[For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

FEDERAL BUREAU OF INVESTIGATION FUNDING AUTHORIZATIONS

Pub. L. 104–132, title VIII, § 811, Apr. 24, 1996, 110 Stat. 1312, as amended by Pub. L. 106–546, § 6(a), Dec. 19, 2000, 114 Stat. 2733, provided that:

''(a) IN GENERAL.—With funds made available pursuant to subsection (c)—

''(1) the Attorney General shall—

''(A) provide support and enhance the technical support center and tactical operations of the Federal Bureau of Investigation;

''(B) create a Federal Bureau of Investigation counterterrorism and counterintelligence fund for costs associated with the investigation of cases involving cases of terrorism;

''(C) expand and improve the instructional, operational support, and construction of the Federal Bureau of Investigation Academy;

''(D) construct a Federal Bureau of Investigation laboratory, provide laboratory examination support, and provide for a command center;

''(E) make grants to States to carry out the activities described in subsection (b); and

''(F) increase personnel to support counterterrorism activities; and

''(2) the Director of the Federal Bureau of Investigation shall expand the combined DNA Identification System (CODIS) to include analyses of DNA samples collected from—

''(A) individuals convicted of a qualifying Federal offense, as determined under section 3(d) of the DNA Analysis Backlog Elimination Act of 2000 [42 U.S.C. 14135a(d)];

''(B) individuals convicted of a qualifying District of Columbia offense, as determined under section 4(d) of the DNA Analysis Backlog Elimination Act of 2000 [42 U.S.C. 14135b(d)]; and

''(C) members of the Armed Forces convicted of a qualifying military offense, as determined under section 1565(d) of title 10, United States Code.

''(b) STATE GRANTS.—

''(1) AUTHORIZATION.—The Attorney General, in consultation with the Director of the Federal Bureau of Investigation, may make grants to each State eligible under paragraph (2) to be used by the chief executive officer of the State, in conjunction with units of local government, other States, or any combination thereof, to carry out all or part of a program to establish, develop, update, or upgrade—

''(A) computerized identification systems that are compatible and integrated with the databases of the National Crime Information Center of the Federal Bureau of Investigation;

''(B) the capability to analyze deoxyribonucleic acid (DNA) in a forensic laboratory in ways that are compatible and integrated with the combined DNA Identification System (CODIS) of the Federal Bureau of Investigation; and

''(C) automated fingerprint identification systems that are compatible and integrated with the Integrated Automated Fingerprint Identification System (IAFIS) of the Federal Bureau of Investigation.

''(2) ELIGIBILITY.—To be eligible to receive a grant under this subsection, a State shall require that each person convicted of a felony of a sexual nature shall provide to appropriate State law enforcement officials, as designated by the chief executive officer of the State, a sample of blood, saliva, or other specimen necessary to conduct a DNA analysis consistent with the standards established for DNA testing by the Director of the Federal Bureau of Investigation.

''(3) INTERSTATE COMPACTS.—A State may enter into a compact or compacts with another State or States to carry out this subsection.

''(c) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated for the activities of the Federal Bureau of Investigation, to help meet the increased demands for activities to combat terrorism—

''(A) $114,000,000 for fiscal year 1997;

''(B) $166,000,000 for fiscal year 1998;

''(C) $96,000,000 for fiscal year 1999; and

''(D) $92,000,000 for fiscal year 2000.

''(2) AVAILABILITY OF FUNDS.—Funds made available pursuant to paragraph (1), in any fiscal year, shall remain available until expended.

''(3) ALLOCATION.—

''(A) IN GENERAL.—Of the total amount appropriated to carry out subsection (b) in a fiscal year—

''(i) the greater of 0.25 percent of such amount or $500,000 shall be allocated to each eligible State; and

''(ii) of the total funds remaining after the allocation under clause (i), there shall be allocated to each State an amount which bears the same ratio to the amount of remaining funds described in this subparagraph as the population of such State bears to the population of all States.

''(B) DEFINITION.—For purposes of this paragraph, the term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands, except that for purposes of the allocation under this subparagraph, American Samoa and the Commonwealth of the Northern Mariana Islands shall be considered as one State and that for these purposes, 67 percent of the amounts allocated shall be allocated to American Samoa, and 33 percent to the Commonwealth of the Northern Mariana Islands.''

§ 532. Director of the Federal Bureau of Investigation

The Attorney General may appoint a Director of the Federal Bureau of Investigation. The Director of the Federal Bureau of Investigation is the head of the Federal Bureau of Investigation.

(Added Pub. L. 89–554, § 4(c), Sept. 6, 1966, 80 Stat. 616.)

