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United States
Coast Guard



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DEPARTMENT OF HOMELAND SECURITY

U. S. COAST GUARD

STATEMENT OF

**REAR ADMIRAL CRAIG E. BONE
ASSISTANT COMMANDANT FOR PREVENTION**

ON

**U. S. COAST GUARD LICENSING AND DOCUMENTATION OF
MERCHANT MARINERS**

BEFORE THE

COMMITTEE ON TRANSPORTATION & INFRASTRUCTURE

SUBCOMMITTEE ON COAST GUARD & MARITIME TRANSPORTATION

U. S. HOUSE OF REPRESENTATIVES

JULY 20, 2006

Good afternoon Chairman LoBiondo, Ranking Member Filner and distinguished members of the Committee. It is a pleasure to appear before you today to discuss the issuance of mariners' credentials.

A series of studies have shown that the public could be better served if the processing of all applications for mariners' credentials were centralized. Accordingly, in March 2005, a plan was approved by the Commandant of the Coast Guard to centralize most functions related to the issuance of credentials. The existing 17 Regional Exam Centers (RECs) will be reduced in size and limited in their responsibilities. In the near future, RECs will focus upon providing services such as testing, acceptance of application packages, public information and conducting oversight of approved training courses. Not only will this improve service, but it will promote consistency in interpretation of the requirements for the credentials. Martinsburg, West Virginia will be the home of the facility, and the first steps towards centralization have already started. REC New Orleans has begun its return to New Orleans, but only as a "storefront" office. Some employees from the REC are being transferred to the location of the centralized facility in Martinsburg to work with 20 new contract personnel. When REC New Orleans re-opens, all applications filed at that office will be forwarded to Martinsburg for evaluation and processing. This process of transferring the functions of all RECs will be completed by late summer 2008.

Along with the centralization of REC functions, we are also planning for the implementation of the Transportation Workers Identification Card, or TWIC. 46 USC § 70105(b)(2)(B) requires that individuals issued a license, certificate of registry, or merchant mariner's document shall be issued a TWIC. The Coast Guard is working with the Transportation Security Administration (TSA) to develop a unified process to reduce the burden on the public. The public comment period on the rulemaking to implement the TWIC recently closed and representatives from both agencies are now reviewing the comments and will address them when a final rule is published later this year. The Coast Guard will continue to conduct a criminal records check and a check of the National Drivers Register (safety screening), while TSA conducts a security screening. If these reviews show no information upon which to base a denial, and the applicant does not have to complete a Coast Guard examination, the entire merchant mariner document (MMD) process may be completed by mail. With the implementation of the TWIC, the Coast Guard MMD will no longer serve as the mariner's primary identification document. .

Under the current regulatory scheme, the Coast Guard may issue a mariner any combination of four credentials:

- Merchant Mariner Document (MMD);
- Merchant Mariner License (officer ranks);
- Certificate of Registry (COR); or
- Standards of Training, Certification, and Watchkeeping (STCW) endorsement.

The MMD, License, COR and STCW endorsements are qualification credentials. Only the MMD functions as an identity document, and none of the current mariner credentials contain the biometric information required under the Maritime Transportation Security Act of 2002 (MTSA). Because of this, the Coast Guard has drafted a proposed rule that would combine the elements of these four credentials into one certificate called the Merchant Mariner Credential (MMC). The MMC would retain the qualities of the MMD but serve primarily as the mariner's qualification credential, while the TWIC would serve as the mariner's identification credential. Mariners will be required to have a TWIC to be eligible for an MMC,.

To further ease the burden on mariners who now must appear at one of 17 RECs at least once in the application process, the Coast Guard and TSA have come to an agreement to share information submitted in the TWIC application process. As proposed in this MMC rulemaking, TSA would provide the Coast Guard with electronic copies of the applicant's fingerprints, proof of identification, immigration status photograph; and if applicable the individual's criminal record, and alien registration number. This information would then be used in reviewing the applicant's safety and suitability for the MMC and will eliminate redundancies in the security assessment of the mariner.

This proposed change is expected to result in cost savings to the public as much of the inland population currently must travel great distances to reach an REC. With centralization, all records will be imaged and the information maintained electronically as new applications are received. Active files will be maintained at the central unit; inactive files will be maintained at a Federal Records Center. The various RECs' backlogs are currently running from 7 to a 90-day delay. Centralization will reduce backlogs. Until centralization is complete, staff resources are being adjusted to assist RECs having the greatest backlogs.

The consolidation of qualification credentials and a further streamlining of other mariner regulations is a positive and meaningful development that will work to ensure mariners are not subjected to duplicative requirements.

