

March 25, 2011

MEMORANDUM FOR: Executive Directors, Field Operations
Directors, Field Operations

Director, Preclearance

FROM: Executive Director /s/ John P. Wagner
Admissibility and Passenger Programs

SUBJECT: Guidance for processing travelers with the "TWIC Letter
Received" annotation on the B1/B2 visa.

As a result of the coordinated efforts of the maritime industry, the Department of State (DOS), U.S. Coast Guard (USCG), the Transportation Security Administration (TSA) and U.S. Customs and Border Protection (CBP), there is now a process in place for certain business travelers with a direct nexus to maritime operations to apply for a B-1 visa with a specific annotation, whereby they may become eligible to obtain a Transportation Worker Identification Credential (TWIC). These temporary visitors for business must provide notice of their need for a TWIC (via a letter from their employer indicating the employee intends to perform service in secure port areas) at the time of application for the B1 or B1/B2 visa. Provided the applicant is otherwise eligible for the visa, the visa will be annotated by DOS "TWIC Letter Received." The annotated B-1 "TWIC Letter Received" visa will make the applicant eligible to apply with TSA for a TWIC.

On February 1, 2011, DOS began issuing B1 and B1/B2 visas with the TWIC annotation. In addition to those travelers in possession of the B1 or B1/B2 visa with the TWIC annotation, CBP may encounter Canadian travelers who would also qualify for a TWIC card under similar circumstances. However, since Canadian travelers applying for admission as a temporary visitor for business or pleasure are exempt from obtaining a B1/B2 visa, an alternate process is needed. CBP, in coordination with TSA, has identified the following procedures for processing these two types of business travelers.

Business Travelers in possession of a B1 or B1/B2 visa with TWIC annotation

A business traveler with a nexus to certain maritime activities may present a B1 or B1/B2 NIV with the following annotation: TWIC Letter Received. This annotation indicates that a TWIC letter, stating the traveler's intent to perform services in a secure port area, was received by DOS during the visa adjudication process. (b) (7)(E)

Canadian Business Travelers without a visa, but in possession of a TWIC letter

Since Canadians are exempt the visa requirements as temporary visitors for business or pleasure, a TWIC eligible Canadian would not have the B1 or B1/B2 visa with the TWIC

annotation to clearly indicate this eligibility. Instead, this traveler will have a letter from his or her employer indicating the employee intends to perform services in secure port areas. Once the traveler is determined to be admissible, the (b) (7)(E)

(b) (7)(E)

After admission by a CBPO at a port of entry, the business traveler would apply to TSA for the TWIC. The traveler will present his or her passport, visa with TWIC annotation, CBP Form I-94, or in the case of a Canadian, the CBP Form I-94 with “TWIC letter presented” annotation in the comments section, the letter from the employer, and the required WHTI compliant travel documents. TSA will still conduct a full security threat assessment on each individual TWIC applicant, adjudicate the results, and make an informed decision to grant or deny a TWIC.

The “TWIC Letter Received” annotation on the B1 or B1/B2 visa does not create a special visa classification or bring restrictions which would limit the traveler’s period of stay and/or activities. The traveler may continue to use the B1 or B1/B2 visa for activities not specifically related to services in secure port areas. Admission as a B1 in conjunction with the TWIC annotation, or subsequent issuance of a TWIC does not provide employment authorization.

Further background information including a letter template can be found at TSA's TWIC program website: www.tsa.gov/twic or at Coast Guard's HOMEPOR website: <http://homeport.uscg.mil/>.

Please direct any questions or concerns regarding this memorandum to (b) (6), (b) (7)(C), Program Manager, Admissibility and Passenger Programs at (b)(6);(b)(7)(C) or (b)(6);(b)(7)(C)

Attachments

Weekly Muster

Date: As soon as received

Topic: B1 or B1/B2 visas with “TWIC Letter Received” annotation

Headquarters POC: (b) (6), (b) (7)(C)

Office: Admissibility and Passenger Programs/Passenger Programs Division

On February 1, 2011, DOS began issuing B1 and B1/B2 visas with the annotation “TWIC Letter Received”. This annotation indicates that the traveler intends to perform services in a secure port area, which would normally require a Transportation Worker Identification Credential (TWIC). Additionally, CBP may encounter Canadian travelers who would also qualify for a TWIC under similar circumstances.

CBP, in coordination with TSA, has identified the following procedures for processing these two types of business travelers.

Business Travelers in possession of a B1 or B1/B2 visa with TWIC annotation

- (b) (7)(E)
- (b) (7)(E)
- No additional actions are required.

Canadian Business Travelers without a visa, but in possession of TWIC letter

- A Canadian national presenting himself with a “TWIC Letter” should be inspected as a temporary visitor for business (B1).
- (b) (7)(E)
- (b) (7)(E)
- (b) (7)(E)

CBPOs will not be required to make determinations for TWIC eligibility. TSA will still conduct a full security threat assessment on each individual TWIC applicant, adjudicate the results, and make an informed decision to grant or deny a TWIC.

(b) (7)(E)

The traveler may continue to use the B1 or B1/B2 visa for activities not specifically related to services in secure port areas. Admission as a B1 in conjunction with the TWIC annotation, or subsequent issuance of a TWIC does not provide employment authorization.

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