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Senate

The Senate met at 10 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, the Prince of Peace, give our Senators this day the grace to move away from divisions. Take from them all cynicism and resentment and anything else that may hinder them from experiencing harmony. May the bonds of patriotism, truth, peace, faith, and love provide the glue that will enable them to glorify You with their oneness. Grant in their hearts the love of Your Name, as You nourish them with all goodness and mercy. May they find in You a faithful guide.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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 to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 28, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, if any, the Senate will resume consideration of the motion to proceed to S. 2230; that is, the Paying a Fair Share Act. The Republicans will control the first 30 minutes and the majority will control the next 30 minutes.

ORDER OF PROCEDURE

I now ask unanimous consent that following the first hour, the time until 5 p.m. today be equally divided and controlled between the two leaders or their designees, and that the time from 2 p.m. to 3 p.m. be under the control of the majority, and the time from 3 p.m. to 4 p.m. be under the control of the Republicans.

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

Mr. REID. Thank you, Madam President.

At 5 p.m. this evening, the Senate will proceed to executive session to consider the Du and Morgan nominations—prospective judges from Nevada and Louisiana. At 6 p.m. there will be two votes on confirmation of those nominations.

MEASURES PLACED ON THE CALENDAR—H.R. 2682, H.R. 2779, AND H.R. 4014 EN BLOC

Mr. REID. Madam President, there are three bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title en bloc for a second time.

The legislative clerk read as follows:

A bill (H.R. 2682) to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes.

A bill (H.R. 2779) to exempt inter-affiliate swaps from certain regulatory requirements put in place by the Dodd-Frank Wall Street Reform and Consumer Protection Act.

A bill (H.R. 4014) to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection.

Mr. REID. Madam President, I object to any further action at this time with respect to H.R. 2682, H.R. 2779, and H.R. 4014.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

NOMINATION OF MIRANDA DU

Mr. REID. Madam President, today the Senate will consider the nomination of a woman by the name of Miranda Du to be a U.S. district judge for the District Court of Nevada. I was very pleased to recommend this woman because she is such an experienced litigator and very proud Nevadan.

Ms. Du has enormous love for the State and this country and a tremendous dedication to public service. Her story is about as inspiring as it gets, and it proves without any question the American dream is alive and well.

Nevada's Asian Pacific population is less than 10 percent. But if confirmed, Ms. Du will be the first Asian American Federal judge in the history of the State of Nevada.

Miranda Du left Vietnam when she was 8 years old with her family in a boat. She was one of the boat people. She was born in Vietnam. She and her family survived the war, and they left. They left voluntarily because they could not get out any other way. I said they left voluntarily—they sneaked

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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out and got on a boat and took off. They wound up in Malaysia. She spent more than 2 years in a refugee camp in Malaysia—this little girl. She was then, with her family, taken to Alabama: Vietnam, Malaysia, Alabama.

When she got there, she enrolled in an American school for the first time. She did not know how to speak English, and that is an understatement. But as a third grader, everyone recognized how smart she was. She picked up the language very quickly. Miranda Du speaks—it does not matter if she had an accent, but she has none—today as well as you or I.

Her family, after living in Alabama—where her father worked on a dairy farm—eventually worked their way to California. She continued to be pointed out as always one of the smartest in any class. She was able to go to college. She got a degree in history and economics from the University of California at Davis and a law degree from one of the finest law schools in the world, the University of California, Berkeley—the famous Boalt Hall. She did well wherever she went to school.

After law school, she moved to Nevada. She joined at that time a law firm McDonald Carano Wilson, which is a very respected law firm. Bob McDonald, the founder of that firm, was a protégé of the famous Nevada Senator Pat McCarran, and he was involved in politics. He was a very prominent lawyer until he died a couple years ago. Don Carano is also a very well known, famous man in Nevada, a lawyer, and he has done extremely well. He owns major hotels and casinos. He is one of the biggest producers of wine in the State of California. Spike Wilson was a long-time Nevada State senator. They are just a very fine group of people, these three men who started this law firm.

She was made a partner of the law firm in 2002. Her specialty is litigation. She is a trial lawyer and a very good one. She specializes in complex civil litigation and also employment law. She has appeared before the State and Federal courts in all phases of litigation—trial lawyer, an appellate lawyer before the Nevada Supreme Court, and the Ninth Circuit Court of Appeals.

She has the support of a bipartisan coalition of Nevada officials, including the Governor. By the way, the Governor was one of my appointments to the Federal bench. He was a Federal judge, Brian Sandoval, and a good Federal judge. He resigned that position and ran for Governor against my son, and he won. He is a fine man. He is my friend, and he has come out vocally and very publicly that this woman is a great lawyer and should be on the bench—something he should know a little bit about.