Maritime security is an important part of our overall homeland security. Security cannot be delivered via a single, silver bullet solution. This is particularly true with regard to the maritime sector where a layered system of security is needed to deal with a global system in which security responsibility is shared; where there is a multiplicity of private sector entities that have primary responsibility for implementing and performing most of the frontline security duties; and where the interests of numerous foreign governments must be addressed.

The TWIC Program

National security interests and MTSA require that individuals seeking unescorted access to MTSA-regulated vessels and facilities be properly identified and undergo appropriate security vetting. Furthermore, facilities and vessels need a reliable tool for identifying those individuals who have been granted such access. For that reason, TSA has been developing the TWIC, which is a 21st century identification card for transportation workers. The TWIC card will include biometric technology that is intended to make it virtually impossible for the card to be used by anyone other than the person to whom the card was issued.

The TWIC maritime program has been designed to satisfy the following mission goals:

- Identify authorized individuals who require unescorted access to secure areas of MTSA-regulated facilities and vessels;
- Determine the eligibility of an individual for access through a security threat assessment;
- Ensure unauthorized individuals are denied access through biometric confirmation of the credential holder;
- Immediately revoke access for individuals who fail to maintain their eligibility;
- Apply privacy and security controls to protect TWIC information; and
- Fund the program entirely by user-fees.

To achieve these goals, TSA and the Coast Guard promulgated a joint TWIC notice of proposed rulemaking (NPRM) for the maritime sector. Per Secretary Chertoff's direction, the joint rulemaking process between the Coast Guard and TSA has been accelerated. Both the NPRM as well as the Coast Guard's rule on the Merchant Mariner Credential were published in the Federal Register on May 22nd. Under the joint rule, DHS, through the Coast Guard and TSA, formally proposes to require that all U. S. merchant mariners and all persons who need unescorted access to secure areas of a regulated facility or vessel obtain a TWIC.

We expect these cards will ultimately be issued to about 750,000 workers who require unescorted access to secure areas of MTSA-regulated maritime port facilities and vessels. TWIC cards will be required not only for port facility workers, but for anyone who seeks unescorted access to secure areas of a MTSA regulated facility or vessel, regardless of frequency, such as certain crew members, truck drivers, security guards and rail employees, as well as all U. S. merchant mariners who hold an active U. S. Merchant Mariner's License, Merchant Mariner's Document, Certificate of Registry or STCW endorsement.

Aligning Current Maritime Security Requirements with TWIC

Following enactment of MTSA in November 2002, the Coast Guard issued a series of general regulations for maritime security. Those regulations set out specific requirements for owners and operators of vessels, facilities and Outer Continental Shelf facilities that had been identified by the Secretary as posing a high risk of being involved in a transportation security incident. Accordingly, owners and operators of these vessels and facilities were required to conduct security assessments, create security plans specific to their needs and submit the plans for approval to the Coast Guard by December 31, 2003. All affected vessels and facilities are required to have been operating in accordance with their respective plans since July 1, 2004, a requirement which they successfully met, and are required to resubmit plans every five years.

Each plan requires owners or operators to address specific vulnerabilities identified pursuant to their individual security assessments, including controlling access to their respective vessels and facilities. Most significantly, MTSA regulations require owners/operators to implement security measures to ensure that an identification system is established for checking the identification of vessel and facility personnel or other persons seeking access to the vessel or facility. In establishing this initial identification system, owners and operators were directed to accept identification only if it:

- was laminated or otherwise secure against tampering;
- contained the individual's full name;
- contained a photo that accurately depicted the individual's current facial appearance; and
- bore the name of the issuing authority.

The issuing authority had to be a government authority or organization authorized to act on behalf of a government authority, or the individual's employer, union, or trade association. There was no requirement that the identification be issued pursuant to a security threat assessment because there was no existing credential and supporting structure that could fulfill the needs specific to the maritime environment at the time those regulations were created.

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Now that TSA is completing the credential and supporting structure for TWIC, it must be integrated into this pre-existing security program through amendments to the current regulations. The steps we are taking will be yet another improvement or layer to the security of our port facilities and vessels. It is an effort which, when completed, will assure our citizens that those people who have unescorted access to secure areas of these port facilities and vessels have been screened to make sure that they are not a known security threat.

In closing, the Coast Guard is actively taking steps to improve the Merchant Marine Licensing and Documentation Program. Centralization of application processing provides the ability to focus our efforts and gain economies of scale while reducing backlogs, to ensure that credentials are only issued to qualified persons and ensure uniformity in interpretation of the regulations. The implementation of TWIC will further strengthen our security efforts and help ensure the integrity of maritime credentials.

Thank you for the opportunity to testify before you today. I will be happy to answer any questions you may have.