

**TRANSPORTATION WORKER IDENTIFICATION
CREDENTIAL PROGRAM: SMALL ENTITY GUIDE FOR
APPLICANTS**

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Foreword

WHY TSA AND USCG WROTE THIS GUIDE

The United States Coast Guard (USCG) and the Transportation Security Administration (TSA) wrote this guide to inform you about how the Transportation Worker Identification Credential (TWIC) rules apply to you and to help you comply with the program requirements. This guide tells you whether you need a TWIC, how to get one, and your responsibilities as a TWIC holder.

USERS' RIGHT TO REPRODUCE THIS GUIDE

This guide is in the public domain. That means you may copy this guide without asking anyone. Please reference where you got the information. Cite this guide as: Transportation Worker Identification Credential Program: Small Entity Guide for Applicants.

WHERE TO GET THIS GUIDE ELECTRONICALLY

You can find an electronic copy of this guide at three different websites. You can save an electronic copy for your files or you can print this guide. The three websites are:

- The Docket Management Facility's website at <http://dms.dot.gov> in the TSA's and the USCG's dockets numbered TSA-2006-24191 and Coast Guard-2006-24196.
- The USCG's Homeport website under the Maritime Security/TWIC heading at <http://homeport.uscg.mil>.
- The TSA's website at <http://www.tsa.gov/twic>.

Terms Used in This Guide

<i>CFR</i>	Code of Federal Regulations.	<i>ID</i>	A means of identification, such as a document containing official information. The TWIC is a form of ID.
<i>COTP</i>	Captain of the Port.	<i>IDTA</i>	Initial Determination of Threat Assessment.
<i>CSO</i>	Company Security Officer.	<i>IR</i>	Immediate Revocation.
<i>DHS</i>	Department of Homeland Security.	<i>Maritime Facility</i>	A facility subject to 33 CFR part 105 or an OCS facility subject to 33 CFR part 106.
<i>DNST</i>	Determination of No Security Threat.	<i>MTSA</i>	Maritime Transportation Security Act of 2002.
<i>Facility</i>	A facility subject to 33 CFR part 105.	<i>NTSB</i>	National Transportation Safety Board.
<i>FDTA</i>	Final Determination of Threat Assessment.	<i>NVIC</i>	Navigation and Vessel Inspection Circular.
<i>FMSC</i>	Federal Maritime Security Coordinator.		
<i>FSO</i>	Facility Security Officer.		
<i>FSP</i>	A USCG approved Facility Security Plan.		

<i>OCS Facility</i>	An outer continental shelf facility subject to 33 CFR part 106.	<i>TWIC</i>	Transportation Worker Identification Credential.
<i>Operator</i>	Operator of a vessel or maritime facility.	<i>TWIC Program</i>	The procedures and systems to check and validate transportation worker access control measures.
<i>Owner</i>	Owner of a vessel or maritime facility.	<i>USCG</i>	United States Coast Guard.
<i>PIN</i>	Personal Identification Number.	<i>Vessel</i>	A vessel subject to 33 CFR part 104.
<i>SAFE Port Act</i>	Security and Accountability for Every Port Act of 2006.	<i>VSO</i>	Vessel Security Officer.
<i>Secretary</i>	Secretary of DHS.	<i>VSP</i>	A USCG approved Vessel Security Plan.
<i>STA</i>	Security Threat Assessment.	<i>We, us</i>	USCG and TSA.
<i>TSA</i>	Transportation Security Administration.	<i>WID</i>	Withdrawal of the Initial Determination.
<i>TSI</i>	Transportation Security Incident.	<i>You, your</i>	The reader (usually a TWIC holder or applicant).

About This Guide

This guide applies to you if you are a person who is applying for a TWIC, a person who holds a TWIC, or a person who is renewing a TWIC. This guide also has general information about the TWIC rules.

(There is another guide for owners and operators. It provides information on how owners and operators must comply with the TWIC rules. The title of that guide is *Transportation Worker Identification Credential Program: Small Entity Guide for Owners and Operators*).

HOW TO USE THIS GUIDE TO LEARN ABOUT THE TWIC PROGRAM

Our TWIC rules are in the Code of Federal Regulations (CFR) in titles 33, 46, and 49. This *Small Entity Guide for Applicants* takes important information in the rules that may affect you and puts it in one place. We hope it helps you understand the requirements of the TWIC Program. You can use the section above titled *Terms Used in This Guide* as a reference to understand words and abbreviations we use. We put the guide in the order we think you are most likely to need the information. Use the

headings in the table of contents to find where to look in this guide for information you want to know. Read the whole guide to understand the TWIC rules better.

Use the tables and text boxes to find things we want to highlight about the rules. Some tables explain important rule language to make it easier to understand. Use the websites and call centers tables to find out where you can get help or find more information.

THIS GUIDE DOES NOT REPLACE THE RULES

This *Small Entity Guide for Applicants* is not a substitute for the rules nor is it itself a rule. It is not intended to nor does it impose legally binding requirements. You must comply with the rules, and we hope this guide will help you understand the requirements in the statutes and regulations that apply to you. You may use an alternate approach to those found here if the approach satisfies the applicable regulations. Check our websites for changes in the TWIC program or in how we will enforce the rules.

Responsible Agencies

TSA and USCG published the TWIC rules together. We are both responsible for informing you about the program and we have many aids to help you comply. We describe these aids in the part of this guide titled, *Where to Go for Information and Assistance*. It starts on page 3.

WHAT TSA DOES

TSA enrolls TWIC applicants, performs the security threat assessments, issues and revokes TWICs, and renews TWICs. We have the following responsibilities.

- Set up enrollment centers (staff and facilities).
- Publish notices in the *Federal Register* telling applicants where and when to enroll.
- Enroll applicants and issue TWICs.
- Conduct the Security Threat Assessment (STA) processes.
- Handle waivers and appeals.
- Use appropriate data to check on TWIC holders during the life of their TWICs.
- Work with local authorities, owners and operators, and USCG in cases of imminent security threats.

WHAT USCG DOES

USCG enforces the TWIC program as an access control measure. We incorporate compliance with the TWIC program into current inspection policies. We have the following responsibilities.

- Give guidance and assist industry to implement the TWIC program.
- Make annual compliance inspections.
- Spot-check vessels and maritime facilities to ensure they have working TWIC programs, check fingerprints, and match biometrics on TWICs.
- Review Vessel Security Plans (VSPs) and Facility Security Plans (FSPs). In the future, we will include review to make sure the TWIC is part of an overall security program.
- Work with local groups to make sure people know when to comply, where to enroll, and how to get any other useful information.
- Work with vessel and maritime facility inspection teams and industry staff to make permanent security improvements.
- In some cases, respond to reports of invalid or false TWICs.

Where to Go for Information and Assistance

If your employer is an owner or operator, that employer must tell you certain things about the TWIC program. Also, there are USCG and TSA resources like websites and call centers to help people apply for a TWIC. They will help answer your questions related to eligibility, enrollment, or compliance. USCG and TSA staff operate some of these resources. Government-hired contractors operate others.

YOUR EMPLOYER'S OBLIGATIONS

To help you apply for a TWIC, your employer must tell you if you must get a TWIC, how to apply for it, and the deadline for your application. We want owners or operators to do this because

they authorize unescorted access at their facilities and vessels.

Things your employer must tell you:

- Where there are secure areas.
- If you need unescorted access.
- About any public, employee, or passenger access areas.
- When we will start to enforce the TWIC rules in your area.
- When and where you can apply for a TWIC.

Your employer or the facility or vessel owner or operator should provide advance notice for you to apply and get your TWIC when you need it.

Your employer might notify you in some of the following ways.

- Signs posted in common areas.
- Company newsletters.
- Announcements by company officials.
- Company website.
- Inserts in wage and salary statements or other payroll documents.

We hope employers will tell other workers about the program even if these workers are not employees. For example, you may be a contractor or a trucker who must have unescorted access to a secure area. Check common areas, newsletters, and the company's website for news about the TWIC program.

IF YOUR EMPLOYER IS NOT A VESSEL OR MARITIME FACILITY OWNER OR OPERATOR

If you do not work directly for a vessel or maritime facility owner or operator, you may still need a TWIC. Ask your employer if your job requires you to get a TWIC.

IF YOU ARE SELF-EMPLOYED

If you are self-employed, but regularly work at a facility or vessel, you may need a TWIC. Ask the owner or operator if you need a TWIC to do your job. The vessel or maritime facility Vessel Security Officer (VSO), Company Security Officer (CSO), or Facility Security Officer (FSO) also should be able to tell you if you need a TWIC.

THE TWIC RULES

The first time we publish any rule, that rule must go in the Federal government's "daily newspaper" for agencies – the Federal Register. At the beginning of the rule – in a section called the preamble – we explain to readers why we wrote the rule. We also explain how we addressed comments on the proposed rule. The preamble is a good place to find information about our intent and about the rules.

We published the TWIC program rules in the *Federal Register* on January 25, 2007 (72 FR 3491). The rules are titled, *Transportation Worker Identification Credential (TWIC)*

Implementation in the Maritime Sector; Hazardous Materials Endorsement for a Commercial Driver's License. They changed the following CFR parts.

- 33 CFR parts 101, 103, 104, 105, 106, and 125.
- 46 CFR parts 10, 12, and 15.
- 49 CFR parts 1515, 1540, 1570, and 1572.

You can get the *Federal Register* rules and preamble, and any related corrections documents, from the following sources.

