

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 4768**

**OFFERED BY M**     *Jackson Lee*    .

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

Page 2, line 7, insert before the period at the end the following:

1 **“SEC. 3. EXCEPTED RULES.**

2       “Section 706 of title 5, United States Code, as  
3 amended by this Act, is further amended by adding at the  
4 end the following:

5       “(c) In the case of a rule made by the Secretary  
6 of Homeland Security pertaining to any matter of national  
7 security, to the extent necessary to decision and when pre-  
8 sented, the reviewing court shall decide all relevant ques-  
9 tions of law, interpret constitutional and statutory provi-  
10 sions, and determine the meaning or applicability of the  
11 terms of an agency action.’”.

