

and false statements in any matter involving a contract.

We need strong disincentives for those who defraud taxpayers. These controls must be in place now because criminal statutes cannot be applied retroactively. We cannot in good faith ask American families to sacrifice for postwar reconstruction and then allow so many others to unfairly profit at their expense.

Mr. Speaker, we must send a clear message that cheating U.S. taxpayers is completely unacceptable and will not go unpunished. For these reasons, I urge my colleagues to join me in supporting the War Profiteering Prevention Act of 2003.

RECOGNIZING THE ACHIEVEMENTS OF DR. ROBERT PAVLICA

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 8, 2003

Mrs. LOWEY. Mr. Speaker, I rise today to recognize the great contributions to education made by Dr. Robert Pavlica. I also wish to congratulate him on being one of only six teachers from around the world, and one of only two from the United States, to be honored by INTEL. Innovation in Education with the prestigious 2003 "Excellence in Teaching Award." He received this accolade for his pioneering development of the "Authentic Science Research in the High School" program.

Dr. Pavlica, a White Plains, NY, resident, who has a Ph.D. in biochemistry, along with master's degrees in philosophy, cell biology, and biology, has been inspiring students as a science teacher at Byram Hills High School in Armonk, NY, for the past 33 years. In 1990, he began teaching scientific research after one of his students asked for his help in pursuing an independent research project.

This would lead Dr. Pavlica to create the "Authentic Science Research in the High School" program, a three-year science research course, in which sophomores, who elect to participate, are instructed in the methods and processes of research. This culminates in each student conducting an original research project into an area of particular interest to the student. To help guide his or her work, each student is mentored by a respected scientist in the student's field of research.

This program has been enormously successful. Since its creation little more than a decade ago, thirty-nine of Dr. Pavlica's students at Byram Hills have become semifinalists for the Intel Science Talent Research Award, formerly known as the Westinghouse. Amazingly, eleven of his students have even reached the finals of the esteemed competition. This program has also prepared many more students for the arduous research that they will face in college.

Dr. Pavlica has taught his techniques to numerous educators, who wish to replicate his success in getting students excited about scientific research. Presently, over 170 school districts throughout the country have instructors who are using his program. In fact, over seventy percent of public and private high schools in Westchester County, NY, now employ the program.

The success of the program at Byram Hills has been mirrored in these schools, as well. Indeed, in 2002 and 2003, roughly forty percent of all of New York State's INTEL Science Talent Search semifinalist awards went to students who were taught using the "Authentic Science Research in the High School" program.

I am truly honored that I have this opportunity to congratulate Dr. Pavlica on his well-deserved award and to thank him for helping so many students in Westchester and around the country learn more about science and the potential that lies within them.

PROTECTING PUBLIC SAFETY IS AT THE HEART OF GUN PURCHASE BACKGROUND RECORDS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 8, 2003

Mr. WOLF. Mr. Speaker, I want to provide some additional information to follow up on my RECORD statement of November 25 regarding the provision in the FY 2004 omnibus spending bill which would require the destruction of background records checks 24 hours after a gun purchase.

I submit for the RECORD letters from two law enforcement officers groups who share my deep concerns about the impact on public safety of changing the current 90-day period for retaining data related to firearms purchase and approval. The Federal Bureau of Investigation Agents Association, wrote: "The more the retention period is reduced, the more difficult it would become to use the paperwork to investigate or prosecute crimes related to the use of sales of the firearms in question. Any such efforts can only complicate the already difficult task of law enforcement and jeopardize public safety."

FEDERAL BUREAU OF INVESTIGATION,
AGENTS ASSOCIATION,

November 25, 2003.

Re Issues Related to Retention of Firearms Paperwork.

Hon. FRANK WOLF,

Chairman, Subcommittee on Commerce, Justice, State, and Judiciary Appropriations Committee, H-309 Capitol Washington, DC.

DEAR CHAIRMAN WOLF: On behalf of the FBI Agents Association (FBIAA), I am writing to express the FBIAA's concerns regarding the possibility of an appropriations rider that might reduce the current 90-day retention period for data related to firearms sales and approval. The FBIAA is a non-governmental professional association with a membership of nearly 9,000 current and more than 2,000 retired FBI agents nationwide; neither the FBIAA nor I speak for the official FBI.

While the FBIAA certainly understands and appreciates the civil liberties concerns related to firearms registration and the retention of paperwork related to background checks, we think the current 90-day retention period strikes the proper balance between civil liberties and crime control. To date, we are not aware of any problems associated with the current system. The more the retention period is reduced, the more difficult it would become to use the paperwork to investigate or prosecute crimes related to the use or sales of the firearms in question. Any such efforts can only complicate the already difficult task of law enforcement and jeopardize public safety.

We would be happy to further communicate with you on this or any other issue. As Congress moves forward in the appropriations process, we ask that you thoroughly review any rider attempt that may limit the ability of law enforcement officers to perform effective, fair, and timely investigations.

