

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 5688  
OFFERED BY MR. JOHNSON OF GEORGIA**

Page 2, after line 21, insert the following:

1           (1) in the matter preceding subparagraph (A)  
2           by striking “subsection (c)” and inserting “sub-  
3           sections (c) and (l)”;

Page 3, after line 4, insert the following:

4           (c) DUE PROCESS FOR ENGLISH LANGUAGE PRO-  
5 FICIENCY DETERMINATIONS.—Section 31310 of title 49,  
6 United States Code, is amended by adding at the end the  
7 following:

8           “(1) DUE PROCESS FOR ENGLISH LANGUAGE PRO-  
9 FICIENCY DETERMINATIONS.—Before the Secretary may  
10 disqualify an individual may be disqualified under sub-  
11 section (b)(1)(F), the Secretary shall ensure that—

12           “(1) the individual receives written notice de-  
13 scribing the basis for the English language pro-  
14 ficiency determination;

15           “(2) the individual is provided an opportunity  
16 to contest such determination through an adminis-  
17 trative review process established by the Secretary;

1           “(3) the individual is afforded a reasonable pe-  
2           riod of not less than 30 days to submit documenta-  
3           tion or evidence relevant to the determination; and

4           “(4) any notices or proceedings under this  
5           paragraph include appropriate language-access serv-  
6           ices for individuals with limited English pro-  
7           ficiency.”.

