

Calendar No. 76

112TH CONGRESS
1ST SESSION**S. 1103**

To extend the term of the incumbent Director of the Federal Bureau of
Investigation.

IN THE SENATE OF THE UNITED STATES

MAY 26, 2011

Mr. LEAHY (for himself, Mr. GRASSLEY, Mrs. FEINSTEIN, and Mr. CHAM-
BLISS) introduced the following bill; which was read twice and referred
to the Committee on the Judiciary

JUNE 16, 2011

Reported by Mr. LEAHY, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To extend the term of the incumbent Director of the Federal
Bureau of Investigation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXTENSION OF THE TERM OF THE INCUMBENT**
 2 **DIRECTOR OF THE FEDERAL BUREAU OF IN-**
 3 **VESTIGATION.**

4 Section 1101 of the Omnibus Crime Control and Safe
 5 Streets Act of 1968 (28 U.S.C. 532 note) is amended by
 6 adding at the end the following:

7 “(e) With respect to the individual who is the incum-
 8 bent in the office of the Director of the Federal Bureau
 9 of Investigation on the date of enactment of this sub-
 10 section—

11 “(1) subsection (b) shall be applied—

12 “(A) in the first sentence, by substituting
 13 ‘12 years’ for ‘ten years’; and

14 “(B) in the second sentence, by sub-
 15 stituting ‘12-year term’ for ‘10-year’ term; and

16 “(2) the third sentence of subsection (b) shall
 17 not apply.”.

18 **SECTION 1. FINDINGS.**

19 *Congress finds that—*

20 *(1) on May 12, 2011, the President requested*
 21 *that Congress extend the term of Robert S. Mueller III*
 22 *as Director of the Federal Bureau of Investigation by*
 23 *2 years, citing the critical need for continuity and*
 24 *stability at the Federal Bureau of Investigation in the*
 25 *face of ongoing threats to the United States and lead-*

ership transitions at the Federal agencies charged with protecting national security;

(2) in light of the May 1, 2011, successful operation against Osama bin Laden, the continuing threat to national security, and the approaching 10th anniversary of the attacks of September 11, 2001, the President's request for a limited, 1-time exception to the term limit of the Director of the Federal Bureau of Investigation, in these exceptional circumstances, is appropriate; and

(3) this Act is intended to provide a 1-time exception to the 10-year statutory limit on the term of the Director of the Federal Bureau of Investigation in light of the President's request and existing exceptional circumstances, and is not intended to create a precedent.

SEC. 2. EXTENSION OF THE TERM OF THE INCUMBENT DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

(a) *IN GENERAL.*—At the request of the President, the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of the enactment of this Act may continue in office until August 3, 2013, in accordance with the amendment made by subsection (b).

1 **(b) EXTENSION OF THE TERM.**—*Section 1101 of the*
2 *Omnibus Crime Control and Safe Streets Act of 1968 (28*
3 *U.S.C. 532 note) is amended by adding at the end the fol-*
4 *lowing:*

5 “(c) *With respect to the individual who is the incum-*
6 *bent in the office of the Director of the Federal Bureau of*
7 *Investigation on the date of enactment of this subsection,*
8 *subsection (b) shall be applied—*

9 “(1) *in the first sentence, by substituting ‘12*
10 *years’ for ‘ten years’; and*

11 “(2) *in the second sentence, by substituting ‘12-*
12 *year term’ for ‘ten-year term’.*”.

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