- The USCG's Homeport website under the Maritime Security/TWIC heading at <http://homeport.uscg.mil>.
- Government Printing Office website at <http://www.gpoaccess.gov/fr/index.html>.
- The *Federal Register* website at <http://www.archives.gov/federal-register>.

Many libraries around the country agree to keep the *Federal Register*, and you can find the *Federal Register* in any such *depository library*.

You also may find the rules and related documents in dockets TSA-2006-24191 and Coast Guard-2006-24196. Except for Federal holidays, you may inspect and copy materials in the docket in person between 7 a.m. and 5 p.m., Eastern Time, Monday through Friday, at the following address.

Docket Management Facility
U. S. Department of Transportation
1200 New Jersey Ave., S.W.
Washington, D.C. 20590

You may see the docket on the internet, 24 hours a day, 365 days a year, at <http://dms.dot.gov>.

TWIC ENROLLMENT CENTERS

To get a TWIC, you must enroll in the program in person at a TSA enrollment center. TSA contractors will set up and operate enrollment centers and issue TWICs under the TWIC rules. We will start in one port and then open in other ports as time goes on. We will provide the biggest enrollment capacity until September 25, 2008, when everyone will need a TWIC. Our goal is to have at least one enrollment center in each of about 130 ports across the country.

Some of these centers may not be permanent. Some will reduce staff after the compliance date in a COTP zone. So you should apply for your TWIC at the peak enrollment time in your local area. That time is when you will have the best chance for quick service.

You will need a TWIC for unescorted access to a facility or OCS facility based on the compliance date in that COTP zone. Although vessel owners and operators need not have a TWIC program in place until September 25, 2008, some owners and operators may require you to have a TWIC before then.

Where You May Apply for Enrollment

You may apply at any enrollment center. But you must pick up your TWIC at the same enrollment center where you applied. We want to make the enrollment process as easy as we can for you and for owners and operators. We will use both fixed and mobile enrollment centers. A fixed enrollment center stays open for a long term and any worker may use it. At the request of a large employer, we may open a short-term mobile enrollment center for the convenience of its employees. (If you apply at a mobile enrollment center, you may have to pick up your TWIC at the nearest fixed enrollment center. You will be informed of its location.) A TSA contractor identifies the best enrollment sites based on location and other factors, such as convenience and available parking. We work closely with the maritime industry to tell you as soon as we can where and when enrollment begins in your area.

After the compliance date in a COTP zone, we will reduce the number of centers and staff. We will keep centers near the hubs of port facility and vessel activity. We will keep enough enrollment centers open in order to handle the following activities.

- New TWIC applicants.
- Replacements for lost, stolen, or damaged TWICs.
- TWIC renewals.

You can find our schedule for opening enrollment centers at www.tsa.gov/twic. Check often because the schedule may change.

NVIC AND RELATED GUIDES

USCG uses *Navigation and Vessel Inspection Circulars* (NVICs) as a way to explain how it will enforce some of its rules and programs. A NVIC is not a rule. However, it is a tool for helping you obey safety and security rules and programs and helping us to be consistent. In Table 1, we say where you can find NVICs and other aids. The following NVIC may help you understand and obey the TWIC program rules.

NVIC No. 03-07 – Guidance for the Implementation of the Transportation Worker Identification Credential Program in the Maritime Sector.

Table 1: Information and Assistance Aids

Source	Who staffs it	Who it can help	How it can help
Toll-free TWIC Call Center (1-866-DHS-TWIC or 1-866-347-8942)	TSA Contractor	Transportation workers, facility and vessel owners and operators, and others who require assistance	Round-the-clock help with enrollment; lost, stolen, or damaged cards; scheduling enrollment appointments, locating the closest enrollment facility to an applicant; guiding applicants through the web-based pre-enrollment process
TSA Enrollment Centers	TSA Contractors	Transportation workers and TWIC holders	TWIC enrollment, issuance, and renewal; lost, damaged, or stolen cards; TWIC replacements; PIN resets; scheduling appointments; pre-enrollments (if available)
www.tsa.gov/twic	TSA	Transportation workers, facility and vessel owners and operators, and others who require assistance	Frequently asked questions; links to other program websites; TWIC reference documents (e.g., rules)
www.twicprogram.tsa.dhs.gov	TSA Contractor	Transportation workers, facility and vessel owners and operators, and others who require assistance	Enrollment Center locations and directions; Pre-enroll for a TWIC and schedule an enrollment appointment; Listing of required documentation to bring to enrollment center; Frequently asked questions (FAQs)
USCG Help Desk (1-866-MTSA-AID or 1-866-687-2243)	USCG	Transportation workers; facility, vessel, and company security officers; facility and vessel owners and operators; the general public	Implementation and compliance questions regarding use of TWIC at MTSA regulated vessels and facilities. Enrollment and issuance questions will be forwarded to the contractor-maintained call center.
COTPs	USCG	Facility, vessel, and company security officers; facility and vessel owners and operators	Implementation and compliance questions regarding use of TWIC at MTSA regulated vessels and facilities within their COTP zone.
http://homeport.uscg.mil , (USCG's portal for sharing information with the public and security officers)	USCG	Transportation workers; facility and vessel security officers; facility and vessel owners and operators; the general public	TWIC FAQs, general information, news and events, and outreach resources; portal for entering new hire's personal data and employer contact information
http://www.uscg.mil/hq/g-m/nvic/index00.htm	USCG	Facility and vessel security officers; facility and vessel owners and operators	NVIC No. 03-07, <i>Guide for the Implementation of the TWIC Program in the Maritime Sector</i> and related guidance

What the TWIC Program Means to You

If you are an owner or operator, a TWIC applicant, or TWIC holder, U.S. law says you must comply with Federal rules. Under the Maritime Transportation Security Act (MTSA) and Security and Accountability for Every (SAFE) Port Act, the Secretary must establish rules to prevent an unauthorized person from getting into a secure area of a vessel or facility that has a security plan. We based the TWIC rules on these two laws. The laws require using a standard, biometric ID (also known as a “credential”), for access control to secure areas of vessels and facilities. We call that ID the “Transportation Worker Identification Credential” or “TWIC.” To get a TWIC, you must pass a Security Threat Assessment (STA). That assessment helps us decide if you pose a risk to transportation.

You must have a TWIC if you are a merchant mariner or anyone who needs unescorted access to a secure area at a vessel or maritime facility. If you are a merchant mariner, by September 25, 2008, you must have a TWIC. (Read the part of this guide titled, *Who Must Get a TWIC* to find out what you need before then. It starts on page 10.)

USCG sets the schedule for when you must have a TWIC. You get a TWIC by applying or “enrolling” at a TSA TWIC enrollment center. You must give the enrollment center certain information and documents. Then, TSA performs the investigation called an STA. If all goes well, you will have a TWIC, which makes you eligible for unescorted access to secure areas of a vessel or maritime facility. (Read the part of this guide titled, *How to Apply for a TWIC*. It starts on page 15.)

No matter what, you must also have permission from the owner or operator for unescorted access. We talk about these things on page 12 in the part of this guide titled, *Owner/Operator Responsibility and Authority to Control Access*. If you do not have a TWIC, to enter a secure

area, you must have owner or operator permission *and* someone who does have a TWIC must escort you. See the part of this guide titled, *About Secure Areas and Escorting*. It starts on page 8.

WHAT A TWIC IS AND WHAT IT LOOKS LIKE

Your TWIC is a standard, biometric ID. It contains a numeric code. The code is associated with your fingerprint pattern embedded in an electronic chip to link the card to you. The TWIC also has your photograph and special features on the surface to make it easy to tell if someone tampered with it. It has security features embedded in the card to protect your personal information. Security staff can tell if a TWIC is damaged or missing special features. These features make the TWIC hard to copy or change.

OTHER PERSONAL IDENTIFICATION

If you do not have a TWIC you will not be eligible for unescorted access to secure areas and you must show security staff another ID to enter, under escort, a secure area at a vessel or facility. Your ID must come from a government authority, your employer, union, or trade association. There are some people who do not need to have a TWIC for unescorted access to a secure area. To find out who these people are, read the part of this guide titled, *TWIC Basics*. It starts on page 9.

Must-have Traits for Your Other ID

- Be laminated or otherwise secure against tampering.
- Contain your first and last name and middle initial (if you have one).
- Have a photo of your face that shows how you currently look.
- Have the name of the issuing authority.

SUBMITTING YOUR TWIC FOR INSPECTION

If you have a TWIC, you must let authorized people inspect it when asked. These include Federal, State, and local authorities. You must also let the owner or operator's security staff inspect the TWIC to control access.

People with the Authority to Inspect Your TWIC

- TSA
- USCG
- DHS
- National Transportation Safety Board
- Federal, State, or local law enforcement officers.
- Owner or operator
- Owner or operator's security staff

What You Must Do

You must allow USCG to put your TWIC in a biometric card reader and provide your personal identification number (PIN) and your fingerprint. If you are unescorted in a secure area, you must have your TWIC in your possession or near enough to get it within 10 minutes.

When you go to a vessel or facility, you may also have to consent to screening or inspection for entrance into the secure area. If you do not submit to screening or inspection, you may not be able to board a vessel or OCS facility or enter a facility. An owner or operator's security staff

also may ask you to use another ID. You still must have the TWIC in your possession in case someone with authority wants to inspect it.

What an Owner/Operator Must Do

Before you get unescorted access to a secure area, an owner or operator must positively verify your TWIC. Usually, this happens at an access control point to a secure area. The owner or operator will usually use the TWIC as a visual ID badge. However, an owner or operator *may* also ask you for a fingerprint any time before giving you unescorted access to a secure area. The fingerprint shows that you match the identity on your TWIC.

