

U.S. Department of Homeland Security

Office of Transportation Threat Assessment and
Credentialing
Arlington, VA 22202



Transportation
Security
Administration

[Date]

Mr. John Doe
12345 Anywhere Lane
Midtown, VA 22202

Re: Initial Determination of Your TWIC Application

Dear Mr. Doe:

The Transportation Security Administration (TSA) has received your application for a Transportation Worker Identification Credential (TWIC). Based on the information you provided in your application and the results of various portions of the eligibility assessment, TSA has determined that you **may not** be eligible for a TWIC. This letter is **not** a final decision. Instructions for preparing a response to this letter are included. **TSA must receive your response within 60 calendar days of the date of this letter, unless you request and TSA grants an extension of time to respond. If you do not provide a response to TSA within 60 calendar days from the date of this letter or request an extension, TSA's decision regarding your eligibility assessment will automatically become final and you will be disqualified from holding a TWIC.**

RESULTS OF TSA'S INITIAL ELIGIBILITY ASSESSMENT:

After conducting the assessment, TSA has made an initial decision that you **may not** be eligible for a TWIC. TSA has determined the following:

Disqualifying Criminal Convictions

1) Permanent/Interim Disqualifying Conviction:

A review of your criminal history record shows that you were convicted of a potentially **[permanently]** disqualifying criminal offense, as set forth in Title 49, Code of Federal Regulations (C.F.R.), 1572.103(a) and (b), **[Cite Offense]**, in **[City, State]**, on or about **[Date]**, and sentenced to serve **[days, months, or years]** incarceration. If you believe that this information is not correct, you should provide TSA with all documentation or information that you believe TSA should consider in reviewing your application, such as written proof that you were found not guilty of this offense, convicted of a misdemeanor or non-disqualifying offense,

or the charges were dismissed. If you do not provide TSA with such information, TSA may not be able to approve your application.

You are disqualified from holding a TWIC if you were convicted of a disqualifying offense, as set forth in 49 C.F.R. 1572.103(b) (see enclosure), within the last seven years; or you were released from jail, prison, or other correctional institution after being sentenced for this offense within the last five years. If you were convicted of a permanently disqualifying offense, you are disqualified from holding a TWIC regardless of when you were convicted or released from jail, prison, or other correctional institution.

2) Open Interim/Permanent Criminal Disposition:

A review of your criminal history record shows that you were arrested, indicted, or otherwise have an open disposition for a potentially **[permanently]** disqualifying criminal offense, as set forth in Title 49, Code of Federal Regulations (C.F.R.), 1572.103(a) and (b), **[Cite Offense]**, in **[City, State]**, on or about **[Date]**. If you believe that this information is not correct, you should provide TSA with all documentation or information that you believe TSA should consider in reviewing your application, such as written proof that you were found not guilty of this offense, convicted of a misdemeanor or non-disqualifying offense, or the charges were dismissed. If you do not provide TSA with such information, it is unlikely that TSA will be able to approve your application.

As set forth in 49 C.F.R. 1572.103(d), when records indicate an arrest for a disqualifying offense without indicating a disposition, a TWIC applicant must clear the open disposition or be disqualified. If you were convicted of the above open criminal disposition, **[Cite Offense]**, you are disqualified from holding a TWIC if you were convicted within the last seven years; or you were released from jail, prison, or other correctional institution after being sentenced for this offense within the last five years. If you were convicted of a permanently disqualifying offense, you are disqualified from holding a TWIC regardless of when you were convicted or released from jail, prison, or other correctional institution.

3) Open Warrant for an Interim/Permanent Criminal Offense:

Records available to TSA indicate that a warrant was issued for your arrest on or about **[Date]**, by the **[insert issuing Law Enforcement Agency]**, in **[City, State]**, for a potentially **[permanently]** disqualifying criminal offense, as set forth in Title 49, Code of Federal Regulations (C.F.R.), 1572.103(c), **[Cite Offense]**. If you believe that this information is not correct, you should provide TSA with all documentation or information that you believe TSA should consider in reviewing your application, such as written proof that the warrant was issued in error, the warrant has been resolved, or the warrant did not result in a criminal conviction. If you do not provide TSA with such information, it is unlikely that TSA will be able to approve your application.

As set forth in 49 C.F.R. 1572.103(d), when records indicate an arrest for a disqualifying offense without indicating a disposition, a TWIC applicant must clear the open disposition or be disqualified. If you were convicted of the above open warrant, **[Cite Offense]**, you are

disqualified from holding a TWIC if you were convicted within the last seven years; or you were released from jail, prison, or other correctional institution after being sentenced for this offense within the last five years. If you were convicted of a permanently disqualifying offense, you are disqualified from holding a TWIC regardless of when you were convicted or released from jail, prison, or other correctional institution.

