

**AMENDMENT TO H.R. \_\_\_\_\_**

**OFFERED BY Ms. JACKSON LEE**

At the end of subtitle B of title II, insert the following:

1 **SEC. \_\_\_\_.** **FULL AND OPEN COMPETITION IN AVIATION**  
2 **CREDENTIALING.**

3 (a) **NOTIFICATION; QUALIFIED PROVIDERS.**—Not  
4 later than 30 days after the date of the enactment of this  
5 Act, the Assistant Secretary shall notify regulated parties  
6 that they are not required to use a single service provider  
7 to transmit biometric and biographic data necessary to fa-  
8 cilitate the security threat assessment process required by  
9 the Department of Homeland Security and that any serv-  
10 ice provider meeting the following requirements is pre-  
11 sumed a qualified provider subject to the limitation in sub-  
12 section (b), and may be used by regulated parties—

13 (1) is certified by the Federal Bureau of Inves-  
14 tigation as meeting all its security and data and  
15 privacy protection services;

16 (2) uses equipment that is included on the  
17 qualified product list maintained by the Department  
18 of Homeland Security or Federal Bureau of Inves-  
19 tigation; and

1           (3) submits documentation to the Assistant  
2           Secretary reflecting a valid certification from the  
3           Federal Bureau of Investigations.

4           (b) LIMITATION.—A provider is presumed to be a  
5           qualified provider that meets the requirements in sub-  
6           section (a) unless the regulated party receives written noti-  
7           fication from the Assistant Secretary that the channeling  
8           service provider may pose a security risk or no longer  
9           meets the criteria in subsection (a) within 60 days after  
10          the Assistant Secretary's receipt of a written notification  
11          from the regulated party of the intent to contract with  
12          that provider.

13          (c) PROHIBITION.—The Assistant Secretary is pro-  
14          hibited from limiting the selection of enrollment service  
15          providers that facilitate the security threat assessment  
16          process to one provider either through a process other  
17          than full and open competition or the issuance of a sole-  
18          source contract.