WHAT THE USCG DOES DURING AN INSPECTION

During an inspection or spot check, USCG may use handheld biometric card readers to check the TWIC. We use the card reader and your PIN to match your fingerprint to the fingerprint code on the TWIC. (To find out how you get a PIN, read the part of this guide titled, *Step 2: Enrollment and What Happens at the Enrollment Center*. It starts on page 16.) We also make sure the TWIC is real and that TSA has not revoked it.

About Secure Areas and Escorting

Controlling access to secure areas is the core of the TWIC program. One way to control access is to keep you out if you do not have the right ID. Another way is through following the rules for escorting in these areas.

Positive verification of the TWIC means:

- Comparing your face to the photo on the TWIC.
- Checking that the TWIC has not expired.
- Examining the TWIC to make sure it is real and no one changed it.

SECURE AND RESTRICTED AREAS

A *secure area* is an area that has security measures in place for access control. The owner or operator must tell you what the secure areas are where you work. For a facility, the secure area is generally any place inside the outer-most access gate. For a vessel or OCS facility, the secure area is generally the whole vessel or OCS facility.

A *restricted area* is a part of a secure area that needs more limited access and higher security. Under MTSA rules, an owner or operator *must* designate certain areas as restricted. For example, storage areas for cargo are restricted under our rules. An owner or operator must mark any restricted area clearly. Being in a secure or restricted area without authorization is a breach of security and against the law.

ESCORTING

Suppose you do not have a TWIC and the owner or operator gives you access to a secure area. In that case, you must have a TWIC holder as an escort. The vessel or facility owner or operator must authorize the escort to be in a secure area. For you, "escorting" could be having a person with a TWIC stay with you the entire time you are in the secure area. "Escorting" also could be monitoring you while

you are in the secure area as long as you do not enter a restricted area.

However, if you are in a restricted area, the only right way you can be escorted is with a TWIC holder. That TWIC holder must be near you and be able to see you all the time you are in the restricted area. The owner or operator must ensure that you are properly escorted at all times.

Escorting a Newly Hired Employee

If you are a newly hired employee under our rules, escorting may be different. Read the part of this guide titled, *While You Are Waiting for Your TWIC; Newly Hired Employees*. It starts on page 17.

PUBLIC, PASSENGER, AND EMPLOYEE ACCESS AREAS

A public, passenger, or employee access area may be designated on the vessel or facility. These areas are not part of the secure area and are never in a restricted area. The rules do not require people to have a TWIC to be in these access areas. However, the owner or operator has the authority to tell you if you are allowed in a passenger, public, or employee access area.

Public Access Areas

What if you work at a facility only in areas open to the public? Do you need a TWIC for access to those areas? If this area is part of a facility that serves ferries or passenger vessels carrying more than 150 passengers other than cruise ships, the owner or operator may designate it as a *public access area* in the Facility Security Plan (FSP). A public access area lets people walk through a facility to a vessel. You do not need a TWIC to be in a public access area unless you are an individual performing security duties as your primary function.

TWIC Basics

Through the TWIC program, we want to make sure that you get a TWIC only if you need one and have passed our STA.

Passenger Access Areas

What if you work on a passenger vessel or ferry only in areas open to passengers? Do you need a TWIC for access in all spaces? An owner/operator may designate any area open to passengers on these kinds of vessels as a *passenger access area*. Some examples of this kind of area are vessel dining rooms, seating areas, parking decks, public restrooms, and bars. So if you are an employee such as a musician, wait staffer, or casino worker, and you do not have a TWIC, you may never enter an area, without an escort, where you need a TWIC. You do not need a TWIC to be in a passenger access area.

Employee Access Areas

What if you work on a passenger vessel or ferry only in areas that support passenger access area activities? These *employee access areas* include vessel galleys, storage areas, dressing rooms, and food service areas. As an employee, you may go into these areas. You do not need a TWIC to be in an employee access area. A cruise ship may not designate employee access areas.

A Word about Cruise Ships

An owner or operator may not designate an employee access area on a U.S.-flagged cruise ship. Long cruise ship voyages mean more contact with passengers and more time to access vessel spaces. In turn, this contact and access mean that there is a greater chance for individuals to create a Transportation Security Incident (TSI). If you are a cruise ship employee, you must have a TWIC for unescorted access to every area other than a passenger access area.

This part of the guide will help you understand if you meet our standards for getting a TWIC. You will learn how to apply in the part of this guide titled, *How to Apply for a TWIC*. It starts on page 15.

This part of the guide also will tell you about the following topics.

- When you must have your TWIC.
- The role an owner or operator has in deciding who needs unescorted access to a secure area.
- Owner or operator responsibility for controlling access.

CAN I GET A TWIC?

Some people must get a TWIC, and some people can apply if they want to. All of these people must meet our standards to qualify. But not just anybody who meets our standards can get a TWIC. Either we say you must have a TWIC or your employer requires that you have it for unescorted access to a secure area. Then, there are some State and local authorities who we permit to get a TWIC if they believe they need one. In this part of *TWIC Basics*, we explain who is eligible to get a TWIC.

Who Must Get a TWIC

We said what “secure area” means in, *What the TWIC Program Means to You*. We also talked about what “escorting” means. Now, we will tell you how you fit into this picture.

You must have a TWIC if you are a credentialed U.S. merchant mariner

or a person who requires unescorted access to any secure area of a vessel or facility covered by the TWIC program rules. Additionally, you must have a TWIC if you are the CSO, FSO, VSO, or any other person with security duties as your primary duty.

If you are a contractor or trucker, you may need a TWIC if you must have unescorted access to a secure area.

Even if our rules specify that you must have a TWIC, remember that owners and operators decide

who may enter a secure area. So having a TWIC is not a *right* to unescorted access. The owner or operator must give you permission to

U.S. Credentialed Merchant Mariner holds a USCG-issued –

- Merchant mariner's license
- Merchant mariner's document
- Certificate of registry.

To be in a secure area without an escort –

- You must have a TWIC and,
- The owner or operator must give you authority to be in that secure area without an escort.

be in a secure area without an escort. (Ask your employer or the security officer where you work if your vessel or facility comes under the TWIC program.)

When You Must Get a TWIC

If you work at a facility, we will tell you at least 90 days before we require a TWIC for unescorted access in your COTP zone. Your compliance date will follow the peak enrollment period – the period when you have the best chance for quick service at an enrollment center. If you work at a vessel, you will need to have a TWIC for unescorted access by September 25, 2008. The vessel owner or operator may however, require you to get a TWIC at an earlier date.

When we begin enrollment in a COTP zone, we will make sure we have convenient places for you to apply so you have an adequate opportunity to get your TWIC. We will also tell you when we are beginning enrollment in your area. Remember that when you apply early, it speeds up the process. Check with the security people at vessels and facilities where you work so that you do not miss the enrollment or compliance dates.

On the date we designate for compliance in your COTP zone, you must have a valid TWIC to get unescorted access to a secure area of a facility within your COTP zone.

If you are one of about 205,000 credentialed U.S. merchant mariners who must get a TWIC, enrolling may be hard for you because you move from place to place. So you may apply for a TWIC at any time once enrollment starts. You may apply at any enrollment center, but you must pick up your TWIC at the same enrollment center. If the owner or operator

authorizes it, you may have unescorted access to secure areas until September 25, 2008 – even without a TWIC. In fact, during that time, you may be

Merchant Mariners Before September 25, 2008, here are documents you can use instead of a TWIC.

- Merchant Mariner Document (MMD)
- Merchant Mariner License and a picture I.D.
- Certificate of Registry and a picture I.D.

an escort under the TWIC program if the owner or operator authorizes it. You must use one of the alternate identity documents we spell out in the rules. (See the box headed *Merchant*

Mariners.) However, we encourage merchant mariners to apply early for their TWICs.

If you are a long-haul trucker, your work also may take you to secure areas in more than one COTP zone. You must have a TWIC for unescorted access to a secure area in any COTP zone where compliance has begun. This is true even when you come from a COTP zone where the compliance date has *not* been reached and are going to a COTP zone where compliance *has* begun.

If you are a newly hired employee, there are special rules for access to a secure area. You come under these special rules between the time you apply for a TWIC and the time you get your TWIC from TSA if compliance has begun at your place of employment. Read the part of this guide titled, *While You Are Waiting for Your TWIC; Newly Hired Employees*. It starts on page 17.

People Encouraged to Obtain a TWIC

What if you are a person who is in a secure area often as part of your work? It would probably be best for you and the owner or operator where you work if you had a TWIC. We expect individuals like you to get a TWIC instead of being under escort over a long period of time. So if your work means you need regular access to a secure area, we expect you to get a TWIC. Here are some of the kinds of workers in this group.

- Vessel crew (other than U.S. credentialed merchant mariners).
- Longshoremen.
- Drayage truck drivers who often handle cargo near a vessel.
- Facility employees working in a secure area.

Federal Officials; State and Local Law Enforcement Officials; and State and Local Emergency Responders

Some people do not need to have a TWIC for unescorted access to a secure area.

Federal officials

If you are a Federal official, you must present an agency-issued, HSPD-12 compliant card for unescorted access to a secure area. (Through a directive from the President, Federal employees,

contractors and affiliates must undergo a standard identity verification process and hold a specific personal identification card – the HSPD-12 compliant card.) If your agency has not issued this kind of identity document, you may use your agency’s official credential for unescorted access to secure areas until you get an HSPD-12 compliant card.