She has received vocal support from the Lieutenant Governor, also a Republican; the mayor of Reno, also a Republican. In fact, Governor Sandoval wrote to the Judiciary Committee to say, Du “has exhibited great character and is

well respected in the legal community.” He has given her his unqualified support.

Republican Lt. Gov. Brian Krolicki called Ms. Du “intelligent, inquisitive, reliable and dedicated.” The Republican mayor of Reno—with whom, by the way, we had a visit yesterday—Bob Cashell said Du “will be a great addition to our federal bench.”

In addition to being an experienced litigator, she is also an outstanding citizen. She is involved in the northern Nevada community. There are many things she has done, but she served on the Nevada Commission on Economic Development. She has also served as a court-appointed special advocate representing abused and neglected children. She now, and has in the past for a number of years, mentored high school students in Reno, NV. She is a fine example to those students.

I have had the good fortune to be able to forward to Presidents about 10 names, and I have never been more proud of one than Miranda Du. I repeat, if there were ever a success story, it is this woman who was born in Vietnam, took a boat and wound up in Malaysia, came from Malaysia to America, to Alabama, to California, and is now one of the most respected lawyers we have in the State of Nevada. This is what America is all about.

Mr. MCCAIN. Madam President, will the Senator from Nevada yield just for a comment?

Mr. REID. I sure will.

Mr. MCCAIN. I thank him for honoring those who came to this country who fled reeducation camps and execution in a most horrible, brutal regime period. The enormous contribution those individuals and their children now have made to our Nation, our economy, our political scene, is remarkable and one of which all of us should be extremely proud. I thank the Senator from Nevada for recognizing those individuals' contribution.

Mr. REID. Madam President, this is coming from a person who was held for 7 years in a prisoner-of-war camp in that country. So I think anyone hearing this—and there are lots of people watching this—should understand what JOHN MCCAIN just said. JOHN MCCAIN and I have battled on a number of substantive issues over the years, but I do not think there is anyone—at least I speak from my perspective—for whom I have more admiration and respect than JOHN MCCAIN, who has done so much for his country.

Mr. MCCAIN. Madam President, I thank the leader for his generous and kind remarks. As he said, he and I have done battle on the honorable field of combat, but I think the feeling of respect and appreciation and admiration is mutual. I thank the leader.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

LEGAL IMMIGRATION

Mr. MCCONNELL. Madam President, if I may just add, the colloquy between the majority leader and my good friend from Arizona certainly underscores once again the extraordinary contribution legal immigration has made to our country for over 200 years. I think of, as an example, my own wife, who came here at age 8, not speaking a word of English. The majority leader was just pointing out an immigrant from Vietnam who has done well. Senator MCCAIN has said the same thing that all three of us have said on numerous occasions. So it is indeed something to celebrate.

HIGH GAS PRICES

Mr. MCCONNELL. Madam President, yesterday afternoon I came to the floor to suggest that what has been happening in the Senate this week is precisely the kind of thing the American people do not like about Washington.

Gas prices have more than doubled under President Obama and the Democratic-controlled Senate. This is a problem that affects every single American, that drives up the cost of everything from commuting to groceries. Yet the Democratic response is to propose legislation that even they admit does not do a thing to lower the price of gas.

We have seven Democrats, in fact, on record saying the bill does not do a thing to lower gas prices. One of them has called it laughable. But this is apparently the best our friends on the other side can do. It is the most, apparently, they are willing to do. At a time when gas prices are at a national average of nearly \$4 a gallon, this is what passes for a response to high gas prices for Washington Democrats: a bill that simply does nothing about it.

But it even gets worse than that because not only is the Democratic solution to high gas prices a bill that even they admit does nothing to lower gas prices, they will not even allow Republicans to offer any amendments that would help. Not only are they pushing a bill that will not lower gas prices, they are blocking any measure that would actually make a difference.

So at a moment when working Americans are struggling with high gas prices, the message Democrats in Washington are sending this week is simple: Get used to it. Get used to it because they have nothing—nothing—but a phony proposal aimed at distracting people from the fact that they have nothing to offer.

Maybe the reason they voted yesterday to get off their own bill is they realized the American people were on to them. Maybe they realized they did not have the political issue they thought they did. Well, my point is that they should be more concerned about helping Americans than helping their own campaigns.

So if Democrats will not allow us to offer any proposals to address this crisis, we are still going to talk about