

# TWIC/MTSA POLICY ADVISORY COUNCIL

January 22, 2009

## Policy

### Training Requirements for Escorts on Regulated Facilities and Vessels

02-09

**Issue** – What are the training requirements for TWIC holders who act as escorts for non-TWIC holders, but do not perform security duties as a primary function of their job, including third party escort providers?

**Background** – Individuals seeking to gain entry to a vessel, facility, and OCS facility regulated by parts 104, 105, or 106 of 33 CFR Subchapter H must be under escort while inside a secure area by an individual who possesses a valid TWIC if they do not possess a valid TWIC. Escorting, defined in 33 CFR 101.105, means ensuring that the escorted individual is continuously accompanied while within a secure area in a manner sufficient to observe whether the escorted individual is engaged in activities other than those for which escorted access was granted. This may be accomplished utilizing monitoring or side-by-side physical accompaniment as appropriate for the area where the escorting is to take place (secure, non-restricted or secure, restricted), utilizing the guidance published in Enclosure (3) to NVIC 03-07 (pg. 10 Section 3.3.c).

The owner/operator is responsible for determining how escorting will be carried out in accordance with the regulations found in 33 CFR Subchapter H and further guidance found in NVIC 03-07.

**Discussion** – Individuals that monitor or provide side-by-side physical accompaniment must possess a valid TWIC. Escorts are not always considered “facility personnel with security duties” because they do not perform security duties as a primary function of their employment. Additionally, some facility or vessel owner/operators may authorize non-direct employees to conduct escorting duties aboard their facility or vessel. For TWIC holders to escort non-TWIC holders on MTSA regulated vessels, facilities, and OCS facilities; they shall meet the training requirements listed in 33 CFR 104.225, 105.215, or 106.220, respectively. Specifically, escorts must have knowledge of owner/operator's escorting procedures, and the procedures and contingency plans determined by the owner/operator if an escorted individual is engaged in activities other than those for which escorted access was granted.

TWIC/MTSA Policy Advisory Council decision 02-08 (January 25, 2008) provides further guidance outlining the requirements for federal and law enforcement officials to escort non-TWIC holders within secure areas. Federal and law enforcement officials will not be required to receive training in accordance with 33 CFR 104.225, 105.215, or 106.220.