

# Transportation Worker Identification Credential TWIC

Frequently asked questions and answers regarding the TWIC implementation in the maritime sector derived from the Notice of Proposed Rule Making (NPRM).

**Q: Who must have TWIC?**

A: Employees, long-term contractors, vendors, and crewmembers that need unescorted access at facilities and/or on board vessels that are required to have a security plan in accordance with the Maritime Transportation Security Act of 2002 (MTSA)

A: Passengers on board MTSA regulated passenger vessels do not need a TWIC; however, passenger vessels will have to designate passenger access areas in the vessel's security plan.

A: Members of the Area Maritime Security Committee (AMSC) unless the Federal Maritime Security Coordinator (FMSC) determines that they have had a background check that is comparable to that of a TWIC.

**Q: Why do AMSC members need to have a TWIC?**

A: In order to have access to Sensitive Security Information (SSI). Federal law enforcement officials, public safety officials, and USCG personnel do not have to have a TWIC.

**Q: Why must those individuals that hold a valid USCG issued Merchant Mariners Document (MMD) and/or a USCG issued license have to obtain a TWIC?**

A: Only the MMD is an identity document and none of the mariner credentials contains the biometric information required under the MTSA.

**Q: Do Federal law enforcement officials, public safety officials, and Coast Guard personnel need a TWIC?**

A: No; however, a Federal Identification Credential with the same TWIC biometric technology will be developed in the near future.

**Q: Can non-MTSA regulated facilities and vessels participate in the TWIC program?**

A: The TSA and USCG are considering a voluntary TWIC option.

**Q: When will the TWIC be available?**

A: The TSA would like to start the TWIC enrollment process in late 2006.

**Q: Where can individuals obtain a TWIC?**

A: TSA will have TWIC Enrollment Centers located throughout the United States. The locations have not been determined. There will be over 120 enrollment centers located in 38 states. There will also be mobile TWIC enrollment centers during the initial roll-out phase.

**Q: How do you apply for a TWIC?**

A: An applicant can pre-enroll on-line and schedule an appointment at a TWIC enrollment center. Pre-enrollment and appointments are not required. The TSA-TWIC Web site will list the documents that the applicant must bring to the enrollment center.

A: At the enrollment center, the applicant's identity will be verified, confirm that the information provided on the application is correct, provide biometrics, and sign the enrollment documents.

**Q: What is biometrics?**

A: The TWIC will store the applicant's fingerprints and photograph.

**Q: Is there a fee for the TWIC?**

A: Yes.

1. Those individuals who hold a state issued CDL with a HME issued after 5/30/2003 and those who hold a USCG issued MMD issued after 2/3/2003 or a USCG Merchant Marine License (MML) after 2/13/2006: \$105.00
2. All others: \$139.00
3. There are also renewal fees and,
4. Replacement fees for lost, damaged, and stolen TWICs.

Individuals noted above who hold a CDL with HME, MMD, and/or MML have already had a criminal background check thus their fee has been reduce accordingly.

Fees are not refundable should an applicant fail to qualify for a TWIC.

**Q: Will the TWIC be issued the same day?**

A: No. The enrollment center will send the applicant's biographic and biometric data to TSA for processing. It is estimated that it will take 30 days for the TWIC to be processed. The applicant will be notified when the TWIC is ready to be picked up at the enrollment center.

**Q: What type of processing is the TSA going to conduct?**

A: The process is called a Threat Assessment. TSA will review relevant criminal history, immigration status, and other watch lists and data bases that the TSA believes appropriate to make an informed security assessment.

**Q: Why can't the TWIC be mailed/delivered to my home or business address?**

A: The applicant must return to the enrollment center in order to activate the TWIC and select a personal identification number (PIN). The TWIC will store the PIN.

**Q: Can someone be disqualified from receiving a TWIC?**

A: Yes. The same standards that apply to a commercial driver's license with a hazardous material endorsement will apply to the TWIC.

