

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2494
OFFERED BY M__ . _____**

Page 2, after line 9, insert the following (and redesignate provisions accordingly):

1 “(iii) MITIGATING EVIDENCE AND
2 FACTORS.—In determining whether an
3 alien is deportable under this subparagraph,
4 the official making the determination shall consider the mitigating evidence
5 and factors which weigh against such determination,
6 including the following:
7

8 “(I) The severity of the acts committed by the alien.
9

10 “(II) If the acts were committed
11 with intent to harm.

12 “(III) If the acts resulted in
13 harm to the law enforcement officer
14 and the extent of the harm caused.

15 “(IV) Whether the alien is or was
16 a member of the Armed Forces of the
17 United States.

1 “(V) The alien’s length of stay in
2 the United States.

3 “(VI) The alien’s ties to the com-
4 munity.”.

