



INTERMODAL ASSOCIATION OF NORTH AMERICA

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United States Pushes for TWIC Startup in Fall

Congress and the U.S. Coast Guard continued to grapple with the planned implementation of the Transportation Worker Identification Credential (TWIC) this Fall, though the two government entities did not appear to be exactly on the same page.

The Coast Guard published a 62-page report called the Navigation and Vessel Inspection Circular that is essentially a manual for agency officials to use on a day-to-day basis to enforce the program. The report explains step-by-step who should be allowed in facilities and gives key definitions such as where the card must be carried. The so-called NVIC was still another step toward the beginning of enrollment.

Less than two weeks later on July 12, members of Congress lambasted the Transportation Security Administration (TSA), which is writing the rules along with the Coast Guard, for dragging their feet on implementing a program that was required five years ago by passage of a security law.

Members of both parties criticized the cost of the card, the potential difficulty for people to obtain a TWIC and the need for having a card at all because ports and private companies already put in their own security card checks after the Sept. 11 attacks.

After all of the discussion, there still is no exact date when the TWIC program will begin at Wilmington, Delaware, the first location where the card will be required. The most that the TSA has said is "in the fall." There also has not been an announcement of when pre-enrollment would start at any port. The Coast Guard report stated that all of the enrollments of 750,000—or more—people who will require TWICs would be done by September 2008.

During a hearing, some members of Congress raised the prospect that legislators could be open to considering additional changes in the TWIC process. An amendment that would change the handling of TWIC applications for new employees has been introduced, even though Homeland Security officials are on the verge of starting the program in Wilmington.

"This has been frustrating," said Representative Elijah Cummings, a Maryland Democrat who chaired the hearing, where TSA and Coast Guard representatives testified. "We have to get things right. If we don't, there is going to be total chaos. Business people need to know what's expected of them. They have to plan."

Cummings also wanted to know whether workers themselves would have to pay the fee of as much as \$137.25 and whether someone who runs a small charter passenger boat would have to get cards for every worker. He also asked for details about how cards could be obtained for individuals who have been convicted of a serious crime but have been rehabilitated.

Minnesota Democrat James Oberstar, who chairs the Transportation and Infrastructure Committee, said, "I understand the complexities of developing the card, but these are not new issues." He cited the steps to issue identification cards to airline workers after terror attacks dating back more than 20 years.

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On the Republican side, Frank LoBiondo of New Jersey used the words “extremely frustrated” and told TSA and Coast Guard officials that, “we are trying to be patient. There is a limit. I hope you realize there will be no excuse if this doesn’t work.”

Washington Republican Steve Largent went further, saying, “I have run out of patience.” He questioned whether a TWIC could ever be issued to a person whose background check turned up a legal problem.

Maurine Fanguy, TSA’s TWIC program manager, told Congress a process was in place to consider waivers in cases where there were issues such as past criminal convictions. TSA’s 469-page rule that was published in January includes dozens of pages of details about offenses that would either permanently or conditionally disqualify an applicant, as well as procedures for seeking a waiver.

Once the enrollment process begins, each individual who will require a TWIC, which must be in hand if a worker wants unescorted access inside secure areas of ports, will have to apply for the card and provide more than a dozen pieces of information. Each worker will undergo a background check, including criminal records, reviews against a terrorism watch list and immigration status.

After the background check is completed, those who pass the review can apply, including pre-enrollment on the Internet. TSA is setting up 130 enrollment locations around the country.