AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO THE COMMITTEE PRINT

OFFERED BY M_.

Page 6, line 2, strike “and”.

Page 6, line 6, strike the period and insert “; and”.

Page 6, insert after line 6, the following:

“(E) is not and has not been a member of a criminal street gang (as defined in subsection (a) of section 521 of title 18, United States Code), and has not participated in the activities of a criminal street gang knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.”.

Page 6, line 17, insert before the comma the following: “(except with regard to subparagraph (E))”.

Page 6, insert after line 25 the following:

“(4) CONSIDERATION OF CERTAIN EVIDENCE.—For purposes of paragraph (1)(E), the Secretary may consider any and all credible evidence
of membership or participation in a criminal street
gang, including evidence obtained from a State or
Federal database used for the purpose of recording
and sharing activities of alleged gang members
across law enforcement agencies.”