

Subj: Explanation of CG-543 Policy Letter 11-15, Processing of Merchant Mariner Credentials (MMC) for Mariners not Requiring a Transportation Identification Credential (TWIC); Applicability to Commercial Fishing Vessels

Discussion:

1. Several questions have been posed to the Fishing Vessel Safety Division such that there appears to be some confusion regarding the applicability of subject policy letter to commercial fishing vessels and commercial fishing industry personnel. Paragraph 5.a. of the policy letter states that “The Coast Guard is allowing mariners without a valid TWIC who operate onboard vessels that do not have a security plan to acquire and renew a Merchant Mariner Credential (MMC).” The paragraph goes on to explain that the policy will apply to mariners who serve on vessels without security plans and then provides a list of those types of vessels; commercial fishing vessels are not on that list of vessels. After conferring with the authors of this policy letter, CG-5434 - Mariner Credentialing Policy Division, we have received clarification that since commercial fishing vessels are not required under 33 CFR 104 to have a Vessel Security Plan (VSP), they also fall under the provisions of this policy. Therefore, regardless of the fact that commercial fishing vessels are not listed in Policy Letter 11-15, if a vessel is not required to have a VSP, then mariners serving on board those vessels will be permitted to renew an existing credential without actually obtaining a TWIC as explained below. Further, the Coast Guard should not pursue suspension or revocation action against a mariner serving on a vessel not required to have a VSP just because the mariner does not currently have a valid TWIC.

2. The key points in the policy regarding TWIC requirements that are also applicable to mariners on commercial fishing vessels are the following:

- A mariner currently serving on board a commercial fishing vessel is not required to hold a TWIC if the vessel is not required to have a Vessel Security Plan. Fishing vessels should not be required to have security plans.
- A mariner serving on a commercial fishing vessel (no VSP required) applying for his/her **initial** MMC will need to enroll for a TWIC and pay the applicable fees at an enrollment center. This is necessary because the TWIC enrollment center is the only location where the Coast Guard can obtain biometric and personal information from the applicant, used by TSA to screen the mariner, and which the Coast Guard uses to issue the MMC. The mariner does not have to return to the enrollment center to actually pick up their TWIC in order to receive their MMC.
- A mariner already holding a MMC, but never enrolling for or having held a TWIC, in order to **renew** his/her MMC, will need to enroll for a TWIC at an enrollment center and pay the fee as noted above for an initial MMC. The same rationale for enrollment applies as described above.

- A mariner already holding a MMC and having a current or expired TWIC need not renew or re-enroll for a TWIC in order to **renew** his/her MMC. The mariner will need to affirm to the Coast Guard that he/she does not desire or is not required to hold a TWIC. Under the situation of an expired TWIC, it should be understood that the processing of the MMC could take longer than normal because the “old” biometric information could take additional time to retrieve and validate.
- A mariner not needing unescorted access to a secure area designated by a vessel or facility security plan, in accordance with 33 CFR 104 or 105, no longer requires a TWIC. However, it is possible that mariners on a commercial fishing vessel routinely mooring at a Marine Transportation Security Act (MTSA) regulated secure facility, could be required by the facility to hold a TWIC. Whether or not crewmembers are required to hold a TWIC to enter a secure facility is a matter that must be determined between the vessel’s owner/operator and the facility.

3. Policy Letter 11-15 addresses the requirements for processing of MMCs for mariners who do not require a TWIC and addresses the Coast Guard’s related enforcement posture. While the policy letter did not specifically address the requirements as they apply to mariners on commercial fishing vessels, the discussion above should provide an explanation and information about TWICs for those mariners. Further, the general rule is that although mariners holding a MMC or applying for a MMC, will have to at least enroll for a TWIC and pay the requisite fees, but will not have to actually obtain and hold one. The enrollment is necessary to provide biometric information, proof of citizenship, and nationality with proof of legal residence status that will facilitate a background check and allow the National Maritime Center to issue the MMC when everything has been validated.