Examples of Permanent Disqualifying Criminal Offenses

- Espionage
- Sedition
- Treason
- A crime involving a Transportation Security Incident (TSI).
- Improper transportation of a hazardous material
- Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transportation, import, export, storage or, or dealing in an explosive or explosive device.
- Murder
- Violations of the RICO Act
- Conspiracy or attempt to commit the above noted crimes.

The TWIC applicant has been convicted within the preceding 7-year period of a felony or found not guilty by reason of insanity.

The TWIC applicant has been released from incarceration within the preceding 5- year period for committing a felony.

### Examples of Interim Disqualifying Criminal Offenses

- Assault with intent to murder
- Kidnapping or hostage taking
- Rape or aggravated sexual abuse
- Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transportation, import, export, storage or, or dealing in a firearm or other weapon.
- Extortion
- Dishonesty, fraud, or misrepresentation, including identity fraud
- Bribery
- Smuggling
- Immigration violations
- Violations of the RICO Act.
- Robbery
- Arson
- Distribution of, possession with intent to distribute, or importation of a controlled substance
- Conspiracy or attempt to commit the above noted crimes.

The TWIC applicant may be denied admission to the United States or removed from the United States under the Immigration and Nationality Act.

The TWIC applicant otherwise poses a terrorism security risk to the United States.

**Q: Is there an appeal and/or waiver request process?**

A: Yes.

**Q: Will the maritime sector employer be notified if an employee fails to qualify for a TWIC?**

A: Yes the employer will be notified. The Coast Guard Captain of the Port (COTP) will also be notified.

**Q: How long will the TWIC be valid?**

A: The TWIC will be valid for 5 years provided it hasn't been revoked or invalidated. The TSA will not send the TWIC holder a renewal notice. Mariners may initiate a TWIC renewal 180 days prior to expiration. A new TWIC is issued upon renewal.

**Q: What about lost, damaged, or stolen TWICs?**

A: The TWIC Call Center must be contacted as soon as the TWIC holder is aware that the TWIC is lost, damaged, or stolen in order to invalidate the TWIC. To obtain a replacement TWIC, the individual must travel to a TWIC enrollment center. There will be a replacement fee.

**Q: Can a TWIC be revoked?**

A: Yes. The TSA will revoke a TWIC if disqualifying information is discovered or reported. The TSA will inform the USCG if the TWIC holder also holds a MMD and/or a MML.

**Q: Can the holder of a valid TWIC enter and/or board any MTSA regulated facility or vessel?**

A: No. The TWIC is not intended to constitute an automatic access right. The owner/operator continues to have the ultimate authority as to access control decisions. The TWIC holder must have a need for access in accordance with the approved security plan

**Q: How will a FSO, CSO, or VSO know if a TWIC is still valid?**

A: The TWIC can be verified by using a TWIC reader and/or down-loading from TSA's secured Web site a listing of invalid TWICs.

**Q: How much does a TWIC reader cost?**

A: The cost of a reader, software, and installation ranges from \$3200 to \$4700.

**Q: How many TWIC readers will my facility / vessel need and where do they have to be located?**

A: MTSA Regulations are performance-based in lieu of traditional standards-based regulations; therefore, the number and location of the TWIC readers will be determined by the FSP and VSP.

**Q: When do MTSA regulated facilities and vessels have to comply with the TWIC program?**

A: Facilities and vessels have 6 months from the date that the final rule is published to submit a TWIC addendum to the Captain of the Port for facilities and the Marine Safety Center for vessels.

A: Facilities and vessels would be required to be operating according to the addendum between 12 and 18 months following the date that the final rule is published, depending on whether enrollment for the port in which they are located at/ operate in has been completed.

**Note:** Facility and vessel owner / operators are encouraged to submit the TWIC Addendum via CG Homeport: <http://homeport.uscg.mil>

**Q: What part(s) of the FSP and VSP will be most affected by the TWIC requirements?**

A: Security Measures for Access Control  
33 CFR 104.265 - Vessels  
33 CFR 105.255 – Facilities

The TWIC provides for implementing graduated security measures by relying upon the 3 factor authentication process for establishing a person's identity:

1. Something the person has – the TWIC.
2. Something the person knows – the PIN.
3. Something the person is – the fingerprints stored in the TWIC.

