of the position;
2. The bearing, if any, that a candidate's criminal history may have on the candidate's fitness or ability to perform the duties required by the position;
3. The amount of time that has elapsed since the candidate's conviction or release;
4. The age of the candidate at the time of the commission of each offense;
5. The frequency and seriousness of each offense;
6. The potential for harm to F&A and its customers if the same offense(s) were to recur;
7. Any information produced by the candidate regarding his or her rehabilitation and good conduct since the occurrence of an offense;
8. Any public policy considerations with respect to the benefits of employment for candidates with criminal histories; and
9. Any other factors determined to be relevant by F&A.

OPD recommends a course of action to the Appointing Authority or designee based upon the above-listed considerations. If the decision is made to rescind the conditional offer of employment or transfer of a position, OPD will follow the [Notice Requirements for the Rescission of an Offer](#).

E. Frequency of Checks

Renewals of background checks for Sensitive Positions are not required or permitted.

2. Procedure for F&A Employees in CJIS Covered Positions

A. Background checks performed

After a conditional offer of employment or transfer of a position has been extended to a candidate for a CJIS Covered Position, OPD will obtain consent and conduct the following background checks:

- Name-Based Background Check; and
- Fingerprint Background Check.

B. Evaluation of background check results

- TBI is the sole decisionmaker of whether an individual is granted access to CJIS. TBI will provide OPD with a copy of the federal background check report and a letter with TBI's determination of whether the candidate is permitted to access CJIS. If TBI determines that the candidate will not be provided access to CJIS information under TBI's jurisdiction, OPD shall provide a copy of TBI's letter to the candidate along with the basis of the determination. OPD will not provide a copy of the federal fingerprint results.
- If TBI does not deny the candidate for CJIS access, but a Name-Based Background Check reveals [Relevant Criminal History](#), OPD will evaluate the results under the [Procedure for F&A Employees in Sensitive Positions](#).
- If TBI denies the candidate CJIS access and the background check reveals [Relevant Criminal History](#), OPD shall generate a letter that includes both a statement of the basis of the disqualifying determination, TBI's letter, and the results of the Name-Based Background Check report. OPD will not provide copies of federal fingerprint results.

C. Opportunity for candidate response to background check results

Candidates have 5 calendar days from receipt of OPD's letter stating that TBI has not approved their access to CJIS to:

1. Verify that the information is correct;
2. Dispute the information by providing TBI with documentation to support the basis for the dispute; or
3. Withdraw from consideration for the position.

D. Review and Recommendation

1. OPD reviews all relevant information.
2. OPD recommends a course of action to the Appointing Authority or designee.
3. If the decision is made to rescind the conditional offer of employment or transfer of a position, OPD will follow the [Notice Requirements for the Rescission of an Offer](#).

E. Frequency of Checks

Per TBI, background checks for CJIS Covered Positions must be renewed every 5 years.

3. Procedure for F&A Employees in FTI Covered Positions

A. Background checks performed

After a conditional offer of employment or transfer of a position has been extended to a candidate for an FTI Covered Position, OPD will conduct the following background checks:

- Name-Based Background Check;
- Fingerprint Background Check; and
- Local Background Check.

B. Evaluation of background check results

- OPD will review the background check results to determine whether the candidate will be provided access to FTI. An individual is ineligible for a position with access to FTI if a background check reveals a [Disqualifying Conviction](#).
- If the candidate's background check reveals only a [Disqualifying Conviction](#), OPD shall generate a letter advising the candidate that they may not access or use FTI, including a statement of the basis of the determination. If the relevant finding is based on results from a Name-Based Background Check or Local Background Check, OPD will include a copy of the background check report. OPD will not provide copies of federal fingerprint results, but they will state the relevant findings in their letter.
- If the candidate's background check reveals only [Relevant Criminal History](#), OPD will evaluate the results under the [Procedure for F&A Employees in Sensitive Positions](#).
- If the candidate's background check reveals both a [Disqualifying Conviction](#) and [Relevant Criminal History](#), OPD shall generate a letter that includes both a statement of the basis of the disqualifying determination and the results of the Name-Based and/or Local Background Check report. OPD will not provide copies of federal fingerprint results.