HISTORICAL AND REVISION NOTES

The section is supplied for convenience and clarification and is based on section 3 of Executive Order No. 6166 of June 10, 1933, which provided for the transfer of the functions of the Bureau of Investigation together with the investigative functions of the Bureau of Prohibition to a ''Division of Investigation in the Department of Justice, at the head of which shall be a Director of Investigation''. The Division of Investigation was first designated as the ''Federal Bureau of Investigation'' by the Act of Mar. 22, 1935, ch. 39, title II, 49 Stat. 77, and has been so designated in statutes since that date. The title of ''Director of the Federal Bureau of Investigation'' was recognized by statute in the Act of June 5, 1936, ch. 529, 49 Stat. 1484, and has been used in statutes since that date.

IMPROVEMENT OF INTELLIGENCE CAPABILITIES; DIRECTORATE OF INTELLIGENCE; INTELLIGENCE CAREER SERVICE

Pub. L. 108–458, title II, §§ 2001–2003, Dec. 17, 2004, 118 Stat. 3700, 3702, as amended by Pub. L. 111–259, title VIII, § 806(b)(1), Oct. 7, 2010, 124 Stat. 2748, provided that:

''SEC. 2001. IMPROVEMENT OF INTELLIGENCE CAPABILITIES OF THE FEDERAL BUREAU OF INVESTIGATION.

''(a) FINDINGS.—Congress makes the following findings:

''(1) The National Commission on Terrorist Attacks Upon the United States in its final report stated that, under Director Robert Mueller, the Federal Bureau of Investigation has made significant progress in improving its intelligence capabilities.

''(2) In the report, the members of the Commission also urged that the Federal Bureau of Investigation fully institutionalize the shift of the Bureau to a preventive counterterrorism posture.

''(b) IMPROVEMENT OF INTELLIGENCE CAPABILITIES.—The Director of the Federal Bureau of Investigation shall continue efforts to improve the intelligence capabilities of the Federal Bureau of Investigation and to develop and maintain within the Bureau a national intelligence workforce.

''(c) NATIONAL INTELLIGENCE WORKFORCE.—(1) In developing and maintaining a national intelligence workforce under subsection (b), the Director of the Federal Bureau of Investigation shall develop and maintain a specialized and integrated national intelligence workforce consisting of agents, analysts, linguists, and surveillance specialists who are recruited, trained, and rewarded in a manner which ensures the existence within the Federal Bureau of Investigation of an institutional culture with substantial expertise in, and commitment to, the intelligence mission of the Bureau.

''(2) Each agent employed by the Bureau after the date of the enactment of this Act [Dec. 17, 2004] shall receive basic training in both criminal justice matters and national intelligence matters.

''(3) Each agent employed by the Bureau after the date of the enactment of this Act shall, to the maximum extent practicable, be given the opportunity to undergo, during such agent's early service with the Bureau, meaningful assignments in criminal justice matters and in national intelligence matters.

''(4) The Director shall—

''(A) establish career positions in national intelligence matters for agents, analysts, and related personnel of the Bureau; and

''(B) in furtherance of the requirement under subparagraph (A) and to the maximum extent practicable, afford agents, analysts, and related personnel of the Bureau the opportunity to work in the career specialty selected by such agents, analysts, and related personnel over their entire career with the Bureau.

''(5) The Director shall carry out a program to enhance the capacity of the Bureau to recruit and retain individuals with backgrounds in intelligence, international relations, language, technology, and other skills relevant to the intelligence mission of the Bureau.

''(6) The Director shall, to the maximum extent practicable, afford the analysts of the Bureau training and career opportunities commensurate with the training and career opportunities afforded analysts in other elements of the intelligence community.

''(7) Commencing as soon as practicable after the date of the enactment of this Act, each direct supervisor of a Field Intelligence Group, and each Bureau Operational Manager at the Section Chief and Assistant Special Agent in Charge (ASAC) level and above, shall be a certified intelligence officer.

''(8) The Director shall, to the maximum extent practicable, ensure that the successful discharge of advanced training courses, and of one or more assignments to another element of the intelligence community, is a precondition to advancement to higher level intelligence assignments within the Bureau.

''(d) FIELD OFFICE MATTERS.—(1) In improving the intelligence capabilities of the Federal Bureau of Investigation under subsection (b), the Director of the Federal Bureau of Investigation shall ensure that each Field Intelligence Group reports directly to a field office senior manager responsible for intelligence matters.

''(2) The Director shall provide for such expansion of the secure facilities in the field offices of the Bureau as is necessary to ensure the discharge by the field offices of the intelligence mission of the Bureau.

''(3) The Director shall require that each Field Intelligence Group manager ensures the integration of analysts, agents, linguists, and surveillance personnel in the field.