Currently, most access control decisions are made relying on a “flash-pass.” Individuals requesting entry are required to show identification that conforms to 33 CFR 101.515, which currently encompasses a broad spectrum of credentials including driver's licenses from all 50 states. Many of these credentials are easily altered or counterfeited and the sheer diversity of appearance hampers security personnel's ability to recognize an altered or counterfeit credential when it is presented.

Even when the TWIC is used as a flash pass it provides greater reliability than the existing system because it presented a uniform appearance.

Merely examining the TWIC will not indicate whether the TWIC is still valid. Furthermore, comparing the individual to the photo requires focused examination that is likely to suffer when security personnel are distracted during particular busy periods. This is the time that an authorized individual is most likely to attempt entry, and is most likely to breach a system that relies solely on the flash pass.

Relying solely on the flash pass system is unreasonable in light of the additional cost of the TWIC and TWIC readers and the security enhancements that the increased cost represents.

The USCG has drafted a TWIC / MARSEC Level matrix for vessels and facilities. The matrix is based on the 3 MARSEC Levels. The current MARSEC Level will dictate how the TWIC will be used for access control.

1. MARSEC Level 1 - ensure that the validity of the TWIC is verified against the latest information available from the TSA on a weekly basis.
2. MARSEC Level 2 - ensure that the validity of the TWIC is verified against the latest information available from the TSA on a daily basis.
3. MARSEC Level 3 - all personnel seeking unescorted access would be required to verify their identity biometrically and using their TWIC PIN at each entry.

Facilities and vessels need to have a TWIC back-up procedure in the security plan in the event the TWIC and/or TWIC reader malfunctions.

**Q: Will facility and vessel personnel be required to display or have the TWIC in their possession at all times?**

A: No. Anyone granted unescorted access is expected to produce his/her TWIC for inspection if so required by a competent authority. Mariners will have to take their TWIC them when they leave the vessel in order to gain unescorted access through the facility.

**Q: Can a facility and vessel use the TWIC to replace its current badging system?**

A: Yes, but it is not mandatory. If the security officer wants to replace the current badging system with the TWIC, the system should include a means for identifying non-TWIC holders. If the security officer wants to use a separate badging system, it must be coordinated with the TWIC requirements such that notification to the owner / operator of changes in the individual's TWIC status are also reflected in the separate badging system.

**Q: How will the TWIC requirements affect my security personnel training and qualification requirements?**

A: The CSO, VSO, and FSO and all other personnel with security duties must obtain a TWIC. Personnel with security duties should be familiar with the TWIC's security features and the operation of the TWIC reader. All other personnel should be familiar with the topography of the TWIC in order to recognize an altered or counterfeit TWIC as well as the steps to take should their own TWIC become lost or stolen.

**Q: Are there any additional recordkeeping requirement associated with the TWIC?**

A: Vessel owner / operators need to maintain records for 2 years of all persons who are granted access including when they disembark the vessel. The requirement does not distinguish between those who were granted unescorted access because they carried a TWIC. The permanently attached crew or other employees, the owner / operator would be required to record the span over which the individual's access privileges endured. For individuals who were granted escorted access, the owner / operator would be required to record each date that the individual is escorted and the identity of the escort.

A: Facility owner / operators need to maintain records for 2 years of all persons who are granted access to the facility. The requirement does not distinguish between those who were granted unescorted access because they carried a TWIC. For individuals who were granted escorted access, the owner / operator would be required to record each date that the individual is escorted and the identity of the escort.

**Q: Why do facilities and vessels have to maintain records of individuals entering facilities and boarding / disembarking vessels?**

A: The Coast Guard wants a record of all individuals who had access for the past 2 years in the event of a security incident.

**Q: Where can I obtain additional TWIC information?**

A: On-line at CG Homeport: <http://homeport.uscg.mil>

A: On-line at the MTSA-ISPS Help Desk: <http://www.uscg.mil/hq/g-m/mp/mtsa.shtml>