

**JON C. PORTER**  
3RD DISTRICT, NEVADA

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EDUCATION AND THE WORKFORCE  
COMMITTEE ON  
GOVERNMENT REFORM  
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**Congress of the United States**  
**House of Representatives**

August 3, 2005

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Deputy Assistant Attorney General Richard Hertling  
Office of Legal Policy  
4234 Robert F. Kennedy Building  
950 Pennsylvania Ave., NW  
Washington, DC 20530

RE: Docket No. 100

Dear Assistant Attorney General Hertling:

I wish to provide comment on the report soon to be published by the Department of Justice in regard to Criminal History Background Checks. This report is of particular concern to me relating to those individuals who seek employment as teachers and other school employees who come in frequent and close contact with our children.

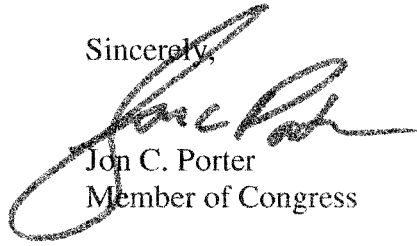
In both the 108<sup>th</sup> and 109<sup>th</sup> Congresses, I have introduced legislation targeted at improving the ability and desire of schools to perform background checks on individuals seeking employment from across state lines. While many school districts are able to access this vitally important information, some of the information is incomplete and untimely because of the inability of the majority of states to join the National Crime Prevention and Privacy Compact.

I ask that, as you complete your report, you pay particular attention to the ability of local education agencies and state education agencies to access this information in the hiring of individuals who will necessarily play significant roles in the daily lives of our children.

By reporting on the comprehension of criminal record history checks for prospective teachers, as outlined by the Intelligence Reform and Terrorism Prevention Act of 2004, the Department of Justice can accurately lead Congress to provide State and local education officials with the appropriate knowledge needed to ensure the safety of our children from the unfortunate few who would abuse their power and close proximity to students.

Thank you, in advance, for your consideration of this matter. Should I be able to provide any further assistance or information, please feel free to contact me, or Ryan Temme of my staff at 202-225-3252.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon C. Porter", written over the word "Sincerely,".

Jon C. Porter  
Member of Congress

JCP/rt