

Statement of

# **The Honorable Patrick Leahy**

United States Senator  
Vermont  
June 8, 2011

Statement Of Senator Patrick Leahy (D-Vt.)  
Chairman, Senate Judiciary Committee,  
Hearing On The President's Request  
To Extend The Service Of FBI Director Robert Mueller  
June 8, 2011

Nearly one month ago, the President requested that Congress authorize a limited extension of Robert Mueller's service as the Director of the FBI. President Obama spoke of "the ongoing threats facing the United States, as well as the leadership transitions at other agencies like the Defense Department and Central Intelligence Agency." He asked us "to join together in extending [Director Mueller's] leadership for the sake of our nation's safety and security."

Following the death of Osama bin Laden, I urged all Americans to support our President in his continuing efforts to protect our Nation and keep Americans safe. With the tenth anniversary of the September 11, 2001, attacks approaching, and in the face of continuing threats, we must all join together for the good of the country and all Americans.

I am pleased that Republicans and Democrats have expressed support for the President's request to maintain vital stability and continuity in the national security leadership team. Senator Grassley, this Committee's ranking Republican, joined me, along with Senators Feinstein and Chambliss, the Chairman and Vice Chairman of the Select Committee on Intelligence, in introducing a bill to permit the incumbent FBI Director to continue to serve for up to two additional years. Chairman Lamar Smith of the House Judiciary Committee supports the President's request. I was encouraged to see reports that Senator McConnell, the Senate Republican leader, supports the President's request.

The bipartisan bill on the Committee's agenda tomorrow provides for a limited exception to the statutory term of service of the FBI Director. It would allow Bob Mueller to continue his service for up to two additional years, until September 2013, at the request of the President. This extension is intended to be a one-time exception and not a permanent extension or modification of the statutory design.

The President could have nominated a new director of the FBI, someone who could serve for 10 years, long after President Obama's own term of office expired. Instead, the President is asking Congress to extend the term of service of a proven leader for a brief period, given the extenuating circumstances facing our country.

Bob Mueller served this Nation with valor and integrity as a Marine in Vietnam and as a Federal

prosecutor at all levels. He again answered the call to service when President Bush nominated him in July 2001 to serve as the Director of the FBI. As chairman of this Committee, I expedited that nomination through the Senate and he was confirmed just two weeks later. Since the days just before September 11, 2001, Bob Mueller has served tirelessly and selflessly as the Director of the FBI.

Director Mueller has handled the Bureau's significant transformation since September 11, 2001, with professionalism and focus. He has worked with Congress and this Committee, testifying as recently as March at one of our periodic oversight hearings. As was evident at that hearing, Bob was ready to begin the next phase of his life. But, as he has done throughout his career, Bob is now again answering duty's call. It was not Director Mueller's idea to serve another two years. This is the President's request and, as a patriotic American, Bob Mueller is willing to continue his service to a grateful Nation.

Senator Grassley asked that Director Mueller appear at today's hearing and he has characteristically cooperated with us by doing so. I thank him and welcome him back to the Committee. Today, we also welcome back to the Committee Jim Comey, who served as the U.S. Attorney for the Southern District of New York and for two years as Deputy Attorney General during the George W. Bush administration, when he worked closely with Director Mueller. The Committee will also hear testimony about the constitutionality of passing an exception to the statute by which Congress created the 10-year term for the Director.

#####