State or local law enforcement officials

If you are a State or local law enforcement officer, you probably had some type of background check before you began your job. State and local law enforcement officials may have unescorted access to secure areas without a TWIC if you are in the secure areas on official business. Still, we encourage you to get a TWIC if you need access to any secure area as a regular part of your duties.

State or local emergency responder

If you are a State or local emergency responder, you may have unescorted access to a secure area *during an emergency*. We know that not all emergency responders are State or local officials. Still, *in an emergency*, a responder may need unescorted access even to a secure area. If you are an emergency responder who is not a State or local official, we encourage you to get a TWIC. We also encourage State or local emergency responders to get a TWIC if access to a secure area is a regular part of your duties.

Note that if you are in one of the groups we just talked about, you must use your unescorted access authority only for official duties. Also, you must follow the owner’s or operator’s approved security plan.

Area Maritime Security Committee (AMSC) Members

To be an AMSC member, you do not *need* a TWIC. But in order to have access to sensitive security information (as determined by the COTP) you must pass one of three security checks. One of those could be passing an STA to get a TWIC. The second could be passing a comparable STA. The third could be passing a name-based check conducted by TSA. We will accept any one of these three. TSA will do a name-based check at no cost to you. But if you need unescorted access to a secure area, you must get a TWIC and pay the associated fees. Talk to your Federal Maritime Security Coordinator (this is usually the COTP) if you

need to have TSA conduct a name-based check for you.

OWNER/OPERATOR RESPONSIBILITY AND AUTHORITY TO CONTROL ACCESS

The owner or operator must control access to the vessel or maritime facility. So when you come to an access control point, you must show your TWIC to the security staff. Also, you must show your TWIC to the authorities we list in *Submitting Your TWIC to Inspection* if they ask for it. Remember that an owner or operator decides who needs unescorted access to a secure area. So even if you have a TWIC, the owner or operator can make you have an

escort. Having a TWIC does not give you a right to unescorted access.

Our rules let an owner or operator use an access control system it already has. That means you could be using a vessel or facility access card to get unescorted access to a secure area. Still, you must have a TWIC.

WHO IS ELIGIBLE TO HOLD A TWIC?

You can hold a TWIC if you are a U.S. national. If you are not a U.S. national, you can hold a TWIC if you are in one of the groups identified in our rules. Figuring out if you are in one of these groups sometimes means looking at U.S. laws. Table 2 shows who may hold a TWIC and some of the laws that apply. If you are not a U.S. national or a Permanent Resident Card (Green Card) holder, you may need to have someone help you decide if you can hold a TWIC.

Table 2: Who May Hold a TWIC
General
National of the United States
U.S. lawful permanent resident
Refugee admitted under 8 U.S.C. 1157
Alien granted asylum under 8 U.S.C. 1157
Alien in a valid M-1 nonimmigrant status who is enrolled in the U.S. Merchant Marine Academy or a comparable State maritime academy
Lawful Nonimmigrant Status
Admitted under the Compact of Free Association between the U.S. and the Federated States of Micronesia, the U.S. and the Republic of the Marshall Islands, or the U.S. and Palau
Unrestricted authorization to work in the U.S., unless you are an alien whose status is one of the following: S-5, S-6, K-1, K-2
Alien with one of these restricted authorizations to work in the U.S.: C-1/D Crewman Visa; H-1B Special Occupations; H-1B1 Free Trade Agreement; E-1 Treaty Trader; E-3 Australian in Specialty Occupation; L-1 Intracompany Executive Transfer; O-1 Extraordinary Ability; TN North American Free Trade Agreement
A complete list of lawful nonimmigrant statuses may be obtained from the TSA website www.tsa.gov/twic or by calling the TWIC Call Center at 1-866-DHS-TWIC.
CDL Holder
Licensed in Canada or Mexico and admitted to the U.S. under 8 CFR 214.2(b)(4)(i)(E) to conduct business in the U.S.

WHAT CAN DISQUALIFY ME FROM GETTING A TWIC?

Your status may make you ineligible to get a TWIC unless you get a waiver. Some status conditions can prevent you from getting a TWIC at all.

One status we look at is your criminal records status. We call a disqualifying criminal offense “permanent” or “interim” to indicate how far back we will look at your criminal history in making a decision on a TWIC. Some offenses are disqualifying no matter how long ago they occurred (permanent disqualifying offenses) and some are disqualifying if the conviction occurred within the previous 7 years, or release from incarceration occurred within the previous 5 years (interim disqualifying offenses).

If you have certain permanent disqualifying criminal offenses, you may be unable to get a TWIC at all. If you have other criminal offenses, a certain mental incapacity status, or a certain

immigration status, you may be unable to qualify for a TWIC through the regular process. You would have to apply for a waiver.

If the STA process leads us to decide that you are a security threat, we will not issue you a TWIC.

Permanent Disqualifying Criminal Offenses

If you have a permanent disqualifying offense in your record, you should only apply for a TWIC if you plan to apply for a waiver. If you have one of the first 4 permanent offenses listed in Table 3, you cannot get a waiver. (Read the part of this guide titled, *Applying for a Waiver*. It starts on page 19.) Were you ever convicted of a felony or found not guilty because you were insane? If you were, you should check to see if it was a permanent disqualifying criminal offense. You may need to have someone help you decide if you have a disqualifying offense in your record. Table 3 shows these offenses.

Table 3: Permanent Disqualifying Criminal Offenses

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 as defined in 18 U.S.C. 2332b(g), or comparable State law, or conspiracy to commit such crime.
5	A crime involving a transportation security incident.
6	Improper transportation of a hazardous material under 49 U.S.C.5124, or a State law that is comparable.
7	Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipment, transport, import, export, storing, or dealing in an explosive or explosive device. An explosive or explosive device is an explosive or explosive material defined in 18 U.S.C. 232(5), 841(c) through 841(f), and 844(j); and a destructive device, as defined in 18 U.S.C. 921(a)(4) and 26 U.S.C. 5845(f). But more things than these could be an explosive or explosive material.
8	Murder.
9	Threatening, or maliciously conveying false information knowing it to be false, about delivering, placing, or detonating 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	Violating the Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. 1961, et seq, or a comparable State law, where one of the predicate acts found by a jury or admitted by the defendant is one of the crimes listed in this Table.
11	Attempt to commit the crimes in 1 through 4.
12	Conspiracy or attempt to commit the crimes in 5 through 10.

Interim Disqualifying Criminal Offenses

If you have an interim disqualifying offense in your record, you may apply for a TWIC if the conviction occurred more than 7 years ago, your release from incarceration occurred more than 5 years ago, *or* you plan to apply for a waiver. (Read the part of this guide titled, *Applying for a Waiver*. It starts on page 19.) To figure out if you have this kind of offense, start by asking yourself the same question as you did for the

permanent offenses. Then, check your conviction or prison dates. Look at Table 4. Were you convicted or found not guilty of one of the crimes in that table because you were insane? Did that happen in the 7 years before you would apply for the TWIC? Did you get out of prison for one of the crimes in that table in the 5 years before you would apply for a TWIC? You may need help to understand if you have this kind of offense in your record.

Table 4: Interim Disqualifying Offenses

1	Unlawful possession, use, sale, manufacture, purchase, distribution, receipt, transfer, shipping, transporting, delivery, import, export of, or dealing in a firearm or other weapon. A firearm or other weapon can be one defined in 18 U.S.C. 921(a)(3) or 26 U.S.C. 5 845(a), or an item on the U.S. Munitions Import List at 27 CFR 447.21. But more things than these could be a firearm or other weapon.
2	Extortion.
3	Dishonesty, fraud, or misrepresentation, including identity fraud and money laundering where the money laundering relates to a crime that is a permanent or interim disqualifying offense. For TWIC, passing a bad check or welfare fraud is not dishonesty, fraud, or misrepresentation.
4	Bribery.
5	Smuggling.
6	Immigration violations.
7	Distributing a controlled substance, possessing it with intent to distribute, or importing it.
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 as described in 18 U.S.C. 1036, or a comparable State law.
14	Violating RICO, 18 U.S.C. 1961, <i>et seq.</i> , or a comparable State law. Do not count a RICO violation that is a permanent disqualifying offense.
15	Conspiracy or attempt to commit any of the crimes in Table 4.

You may not have a disqualifying criminal offense in your record, but you may be wanted or under indictment for one of those offenses. If one of these things applies to you, you would not be eligible to receive a TWIC.

Immigration Status

You may have an immigration status that does not allow you to get a TWIC. Look back at Table 2. Are you in one of the groups who can hold a TWIC? If you are not, you should not apply for a

TWIC unless you are an alien in Temporary Protected Status and plan to apply for a waiver. (Read the part of this guide titled, *Applying for a Waiver*. It starts on page 19.) Also, you may have an immigration status that allows you to get a TWIC, but something could change. For example, your status could expire. In a case like that, you must give your TWIC to your employer. You should not apply for a TWIC in the first place if the U.S. has ordered you to leave or is trying to deport you under U.S. immigration laws.

Mental Incapacity

You may have a mental incapacity that prevents you from getting a TWIC. You have this condition if a court or other lawful authority found that you lack mental capacity. You are also in this group if a court or other lawful authority committed you to a mental health facility involuntarily. If you are in this group, you should not apply for a TWIC unless you are asking for a waiver. (Read the part of this guide titled, *Applying for a Waiver*. It starts on page 19.) You may need help to decide if you have mental incapacity.

Security Threat

Are you in one of these groups we talked about above in *What Can Disqualify Me from Getting a TWIC?* If you apply for a TWIC, we could

decide that you pose a security threat. Note that you must pay the fees to enroll in TWIC even if we ultimately determine that you pose a threat and cannot have a TWIC. On the other hand, you may give us information that helps us decide to grant you a waiver.

