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2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

September 22, 2017

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, D.C. 20535

The Honorable Thomas D. Homan
Acting Director
U.S. Immigration and Customs Enforcement
500 12th Street, SW
Washington, D.C. 20536

Dear Director Wray and Acting Director Homan:

With the recent passage of H.R. 3697, the Criminal Alien Gang Member Removal Act, in the House of Representatives on September 14, we write to you today to request information regarding and offer assistance to the ongoing efforts to combat MS-13 and other transnational criminal enterprises and gangs, which are gaining an ever-growing foothold in communities nationwide. As you are both of course aware, eradication of MS-13 is a high priority of President Trump. We are encouraged by the recent successes of joint federal investigations such as Operation Matador in New York as well as Homeland Security Investigations' ongoing Operation Community Shield. The accomplishments of those operations are a testament of federal, state, and local law enforcement cooperation and coordination at its finest. We look forward to the continued success of this model program in New York and throughout the country.

While the violence and rash of criminal activity at the hands of MS-13 may be starting to abate in New York, elsewhere in the United States, these criminal enterprises continue to thrive and commit barbaric criminal acts with seeming impunity. In the shadow of our nation's capital, our home state of Virginia has been witness to horrific violent crimes linked to this gang. In March in Bedford County, Virginia, 17-year-old Raymond Wood of Lynchburg, Virginia was

killed by suspected members of MS-13.¹ Even more troubling is that one of the suspects had an outstanding warrant in connection with a murder in Montgomery County, Maryland.² Additionally, Northern Virginia was shocked by the tragic murder of 15-year-old Damaris A. Reyes Rivas whose remains were found on February 11, 2017 after being reported missing in December.³ It was reported that her murder was filmed as video proof of the murder which was then sent back to MS-13 leaders in El Salvador.⁴ This murder was apparent revenge for Reyes Rivas' alleged involvement in another MS-13 murder⁵ and demonstrates the endemic nature of the gang threat in our communities nationwide.

Even more recently, news outlets reported that Douglas Alexander Herrera-Hernandez, an MS-13 gang member known by the gang moniker "Terror", was arrested in Virginia.⁶ Reports indicate that Herrera-Hernandez is currently charged with two murders in Texas, including that of a 16-year-old who witnessed MS-13 crimes.⁷ It is also reported that Herrera-Hernandez is present in the United States illegally.⁸

These are but three examples and represent a small sampling of the pervasiveness of MS-13 activity in the United States. There are examples across this country that continue to underscore the deep roots that this gang has developed in the United States. Recently testifying in another committee in the House of Representatives, FBI Assistant Director in Charge, William F. Sweeney, Jr., estimated that there could be as many as 10,000 members of MS-13 living in the United States. This number does not include membership within other transnational criminal gangs such as 18th Street.

We believe it is necessary for law enforcement to utilize all tools at its disposal, while affirming our strong commitments to the rule of law. It is incumbent upon Congress to provide sufficient tools to ensure that law enforcement can better target, apprehend, prosecute, and, where appropriate, deport violent criminals from the United States. To that end, we would welcome any legislative proposals you would recommend to give the Federal Bureau of

¹ Rachel Mahoney and Alissa Smith, *Suspects in death of teen are gang members, Bedford County Sheriff says*, The Roanoke Times, http://www.roanoke.com/news/crime/bedford_county/suspects-in-death-of-teen-are-gang-members-bedford-county/article_8977fb53-99f9-500b-965a-50e46dffe9.html, Mar. 31, 2017

² *Id.*

³ Marina Marraco, Alexandra Limon, and fox5dc.com staff, *5 Suspects facing murder charges in death of 15-year-old girl*, Fox5dc.com, <http://www.fox5dc.com/news/virginia-news/5-suspects-facing-murder-charges-in-death-of-15-year-old-girl>, Feb. 17, 2017.

⁴ Justin Jouvenal, *MS-13 gang member narrated video of teen's killing, FBI agent testifies*, The Washington Post, https://www.washingtonpost.com/local/public-safety/ms-13-gang-member-narrated-video-of-teens-killing-fbi-agent-testifies/2017/07/10/88f90b08-65b2-11e7-8eb5-cbccc2e7bfbf_story.html?utm_term=.ebd5b137512f, July 10, 2017.

⁵ *Id.*

⁶ Kim McGuire, *Suspected MS-13 gang member wanted for murder is apprehended in Virginia*, The Houston Chronicle, <http://www.chron.com/houston/article/MS-13-gang-member-apprehended-in-Virginia-11717856.php>, July 30, 2017.

⁷ *Id.*

⁸ Associated Press, *MS-13 member wanted for 2 Texas murders arrested in Virginia*, The Washington Post, https://www.washingtonpost.com/local/ms-13-member-wanted-for-2-texas-murders-arrested-in-virginia/2017/07/30/c9d3cc56-7531-11e7-8c17-533c52b2f014_story.html?utm_term=.d25360c7acb0, July 30, 2017.

Investigation and U.S. Immigration and Customs Enforcement the additional tools necessary to carry out this critical mission.

In the interim, we would respectfully request an update on how the FBI and ICE are working with state and local law enforcement to combat the crisis of transnational criminal gangs in our communities. We are particularly interested in the use of task force officers working within FBI and ICE as well as detailed agents working directly with state and local law enforcement to further develop those partnerships. In addition, please provide an update on what your respective agencies are currently doing to combat transnational criminal gang activity apart from the creation and staffing of task forces. Finally, please provide any information you have regarding the extent to which transnational criminal gangs have taken advantage of the influx of unaccompanied alien minors who are entering this country and are being released into communities nationwide for recruitment and other gang purposes.

We look forward to opening a dialogue with you on this matter. Transnational criminal gangs pose a threat that can no longer be ignored. These murders are reprehensible and demand an immediate and decisive response. We must attack this problem from both the criminal justice and immigration standpoints to ensure that such vicious crimes are not repeated.

Please respond to this letter by October 16, 2017. If you have any questions about this letter, please contact Joseph Edlow, Counsel, Subcommittee on Immigration and Border Security, House Judiciary Committee, at (202) 225-3926. Thank you in advance for your prompt attention to this matter.

Sincerely,



Bob Goodlatte
Chairman
House Judiciary Committee



Barbara Comstock
Member of Congress

Cc: Hon. John Conyers, Jr., Ranking Member