

Statement of Darren D. Gil  
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Thank you, Chairman Issa, Ranking Member Cummings and members of the Committee for inviting me to participate in this important hearing regarding the serious ATF matter known as "Operation Fast and Furious."

First, I would like to offer my sincere condolences to the families of Agents Brian Terry and Jaime Zapata. I am deeply sorry for their loss, and for the grief that this ill-conceived operation may have caused. Also, I would like to thank ICE special agent Victor Avila for his services and sacrifices in fighting the narco-violence in Mexico and along the border. I can only imagine the horror of helplessly watching a brother law enforcement officer die in the line of duty.

In addition, as the former head of the ATF contingent in Mexico, I would like to apologize to my former Mexican law enforcement counterparts and to the Mexican people for Operation Fast and Furious. I hope they understand that this operation was kept secret from most of ATF, including me and my colleagues in Mexico. Unfortunately, as a result of this operation, it is the Mexican people who will continue to suffer the consequences of narco-related firearms violence. I have no doubt, as recent media reports have indicated, that American citizens will also be exposed to more firearms-related violence as a result of this operation.

I am grateful for the opportunity to be here today and would like to provide the Committee with a brief description of my background. I received a Bachelors degree in Criminology from the University of Maryland, a Masters degree in Criminal Justice from the

University Alabama, and am currently completing my dissertation at the University of Southern Mississippi, focusing on international affairs and security studies. I have been in service to our nation since my enlistment in the U.S. Army in 1980. After my tour in the Army, I joined the Las Vegas Metropolitan Police Department, where I served until I received my commission as an ATF Special Agent in 1987. I then served for 23 years in various positions in ATF, including intelligence assignments and as Attaché to Mexico, until I retired in December 2010.

I chose ATF for my career because it was a small organization with a focused mission that I found appealing: combating the most violent offenders in America. During my first 12 years as a field agent, I participated in, or directed investigations that targeted the worst of the worst. For the remainder of my career, I supervised, managed and led agents who conducted similar investigations. Throughout my career at ATF, not once, never, did firearms “walk” from any investigations I directed or which fell under my command. This includes my service as ATF Attaché in Mexico. Put bluntly, it is inconceivable in my mind, or the mind of any competent ATF Special Agent, to allow firearms to disappear at all. Furthermore, it is even more inconceivable that a competent ATF Special Agent would allow firearms to cross an international border, knowing that they are ultimately destined for the hands of the “worst of the worst” criminals in the Western Hemisphere.

I recall my first days at the ATF academy, where it was drilled into us as new agents that under no circumstances would any firearms, in any investigation, leave the control of ATF. Instructors stressed that even if a weapon was lost “by accident,” the agent was still subject to termination. Even today, if an agent loses their ATF-issued firearms, they are

subject to termination. My point is that ATF agents don't allow - and ATF as an organization historically has not tolerated - the notion that firearms could simply disappear. Yet, that apparently is what was allowed to happen here.

In early 2011 after retiring from ATF, I started receiving inquiries from former ATF colleagues, including Senior Special Agents Vince Cefalu and Jay Dobyns, as well as from numerous media organizations. They all wanted to know whether I was aware that ATF had allowed firearms to walk into Mexico. I advised my former colleagues that I was not aware, but refused to speak with the media without a complete understanding of the issue. After talking with several ATF agents in the field and at headquarters, I became convinced that firearms might have been walked into Mexico by ATF. Thankfully, Congress and the media continued to investigate the matter and Operation Fast and Furious began to receive greater notoriety. Nonetheless, I remained reluctant to speak out about what I had come to suspect since retiring from ATF, but was never told, about this operation. After discussions with my former staff in Mexico and employees at ATF Headquarters, I learned that ATF executive staff would not make statements exonerating my former staff in Mexico of any knowledge of the gun walking aspects of this operation. Out of a desire to set the record straight and protect my colleagues in Mexico, it was only then that I decided to speak to the media. My understanding is that my initial interview with Sharyl Atkinson of CBS News did have some calming effect on relations between the Government of Mexico and ATF personnel assigned to Mexico. To this day, I do not understand the failure of the ATF executive staff to provide their own support in this matter to ATF personnel serving in Mexico.

During my dissertation research I came across a study that provided some insight into how an operation like Fast and Furious could arise and be supported. Interestingly enough, it is titled *The Waco, Texas, ATF Raid and Challenger Launch Decision: Management, Judgment and the Knowledge Analytic* by Terence Garret (2001). The paper could have substituted “Operation Fast and Furious” for “Waco, Texas, ATF Raid” in the title and the study’s conclusions would have been the same: namely, poor management, poor judgment and poor leadership resulted in disaster. Operation Fast and Furious, as I have come to understand it, is indeed a disaster.

I know the Committee has asked me to testify and to answer questions today, which I look forward to doing. But, I also have a few questions of my own which I hope this committee may someday be able to answer. For example, who actually presented this operation for implementation? What was the objective? My staff in Mexico was already working with the Government of Mexico in tracing thousands of cartel-related firearms recovered from crime scenes that had been smuggled into Mexico illegally. Why the need to introduce even more firearms into a country being besieged by narco- violence? Also, what supervisor approved this plan? Who thought this was a good idea? Why did the ATF leadership in Washington fail to exercise oversight of this disaster? And, why were ATF personnel in Mexico kept in the dark on this operation, which has now imperiled trust and cooperation between U.S. and Mexican law enforcement at a time when that trust and cooperation is more essential than ever?

During my tenure in Mexico, I observed firsthand the extraordinary changes occurring in that country. Mexico is indeed working towards improvements in the rule of law, a transition to an adversarial court system, and improvement of their police forces.

The heads of the agencies leading these changes for Mexico are some of the bravest people I have ever met. As a result of their leadership and implementation of change, they become marked targets by the Mexican Drug Organizations. I find it grotesquely ironic that as representatives of United States law enforcement in Mexico, my staff and I were asked to expose ourselves and our families to the same sort of risk while speaking to our Mexican counterparts of integrity, rule of law, honor and duty in policing. Meanwhile, members of our own ATF and Department of Justice for whatever reason, appear to have refused to follow the same principles.

As a career ATF Special Agent, I believe in the mission and the people of ATF. ATF is an organization that constantly operates under political and budgetary constraints. Despite these constraints, the men and women of ATF go to work around the world every day with a strong sense of mission and duty. I hope that once all the facts are known about this operation and whatever necessary managerial changes are made in response to it, that ATF will emerge a stronger, more effective organization and that it will continue to focus on its core mission: taking the worst of the worst armed violent offenders off the streets in America.

Again, thank you Mr. Chairman and members of the committee for inviting me to testify today. I would be happy to answer any questions you may have.