

Statement of B. Todd Jones
Senate Judiciary Committee
Hearing on Nominations
June 11, 2013

Good morning, Madam Chairwoman, Ranking Member Grassley, and members of the Committee.

Thank you for those generous and humbling introductions, and for granting me the opportunity to speak with you today. I am honored to be considered as the President's nominee to head the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Please permit me a moment to recognize my family and thank them for their incredible love and support. My wife Margaret is the tie that binds our family together. Margaret has shouldered much of the burdens and joys that come with raising five kids. She is back in St. Paul today with our youngest, Lucas, who completed his junior year of high school this month. Our youngest daughter, Monica, recently graduated from the University of Minnesota and is getting ready to move to the West Coast to start a career at a major retail company. Our oldest daughter, Stephanie, is teaching grade school in a small community in Nicaragua, and Michael is a graduate student in architecture in Seattle.

Today, representing the brood, is our oldest, Anthony. He lives and works here in DC. We didn't get to see much of each other the first several years of his life because I was deployed a lot with the 7th Marine Regiment. But if you choose to approve this nomination, Anthony's going to find he has a new roommate!

Over the years, my family has sacrificed a great deal to allow me to pursue a career in public service. That career began in 1977, when I was fortunate to work for Senator Hubert H. Humphrey. My parents were alive back then and they were so proud of my work there. As a constituent outreach intern I was privileged to witness Senator Humphrey use his influence, advocacy and leadership to positively affect the lives of our honorable veterans, our beloved seniors, and our students and families. He epitomized public service in the best Minnesota tradition and inspired me to follow that path.

After graduating from law school at the University of Minnesota, I did not join a private law firm or clerk for a judge. Instead, I enlisted in the United States Marine Corps. It was a decision that would forever change my life and help mold me into the person that sits before you today.

My formal leadership training began in the Marines. I joined the Marines to become a trial lawyer, but was also drawn to the fact that all Marine officers begin their matriculation process as basic infantry officers—"grunts"—the boots on the ground. Much to Margaret's chagrin, I was so energized by the challenges, spirit and camaraderie of basic training that I stayed an infantry officer rather than a lawyer for the first several years of my active duty tour.

As a Marine Corps officer, I learned the importance of unit cohesion, readiness and training, and staying focused on the mission. Characteristics like these don't just develop organically within a

military unit of any size, or any organization—public or private. They are built collectively and sustained from the top. They come from principled, ethical and dedicated leadership that exemplifies and demands the best of people within the organization. Through training, observation, and opportunity, the Marines taught me what leadership and command are all about. And I learned early on that it was not about me. It was about the team.

I returned to civilian life in Minnesota in 1989 and after several years in private practice found that I really wanted to get back to public service. Thankfully, Tom Heffelfinger, who was appointed United States Attorney by President George H. W. Bush, hired me to be an assistant U.S. Attorney in Minnesota. While my trial experience in the JAG was invaluable, it was as a first line federal prosecutor that I was able to learn the fundamentals of federal criminal investigations. The veteran prosecutors and investigators, I had the privilege of working with, taught me the right way construct cases for optimal use in the courtroom, as we worked together to seek justice. In working these cases, it also was reaffirmed that the same fundamental leadership principles that I had learned in the Marines were almost universally applicable.

I have continued to employ those fundamental principles when it has been my honor, twice, to serve as United States Attorney for the District of Minnesota. In that role, I worked with my team to tackle complex, large-scale cases, from the largest Ponzi scheme conviction in Minnesota history to our ongoing terrorism investigation that has led to 8 convictions to date, with considerable sentences for aiding the terrorist organization al-Shabaab. When it was my privilege to Chair the Attorney General's Advisory Committee, leading an incredibly talented group of fellow U.S. Attorneys, I called upon those leadership principles again. And most importantly, I have relied on all of my previous leadership experiences since being named Acting Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

When I came to ATF Headquarters in September 2011, I discovered an agency in distress. There had been a lack of strong, visionary leadership, and of accountability and attention to detail. Poor morale undermined the efforts of the overwhelming majority of ATF employees who are hardworking, devoted public servants committed to the mission of professional law enforcement and public safety.

