

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 288
OFFERED BY MR. NADLER OF NEW YORK**

Page 1, line 9, insert after “extent necessary” the following “, and except as otherwise provided in this section”.

Page 2, line 4, strike “and” at the end.

Page 2, line 7, strike the period at the end and insert “; and”.

Page 2, insert after line 7 the following:

1 (5) by adding at the end the following:
2 “(c) EXCEPTED RULES.—In the case of a rule made
3 by the Commissioner of Food and Drugs of the Food and
4 Drug Administration that pertains to consumer safety, to
5 the extent necessary to decision and when presented, the
6 reviewing court shall decide all relevant questions of law,
7 interpret constitutional and statutory provisions, and de-
8 termine the meaning or applicability of the terms of an
9 agency action.”.