Even if you are not in one of the groups we just talked about, after we do an STA, we may decide that you pose or may pose a security threat. We could decide this after we check your immigration status, criminal history, and other information. You would not initially get a TWIC.

If we decide that you should not get a TWIC, you would be able to ask for a second opinion from a higher DHS authority or a court if you disagree with our decision. We talk about that under, *Review by Administrative Law Judge and TSA Final Decision Maker*. It starts on page 21.

How to Apply for a TWIC

We call the steps you take to get a TWIC “enrollment.” There are five steps: pre-enrollment, enrollment, paying your fee, security threat assessment, and TWIC issuance.

TSA or a trusted agent conducts enrollment. We train our trusted agents. Each one must pass an STA. We make sure your information stays private and safe. (To find out how we protect your information, read the part of this guide titled, *How We Protect Your Information*. It starts at page 26.)

We expect the whole enrollment process to take less than a month. If the STA goes smoothly, the process may take less than 10 days.

Later, we talk about waivers and appeals. If you need a waiver or appeal a decision, the process may take longer.

You must go to an enrollment center to apply for your TWIC. We will have these centers all over the U.S. and in American Samoa, Guam, Puerto Rico, St. Thomas, and St. Croix. You may apply at any enrollment center that is convenient for you. But you must pick up your TWIC at the same enrollment center where you applied.

Some of you may come from a COTP zone where enrollment has not started and go to work

in a zone where it has. By the compliance date in a COTP zone, you must have a TWIC for unescorted access to a secure area in that zone. Keep track of when you need a TWIC and apply in plenty of time.

STEP 1: PRE-ENROLLMENT

Pre-enrollment is an optional step you may take to speed up the enrollment process. We would like you to

What you can do when you pre-enroll

- Give us some biographic information on-line.
- Read and print the *TWIC Application Disclosure Form* you must sign at enrollment.
- Find out where the best enrollment center is for you and when it is open.
- Get directions to enrollment centers.
- Make an appointment to visit an enrollment center.

pre-enroll, but you do not have to. You may pre-enroll from any computer with Internet access, or by calling the TWIC Help Desk. At www.tsa.gov/twic, you will find a secure portal to send us your biographic information such as your name, date of birth and address. Also, you can pre-enroll at a TWIC kiosk in many convenient locations, including enrollment centers.

STEP 2: ENROLLMENT AND WHAT HAPPENS AT AN ENROLLMENT CENTER

You must apply for your TWIC at an enrollment center. You do not need an appointment to visit a center, but it may speed up the process. At the center, you will do the following.

- Review and sign the TWIC Application Disclosure Form (indicating if you will apply for a waiver at that time).
- Give us biographic (personal) information.
- Give us documents that verify your identity.
- Pay enrollment fees.
- Give us a complete set of your fingerprints.
- Sit for a digital photograph.

Appendix I of this guide is a list of information you must give TSA as identifying information when you apply for a TWIC. You must bring other documents to prove your identity. You can find out what those documents are at the TWIC website. We will scan your documents into an electronic enrollment record.

There is some information that you do not have to give us. But you may volunteer to give us this information. Appendix II is a list of information you may give TSA to help process your application faster.

When you apply, you must give or sign a number of statements. Look at Appendix III for statements you must give if they apply to you. You also must certify and date a statement that the information you give us is true, complete, and correct, to the best of your knowledge. You must sign a statement that you know TSA may tell your employer if we decide you are a security threat.

Be sure to give us the best and most complete information you can. If you lie about any of this information or leave anything out, we can fine you, imprison you, or do both. If you give us the wrong information, we may deny your TWIC. When you reapply with the correct information, you will have to pay the fee again.

If you know when you enroll that you have one of the permanent disqualifying criminal offenses listed in lines 5 through 12 in table 3 or any of the interim disqualifying criminal offenses listed in table 4, mental incapacity, or you are an alien in temporary protective status, apply for a waiver. Begin the waiver process during enrollment by stating that you will apply for a waiver on the *TWIC Application Disclosure Form*.

Merchant mariner identity and immigration documents

If you are a merchant mariner, you must give TSA proofs of citizenship, alien status, or both when you enroll for a TWIC. USCG requires these documents under 46 CFR Chapter I, Subchapter B. TSA will scan the merchant mariner identity documents into the electronic record and give that record to USCG. USCG will use the electronic record when you apply for or renew one of the following.

- Merchant mariner's license.
- Merchant mariner's document.
- Certificate of registry.
- Standards of Training Certification and Watch Keeping (STCW) endorsement.
- Merchant mariner credentials.

Because you give TSA this information when you enroll for a TWIC, you may find later that you do not have to submit this information again at a USCG Regional Examination Center.

STEP 3: PAY FEES

You must pay fees to cover the whole cost of processing your application. You will pay the fees at enrollment. You can pay the fees with a cashier's check, money order, or credit card. You may not use cash or a personal check. We will process your TWIC application only after you pay your fee.

(If you had a comparable threat assessment, you can pay a reduced fee. But if your comparable threat assessment expires soon, it may make sense to pay for a new one. Read *Step 4* in this part of the guide.)

TSA may adjust the TWIC fee for inflation. We will do this every year on or after October 1, 2007. We will put an announcement in the

Federal Register and at www.tsa.gov/twic. Table 5 shows what applicants pay right now.

Table 5: Applicants and Fees through September 30, 2007	
Applicant's Category	Fee
Individuals requiring a security threat assessment	\$132.50
Individuals not requiring a security threat assessment (i.e., Hazardous Materials endorsement issued after 5/31/2005, FAST card, or MMD issued after 2/3/2003 or Merchant Mariner license issued after 1/13/2006)	\$105.25
Card replacement fee (lost, stolen, or damaged).	\$60

Remember that you pay us to process your application. So even if we deny your TWIC application, we do not return the fees.

STEP 4: SECURITY THREAT ASSESSMENT AND COMPARABLE THREAT ASSESSMENT

When you sign the *TWIC Application Disclosure Form* that is part of the enrollment process, you give us permission to check your identity and conduct an STA. For the STA, we will do the following.

- Fingerprint-based criminal history records check.
- Intelligence-related check to see if you have any ties to terrorism.
- Immigration status check.

Maybe you had something we call a "comparable threat assessment." That means some government authority did a check on you that is very similar to our STA. If you have one of the following documents, you had a comparable threat assessment.

- Hazardous materials endorsement.
- Free and Secure Trade (FAST) card.
- Merchant mariner's document (MMD) issued after February 3, 2003.

- Merchant mariner's license issued after January 13, 2006.

Instead of doing a new STA, we can use your comparable threat assessment to issue a TWIC. You can pay a reduced fee, however your TWIC will expire the same date as the STA which has already been conducted. In some cases it might make more sense to pay the full fee to receive a 5-year TWIC. If you choose to pay for a STA, you must complete the enrollment process and give us your fingerprints.

If you are a merchant mariner, you may hold a document that means you do not need an STA or need to

Merchant Mariners who do not need an STA

- You hold a Merchant Mariner Document (MMD) issued after February 3, 2003.
- You hold a Merchant Marine License issued after January 13, 2006.

pay for one. But you must submit all the information for an STA when you enroll for a TWIC.

Who Does the STA and What They Check For

TSA conducts the STA. We send your fingerprints to the FBI, and the FBI returns any criminal records associated with the fingerprints. We review any FBI records to determine if you have one of the disqualifying crimes listed in the rule.

To conduct the intelligence check, we search U.S. and international government databases.

We check your immigration status through immigration databases to see that you meet the standards in the rule. We check to see if you have a valid alien registration number and I-94 Arrival-Departure Form number. If you provided us with a social security number, we may also check to see that it is valid.

TSA reviews the STA results and decides if you may get a TWIC.

While You Are Waiting for Your TWIC: Newly Hired Employees

We know you want to start work at a new job as soon as possible. If you are a *new hire* under the TWIC rules, special rules let you have access to a secure area for 30 days while you wait to get your TWIC when your employer is required to comply with the TWIC program

regulations. As usual, an owner or operator controls access to a vessel or facility. But with the new hire part of the TWIC rules, the owner or operator can put you to work sooner.

You must do your part to be a new hire under the TWIC rules. You must do the following.

- Apply for a TWIC and pay all the fees.
- State in writing that you are not applying for a waiver.
- Have another ID that has all the traits we require. Look at the part of this guide titled *Other Personal Identification* for a description of other IDs we will accept. It starts at page 7.

We will work with the owner or operator to verify your new hire status. That means running a name-based check on you. The owner, operator, or security officer gives us information about you through a secure on-line system we call Homeport. We must get your full name, date of birth, and date of TWIC enrollment.

If you gave us your SSN when you applied, let the security officer where you work know. Having your SSN may make the name-based check go faster. Tell the security officer to give us your information *exactly* the way you entered it when you applied. For instance, if you gave us the name *Dorothy* at the enrollment center, entering your name as *Dot* will mean we cannot do the name-based check. If we get the right information, we typically complete a name-based check in 3 days or less.

Once you clear this check, the owner or operator will let you know the access control security measures you must follow.

You can use this new hire authority for 30 consecutive days starting with the date you enrolled, once we give you permission. If TSA does not act on your application by the end of that time, USCG may give you another 30 days to use this authority. But remember that the owner or operator controls access – not TSA or USCG.

What We Decide and How We Tell You

We will notify you by mail of our decision about your TWIC.

Determination of no security threat (DNST).

