

## **TECHNICALLY ORIENTED QUESTIONS AND ANSWERS**

**Q1: How did the Coast Guard and TSA let workers know about the program?**

R1: TSA and the Coast Guard created a partnership that produced a significant outreach program commencing in 2007 to provide people with TWIC program information. The outreach efforts included handing out flyers, posting signs at port facilities and notices on bills of lading as well as the use of traditional media and an extensive online presence.

**Q2: How did the PMA & ILWU let workers know about the program?**

R2: The PMA and their member companies have a significant outreach program to provide people with TWIC program information. Broad outreach efforts by both the PMA and the ILWU included direct communication methods, including posting signs, posters, web updates, dispatch tape announcements and mailers as well as outreach meetings with various stakeholders including the ILWU locals, the local Coast Guard, the port authorities, TSA and Lockheed Martin—the contractor handling the enrollment process for TSA. In addition, some terminals conducted direct outreach to all entrants in the form of gate surveys regarding TWIC enrollment.

**Q3: What does “compliance” really mean and how will the Coast Guard verify compliance?**

R3: In accordance with the TWIC regulations published Jan. 25, 2007 owners and operators of MTSA regulated facilities within a particular Captain of the Port (COTP) Zone are responsible for ensuring that all individuals requiring unescorted access to secure areas hold a valid TWIC

by the published compliance date. The Coast Guard has advised that they will be conducting announced and unannounced spot checks to ensure compliance. Other federal agencies, such as Customs and Border Protection may also conduct spot checks for the Coast Guard.

**Q4: Does the Coast Guard have the capacity and capability to verify compliance?**

R4: Yes. The Coast Guard is the enforcement arm of the TWIC program. West Coast COTPs have all advised that they will conduct routine announced and unannounced spot checks to ensure owners and operators of MTSA regulated facilities are complying with the applicable TWIC regulations. These spot checks may commence at midnight on the compliance date.

**Q5: What will happen if TSA has not issued my TWIC prior to the compliance date? How can I do my job?**

R5: Longshore workers will be denied entry at the gate after the compliance date unless they have a TWIC. Longshoremen will not be escorted. Other transportation or port workers who need frequent and regular access to marine terminals such as truckers are also required to have a TWIC. The Coast Guard has provided an illustrative list of these persons in NVIC 03-07 which includes: U.S. vessel crews, longshoremen, drayage truckers, facility employees, long haul truckers, surveyors, agents, chandlers, port chaplains, casual laborers who frequently access secure areas and other maritime professionals. These workers will be denied access if they do not have a TWIC.

**Q6: What if my TWIC is lost stolen or damaged?**

R6: Longshore workers and others who have lost their TWIC will be required to present the TSA \$60 lost card replacement receipt (and an acceptable government issued ID) at the gate to gain entry in lieu of a TWIC. At present the Coast Guard has advised that this arrangement will be acceptable for up to 37 days from the issuance of the lost TWIC replacement receipt in conjunction with proper government identification and upon verification and approval of the Facility Security Officer or designee. (See TWIC Policy Advisory Council (PAC) Decision 03-09)

**Q7: Once on the terminal if I am requested to present my TWIC again to facility security personnel or federal officials must I present it a second time?**

R7: Yes. Random spot checks by government officials and facility security personnel may require transportation workers to produce their TWIC within 10 minutes. Failure to produce a TWIC will constitute a security breach and may involve removal from the facility, detention or arrest of the individual.

**Q8: What can be expected if someone enters a secure area without a valid TWIC? Or if an escorted or monitored individual engages in activities other than those for which escorted access was granted.**

R8: Failure to produce a valid TWIC within a secure area will constitute a security breach and may involve removal from the facility, detention or arrest of the individual. Fraudulent card issues must be reported to the COTP and law enforcement officers for further investigation. Individuals monitored in secure areas or escorted on the facility who engage in activities other than those for which access was granted may be challenged and their activities may constitute a security breach which may result in removal from the facility, detention or arrest of the individual. In such cases, facilities may also face a range of Coast Guard compliance actions