

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 4007  
OFFERED BY MS. CLARKE**

Page 5, after line 14, insert the following (and re-  
number the subsequent paragraph accordingly):

1           (5) EXEMPTION FOR CERTAIN PERSONNEL EN-  
2           GAGED IN TRANSPORTATION ACTIVITIES.—The Sec-  
3           retary shall deem an individual engaged in transpor-  
4           tation activities covered by chapter 51 of title 49,  
5           United States Code, or regulated pursuant to section  
6           114(d) of such title, who the Secretary determines  
7           does not pose a threat to homeland security as meet-  
8           ing a risk-based performance standard established  
9           under subsection (a) that is directed toward identi-  
10          fying individuals with terrorist ties.