If you pass the STA, TSA will make a DNST. If you are a merchant mariner, we will also send it to USCG. We notify the card production staff to make you a TWIC. When your TWIC is ready, we notify you by phone or e-mail to pick it up at the enrollment center. (Read the part of this guide titled, *Step 2: How to Pick Up Your TWIC and Get It Activated*. It starts at page 19.)

Initial determination of threat assessment (IDTA).

If you do not pass our STA, we will not initially give you a TWIC. You may receive a TWIC after following the required

We send an IDTA or an IDTA-IR if we decide you meet one of the following.

- You have a disqualifying criminal offense.
- You have the wrong immigration status to qualify for a TWIC.
- You lack "mental capacity."
- You are a security threat based on other information we found about you.

process. We will mail you an *IDTA*. In the *IDTA*, we will tell you the following.

- That we think that you pose a security threat.
- That we will not give you a TWIC at that time.
- Why we think you are a security threat.
- How to request materials that led to our *IDTA*.
- How to appeal our decision. (Read the parts of this guide titled, *Waivers and Appeals*. See pages 19 and 20.)
- How to get more time to appeal our decision or to ask for a waiver.
- Who can get a waiver and how to apply. (Read the parts of this guide titled, *Waivers and Appeals*. See pages 19 and 20.)
- That our decision becomes a *Final Determination of Security Threat Assessment* unless you appeal or ask for more time within 60 days.

Initial determination of threat assessment and immediate revocation (IDTA-IR).

When you are renewing your TWIC, if you do not pass the STA *and* we decide you are an immediate security threat, we mail you an

IDTA-IR. That means we think you pose an immediate security threat and we will not renew your TWIC. If you have a TWIC, we will revoke it. Most of the information we will give you is the same as for the IDTA. We also will tell you the following things.

- You may not have unescorted access to a secure area.
- You may appeal our decision within 60 days of receiving the IDTA-IR.
- That our decision becomes a Final Determination of Threat Assessment unless you appeal within 60 days.

STEP 5: HOW TO PICK UP YOUR TWIC AND GET IT ACTIVATED

When you apply, you tell us how you want us to contact you when your TWIC is ready. You may choose contact by phone or e-mail. When we contact you, we will tell you if you must take more steps to get your TWIC. Pick up your TWIC at the same place where you applied for it.

What to Bring to the Enrollment Center

You must bring certain identity documents so we can verify who you are. Not just any documents will do. Some documents we will accept are a U.S. passport, an MMD, or a driver's license plus another ID. You can also find that list at www.tsa.gov/twic.

Be sure to bring the current version of your documents.

What Happens at the Enrollment Center

We will activate your TWIC at the enrollment center. But before we do that, the following things will happen.

First, we compare the picture and the name on the TWIC to you and your identity documents. Second, we check to see that your fingerprint matches the one on the TWIC. Finally, you choose a PIN to store on the TWIC. (Later, USCG will use the PIN with a TWIC reader to check your identity and make sure that no one else uses your TWIC. Remember your PIN, and do not share it with anyone.)

Once we activate your TWIC, you can use it as an access control tool.

Waivers

APPLYING FOR A WAIVER

Suppose one of the following things applies to you.

- You have a disqualifying criminal offense under the TWIC rules.
- You meet our description of mental incapacity.
- You are an alien under temporary protected status.

If one of these describes you, you most likely do not meet our STA standards for getting a TWIC. (Read the part of this guide titled, *What Can Disqualify Me From Getting a TWIC?* It starts on page 13) If you would like to get a TWIC, but fall into one of these categories, you may apply for a waiver and TSA will consider whether you can receive a TWIC even if one of the categories applies to you. Applying for a waiver helps us figure out whether you pose a security threat.

Not everyone can apply for a waiver. Look at Table 3 on page 13. Do you have one of the first four disqualifying offenses in that table? If you do, you are not eligible for a waiver.

If you believe you are eligible to apply for a waiver, after looking at Table 3, you must request it in writing. If you know you do not meet the STA standards and would like to apply for a waiver, you should indicate this on the TWIC Application Disclosure Form during the enrollment process. You may not know that you need a waiver until we deny you a TWIC. If that happens, apply for a waiver when you get the IDTA.

Applying for a waiver is simple. The process is informal. We take handwritten requests. You can apply for a waiver even if you do not know legal terms and processes yourself, and so you can apply without hiring a lawyer. Also, you can get more information on the waiver process from the TSA website www.tsa.gov/twic.

When you apply for a waiver, you are saying that even though you do not meet the STA standards, you believe you do not pose a security threat. You must tell us why you believe you are not a security threat. It is very important that you include any documents and information that can assist us in determining that you are not a threat, such as:

- The circumstances of your conviction for a disqualifying felony.
- If you made restitution.
- If you completed Federal or State mitigation remedies, such as probation or community service.
- How long you have been out of prison.
- If you have a job and your work history.
- Your personal history. (That is, identifying if you have a family, volunteer, or belong to a group that supports you.)
- References from responsible people who know you and can tell us that you are responsible and have a good character. (Examples are your employer, probation officer, parole officer, or clergyman.)
- Court records or official medical release documents that say you no longer have a problem with mental incapacity.

- Anything else that indicates you are not a security threat and we should give you a TWIC.

What if you ask for a waiver because you no longer have a mental incapacity? Must you prove that the underlying condition is gone? Not necessarily. For example, if you completed rehabilitation for drug or alcohol abuse, you may still have a technical addiction, but TSA may determine that you do not pose a security threat.

TSA'S WAIVER DECISION

TSA will tell you in writing if we grant or deny your waiver request within approximately 60 days of receipt of your request. If you are a merchant mariner and we grant your waiver request, we will notify USCG of our decision. When your TWIC is ready, we notify you by phone or e-mail to pick it up at the enrollment center. (Follow the same steps found in the part of this guide titled, *Step 5: How to Pick Up Your TWIC and Get It Activated*. It starts at page 19.)

If we deny your waiver request, you may ask a higher authority to review the decision. (Read the next part of this guide titled, *Review by Administrative Law Judge and TSA Final Decision Maker*. It starts at page 21.)

Appeals

APPEALING AN INITIAL DETERMINATION OF THREAT ASSESSMENT (IDTA)

The Appeal Process

If you have received an IDTA and you believe that you *do* meet the STA standards, you may appeal the IDTA. For example, you may think we based our decision on incorrect court records.

You can begin the appeal process in three different ways. After receiving the IDTA, you may:

1. Submit a written request to TSA for the materials on which the IDTA was based;
2. Submit a written reply to TSA; or
3. Request an extension of time.

You have 60 days after receiving the IDTA to begin the appeal process. If you do not start the appeal process within those 60 days, your IDTA will become a FDTA. TSA cannot issue a TWIC to anyone who has a FDTA. If you are a merchant mariner, we will notify USCG of the FDTA.

Request for materials

You may request copies of the materials that we used to make our determination. These materials may assist you in deciding whether you need to make a correction to your records. To obtain copies of the materials, you must send TSA a written request, within 60 days of receiving your IDTA. Within 60 days of receiving your request, we will give you copies of materials that we are permitted to release under law. We cannot release classified or other protected information.

If you believe your record contains incorrect or incomplete information, and you would like to correct it, you must contact the organization that is responsible for creating or maintaining that record and request that it be changed or completed. For instance, if a court record indicates that you were convicted of a disqualifying offense, but fails to state that the conviction was reversed on appeal, you would ask the court to add that information to the record. You must then give us the changed record or a certified copy of the information from the organization. We will then determine if you meet the STA standards.

Reply

You may also begin the appeal process by sending a written reply to the IDTA to TSA. You must do this within 60 days of receiving the IDTA, or, if you requested materials, you must send the reply within 60 days of our response to your request for materials. When you write your reply, you must include the reason why you disagree with our determination and any records that support your claim.

When looking at your reply, we will only consider material that relates to whether you actually meet the STA standards. We may ask for additional information from you if we believe such information is necessary to make a Final Determination.

Extension of time

You can start an appeal by requesting an extension of time for more time to prepare. The IDTA will include the address you should use when sending the request. Your request must be in writing, and we must receive it within a reasonable time before the actual due date. If you need to request an extension after the due date has passed, you need to send a written

request that explains why you did not file within the time limits. We may grant you an extension of the time limits if you show good cause.

TSA's Decision on Your Appeal

TSA will make an initial determination within 60 days after we receive your reply. In some cases, however, we may need more time to make a final determination. If the Assistant Administrator of TSA determines that you still do not meet the STA standards, TSA will send you a FDTA. If you are a merchant mariner, we will also send a copy of the FTDA to USCG. The FDTA will include an explanation of why we have decided that, despite the information you provided in your appeal, we believe the decision to give you an IDTA is correct.

If, after your appeal, TSA determines that you do not pose a security threat, we will send you a Withdrawal of Initial Determination and will arrange for your TWIC to be issued. (To find out what to do next, read the part of this guide entitled, *Step 5: How to Pick Up Your TWIC and Get it Activated* beginning on page 19.)

REVIEW BY ADMINISTRATIVE LAW JUDGE AND TSA FINAL DECISION MAKER

Review by Administrative Law Judge

You are eligible to seek review by an administrative law judge (ALJ) if you fit into one of the following categories:

1. TSA denied your request for a waiver; or
2. TSA determined you do not meet the STA requirements based on other factors, such as ties to terrorism, and you received a FDTA.

If you want to request an ALJ review, you must do so within 30 days of receiving the FDTA. Listed below are the materials you must include in your request. TSA will include the address you should use when sending the request in the FDTA.