C. Opportunity for candidate response to background check results

Candidates have 5 calendar days from receipt of OPD's letter(s) of finding to:

1. Verify that the information is correct;
2. Dispute any disqualifying conviction by providing OPD with an explanation and documentation;
3. Dispute any relevant criminal history by providing OPD with an explanation and documentation, and information about the candidate's current circumstances to aid in evaluating the results; or
4. Withdraw from consideration for the position.

D. Recommendation and Required Documentation

1. OPD reviews all information.
2. OPD recommends a course of action to the Appointing Authority or designee.
3. If the decision is made to rescind the conditional offer of employment or transfer of a position, OPD will follow the [Notice Requirements for the Rescission of an Offer](#).

E. Frequency of Checks

Per federal regulations, background checks for FTI Covered Positions must be renewed every 5 years.

4. Procedure for F&A Employees in Volunteer Tennessee Covered Positions

A. Background checks performed

After a conditional offer of employment or transfer of a position has been extended to a candidate for a Volunteer Tennessee Covered Position, OPD will get consent from the candidate and conduct the following background checks:

- Name-Based Background Check;
- Fingerprint Background Check;
- Local Background Check; and
- National Sex Offender Registry Check.

B. Evaluation of background check results

- An individual is ineligible for a Volunteer Tennessee Covered Position if the individual has engaged in **Disqualifying Behavior**.
- If the candidate's background check reveals only [Disqualifying Behavior](#), OPD shall generate a letter advising the candidate that they are not qualified for a position with Volunteer Tennessee, including a statement of the basis of the determination. If the relevant finding is based on results from a Name-Based Background Check or Local Background Check, OPD will include a copy of the background check report. OPD will not provide copies of federal fingerprint results, but they will state the relevant findings in their letter.
- If the candidate's background check reveals only [Relevant Criminal History](#), OPD will evaluate the results under the [Procedure for F&A Employees in Sensitive Positions](#).
- If the candidate's background check reveals both [Disqualifying Behavior](#) and [Relevant Criminal History](#), OPD shall generate a letter that includes both a statement of the basis of the disqualifying determination and the results of the Name-Based and/or Local Background Check report. OPD will not provide copies of federal fingerprint results.

C. Opportunity for candidate response to background check results

Candidates have 5 calendar days from receipt of OPD's letter(s) of finding to:

1. Verify that the information is correct;
2. Dispute any Disqualifying Behavior by providing OPD with an explanation and documentation;
3. Dispute any Relevant Criminal History by providing OPD with an explanation and documentation, and information about the candidate's current circumstances to aid in evaluating the results; or
4. Withdraw from consideration for the position.

D. Recommendation and Required Documentation

1. OPD reviews all relevant information.
2. OPD recommends a course of action to the Appointing Authority or designee.
3. If the decision is made to rescind the conditional offer of employment or transfer of a position, OPD will follow the [Notice Requirements for the Rescission of an Offer](#).

E. Frequency of Checks

Renewals of background checks for Volunteer Tennessee Covered Positions are not required or authorized.

5. Procedure for F&A Employees in Supporting Covered Positions

A. Background check(s) performed

When an individual in an F&A position (1) performs work for or accesses data of another State agency and (2) the other State agency requires heightened background checks, OPD performs the background checks that OPD conducts for individuals in F&A positions and, to the extent permissible by state and federal law, the additional background checks as required by the other State agency.

For F&A Employees in Supporting Covered Positions, OPD shall:

1. Follow the F&A background check procedure applicable to the individual's F&A Position ([Sensitive Position](#), [CJIS Covered Position](#), [FTI Covered Position](#), or [Volunteer Tennessee Covered Position](#)); **AND**
2. Follow the most recent background check policy from the other State agency to conduct the additional background checks.

B. Evaluation of background check results

- OPD will review the F&A background check results pursuant to the procedure applicable to the candidate's F&A Position and the other State agency's background check policy.
- For example, if the candidate's background check results for an FTI Covered Position do not reveal a **Disqualifying Conviction** or **Relevant Criminal History**, but the results reveal some criminal history or behavior that could disqualify the candidate for the position based upon the other State agency's background check policy, then OPD will follow the most recent background check policy procedure from the other State agency to determine whether the candidate may be hired or permitted to transfer into the position.

