Transportation Worker Identification Credential (TWIC)

Program Overview

March 2007
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)

<table>
<thead>
<tr>
<th>TWIC Enrollment Category</th>
<th>Fee Level</th>
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</thead>
<tbody>
<tr>
<td>Standard TWIC Enrollment</td>
<td>$137.25</td>
</tr>
<tr>
<td>Hazmat/Mariner/FAST TWIC Enrollment</td>
<td>$105.25¹</td>
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<tr>
<td>Lost/Damaged Card Replacement</td>
<td>$36²</td>
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</tbody>
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- 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.