1. If you are seeking ALJ review after a waiver denial, you must provide:
 - A copy of your request for a waiver;

- All of the materials you used to support your request; and
- A copy of the decision that we issued denying your waiver request.

In addition, you may also include a request to have an in-person hearing in front of the ALJ. Do not include any additional information that was not included in your initial waiver request. If you have new information, you will need to file a new request for a waiver.

2. If you are seeking ALJ review after receiving a FDTA based on other factors, you must include:
 - A copy of the IDTA TSA sent you;
 - A copy of the FDTA TSA sent you; and
 - All of the materials that you included with your appeal;

In addition, you may include a request to have an in-person hearing in front of the ALJ. Do not include any additional information that was not included with your appeal. If you have new information, you need to file a new appeal.

Extension of time

If you need an extension of the time limits for the ALJ review, an ALJ may grant the extension if you can show good cause. If you need to request an extension of time, you must do it in writing, and the ALJ must receive it within a reasonable time before the due date you are wishing to extend. The ALJ will provide the address to use when sending this request. If you need to request an extension after the due date has passed, you must send a written request that describes why you were unable to file within the time limits.

What Will the ALJ Do?

The ALJ will receive the information and evidence that you presented to us when you requested a waiver or appealed your IDTA. If you requested an in-person hearing, the ALJ will then consider whether your request should be granted.

If the ALJ decides to hold a hearing, it will begin within 60 days of receiving your request for a hearing. If you request it, we will provide you with an unclassified summary of any classified

information on which your denial of waiver or FDTA was based. We cannot give you or your attorney (if you have one), any classified information or other protected information. The ALJ will have a security clearance and may look at the classified information and use it to make a decision.

The hearing may be at TSA's Headquarters Building, or if you show good cause, the ALJ may choose a different location. If you do not come to the hearing, the ALJ may issue a default judgment, which means the decision will automatically be made against you. During the hearing, the ALJ may allow you to use oral testimony and different types of evidence. You (or your attorney) may also be allowed to cross-examine witnesses. Your oral testimony can only be based on the information that you gave in your request for a waiver or in your appeal.

After a certified transcript of the hearing and all of the documents and materials have been placed in the record of the ALJ proceeding, the record is closed. After the record has been closed, the ALJ will then issue an unclassified decision to you within 30 days. You may appeal the decision of the ALJ to the TSA Final Decision Maker.

If you do not appeal the ALJ decision:

In the case of a review of a waiver denial, TSA will either issue a Final Order denying a waiver or a Final Order granting a waiver. If a waiver is granted, a DNST will be sent to the USCG. In the case of a review of an appeal, TSA will either issue a Final Order of Threat Assessment or a Withdrawal of the Final Determination of Threat Assessment.

Review by TSA Final Decision Maker

If you want to request a review of the ALJ's decision by the TSA Final Decision Maker, you must make the request in writing no later than 30 days after the ALJ's decision. The ALJ's decision will explain where you should mail the request. The ALJ will give the TSA Final Decision Maker a certified transcript of the hearing and all of the unclassified documents that were placed in the record. TSA will also provide any classified materials that were submitted.

The TSA Final Decision Maker will make a decision no later than 60 days after receiving your request for review. If we provided you with

a written response to your request, the final decision will be made within 30 days of that response. You will be given official notice of the decision. If the Final Decision Maker upholds the ALJ decision against you, you will receive a Final Order Denying a Waiver or a Final Order of

Threat Assessment. If the Final Decision Maker decides that the ALJ decision was wrong, you will receive a waiver and a Determination of No Security Threat or a Withdrawal of the Final Determination. The decision of the TSA Final Decision Maker is a final agency order.

Once TSA Issues a TWIC

If you do everything right the first time, we should have your TWIC ready quickly. We talked about what will happen when you come to the enrollment center in the part of this guide titled, *Step 5: How to Pick Up Your TWIC and Get It Activated*. It starts on page 19. Now, you have your TWIC. What must you keep in mind?

WHEN YOUR TWIC WILL EXPIRE

As a rule, your TWIC and your STA expire 5 years after the date TSA issues the TWIC. You will find that date printed on your TWIC. But in the following cases, your TWIC expires on a different schedule.

- If you had a comparable threat assessment, your TWIC expires 5 years from the issue date of the document associated with the comparable threat assessment.
- If you are an alien in lawful nonimmigrant status who has restricted authority to work in the U.S., your TWIC expires when your status does or when you stop working for your employer. The date on the TWIC may not reflect this.
- We may issue you a TWIC for less than 5 years, to match the date on your visa.

IF YOU BECOME INELIGIBLE FOR THE TWIC

As a TWIC holder, you are always responsible for telling us if some change makes you ineligible to hold a TWIC under our rules. If one of the following happens, you must tell us about it as soon as possible.

- A civilian or military authority convicts you of a felony in Table 3 or Table 4.

- A civilian or military authority finds you not guilty of a felony in Table 3 or Table 4 because you were insane.
- A court or other lawful authority finds that you lack mental capacity.
- A court or other lawful authority commits you to a mental health facility against your will.

If You Must Give Up Your TWIC

Your TWIC belongs to TSA – not to you. If you have a TWIC and you no longer meet the STA standards, you must return the TWIC. Under the TWIC rules, we call this *surrender*. Here are the ways you can surrender your TWIC.

- Giving it to your employer.
- Turning it over to the USCG COTP.
- Turning it in at an enrollment center.
- Mailing it to TSA at:

TSA-19
Attn: TWIC
601 S. 12th Street
Arlington, VA 22202

Look at the part of this guide titled, *If You Become Ineligible for the TWIC*. It comes just before this part. If any condition in that list describes you, you must surrender your TWIC within 24 hours.

Also, you must surrender your TWIC within 24 hours if one of the following happens.

- You renounce or lose your U.S. citizenship.
- You lose your status as a lawful permanent resident.
- You violate your immigration status.

- The U.S. has ordered you to leave or is trying to make you leave under U.S. immigration laws.

If you are an alien in lawful nonimmigrant status, you must surrender the TWIC to your employer when your status ends or when you stop working for your employer. Your employer must notify TSA within 5 business days, so make sure you surrender the TWIC in time for us to get notice. Your employer will give your TWIC to TSA.

What Happens if You do Not Surrender Your TWIC

If the TWIC rules say you must surrender your TWIC and you do not, we may take away your TWIC immediately. TSA does this by putting your card on a *hotlist*. We give your card a number that no other card has. When we put that number on the hotlist, security staff at access control points may keep you out of any secure area unless you have an escort under our rules. (If your card is on the hotlist, an owner or operator may decide to take away authority for you to be anywhere on a vessel or at a facility.)

If you do not surrender your TWIC when the rules say you must, we can also give you a civil penalty. That means you must pay us money for not following the rules. This penalty is not a criminal penalty.

RENEWING YOUR TWIC

To renew your TWIC, follow the same steps as when you first applied. (Read the part of this guide titled, *How to Apply for a TWIC*. It starts on page 15.)

You may apply to renew your TWIC before the 5-year term is up. We will not notify you when your TWIC will expire. (Read the part of this guide titled, *When Your TWIC Will Expire*. It starts on page 23.)

Give yourself plenty of time to renew your TWIC. If you are a merchant mariner, start the process about 6 months (180 days) before your TWIC expires. You may need the extra time for USCG to process your merchant mariner qualifications and you must have your TWIC for your merchant mariner qualification to be completed. If you are not a merchant mariner, apply at least

30 days before your TWIC expires to make sure you have the new TWIC when you need it.

Your new TWIC is good for 5 years, unless you apply for a TWIC under the conditions of special cases described in the section *When Your TWIC Will Expire*, which starts on page 23. When you get it, we will put the old one on the hotlist. No one can use it for access to a secure area.

WHAT TO DO IF YOUR TWIC FAILS OR IS LOST, DAMAGED, OR STOLEN

Your TWIC may fail. You might lose your TWIC, or someone might steal it. Your TWIC could be damaged. If one of these things happens, you must contact the TWIC Call Center *immediately*. You can find the call center number in Table 1. We will add your old TWIC number to the hotlist. Be prepared to pick the enrollment center where you will pick up your replacement TWIC.

While You Are Waiting for a Replacement

While you wait to get a replacement TWIC, an owner or operator may give you unescorted access to secure areas for 7 consecutive calendar days. That 7 days starts on the day you contact the TWIC Call Center to get your replacement.

You must make the call reporting your TWIC as lost, damaged, or stolen before you can use this type of access. The owner, operator, or security officer must have *no* reason to be suspicious about your claim. Also, one of them must verify that you had unescorted access to a secure area before you made your claim.

You must show another ID like the ones we describe in the part of this guide titled, *Other Personal Identification*. It starts on page 7.

If you cannot present the TWIC for any other reason, the owner or operator must keep you out of any secure area unless you have an escort under the TWIC rules.

Picking Up Your Replacement TWIC

We will call or e-mail you when your TWIC is ready. When you pick up your replacement TWIC, you must show us documents to verify who you are. You can find the most up-to-date list at www.tsa.gov/twic. You must pay the TWIC replacement fee. Your replacement TWIC expires on the same day as your original TWIC.

Pick up your replacement TWIC as soon as it is ready. If you are a merchant mariner overseas, we will keep the TWIC at the enrollment center until you return to the U.S. Visit the enrollment center as soon as possible to pick up your TWIC.

WHAT TO DO IF YOU FORGET YOUR PIN

If you forget your PIN, security personnel will give you 10 tries to get it right. After 10 tries,

your TWIC will be locked and you will need to reset your PIN. If you need a new PIN because you have forgotten yours or it will not work, you can contact the TWIC Call Center. Read the part of this guide titled, *Where to Go for Information and Assistance*. It starts on page 3.

