

Amendment #12
Withdrawn

AMENDMENT TO H.R. 1148
OFFERED BY MR. KING OF IOWA

Page 168, line 4, strike “**DISCRETION.**” and insert
“**DISCRETION; LIMITATION ON SUCH DISCRETION.**”
(and amend the table of contents accordingly).

Page 170, after line 25, insert the following:

- 1 (c) **LIMITATION.**—For purposes of Federal law, an
2 exercise of prosecutorial discretion—
3 (1) shall be considered a valid official action ex-
4 clusively when it consists of a Federal official’s deci-
5 sion to refrain to prosecute a person who otherwise
6 is culpable under the law only on a case-by-case
7 basis based exclusively on express (and not implied)
8 priorities specified by the Congress in statute; and
9 (2) shall not be considered a valid official action
10 when administered or created on a categorical basis.

