The Senate met at 10 a.m. and was called to order by the Presiding Officer, the Honorable Mark Dayton, a Senator from the State of Minnesota.

PLEDGE OF ALLEGIANCE

The Honorable Mark Dayton led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication from the State of Minnesota, to perform the duties of the Chair.

The assistant legislative clerk read the following letter:

U.S. Senate
President pro tempore

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Mark Dayton, a Senator from the State of Minnesota, to perform the duties of the Chair.

Robert C. Byrd
President pro tempore.

Mr. Dayton thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m. with Senators permitted to speak therein for up to 10 minutes each.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

ORDER OF PROCEDURE

Mr. Reid. Mr. President, I ask unanimous consent that the Senator from Pennsylvania be given his full 15 minutes. The two 15-minute spots would take us probably to 10:35 or thereabouts. I ask unanimous consent that Senator Specter control the first 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. 2217

Mr. Reid. Mr. President, I further ask unanimous consent that the Senate proceed to H.R. 2217 at 10:35 this morning. I note to anyone within the sound of my voice, we have been in touch with Senator Craig and Senator Kyl who had some suggestions last night in moving to this bill. Their questions have been addressed.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Pennsylvania.

NOMINATION OF ROBERT MUELLER

Mr. Specter. Mr. President, I have sought recognition this morning to comment about the confirmation hearings which are scheduled later this month for Mr. Robert Mueller to be Director of the Federal Bureau of Investigation. That position arguably is as important as any position in the United States of America, perhaps even the most powerful position.

The statutory 10-year term is 2 years longer than the maximum a President may serve under the Constitution. The Director of the FBI has power over the largest investigative organization in the world, global in its exposure.

There are an enormous number of problems which have befallen the agency in recent years. The confirmation hearing will provide a unique opportunity for oversight for the U.S. Senate to seek to establish standards as to what the FBI should be doing in cooperation with congressional oversight.

The FBI is a well-respected organization. I have had very extensive opportunities to work with the FBI. After graduation from college, I was in the Air Force Office of Special Investigations for 2 years and had training from the FBI. The commanding officer of the OSI was a former top aide to Director J. Edgar Hoover. I worked with the FBI on the prosecution of the Philadelphia Teamsters, an investigation which was conducted by the McClellan committee with then-counsel, Robert Kennedy, and saw their very fine work. Then, as Assistant Counsel to the Warren Commission, I worked with the FBI; then as district attorney of Philadelphia and for the last 20 years extensively on the Judiciary Committee.

I have great respect for the Federal Bureau of Investigation. At the same time, my experience has shown me that there is an over concern by the personnel of the FBI with their so-called institutional image and that there cannot be a concession of any problems, which is really indispensable if problems are to be corrected.

(Disturbance in the visitors’ galleries.)

The ACTING PRESIDENT pro tempore. Will the Sergeant at Arms restore order in the galleries.

Mr. Specter. We have a nominee who has been put forward by the President who has very impressive credentials: United States Attorney in Boston, United States Attorney in San Francisco, 3 years as Assistant Attorney General in the Justice Department, where I had contacts and saw his impressive work.

He will be succeeding a man, Director Louis Freeh, who came to the Bureau with extraordinary credentials and overall did a good job, although he presided over the Bureau at a time when there were many institutional failures. I analyze, Director Freeh to the little boy on the Netherlands dike running around putting his finger in all the holes to try to stop the water from coming through. With so many holes and so many problems, it was not possible.

I believe similarly that the Congress, including the Senate and the Senate Judiciary Committee, has not been sufficiently active on oversight. These hearings will give us an opportunity to set standards as to what the FBI