Revoking a TWIC

As long as you have a TWIC, we will do STAs from time to time to make sure you still qualify.

If we find out that you no longer should have your TWIC, we will revoke it. Revoking your TWIC means we put your TWIC number on the hotlist. The TWIC is no longer good. Also, if we revoke your TWIC, a USCG or other authorized official may take it from you. We may revoke your TWIC for any of the following reasons.

- We find out you no longer qualify for it.
- You surrender your TWIC because you are no longer eligible for it.
- You report your TWIC missing or damaged.
- You renew your TWIC. (We revoke the old one.)
- We find you pose a threat to transportation security or the U.S.
- We find you made a false claim about your TWIC or you changed it in some way.

Never try using a revoked TWIC to get unescorted access to a secure area. To do that

is a security breach and against the law. You may end up paying a penalty.

IMMEDIATE REVOCATION

We may revoke your TWIC immediately if an STA shows that you pose a threat to transportation security or to the U.S. We will tell you about our decision in an IDTA-IR. We may tell your employer and other law enforcement agencies, if it is appropriate.

If TSA or another law enforcement agency finds out that you pose an imminent security threat to a maritime facility or vessel, TSA may give enough information to your employer and Federal, State, or local law enforcement or intelligence agencies to reduce the risk of injury or damage. Usually, we will not tell your employer why we denied your TWIC application.

No matter what our reason for revoking your TWIC, you may wish to appeal our decision if you think we are wrong about you. (Read the part of this guide titled, *Appeals*. It starts on page 20.)

TWIC and Privacy

We know that the TWIC contains your sensitive personal information. We protect the information, as the Privacy Act requires us to do.

We collect your personal information for an STA or for deciding if you had a comparable STA under the TWIC rules. When you apply for a TWIC, you agree to give us personal information for the STA and TWIC.

HOW WE PROTECT YOUR INFORMATION

We have TSA staff or trusted agents at the enrollment centers to put your personal information into an electronic format. These people work with you at an enrollment center workstation. We design these workstations so that only you and the staff person can see your information.

When you say we have the correct information in the workstation computer, we send your whole record over a secure internet connection to the secure TSA data system. This system has all your information. This includes your scanned ID and immigration records and information we collect from our checks. We store your fingerprint information in another secure system. After your data goes from the workstation to our secure system, the workstation automatically erases your information.

We code the information in your electronic file so that only people with the right authority can use it. We store all the enrollment information in secure locations and send it only over secure internet connections. We do not maintain paper copies of your information.

We make your TWIC at a Federally managed production facility. The only personal information visible on your TWIC is your name and your picture. We code other information on the TWIC to make sure no one can misuse it. TSA's hotlist has the unique number for each TWIC we revoke. There is no personal information on the hotlist.

We do not use your actual fingerprints on the TWIC. Instead, we use a numeric code that is associated with your fingerprint pattern. No one

can use our fingerprint code to make a picture of your fingerprint.

After we make the TWIC at the production facility, the facility's data system automatically deletes your information. We send your TWIC for pick up at the center where you enrolled. At the enrollment center, you enter the PIN you want; and we activate the TWIC. Until we activate the TWIC, neither you nor anyone else can use your TWIC.

If you have access as a new hire, the security officer where you work will put your information into Homeport. The only information we will give the security officer is whether you passed the name-based check.

As you can see, your TWIC is a secure document.

WHO GETS TO SEE YOUR INFORMATION?

After you enroll, we send your information to the FBI and different parts of DHS. They use the information to check for terrorist threats, criminal history, and immigration status. We may share your records with any of the following authorities.

- FBI.
- TSA's Office of Transportation Threat Assessment and Credentialing (TTAC).
- U.S. Customs and Border Protection (CBP).
- U.S. Citizenship and Immigration Services (USCIS).
- Immigration and Customs Enforcement (ICE).
- USCG.
- DHS employees and contractors who need to know to perform their duties.
- Terrorist Screening Center (TSC).
- Federal, State, and local law enforcement or intelligence agencies.

If you want to know more about our privacy policy, read our *Privacy Impact Assessment for*

the Transportation Worker Identification Credential Program (December 29, 2006). You can find it at www.tsa.gov/twic. To get information we have about you and can release, send TSA a written Freedom of Information Act (FOIA)/Privacy Act (PA) request.

There are three ways to send a FOIA/PA request.

- By mail to TSA, Freedom of Information Act Office, TSA-20, 11th Floor, East Tower, 601 South 12th Street, Arlington, Virginia 22202-4220.
- By fax to 703-227-1406.
- By email to www.FOIA.TSA@dhs.gov.

TWIC and Fraud

Every owner or operator must have disciplinary measures to prevent fraud and abuse. Ask the security officer where you work about these measures. Be aware of your responsibility not to commit fraud or abuse. Do not lie on your TWIC application. Do not lie about anything involving your TWIC. The following is a list of things you must never do, try to do, or get someone else to do.

- Change a TWIC.
- Use someone else's TWIC or STA.
- Make a TWIC or use a fake TWIC.
- Get around access control measures.

Conclusion

We think the TWIC program strikes a balance between these three goals.

- Enhancing security through using a secure, common ID to manage individual access to secure areas of the transportation system.
- Facilitating commerce through an identity management system that maintains, or improves worker access to transportation facilities.

- Protecting Privacy by collecting as little personal data as necessary, putting that data on a secure ID, and preventing unauthorized disclosure.

We hope this guide helps you understand this important program and how to comply with it.

Appendices

APPENDIX I: Checklist of Information You Must Give TSA to Apply for a TWIC

	Your full, legal name.	
	Any name or names you have used before.	
	Current mailing address.	
	Former mailing address.	
	Current residential address, if it is different from your current mailing address.	
	The way to notify you when you may pick up your TWIC. Give us your e-mail address, if you have one. If you would like us to notify you by telephone, give us your telephone number.	
	Date of birth.	
	Gender.	
	Height, weight, hair color, and eye color.	
	City, State, and country of birth.	
	Immigration status	If you are a naturalized U.S. citizen, your date of naturalization.
		If you are in the U.S. on a visa, the type of visa, the visa number, the date it expires, and the country of citizenship.
		If you are a commercial driver licensed in Canada, either your FAST card or a Canadian passport.
	If you are not a U.S. national or citizen, your alien registration number, the number assigned to you on the U.S. Customs and Border Protection Arrival-Departure Record (Form I-94), or both.	
	Why you need a TWIC. ¹	
	If your current employer requires a TWIC, the employer's name, telephone number, and address. If your employer is the U.S. military, the branch of service. ²	
	If your current employer does not require that you have a TWIC, if you have more than one employer, or if you are self-employed, the primary vessel or port location where you need unescorted access. ³	
	If you are a credentialed merchant mariner or applying to become a credentialed merchant mariner, proof of citizenship and your merchant mariner document or license.	

¹ To decide if you are eligible, we need your job title. Also, we need you to describe the place where you most likely will need a TWIC for unescorted access to a secure area. That means you will describe the *primary* facility, vessel, or maritime port location. Describing the primary location where you think you will need the TWIC will not limit your access to other vessels and maritime facilities.

² Giving us this information will not limit your access to other vessels and maritime facilities.

³ Giving us this information will not limit your access to other vessels and maritime facilities.

APPENDIX II: Checklist of Information You May Volunteer to Give TSA

	Social Security Number (SSN). Failing to give TSA your SSN may delay or prevent us from doing your security threat assessment (STA).
	Passport information, including your passport number, city of issuance, and date it expires. If you are a U.S. citizen born abroad, giving TSA this information may speed up the application process.
	Department of State Consular Report of Birth Abroad. If you are a U.S. citizen born abroad, giving TSA this information may speed up the application process.
	Existing TSA threat assessment. If you already passed a TSA STA, giving us information on the program you had it for and the date we completed it may speed up the application process.
	Federal security clearance, including the date and the name of the agency for which you got the clearance. If you had a Federal security clearance, giving us this information may speed up the application process.

APPENDIX III: Checklist of Statements You Must Sign to Apply for a TWIC¹

	That you were not convicted or found not guilty due to insanity of an interim disqualifying offense in the 7 years before your application; or you are applying for a waiver.
	That you were not released from jail for committing an interim disqualifying criminal offense in the 5 years before your application; or you are applying for a waiver.
	That you are not wanted or under indictment for either a permanent or interim disqualifying offense; or you are applying for a waiver.
	That you were not convicted or found not guilty due to insanity of a permanent disqualifying offense; or you are applying for a waiver for a waiver-eligible permanent disqualifying offense.
	That you have not been adjudicated as lacking in mental capacity or committed to a mental health facility involuntarily; or you are applying for a waiver.
	That you meet the immigration status requirements in Table 2 of this guide, <i>Who May Hold a TWIC</i> .
	If you have or have not served in the military. (If you have, tell us which branch, the date of your discharge, and the type of discharge.)
	If you get a TWIC, that you know you must tell us if you are ever convicted or found not guilty due to insanity of a disqualifying criminal offense, adjudicated as lacking mental capacity, or involuntarily committed to a mental health facility.
	That as part of your employment duties, you must have or expect to need unescorted access to a secure area of a maritime facility or vessel for which we require a TWIC.
	That you are a credentialed merchant mariner or applying to be a credentialed merchant mariner.

¹ You must also sign these and other statements that apply to you if you are a commercial driver licensed in Canada or Mexico and transporting hazardous materials.