



*Know-Your-Rights to the  
Transportation Security Administration's  
TWIC Background Checks of  
Port Workers and Truck Drivers*

- ▶ **Which criminal offenses may disqualify workers from receiving the new Transportation Worker Identification Credential (TWIC)?** If you have a felony criminal record going back 7 years (or were released from prison in the past 5 years) involving any of several "security risk" crimes, you may be disqualified from receiving a TWIC. Some of the broadest disqualifying crimes include drug sales, weapons possession, fraud (not including welfare fraud or bad check writing) and other felony "dishonesty" offenses.
- ▶ **What immigration status is required to qualify for a TWIC?** To qualify for a TWIC, you must be a U.S. citizen, lawful permanent resident, refugee, asylee, immigrant with unrestricted work authorization (except S-5, S-6, K-1, K-2), or an immigrant with certain restricted work authorization (including H-1B, H-1B1, E-1, L-1, O-1 and certain other visas). In some cases, workers with Temporary Protected Status (TPS) may also qualify for a TWIC.
- ▶ **If you are disqualified because of your criminal record, you have the right to apply for a waiver.** There is a special "waiver" process that you can use to show that you should receive a TWIC because you are not a terrorism security risk. Workers who have an isolated criminal record and a solid work history are very likely to get a waiver from the Transportation Security Administration (TSA). If you are an immigrant worker who is denied based on your Temporary Protected Status (TPS), you must apply for a waiver to qualify for a TWIC.
- ▶ **If TSA made a mistake about your criminal record or immigration status, you also have the right to appeal.** TSA has an "appeal" process that can help the many workers wrongly denied a TWIC because of incomplete or inaccurate criminal records provided by the FBI, inaccurate information in the immigration database, or other common mistakes. In most appeals, TSA corrects the errors and provides workers a TWIC.
- ▶ **If you are denied a TWIC by TSA, be sure to apply for an appeal or waiver!** For more information, contact [insert local contact information here].