C. Frequency of Checks

Renewals of background checks for F&A Employees in Supporting Covered Positions may only be required or permitted as provided for by the F&A background check procedure applicable to the individual's F&A Position and the most recent background check policy from the other State agency.

6. Procedure for F&A Staffing Augmentation Contractors and Vendors

OPD only conducts background checks for contractors when required by law.

A. Covered Positions

- OPD shall conduct specific background checks on staff augmentation contractors performing duties of Covered Positions as required by law.
- Employers of staffing placement contractors shall conduct a Name-Based Background Check on staff augmentation contractors performing duties of Covered Positions. The employers of those staffing placement contractors bear responsibility for the Name-Based Background Check procedure for their employees based upon direction of the applicable F&A Division and applicable terms of the agreement between the contracting agency and the F&A Division
- No staff augmentation contractor may be placed in a Covered Position before successfully passing the position's required background checks and receiving OPD approval.
- OPD must provide notice and receive signed consent prior to running a background check on a staff augmentation contractor (Attachment C).
- If a staffing contractor's background check results in a disqualifying or adverse finding, OPD shall notify the contractor's employer and/or the State's contracted Managed Service Provider that the candidate is not acceptable and request that a new candidate be provided. OPD shall not share specific background check findings with contractors or their employers.

B. Sensitive Positions

- OPD **does not** conduct background checks for contractors and subcontractors performing duties of Sensitive Positions, whether through staff augmentation or a project-based contract.
- The employers of those staffing placement contractors bear responsibility for the background check procedure for their employees based upon direction of the applicable F&A Division and applicable terms of the agreement between the contracting agency and the F&A Division.

C. OPD **does not** conduct background checks for employees, contractors, or subcontractors of F&A vendors. Vendor background check requirements and procedures are governed by the terms of the contract between F&A and the vendor.

E. Definitions

1. CJIS Covered Position: An individual in a Strategic Technology Solutions Division (STS) position with access to the Criminal Justice Information System (CJIS).
2. Covered Position: a position within F&A which requires a background check under federal law or for which the commission of an offense is a disqualifying event under federal or state law.
3. Disqualifying Behavior:
 - a. Making a false statement in connection with a criminal history check;
 - b. Being registered or requiring to be registered on a sex offender registry; or
 - c. Having been convicted of murder.
4. Disqualifying Conviction:
 - a. A felony conviction involving a crime of dishonesty or fraud, including but not limited to: theft, money laundering, tax evasion, identity theft, counterfeiting, bribery, embezzlement, forgery, receiving stolen property, or robbery; or
 - b. A misdemeanor conviction of a crime equivalent to any crime listed above within the past 5 years; or
 - c. More than one misdemeanor conviction of a crime equivalent to any crime listed above within the past 10 years.
5. FTI Covered Position: a position within F&A access to Federal Tax Information (FTI).
6. Relevant Criminal History: a criminal history involving convictions of felonies, misdemeanors involving dishonesty or violence, or persistent substance abuse or other matters which would negatively impact the candidate's ability to perform the position in a capable and trustworthy manner.
7. Sensitive Position: any position within F&A that is not a Covered Position.
8. Supporting Covered Position: a position within F&A that (1) performs work for or accesses data of another State agency and (2) who is subject to that State agency's background check policy (e.g., by agreement with the Department of Children's Services (DCS), individuals in F&A positions that support DCS and have access to sensitive information about children must successfully pass a Fingerprint Background Check, a Local Background Check, and certain Registries Checks as required by DCS's policy).
9. Volunteer Tennessee Covered Position: An individual employed by Volunteer Tennessee who is subject to the National Service Criminal History Check.

ATTACHMENT A - Employee Disclosure

AUTHORIZATION TO OBTAIN A CONSUMER REPORT / CRIMINAL BACKGROUND CHECK

Pursuant to the federal Fair Credit Reporting Act, the State of Tennessee may obtain a consumer report from a consumer reporting agency for employment purposes, including employment, promotion, reassignment, or retention as an employee. The consumer report will include criminal history, including records from any criminal justice agency in any or all federal, state, or county jurisdictions; traffic citations; and any other public records.

No credit information will be sought or considered in connection with this process.