''(e) DISCHARGE OF IMPROVEMENTS.—(1) The Director of the Federal Bureau of Investigation shall carry out subsections (b) through (d) through the head of the Directorate of Intelligence of the Federal Bureau of Investigation.

''(2) The Director of the Federal Bureau of Investigation shall carry out subsections (b) through (d) under the joint guidance of the Attorney General and the Director of National Intelligence in a manner consistent with applicable law.

''(f) BUDGET MATTERS.—The Director of the Federal Bureau of Investigation shall establish a budget structure of the Federal Bureau of Investigation to reflect the four principal missions of the Bureau as follows:

''(1) Intelligence.

''(2) Counterterrorism and counterintelligence.

''(3) Criminal Enterprises/Federal Crimes.

''(4) Criminal justice services.

''(g) REPORTS.—(1) Not later than 180 days after the date of the enactment of this Act [Dec. 17, 2004], the Director of the Federal Bureau of Investigation shall submit to Congress a report on the progress made as of the date of such report in carrying out the requirements of this section.

''(2) The Director shall include in each annual program review of the Federal Bureau of Investigation that is submitted to Congress a report on the progress made by each field office of the Bureau during the period covered by such review in addressing Bureau and national program priorities.

''(3) Not later than 180 days after the date of the enactment of this Act, and every 12 months thereafter, the Director shall submit to Congress a report assessing the qualifications, status, and roles of analysts at Bureau headquarters and in the field offices of the Bureau.

''(4) Not later than 180 days after the date of the enactment of this Act, and every 12 months thereafter, the Director shall submit to Congress a report on the progress of the Bureau in implementing information-sharing principles.

''SEC. 2002. DIRECTORATE OF INTELLIGENCE OF THE FEDERAL BUREAU OF INVESTIGATION.

''(a) DIRECTORATE OF INTELLIGENCE OF FEDERAL BUREAU OF INVESTIGATION.—The element of the Federal Bureau of Investigation known as of the date of the enactment of this Act [Dec. 17, 2004] as the Office of Intelligence is hereby redesignated as the Directorate of Intelligence of the Federal Bureau of Investigation.

''(b) HEAD OF DIRECTORATE.—The head of the Directorate of Intelligence shall be the Executive Assistant Director for Intelligence of the Federal Bureau of Investigation.

''(c) RESPONSIBILITIES.—The Directorate of Intelligence shall be responsible for the following:

''(1) Supervision of all national intelligence programs, projects, and activities of the Bureau.

''(2) The discharge by the Bureau of the requirements in section 105B of the National Security Act of 1947 (50 U.S.C. 403–5b).

''(3) The oversight of Bureau field intelligence operations.

''(4) Coordinating human source development and management by the Bureau.

''(5) Coordinating collection by the Bureau against nationally-determined intelligence requirements.

''(6) Strategic analysis.

''(7) Intelligence program and budget management.

''(8) The intelligence workforce.

''(9) Any other responsibilities specified by the Director of the Federal Bureau of Investigation or specified by law.

''(d) STAFF.—The Directorate of Intelligence shall consist of such staff as the Director of the Federal Bureau of Investigation considers appropriate for the activities of the Directorate.

''SEC. 2003. FEDERAL BUREAU OF INVESTIGATION INTELLIGENCE CAREER SERVICE.

''(a) ESTABLISHMENT OF FEDERAL BUREAU OF INVESTIGATION INTELLIGENCE CAREER SERVICE.—The Director of the Federal Bureau of Investigation may—

''(1) in consultation with the Director of the Office of Personnel Management—

''(A) establish positions for intelligence analysts, and prescribe standards and procedures for establishing and classifying such positions, without regard to chapter 51 of title 5, United States Code; and

''(B) fix the rate of basic pay for such positions, without regard to subchapter III of chapter 53 of title 5, United States Code, if the rate of pay is not greater than the rate of basic pay payable for level IV of the Executive Schedule [5 U.S.C. 5315];

''(2) appoint individuals to such positions; and

''(3) establish a performance management system for such individuals with at least one level of performance above a retention standard.

''(b) REPORTING REQUIREMENT.—Not less than 60 days before the date of the implementation of authorities authorized under this section, the Director of the Federal Bureau of Investigation shall submit an operating plan describing the Director's intended use of the authorities under this section to the appropriate committees of Congress.

''(c) ANNUAL REPORT.—Not later than December 31, 2005, and annually thereafter for 4 years, the Director of the Federal Bureau of Investigation shall submit an annual report of the use of the permanent authorities provided under this section during the preceding fiscal year to the appropriate committees of Congress.

