

# *TWIC - Present and Future Issues & Concerns*

# TWIC Implementation Schedule

## Port Security Act of 2006

- Top 10 U.S. ports by July 1, 2007
- Next 40 priority ports by Jan. 1, 2008
- All other ports no later than Jan. 1, 2009



Aligning Technology with Business

# Facility Compliance Dates

- Waterfront Facilities - TBD  
(90 day advance notice in Federal Register)
- OCS Facilities & U.S. Vessels April 15, 2009
  - COTP



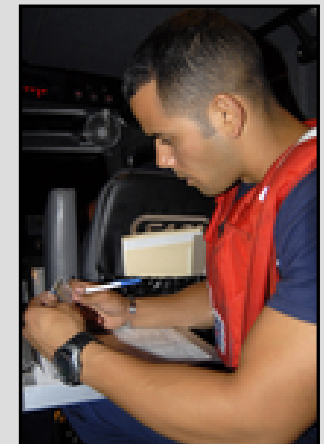
# Transportation Port Worker Interim Screening Program

## Requirements

- ◆ Waterfront facility operators must provide names & DOBs of employees & contractors to TSA.
- ◆ Applies to employees & contractors working or visiting facility over 90 days in calendar year.
- ◆ Information checked against Terrorist Watch List & Immigration List



## *Program still in effect?*



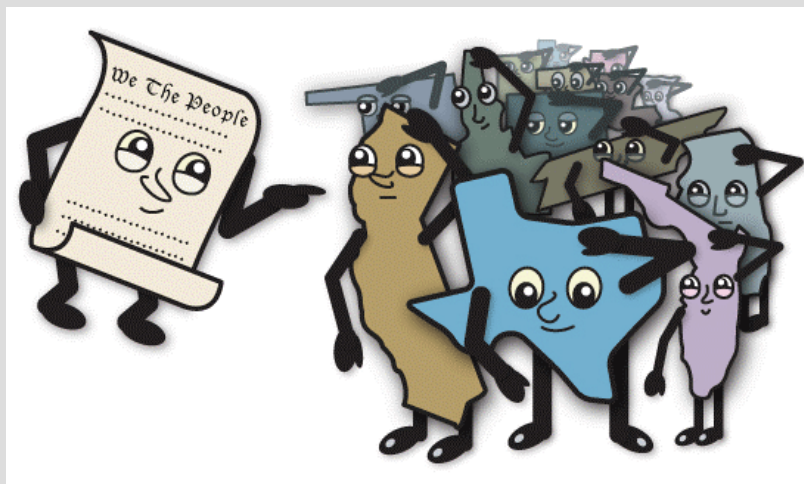
# TWIC Impacted Population

- ◆ 3,500 MTSA-regulated facilities
- ◆ 10,800 MTSA-regulated vessels
- ◆ 750,000 – TWIC card holders (est.)
  - ◆ Employees
  - ◆ Contractors
  - ◆ Vendors
  - ◆ Truck Drivers
  - ◆ Train Crews
  - ◆ Merchant Mariners



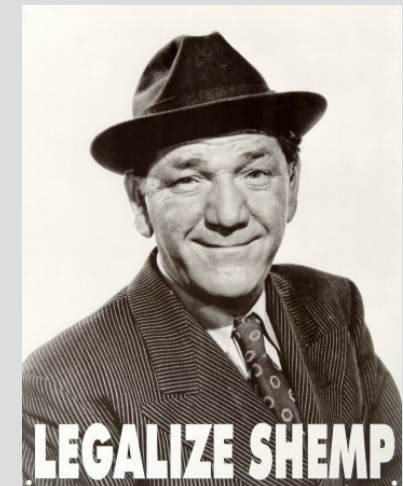
# TWIC Enrollment/Activation (7/17/2008)

◆ Pre-Enrollments	445,825
◆ Enrollments	391,269
◆ Cards Printed (Jan. 22)	340,956
◆ Cards Activated	205,124
◆ Average Enrollment Time	9.07 minutes
◆ Enrollment Centers Open (March 13th)	142
◆ Enrollment Centers Announced in Federal Register	145



# TWIC Security Assessments

◆ Initial Disqualification Letters	8,754
◆ Appeals Requested	4,337
◆ Appeals Granted	3,076
◆ Waivers Requested	679
◆ Waivers Granted	448
◆ ALJ Hearings Requested	0 (1)
◆ ALJ Hearings Granted	N/A
◆ Final Disqualification Letters	21*



\* *Waivers are currently in process.*

# Enrollment “Challenges”

## ◆ Fingerprints

- ◆ Difficulty w/ fingerprint matching & capture on both enrollment & activation
  - ◆ Applicants with large hands)
  - ◆ Applicants with chemical type burns
  - ◆ Applicants with damaged skin from different types of labor
- ◆ No work-around for personnel w/ missing digits
  - ◆ Under study
  - ◆ Average error rate attributed to fingerprinting error – 5.8%

