



**TESTIMONY OF
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ON THE
TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL
BEFORE THE
HOUSE SUBCOMMITTEE ON BORDER AND MARITIME SECURITY
JUNE 18, 2013**

Good morning Madam Chairwoman and distinguished Members of the Subcommittee. Thank you for the opportunity to testify before this Committee on the Coast Guard's role in enforcing compliance of the Transportation Worker Identification Credential (TWIC) program within the maritime transportation system.

In previous testimonies, the Coast Guard has described our responsibility for ensuring industry compliance with TWIC regulations, the status of our deployment of handheld readers to field units, and our efforts to publish regulations for electronic TWIC readers in accordance with Congressional requirements as provided in the Security and Accountability For Every (SAFE) Port Act of 2006. This testimony will provide an update of our ongoing efforts to enhance the safety and security of the nations ports through the effective implementation of the TWIC program and recent publication of the TWIC Reader Requirements Notice of Proposed Rulemaking (NPRM).

The Coast Guard and the Transportation Security Administration (TSA) have formed a successful partnership in the joint management of the TWIC program and continue to work together to effectively build, manage, and improve it. TSA is responsible for TWIC enrollment, security threat assessment and adjudication, card production, technology, TWIC issuance, conduct of the TWIC appeal and waiver process as it pertains to credential issuance, and management of government support systems. The Coast Guard is responsible for establishing and enforcing access control requirements at Maritime Transportation Security Act (MTSA) regulated vessels and facilities, which include the requirement for TWIC.

Value of TWIC

TWIC is one part of the layered approach to port security and establishes a minimum, uniform, vetting and threat assessment for mariners and port workers across the country. It ensures that workers needing routine, unescorted access to secure areas of facilities and vessels are vetted against a specific list of terrorism associations and criminal convictions and it provides a standard baseline for determining an individual's suitability to enter the secure area of a MTSA-regulated vessel or facility. However, it is only the first half of a two-part process. First, vessel and facility security personnel must determine that an individual possesses a valid TWIC.

Second, they must assess the individual's business case for entering a vessel or facility before granting the person unescorted access. The possession of a valid TWIC alone is not sufficient to gain the holder of that credential access to secure areas on vessels or facilities across the country. The TWIC provides a means by which a vessel or facility security officer can determine that an individual has been vetted to an established standard. It helps inform the security officer's decision to grant unescorted access to an individual. The facility owners/operators must maintain control of the access privileges to their respective facilities based on the valid TWIC and business case.

The nationwide recognition of TWIC promotes security and standardization. A common credential enables facility and vessel operators as well as federal, state, local, tribal, and territorial law enforcement entities to verify the identity of individuals—a step that was not feasible prior to TWIC implementation with potentially thousands of different facility-specific credentials. TWIC also allows transportation workers to move among facilities, vessels, and geographic regions as needed for routine market demands and during emergencies, while still maintaining security.

As required by the SAFE Port Act, the Coast Guard conducts at least two security inspections annually at MTSA-regulated facilities, with one inspection being unannounced. Vessels and facilities in all 42 Coast Guard Captain of the Port Zones are in compliance with TWIC requirements, and have been since the April 15, 2009 implementation date. In addition to the security activities taken by vessel and facility security officers, the Coast Guard conducts regular inspections, spot checks, and TWIC verifications at approximately 3,100 maritime facilities, 14,000 vessels, and 50 outer continental shelf facilities. Our enforcement program also includes the use of hand held TWIC readers by Coast Guard personnel to conduct spot checks using the biometric capabilities of TWIC.

Reader Requirements

On March 22, 2013, the Coast Guard issued the TWIC Reader Requirements Notice of Proposed Rulemaking which outlines requirements for certain MTSA-regulated facilities and vessels to use electronic readers in accordance with Congressional requirements as provided in the SAFE Port Act as part of their TWIC access control program. The Notice of Proposed Rulemaking maintain the visual verification requirement for remaining vessels and facilities. Per 33 CFR Parts 104, 105, and 106, this visual inspection must include, at a minimum:

- A match of the photo on the TWIC to the individual presenting it;
- Verification that the TWIC has not expired; and
- A visual check of the various security features present on the card to determine whether the TWIC has been tampered with or forged.

This Notice of Proposed Rulemaking is an important element of the Coast Guard's maritime security mission. Electronic readers add an important additional layer of security by providing biometric confirmation of the TWIC holder's identity.

As you are aware, the Government Accountability Office (GAO) recently released a report questioning the security benefits of TWIC, and the way in which the Coast Guard used results of the pilot program to inform the reader rule. As we indicated to GAO in our reply to their report, we were aware of the pilot program's limitations, and used it with discretion in developing the Notice of Proposed Rulemaking. Moreover, we are convinced that TWIC, including the use of biometric readers, can and should be a part of the nation's maritime security system. In part, because the GAO report came out while the Notice of Proposed Rulemaking public comment period was open, we extended the open period by thirty days to June 20, 2013, to ensure that the public had sufficient opportunity to review and provide feedback on the proposed regulations.

Conclusion

TWIC is improving access control at vessels and maritime facilities across the country. Its standard, nationwide recognition secures and facilitates a resilient, mobile transportation workforce during routine and emergency situations. The Coast Guard's NPRM will further increase the security value of TWIC to the nation by focusing on the highest risk vessels and facilities. We will continue to work with TSA, industry groups, labor organizations, and other stakeholders to find ways to reduce costs, and improve service. As part of that process, we will continue to monitor the costs and benefits of TWIC, as well as the external security environment. In all of these matters, our primary concern is to provide the American people with a secure and efficient marine transportation system. We know we have more work to do, and we will ensure Congress is informed of our progress.

Thank you for the opportunity to testify today. I look forward to your questions.