Very truly yours,

FRED BRAGG, *President.*

The International Association of Chiefs of Police, which first raised concerns about changing the time background records are maintained in a letter in 2001, continues to stand by that statement, which said: "We believe that decreasing the amount of time the purchase records are kept will weaken the background check system and allow more criminals to illegally obtain weapons."

INTERNATIONAL ASSOCIATION OF
CHIEFS OF POLICE,

Alexandria, VA, September 4, 2001.

Mr. TIMOTHY MUNSON,

Section Chief, Federal Bureau of Investigation, Module A-3,

Clarksburg, WV.

DEAR MR. MUNSON: The International Association of Chiefs of Police (IACP) appreciates the opportunity to comment on the proposed rule that would reduce the amount of time that the Federal Bureau of Investigations (FBI) maintains National Instant Criminal Background Check System (NTCS) records on approved purchases from 90 days to one business day. The IACP is world's oldest and largest association of law enforcement executives with more than 18,000 members in 100 countries.

The IACP believes that the 90-day retention period should not be shortened. Decreasing the retention period of these records to one business day will not provide law enforcement with sufficient time to perform the necessary audits on the NCCS system as established by the Brady Act.

In March 1999, the Department of Justice issued a proposed rule to (adore the retention period from 180 days to 90 days. They concluded that 90 days was the "shortest practicable period of time for retaining records of allowed transfers that would permit the performance of basic security audits" of the NICS system. However; the Justice Department also acknowledged that law enforcement and the FBI's Advisory Policy Board had instead sought to increase the record retention period from 180 days to one year.

The FBI has stated that it requires at least 90 days to audit the records in order to ensure the accuracy and legitimacy of background checks performed by federally-licensed firearms dealers. These audits allow the FBI to search for patterns of fraud and abuse by both gun dealers and purchasers. Through these audits, the FBI can identify instances in which the NICS system is used for unauthorized purchases such as gun dealers having background checks on people other than gun buyers. In addition, audits can also help determine if gun buyers have submitted false identification in order to thwart the background check system. To run these crucial audits, the FBI needs the records on both approved and denied purchases. If these records are quickly destroyed, it will be much more difficult for law enforcement to investigate and prevent abuses of the background check system.

We believe that decreasing the amount of time the purchase records are kept will weaken the background check system and allow more criminals to illegally obtain weapons. In addition, it is important to note that there have been no allegations that any information retained in the records has been misused.

The background checks performed under the Brady Act have proven to be a vital part of our nation's crime control efforts. Since its enactment, the Brady Act has prevented more than 650,000 felons, fugitives and other prohibited persons from purchasing handguns. The IACP believes that no action should be taken that would damage the demonstrated effectiveness of the current background check system.

Thank you for considering our views on this matter.

Sincerely,

BRUCE D. GLASSCOCK,

President.

It is important to note that the letters from the FBI Agents Association and the International Association of Chiefs of Police both indicate that they are not aware of any allegations of misuse of the information retained in the gun purchase records.

There is another concern which I am compelled to share regarding the public safety aspect of allowing law enforcement personnel the necessary time needed to track down would-be criminals who try to purchase guns. I also enclose for the RECORD an FBI report on the growing violent gang activity, not only in the District of Columbia and the northern Virginia region, but across our nation. It is sobering. This a very serious—and growing—problem. While the FBI report focuses specifically on Mara Salvatrucha, more commonly known as MS-13, numerous gangs have been infiltrating our country in recent years and indications are that few communities are spared.

Gang members thrive on terrorizing communities through random acts of violence. They steal. They kidnap. They extort. They torture. They murder. Obtaining guns and other weapons are part and parcel of their operations.

While we may not know for certain how the 24-hour records destruction provision will impact criminal gang members who are terrorizing innocent people in northern Virginia and other areas of the country, law enforcement officers on the front lines of fighting crime certainly have a strong belief that reducing the time to check for illegal gun purchases could hurt their ability to protect public safety.

In these times of fighting not only international terrorism but violent gang activities in our local communities, shouldn't we be making public policy that gives law enforcement personnel the assistance they need to thwart the gun purchases of suspected terrorists and gang members rather than giving the advantage to the criminals?

U.S. DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Washington, DC, November 12, 2003
MARA SALVATRUCHA 13

Mara Salvatrucha 13, commonly referred to as "MS," "MS-13," "MSX3," or "MSXIII," was designated as a National Gang Strategy priority target group of the Federal Bureau of Investigation in 1997 due to its propensity for violence and rapid growth. Originally composed of individuals of El Salvadorian heritage, MS-13 now consists of numerous, loosely affiliated autonomous cliques, some of which are highly structured and organized, while most are loose knit with very little formal structure. Although MS groups generally function independently of each other, they pose a serious threat in the United States and abroad due to their propensity for extreme random violence and involvement in myriad criminal activities. The level of criminal sophistication and networking by certain clique members will have direct impact on the types and complexity of

the crimes committed by that clique. MS-13 cliques will engage in varying degrees of drug trafficking, theft, prostitution, and violent criminal activity such as murder, extortion, kidnaping, and drive-by shootings to support their criminal activity and protect their turf from rival gangs. Violence is an intimate part of being a gang member. Some MS-13 members have conducted counter-surveillance on law enforcement personnel to obtain license plate numbers of officers' vehicles.