During my first six months on the job as the acting Director, I visited with ATF staff not only in headquarters, but also in our field divisions all across the country. From the most seasoned managers, agents and industry operations investigators to support staff at all levels, they openly shared their discouragement and disappointment in the agency they love. I listened to what they had to say, learned a lot, and took firm, immediate steps to address their concerns and the needs of the Bureau.

One of the early steps I took was to issue a memorandum clarifying ATF's policy on the transfer of firearms. This memo, which I issued Bureau-wide on November 3, 2011, made clear that ATF must take all reasonable steps to prevent the criminal misuse of a firearm, and that agents conducting investigations must focus on interdiction or other forms of intervention to prevent criminals from acquiring and trafficking firearms.

I also have appointed 22 new Special Agents in Charge (out of 25 field divisions) and 23

permanent headquarters executives. My new management team has conducted a top-to-bottom review of all ATF policies and procedures—some of which had not been updated in decades. To date, we have revised and implemented nearly 50 orders and directives, including essential updates and improvements to policies and programs that had been made just prior to my arrival at ATF. These include the Confidential Informant Policy, Undercover Operations Policy, and the Monitored Case Program. This process is not a one-time event. Recognizing the fluid and high-risk law enforcement environment in which ATF works, I have directed that the Bureau constantly assess and improve its policies and procedures, learning from our successes and our mistakes.

The ATF mission is somewhat unique in that it involves both regulatory and criminal enforcement. ATF works with our local, state and Federal partners to protect our communities from violent criminal activity and the illegal use of firearms and explosives. We also help regulate the lawful commerce of firearms and explosives. We investigate major arsons and bombings, in addition to criminal organizations that engage in alcohol and tobacco smuggling. ATF's special agents and industry operations investigators are supported by forensic scientists, accountants, intelligence specialists and administrative personnel all working toward the same goal: to protect America from violent crime.

ATF is a good partner, often working with the industries we regulate through their member organizations, and working shoulder-to-shoulder with state, local and other Federal law enforcement agencies. Even amidst the controversy that engulfed the Bureau and led to my appointment as acting Director, ATF has continued to nourish these partnerships.

Since my arrival, I have focused on creating a leadership team to strengthen the Bureau on its mission of working with our partners to combat violent crime and enhance public safety. The men and women of ATF have responded with the professionalism and dedication that has always been at the core of the organization. These traits have shone through the controversy time and time again during my tenure as Acting Director.

ATF was there in the wake of the horrific mass shootings in Aurora, Colorado, and Newtown, Connecticut, providing expertise and assistance on the firearms aspects of those investigations and, in Aurora, providing expert assistance in neutralizing numerous explosive devices and investigating the manufacture of those devices. ATF was there following the Boston Marathon Bombing, providing explosives specialists, bomb technicians, and Special Response Team support, including the ATF medic who provided critical first aid to one of the suspects until EMS arrived. ATF was there in West, Texas, investigating the fire and explosion of the fertilizer plant. And ATF is there, behind the scenes, working collaboratively around the clock and across the county, getting illegal firearms out of the hands of violent criminals and keeping the public safe.

Our vision for ATF is for a healthy, cohesive, and effective agency. We have made progress over the last 20 months, but more can and must be done to move the agency forward.

We are beginning to roll out a new Bureau-wide business model called FRONTLINE. This comprehensive and sustainable business model, focusing on standardization and accountability, will be applied to our criminal investigations, investigative services, and industry operation

inspections. This strategy reflects the importance of intelligence-led law enforcement and risk-based regulatory practices. It is an exciting effort and we look forward to having it be fully implemented.

I am proud to be part of ATF, as its Acting Director, and should the Senate confirm my appointment, I look forward to helping the men and women of the Bureau of Alcohol, Tobacco, Firearms and Explosive continue to carry out its mission, and protect and serve the citizens of the United States. Thank you, and I'm happy to answer your questions.