''(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term 'appropriate committees of Congress['] means' [sic]—

''(1) the Committees on Appropriations, Homeland Security and Governmental Affairs, and the Judiciary and the Select Committee on Intelligence of the Senate; and

''(2) the Committees on Appropriations, Government Reform [now Committee on Oversight and Government Reform], and the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives.''

WEBSTER COMMISSION IMPLEMENTATION REPORT

Pub. L. 107–273, div. C, title I, § 11023, Nov. 2, 2002, 116 Stat. 1830, provided that:

''(a) IMPLEMENTATION PLAN.—Not later than 6 months after the date of enactment of this Act [Nov. 2, 2002], the Director of the Federal Bureau of Investigation shall submit to the appropriate Committees of Congress a plan for implementation of the recommendations of the Commission for Review of FBI Security Programs, dated March 31, 2002, including the costs of such implementation.

''(b) ANNUAL REPORTS.—On the date that is 1 year after the submission of the plan described in subsection (a), and for 2 years thereafter, the Director of the Federal Bureau of Investigation shall submit to the appropriate Committees of Congress a report on the implementation of such plan.

''(c) APPROPRIATE COMMITTEES OF CONGRESS.—For purposes of this section, the term 'appropriate Committees of Congress' means—

''(1) the Committees on the Judiciary of the Senate and the House of Representatives;

''(2) the Committees on Appropriations of the Senate and the House of Representatives;

''(3) the Select Committee on Intelligence of the Senate; and

''(4) the Permanent Select Committee on Intelligence of the House of Representatives.''

EMPLOYMENT OF TRANSLATORS BY THE FEDERAL BUREAU OF INVESTIGATION

Pub. L. 107–56, title II, § 205, Oct. 26, 2001, 115 Stat. 281, provided that:

''(a) AUTHORITY.—The Director of the Federal Bureau of Investigation is authorized to expedite the employment of personnel as translators to support counterterrorism investigations and operations without regard to applicable Federal personnel requirements and limitations.

''(b) SECURITY REQUIREMENTS.—The Director of the Federal Bureau of Investigation shall establish such security requirements as are necessary for the personnel employed as translators under subsection (a).

''(c) REPORT.—The Attorney General shall report to the Committees on the Judiciary of the House of Representatives and the Senate on—

''(1) the number of translators employed by the FBI and other components of the Department of Justice;

''(2) any legal or practical impediments to using translators employed by other Federal, State, or local agencies, on a full, part-time, or shared basis; and

''(3) the needs of the FBI for specific translation services in certain languages, and recommendations for meeting those needs.''

FBI CRITICAL SKILLS SCHOLARSHIP PROGRAM

Pub. L. 102–183, title V, § 501, Dec. 4, 1991, 105 Stat. 1268, provided that:

''(a) STUDY.—The Director of the Federal Bureau of Investigation shall conduct a study relative to the establishment of an undergraduate training program with respect to employees of the Federal Bureau of Investigation that is similar in purpose, conditions, content, and administration to undergraduate training programs administered by the Central Intelligence Agency (under section 8 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403j)), the National Security Agency (under section 16 of the National Security Agency Act of 1959 (50 U.S.C. 402 (note))[)], and the Defense Intelligence Agency (under section 1608 [now 1623] of title 10, United States Code).

''(b) IMPLEMENTATION.—Any program proposed under subsection (a) may be implemented only after the Department of Justice and the Office of Management and Budget review and approve the implementation of such program.

''(c) AVAILABILITY OF FUNDS.—Any payment made by the Director of the Federal Bureau of Investigation to carry out any program proposed to be established under subsection (a) may be made in any fiscal year only to the extent that appropriated funds are available for that purpose.''

CONFIRMATION AND COMPENSATION OF DIRECTOR; TERM OF SERVICE

Pub. L. 90–351, title VI, § 1101, June 19, 1968, 82 Stat. 236, as amended by Pub. L. 94–503, title II, § 203, Oct. 15, 1976, 90 Stat. 2427, provided that:

''(a) Effective as of the day following the date on which the present incumbent in the office of Director ceases to serve as such, the Director of the Federal Bureau of Investigation shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate prescribed for level II of the Federal Executive Salary Schedule [section 5313 of Title 5, Government Organization and Employees].

''(b) Effective with respect to any individual appointment by the President, by and with the advice and consent of the Senate, after June 1, 1973, the term of service of the Director of the Federal Bureau of Investigation shall be ten years. A Director may not serve more than one ten-year term. The provisions of subsections (a) through (c) of section 8335 of title 5, United States Code, shall apply to any individual appointed under this section.''

§ 533. Investigative and other officials; appointment

The Attorney General may appoint officials—