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U.S. Department of Homeland Security
c/o U.S. Department of Transportation
Docket Management Facility
Room Plaza 401
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Washington, DC 20590-0001

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July 6, 2006

Re: *Transportation Worker Identification Credential (TWIC) Implementation in the Maritime Sector: Proposed Rules. Docket Numbers: TSA-2006-24191, USCG-2006-24196, RIN 1652-AA41.*

The Intermodal Association of North America (IANA) appreciates this opportunity to comment on the proposed rules for implementation of the Transportation Worker Identification Credential, published in the May 22, 2006 Federal Register.

IANA is the national trade association of intermodal transportation providers, industry suppliers and customers, who come together with the common goal of promoting the benefits of intermodal service and advocating issues that are complimentary to multi-modal transportation. IANA's 700+ member companies include: railroads, intermodal drayage carriers and highway motor carriers, third party logistics providers, water carriers, ports, equipment manufacturers and leasing companies, and other industry service suppliers. IANA is the only national organization that represents the combined interests of the intermodal freight industry.

IANA also serves as the administrator of a uniform industry contract governing the interchange of equipment and cargo among carriers. This contract is the Uniform Intermodal Interchange and Facilities Access Agreement (UIIA). The UIIA is the only standard contract between intermodal truckers/drayage companies and ocean carriers, railroads, and equipment leasing companies. It operates on the basis of a Business Review Letter provided by the U.S. Department of Justice and currently has over 6,500 motor carrier and 62 equipment provider participants, representing over ninety percent (90%) of the intermodal freight market.

The Association has recently developed the Intermodal Driver Database (IDD), a program providing a centralized, single-source, database of specific driver biographic information furnished by motor carriers who provide highway services in support of intermodal freight movements. The goal of this program is to serve as a "clearinghouse" for driver identification data, that is linked to UIIA motor carrier records, and to retain and manage this information on behalf of the intermodal trucking companies and their equipment provider partners.

IANA and its members are key stakeholders in the effort to protect supply chains from terrorist attack. We support the establishment of the TWIC as a secure and uniform means to control the access of individuals to

secure areas within the marine environment. However, we have concerns regarding specific aspects of the proposed rules that are outlined as follows.

Consolidation of DHS Credentialing Programs

IANA believes that transportation workers who have achieved substantially similar security clearance, including those who have been qualified under comparable DHS programs such as the Hazardous Materials Endorsement (HME) and Free and Secure Trade (FAST) programs should not be required to re-enroll in TWIC or pay an additional fee. The programs should be harmonized so that anyone who has qualified for an HME or FAST would automatically qualify for TWIC and visa versa. Once a worker has been qualified under one of these programs, there should be no additional fees required for program enrollments.

Incorporation into the TWIC of Existing (non-TSA) Credentialing Programs

Many states, port authorities, facility operators and others have expended considerable effort and expense developing their own credentialing programs while waiting years for testing and development of the TWIC program to take place. The proposed rule would serve to negate much of this effort by requiring that the TWIC be the sole process for meeting TSA access control requirements. Not only will this penalize those entities taking the necessary measures up-front to protect public safety, it will undermine one of the principal initial goals of TWIC which was to avoid individuals having to carry multiple IDs. The TWIC program originally envisioned a single, biometric identification card and single security check that could be used across the spectrum of security access points. Under the proposed rules, however, an individual seeking access to many secure areas will still need to obtain separate credentials before access may be granted.

As an example, Florida has developed a security-credentialing program that permits access to all fourteen (14) state ports. However, under the proposed rules, workers will need both a TWIC and a card issued by the state, and will also be required to pay fees for both.

For these reasons, IANA urges that indicia issued through existing security credentialing programs be considered "TWIC-equivalent" if the programs meet federal standards as promulgated by TSA. By the same token, states and local governments should be preempted from requiring more stringent security credentialing standards than those required under the TWIC program.

Use of the IANA Intermodal Driver Database for Pre-enrollment

As noted above, the Intermodal Driver Database (IDD), developed by IANA, provides a centralized, single-source, database of specific driver biographic information furnished by motor carriers who provide highway services in support of intermodal freight movements.

The current IDD database has over 300,000 driver records representing 4,300 trucking companies. Many of these drivers will be required to have TWICs. Driver data currently residing in the IDD incorporates many of the same elements as those proposed for TWIC pre-enrollment including; name; date of birth; and driver's license information including hazmat and other endorsements. In the interest of efficiency, cost savings and reducing burdens on drivers, IANA recommends that the TSA consider utilizing the IDD as a resource in obtaining the majority of the biographic data required under the proposed rules and would be happy to work with the appropriate contractor(s) to implement this recommendation.

Terminal Throughput/Gate Congestion

The problems of congestion in the freight transportation system, and especially at intermodal terminals, are well documented and are reflected in two recently announced Department of Transportation initiatives: the National Strategy to Reduce Congestion, and the Framework for a National Freight Transportation Policy. It is critical that the TWIC program not serve to worsen traffic congestion.

Requiring all terminals, regardless of size and technological expertise, to have electronic readers and supporting IT systems in place and operating properly may further compromise efficient terminal throughput. Moreover, our understanding is that the use of electronic readers at terminal gates in real-world environments has not yet been fully tested and validated. Failure to do so before the TWIC process is initiated may result in systems failures that will exacerbate congestion and delays that are already troublesome at many gates. If the readers and related IT systems don't function properly, this will severely impact terminal velocity.

It is therefore essential, that all technical and process-related issues are thoroughly ironed out *before* rules are finalized and the program is implemented. Additionally, there is a need for clarification as to what process a terminal is to adopt in the event of reader/system malfunction.

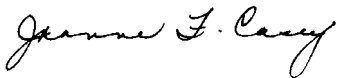
Workforce Shortages

The high costs of enrollment, coupled with the processing time to vet and issue TWIC cards may further exacerbate workforce shortages, which are already serious in some industry sectors. As has been the case with the hazardous materials endorsement (HME) required for truck drivers, IANA is concerned that the costs and procedures envisioned in the proposed rules may dissuade people from working for companies where the TWIC is required.

TSA should explore ways to lower the cost of enrollment and permit new hires to begin conditional service pending the completion of security reviews.

IANA appreciates this opportunity to provide its views on this important rulemaking and requests that this letter be included in the docket.

Sincerely,



Joanne F. Casey
President and CEO