## ◆ Facility Utilization

- ◆ Some enrollment centers not adequately staffed to accommodate demand
  - ◆ Higher than expected enrollment in Gulf Coast
  - ◆ Lower than expected enrollment in East Coast

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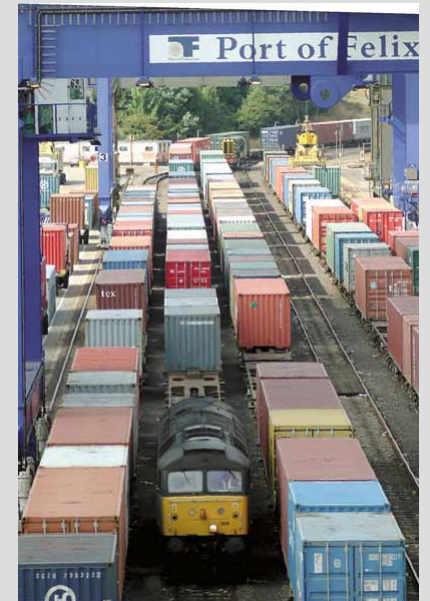
## ◆ Stakeholders Unaware of TWIC Requirements

- ◆ Truckers from inland areas

## ◆ Visas

## ◆ Rail Crews

- ◆ No national guidance for rail crew compliance



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## ◆ Visas

# Re-Designation of Secure Areas

## Applicability

- ➔ Facilities with significant non-maritime transportation “portions”

## Required Secure Areas (Generally)

- ➔ Commercial docks
- ➔ Container yards
- ➔ Storage areas or tank farms (first point of rest)



# Card Readers Pilot Test Program - Highlights

- ◆ Planning underway to conduct pilot tests in minimum of five different locations (Safe Port Act requirement)
- ◆ Variety of vessel & facility types, sizes & operations will be included
  - ◆ LA/Long Beach
  - ◆ Port of New York/New Jersey (potential)
  - ◆ Port of Brownsville, TX (potential)
- ◆ TSA & U.S. Coast Guard are completing Test & Evaluation Master Plan



# Pilot Test Concept

## ◆ Initial Technical Testing

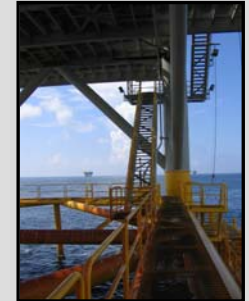
- ◆ Ensure TWIC readers meet technical & environmental specifications

## ◆ Early Operational Assessment

- ◆ Collect baseline data
- ◆ Evaluate reader performance in limited use at select facilities

## ◆ System Test & Evaluation

- ◆ Assess impact of operating facility/vessel IAW with anticipated Coast Guard requirements for biometric verification
- ◆ Evaluate cost of achieving compatibility to comply with anticipated Coast Guard requirements



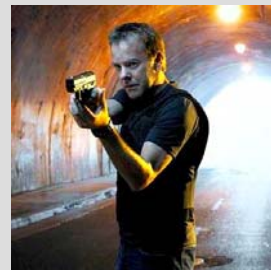
# Recent U.S. Coast Guard Feedback

## First Responders

- ◆ Facilities will not be cited for admitting first responders in an emergency without first verifying their credentials (common sense should prevail during an emergency)

## Possession of TWIC Cards (facilities)

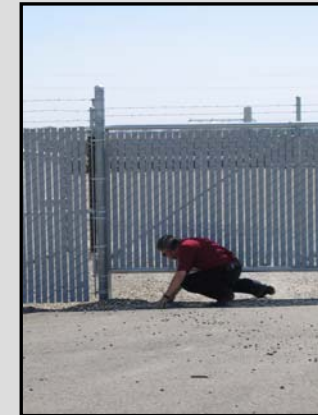
- ◆ Facilities are not permitted to seize an expired, invalid, counterfeit, or false TWIC card for any reason... not even “storage”
  - ◆ Does not count “restricted” visa holders



# Recent U.S. Coast Guard Feedback

## Terrorism Watch List

- ◆ Any person who is on terrorism watch list can enter a regulated site if they are escorted by a TWIC holder



## Security Guards

- ◆ Final Rule does not mandate security guards at unmanned facilities (not Coast Guard's intent)



# Recent U.S. Coast Guard Feedback

## Mariners

- ◆ “The TWIC requirements do not apply to mariners (credentialed or uncredentialed) on facilities working immediately adjacent to the vessels they are employed aboard while in the conduct of vessel activities.”

### **No escort requirements for:**

- ◆ Attaching shore ties
- ◆ Performing maintenance
- ◆ Reading load lines
- ◆ Loading stores



**Concern:** “Immediately adjacent” not clearly defined

# Other Points of Interest

- ◆ There is no obligation for an employer to report a TWIC holder who is indicted or convicted of a disqualifying offense. Individual is required to self-report.
- ◆ TWIC background investigation is not comprehensive criminal history check, it is a terrorist watch list check. Criminal history record checks may not be as comprehensive as company background checks (only specific felonies covered).



Questions?