MS-13 has greatly expanded from its origins in southern California. Migration of MS-13 gang members, based on several factors, has resulted in the emergence of MS-13 cliques in numerous jurisdictions across this country. In 1992-93, MS cliques were established in Los Angeles, Northern Virginia, and Long Island, New York. Today, MS-13 cliques have been confirmed or suspected of operating in at least 31 states and the District of Columbia with an estimated 8000 members. In the mid-1990s, MS-13 members who were deported from the United States, established cliques in El Salvador, Honduras, and Guatemala. Today, in El Salvador and Honduras alone, an estimated 50,000-70,000 gang members are divided into two major gangs, MS-13 and 18th Street. These gangs pose the greatest criminal threat in each country.

Over the past several years, MS-13 has grown significantly on the East Coast. Many jurisdictions throughout the Washington, DC, metropolitan region, have reported MS-13 members involved in criminal activity. In 1992, three MS-13 gang members from Los Angeles, California, were identified in northern Virginia by law enforcement authorities. Today, an estimated 30 MS-13 cliques and 3000 gang members are active throughout the region. The greater Washington, DC area, and specifically northern Virginia, is now a major hub of MS-13 gang activity. Fairfax County, Virginia, Police Department reports that MS-13 is responsible for, or suspected of, 95 percent of all gang-related crimes (armed robbery, theft, car theft, drug dealing, rape, shootings, and assaults with a baseball bats, knives, and machetes, etc.) committed in the county.

Heavy concentrations of MS-13 cliques have been documented in Long Island, New York, Massachusetts, New Jersey, and North Carolina. Travel by MS-13 members between these regions, as well as to and from, Texas, California, and other regions, has been documented. MS-13 gang members travel to other communities to support and participate in MS-13 gang activities, to flee prosecution in criminal investigations, and for social and fraternal motives. Approximately 30-40 MS-13 gang members from Massachusetts moved into the Lakewood, New Jersey area and established a clique that appears to be involved in trafficking cocaine and weapons. The Washington, DC region, specifically northern Virginia, is a primary destination for MS-13 gang members. In one notable event, MS-13 gang members traveled from northern Virginia to Hempstead, New York, and committed a drive-by shooting. The motive for the shooting was simply to demonstrate to local Hempstead MS-13 cliques the bravado necessary to intimidate and combat rival gangs.

Within the Washington, DC region, formal multiple-clique meetings have occurred in attempts to organize area cliques however, inter-clique disputes have prevented any such coordination, but these meetings enabled relationships to form between members of multiple cliques. In the long term, it is reasonable to predict that this is an evolutionary step towards a more formalized central structure.

MS-13 has specific identification signs, symbols, and rules. However, certain rules

may vary between cliques and may change depending on the situation. One commonality between all MS-13 cliques, in the United States and Central America, is that the gang survives and thrives due to aggressive local recruitment efforts. Growth in numbers and strength is MS-13's primary goal. For instance, MS-13 gang members must have some Latino heritage, however, there are now "farm" cliques associated, with the MS-13 that are not Latino. Cliques include juvenile members. The gang is known to recruit Hispanic juveniles as young as elementary school age for membership.

It is anticipated that recent gang suppression efforts in Central America will increase legal and illegal immigration of MS-13 gang members to communities with existing MS-13 populations in the United States. Based on current trends and patterns of MS-13 activity in the United States and Central America, it is predictable that MS-13 will continue to spread and grow in numbers across this Nation, including the Washington, DC region. Violent crime associated with continued expansion of MS-13 is most predictable.

Only through nationally-focused investigations calling upon Federal law, will there be a cessation to MS-13's continuing growth in America.

HONORING MR. ALFREDO B.
LAGMAY, SR.

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 8, 2003

Mr. ROYCE. Mr. Speaker, I rise today to mourn the loss and honor the life of Mr. Alfredo B. Lagmay, Sr.

Mr. Lagmay was truly one of America's heroes. Mr. Lagmay came to this country from his native Philippines in 1918. He later went on to serve in our armed forces, where he was a prisoner of war (POW), a survivor of the Death March of Bataan, and a veteran of World War II and the Korean War.

After his distinguished 31-year career in the United States Military where he was awarded the Bronze Star, Mr. Lagmay moved with his family to Orange County. Mr. Lagmay was a valued member of the community and served as an inspiration to all.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Alfredo Lagmay. I am exceedingly proud to honor him for his courageous service to our country and for the honorable life he led as a husband, father, grandfather, and great-grandfather.

IN MEMORIAM OF CPL. ROBERT
"BOBBY" D. ROBERTS

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 8, 2003

Mr. MICA. Mr. Speaker, it is with the deepest sadness that I report the death of Corporal Robert D. Roberts, a native of Winter Park, Florida, who died in service to our Nation on November 22nd while serving in Iraq.

I extend my deepest sympathy to his widow Jill, his 3 year old son Jacob, and his family. Bobby, as he was affectionately known, died