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**APPLICATION OF BACKGROUND CHECK DURING THE PUBLIC HEALTH EMERGENCY
 (Purpose Code X Waiver)**

As a result of the Coronavirus pandemic, and the declaration of a Public Health Emergency, Arkansas has been approved by the Compact Council (established pursuant to the National Crime Prevention and Privacy Compact Act of 1998) to temporarily use a name based check with respect to submission of fingerprints for certain background checks. This applies to “limited critical” positions defined by the state and allows for delayed fingerprint submission when an III (Interstate Identification Index) name-based check is performed. Should the state’s emergency declaration last longer than 180-calendar days from the date the Council approved the use of a name based check (April 7, 2020), the state may request an extension by submitting a request to the FBI Compact Officer.

Requirements of the Licensing Entity:

Pursuant to the Privacy Act of 1974 (Title 5, United States Code, Section 552a), the individual must be provided with an adequate written FBI Privacy Act statement when he/she provides the required personal information to perform the Interstate Identification Index (III) System name-based check. In addition, the individual must be informed in writing of his/her rights pursuant to 28 CFR 50.12, including the right to access and amend his/her criminal history records. Also, the licensing entity must advise the individual that fingerprints are required to be submitted even if the individual is no longer employed or licensed.

Requirements of the Applicant:

The applicant listed below is required to be fingerprinted as soon as possible, but not later than 180-calendar days from the date of the preliminary III name-based check, or 90-calendar days from the expiration of the state’s emergency declaration, whichever occurs sooner. Once the fingerprints are obtained, they must be immediately submitted to the state repository which will either positively identify the fingerprinted subject or will forward the fingerprints to the FBI.

Should an individual refuse or fail to submit the follow-up fingerprints in the time frame specified in the above statement, the individual will no longer be permitted to hold the position for which the preliminary III name-based check was conducted. Should this occur, the licensing entity must abide by the Compact Council’s policy guidance for use of the Rule, as appropriate.

 Name of applicant

 Date

 Signature of applicant

 Name of licensing entity

ASP Only: Date of the III check. _____