Mental Capacity:

As set forth in Title 49, Code of Federal Regulations (C.F.R.), 1572.109, individuals who have either been adjudicated as lacking mental capacity or were once involuntarily committed to a mental health facility are not eligible for a TWIC. Records available to TSA indicate that you have either been adjudicated as lacking mental capacity or were once involuntarily committed to a mental health facility. Specifically, our records indicate that on or about **[Date]**, you were adjudicated as lacking mental capacity or were committed to the **[insert name of mental institution]**. If you believe this information is not correct you should provide TSA with all documentation or information that you believe TSA should consider in reviewing your application. If you do not provide TSA with such information, it is unlikely that TSA can approve your application.

Immigration:

1) Individuals applying for a TWIC must be a U.S. citizen, lawful permanent resident, or meet the immigration eligibility standards, as set forth in Title 49, Code of Federal Regulations (C.F.R.), 1572.105. On your application, you indicated you were born in **[insert Country]**; however, TSA has been unable to verify your U.S. citizenship or immigration eligibility to hold a TWIC.

2) Individuals applying for a TWIC must be a U.S. citizen, lawful permanent resident, or meet the immigration eligibility standards, as set forth in Title 49, Code of Federal Regulations (C.F.R.), 1572.105. On your application, you did not list your complete place of birth; therefore, TSA has been unable to verify your U.S. citizenship or immigration eligibility to hold a TWIC.

3) Individuals applying for a TWIC must be a U.S. citizen, lawful permanent resident, or meet the immigration eligibility standards, as set forth in Title 49, Code of Federal Regulations (C.F.R.), 1572.105. On your application, you indicated you were born in the United States; however, other records available to TSA indicate that you may have been born in **[insert Country]**. As a result, TSA has been unable to verify your U.S. citizenship or immigration eligibility to hold a TWIC.

On your application, you indicate that you meet the immigration eligibility requirements to hold a TWIC, which are listed in the enclosure. However, TSA has not received documents that confirm that you meet the immigration eligibility requirements. As a result, TSA has been unable to verify your U.S. citizenship or immigration eligibility to hold a TWIC.

TSA must verify that you meet the immigration eligibility requirements established to hold a TWIC, which are listed in the enclosure. Failure to provide sufficient citizenship and/or

immigration documentation to verify your eligibility may preclude you from holding a TWIC. You should provide TSA with all documentation or information regarding your U.S. citizenship and/or immigration eligibility that you believe should be considered in reviewing your application. If you do not provide TSA with such information, it is unlikely that TSA can approve your application.

You have **not yet** been disqualified from holding a TWIC. This letter is an Initial Eligibility Assessment which notifies you of the decision made by TSA. The enclosure provided with this letter explains all options available to you when responding to TSA. You have the option to file an appeal or waiver, request a copy of the materials TSA used as the basis for making its initial decision, or request an extension of time so that you may gather additional materials for your response. This letter is issued in accordance with 49 C.F.R. 1515.5.

INSTRUCTIONS TO SEND INFORMATION TO TSA

The TSA TWIC Request Cover Sheet **must be attached** to the front of all documentation and information being submitted to TSA. This cover sheet can be found at the end of the enclosed attachment and includes your full name, mailing address, daytime telephone number, and case number. Please change any information on the cover sheet that is incorrect and indicate the type of request you are submitting to TSA by selecting the appropriate request option(s).

All correspondence must be mailed via U.S. Postal Service to the address below:

**Transportation Security Administration
TSA TWIC Processing Center
P.O. Box 8118
Fredericksburg, VA 22404-8118**

Do not use any overnight mail service, other than the U.S. Postal Service (because other mail service cannot deliver to a P.O. Box). Use of the enclosed cover sheet and mailing correspondence to the above address is the fastest means of communicating with TSA.

You are not required to obtain an attorney. The enclosed attachment provides information on how to request releasable documents from TSA, submit an appeal or waiver request, and/or request an extension of time.

For your information, the TWIC program is a vital security measure to help ensure that individuals who pose a threat do not gain unescorted access to secure areas of the nation's maritime transportation system. TWIC was established by Congress through the Maritime Transportation Security Act of 2002 (MTSA) and is implemented by regulations administered by TSA and the U.S. Coast Guard. Applicable MTSA regulations regarding assessments may be found at 49 C.F.R. Parts 1515 and 1572, which are available on TSA's website, www.tsa.gov. A TWIC will not be issued if TSA determines that an individual does not meet the standards described in 49 C.F.R. 1572.5.

Again, this letter is intended to notify you that TSA requires more information in order to complete your application. **TSA must receive your response within 60 calendar days of the**

date of this letter, unless you request and TSA grants an extension of time to respond. If you do not provide a response to TSA within 60 calendar days from the date of this letter or request an extension, TSA's decision regarding your eligibility will automatically become final and you will be disqualified from holding a TWIC. Please review the enclosure which provides detailed instructions on how to submit information to TSA. If you have any questions, please correspond in writing to the address provided.

Sincerely,

Robert Freeman, Director
Adjudication Center
Office of Transportation Threat Assessment and
Credentialing

Enclosure