In the event that information from a criminal background check obtained about you is used in whole or in part in making an adverse employment decision, you will be provided with a determination letter from the Department of Finance & Administration and an opportunity to respond within 5 calendar days after receipt as provided in F&A's Criminal Background Check Policy.

State of Tennessee officials receiving the results of background checks will use the results solely for authorized purposes and will not retain or disseminate it in violation of any state or federal law.

Your signature below acknowledges that the State of Tennessee Department of Finance and Administration has informed you of the above facts in connection with a pre-employment consumer report/criminal background check and that you consent to the check.

Signature

Date

ATTACHMENT B

A SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT

Consumer Financial Protection Bureau, 1700 G Street NW., Washington, DC 20552.

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under FCRA. **For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment - or to take another adverse action against you - must tell you, and must give you the name, address, and phone number of the agency that provided the information.

F & A uses the following vendor for Local Background Checks:

Backgrounds Online
1915 21st Street
Sacramento, CA 95811
1-800-838-4804 or support@backgroundsonline.com

- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
 - a person has taken adverse action against you because of information in your credit report;
 - you are the victim of identity theft and place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;
 - you are on public assistance;
 - you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.consumerfinance.gov/learnmore for additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See

www.consumerfinance.gov/learnmore for an explanation of dispute procedures.

- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete, or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need - usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.consumerfinance.gov/learnmore.
- **You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.** Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt out with the nationwide credit bureaus at 1-888-5-0PTOUT (1-888-567-8688).
- The following FCRA right applies with respect to nationwide consumer reporting agencies:

CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY FREEZE

You have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account that requests information in your credit report for the purposes of reviewing or collecting the account.

Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit www.consumerfinance.gov/learnmore.

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:

TYPE OF BUSINESS:	CONTACT:
1. a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:	a. Consumer Financial Protection Bureau 1700 G Street, N.W., Washington, DC 20552 b. Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue, N.W., Washington, DC 20580 (877) 382-4357
2. To the extent not included in item 1 above: a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and Insured State Branches of Foreign Banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act. c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations d. Federal Credit Unions	a. Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050 b. Federal Reserve Consumer Help Center P.O. Box 1200 Minneapolis, MN 55480 c. FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106 d. National Credit Union Administration Office of Consumer Financial Protection (OCFP) Division of Consumer Compliance Policy and Outreach 1775 Duke Street Alexandria, VA 22314

3. Air carriers	Asst. General Counsel for Aviation Enforcement & Proceedings Aviation Consumer Protection Division Department of Transportation 1200 New Jersey Avenue, S.E. Washington, DC 20590
4. Creditors Subject to the Surface Transportation Board	Office of Proceedings, Surface Transportation Board Department of Transportation 395 E Street, S.W. Washington, DC 20423
5. Creditors Subject to the Packers and Stockyards Act, 1921	Nearest Packers and Stockyards Administration area supervisor
6. Small Business Investment Companies	Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street, S.W., Suite 8200 Washington, DC 20416
7. Brokers and Dealers	Securities and Exchange Commission 100 F Street, N.E. Washington, DC 20549
8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations	Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090
9. Retailers, Finance Companies, and All Other Creditors Not Listed Above	Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue, N.W. Washington, DC 20580 (877) 382-4357

ATTACHMENT C – Contractors

AUTHORIZATION TO OBTAIN A CONSUMER REPORT / CRIMINAL BACKGROUND CHECK
FOR ACCESS TO STATE DATA

Pursuant to the federal Fair Credit Reporting Act, the State of Tennessee may obtain a consumer report from a consumer reporting agency with your written instruction and consent. The consumer report will include criminal history, including records from any criminal justice agency in any or all federal, state, or county jurisdictions; traffic citations; and any other public records.

No credit information will be sought or considered in connection with this process.

In the event that the Department of Finance & Administration determines that information in your background check renders you unable to perform contractor duties, the Department will provide your employer with a letter explaining that you are not a suitable fit for the staffing position.

State of Tennessee officials receiving the results of background checks will use the results solely for authorized purposes and will not retain or disseminate it in violation of any state or federal law.

Your signature below acknowledges your written instruction and consent for the State of Tennessee Department of Finance and Administration to obtain a consumer report/criminal background check.

Signature

Date