

STATEMENT OF RANKING MEMBER SHEILA JACKSON LEE (D-TX)

“Threat, Risk and Vulnerability: The Future of the TWIC Program”

Subcommittee on Border and Maritime Security

June 18, 2013

As a Member of Congress representing the Port of Houston, the former Chairwoman and Ranking Member of the Subcommittee on Transportation Security, and current Ranking Member of the Subcommittee on Border and Maritime Security, I have been focused on the TWIC program since its creation.

Early on, I engaged ports, workers, and other stakeholders about the program and heard their concerns about how it was being deployed.

Like many of my colleagues, my office has received significant amounts of TWIC casework, primarily from workers having difficulty obtaining and renewing their TWICs.

While some of the issues with the program have largely been addressed over time, other concerns have taken their place.

I was particularly troubled by the Government Accountability Office (GAO) report released last month that found serious problems with the TWIC reader pilot, which was intended to serve as the basis for the TWIC reader rulemaking.

GAO found that the pilot results were incomplete, inaccurate, and unreliable for informing Congress and for developing a final reader rule.

GAO concluded these issues call into question the TWIC program’s premise and its effectiveness in enhancing security.

These concerns, coupled with prior, unaddressed issues related to security vulnerabilities with the program, prompted GAO to recommend that the Department not move forward until a security assessment of the program is completed.

However, DHS, which was made aware of GAO’s findings in December of 2012, published a Notice of Proposed Rulemaking (NPRM) for the TWIC readers in March of this year.

The NPRM would require readers to be deployed to only to the highest-risk facilities and vessels, accessed by just 5% of TWIC holders.

While nothing precludes DHS from expanding the reader requirement in the future, such a limited deployment of biometric readers is not what Congress envisioned when it mandated the TWIC program.

I am not advocating for broader deployment of readers at present, but am concerned that DHS would ask port workers to pay for a biometric card whose biometric capabilities apparently may never be utilized.

More broadly, I am concerned that DHS appears to be moving forward with its long-delayed reader rule before addressing the fundamental concerns with the program GAO has identified in its reports.

I was pleased to invite a witness from the Port of Houston, Mr. Marcus Woodring, to testify before the Subcommittee today to offer his port's perspective on the issues facing the TWIC program.

Besides being one of the Nation's major ports with a significant presence of petrochemical-related facilities and vessels, the Port of Houston has been using TWIC readers voluntarily since 2008.

Mr. Woodring currently serves Managing Director for Health, Safety, Security and Environmental (HSSE) at the Port of Houston Authority, having recently served in the Coast Guard culminating with service as Captain of the Port for the Houston region.

I am especially interested in hearing from him about the Port of Houston's experience with TWIC readers and his views on how the TWIC program can be strengthened going forward.

Similarly, I want to hear from our DHS witnesses about how they plan to address GAO's recommendations and ensure TWIC becomes the maritime security program Congress intended, that ports and facilities can use without undue disruption to their businesses, and that DHS can justify asking maritime workers to continue to pay for.

Finally, I will note that I have previously supported one enrollment process, one fee, and one security threat assessment for transportation workers.

I would like to hear from our witnesses today about how the ongoing issues with the TWIC program might affect this effort.