

Transportation Worker Identification Credential (TWIC)

Program Overview

March 2007



Transportation
Security
Administration

*U.S. Department of
Homeland Security*
**United States
Coast Guard**



Highlights of Presentation

- TWIC Rulemaking Status
- Enrollment Process
- TWIC Fees
- Security Threat Assessment
- Disqualifying Offenses
- Program Plans for Moving Forward



TWIC Rulemaking Status

- In response to comments received on the joint TSA/CG Notice of Proposed Rule Making (NPRM) published 22 May 2006, we divided the TWIC program into two separate regulatory projects.
- The TWIC Final rule was posted on the TSA and Coast Guard web sites 1 January 2007 and published in the Federal Register 25 January 2007.
- The Effective date of the rule is March 26, 2007.
- The requirement to purchase and use TWIC readers will be addressed in a second rulemaking.
 - Published NMSAC recommendations in the FR 3/16/07
 - 15 day comment period
 - Reader NPRM will likely occur in the first part of 2008 after field testing, public comment period and public meetings
- The public will have ample opportunity to comment on the technology and access procedures we propose in the second rulemaking.



Enrollment Process

Pre-enrollment

- Web-based
- Recommended, but not mandatory
- Will reduce time at enrollment center if completed beforehand

Enrollment

- Will have enrollment centers located throughout the country during the enrollment period (finalized after vendor selection)
- At the enrollment center the applicant provides biographic information and identity verification documents
- A ten-fingerprint scan and digital photo are taken
- All information is encrypted and transmitted to the central TWIC system for processing



Enrollment Process (continued)

Security Threat Assessment (STA)

- Conducted by TSA
- Upon successful completion of the STA the TWIC is personalized by the centralized card production facility and shipped to the applicant's enrollment center

- Applicant will be notified when the credential is ready to be picked up

OR

- Applicant will be notified if he/she may be disqualified and of his/her appeal and waiver rights

Credential Pick-Up

- Applicant returns to enrollment center to claim credential for use at MTSA regulated vessels, facilities, and OCS facilities



TWIC Fees: (Note: Fees will be posted in a subsequent Federal Register notice)

<u>TWIC Enrollment Category</u>	<u>Fee Level</u>
Standard TWIC Enrollment	\$137.25
Hazmat/Mariner/FAST TWIC Enrollment	\$105.25 ¹
Lost/Damaged Card Replacement	\$36 ²

- TWIC user fees must fully offset program costs
- Standard user fee charged to applicant will cover:
 - Enrollment
 - Threat assessment and adjudication, including appeals and waivers
 - Card production
 - TSA program and systems costs

¹ Does not include FBI's Criminal History Records Check (CHRC) and TSA's related adjudication costs

² Does not include FBI's CHRC, TSA's threat assessment, and estimated enrollment costs; This fee may increase to \$60 and public comment is requested in Final Rule



TWIC Security Threat Assessment

- Criminal History Records Check
 - Fingerprint and Name / Biographic-Based
 - Permanent Disqualifying Offenses
 - Interim Disqualifying Offenses
- Legal status
 - U.S. citizen or National
 - Lawful permanent resident
 - Refugees, asylees, and certain others with restricted & unrestricted employment authorization
- Intelligence/Terrorism Check



Disqualifying Offenses (as per Final Rule)

(a) Permanent disqualifying criminal offenses -- Unlimited look back

- (1) Espionage or conspiracy to commit espionage
- (2) Sedition or conspiracy to commit sedition
- (3) Treason or conspiracy to commit treason
- (4) A federal crime of terrorism
- (5) A crime involving a TSI (transportation security incident). Note: A transportation security incident is a security incident resulting in a significant loss of life, environmental damage, transportation system disruption, or economic disruption in a particular area. The term “economic disruption” does not include a work stoppage or other employee-related action not related to terrorism and resulting from an employer-employee dispute.
- (6) Improper transportation of a hazardous material under 49 U.S.C. 5124 or a comparable state law
- (7) Unlawful possession, use, sale, distribution, manufacture, purchase...or dealing in an explosive or explosive device
- (8) Murder
- (9) Threat or maliciously conveying false information knowing the same to be false, concerning the deliverance, placement, or detonation of an explosive or other lethal device in or against a place of public use, a state or government facility, a public transportation system, or an infrastructure facility
- (10) Certain RICO (Racketeer influenced and Corrupt Organizations) Act violations where one of the predicate acts consists of one of the permanently disqualifying crimes
- (11) Attempt to commit the crimes in items (a)(1)-(a)(4)
- (12) Conspiracy or attempt to commit the crimes in items (a)(5)-(a)(10)



Disqualifying Offenses (cont.)

(b) Interim disqualifying criminal offenses -- Conviction within 7 years, or release from incarceration within 5 years of application, includes wants & warrants associated with crimes

- (1) Unlawful possession, use, sale, manufacture, purchase, distribution...or dealing in a firearm or other weapon
- (2) Extortion
- (3) Dishonesty, fraud, or misrepresentation, including identity fraud and money laundering (except welfare fraud and passing bad checks)
- (4) Bribery
- (5) Smuggling
- (6) Immigration violations
- (7) Distribution, possession w/ intent to distribute, or importation of a controlled substance
- (8) Arson
- (9) Kidnapping or hostage taking
- (10) Rape or aggravated sexual abuse
- (11) Assault with intent to kill
- (12) Robbery
- (13) Fraudulent entry into a seaport
- (14) Lesser violations of the RICO (Racketeer Influenced and Corrupt Organizations) Act
- (15) Conspiracy or attempt to commit crimes in this paragraph (b)



Program Plans for Moving Forward

- Lockheed Martin awarded the contract to operate and maintain the TWIC system and provide enrollment services.
- Rollout goal: issue credentials to all maritime workers and merchant mariners requiring unescorted access within 15 months of initial enrollments.
- Work with various federal organizations and private industry to finalize specifications for a contactless biometric TWIC reader.
- Conduct pilot test of TWIC contactless biometric readers and credential validation processes.
 - Working with the Ports of Los Angeles and Long Beach to finalize MOU
 - Identifying other opportunities after grant submissions have been submitted (3/6/07) and reviewed.

