

the Justice Department, the City of Detroit and our great State of Michigan.

Elizabeth Hacker is a proud daughter of Detroit. She received her B.A. from Wayne State University in 1974 and a law degree from the Detroit College of Law in 1978. Following a brief period in private practice, Judge Hacker joined the Detroit office of the Immigration and Naturalization Service in 1980. She rose quickly within the INS, serving as a naturalization attorney; a trial attorney; a chief attorney; and finally assistant regional counsel for the western region for three immigration districts, including Los Angeles, where she supervised dozens of other immigration attorneys.

Elizabeth Hacker is currently the senior United States immigration judge for the Immigration Court with jurisdiction over Michigan, Ohio, and northern Kentucky. Notably, Judge Hacker re-established the Detroit Immigration Court when she was appointed to the bench in July of 1995.

While affiliated with the Immigration Service, Judge Hacker acted as an instructor at both Federal law enforcement training academies, teaching a range of subjects, including the law of arrest, search and seizure, employer sanctions and general immigration law.

During her long tenure on the Detroit Immigration Court, Judge Hacker handled numerous noteworthy and high-profile cases, many of which were covered extensively by the news media. Of particular note was the role she played in the deportation of Nazi war criminals that were discovered residing in the United States living under false pretenses.

In 2011, Judge Hacker wrote the opinion in the trial of Ivan Kalymon for his participation in Nazi-sponsored acts of persecution while serving as an armed member of the Ukrainian Auxiliary Police during World War II. Hacker ordered Kalymon deported.

In the months following the attacks of September 2001, Judge Hacker handled several cases involving terrorists and terrorist organizations plotting in the United States. Many high-stakes cases came before her court. Her colleagues on immigration courts across the country came to rely on her expertise and experience. They would frequently solicit her opinion on complex matters involving national security.

Her colleague on the bench, Judge Marsha Nettles, describes Judge Hacker as someone who ensured that everyone who came before her “received a full, fair and complete hearing. She never forgot the mission of the Immigration Service or the Court. She always put the mission first, no matter the public pressure or media scrutiny.”

By all accounts, Judge Hacker is looking forward to her retirement and to spending more time on Grosse Ile with her loving husband Brian Munson and doing more cooking, which outside of the law, is her true life’s passion.

Judge Hacker is a trailblazer. Through her tireless dedication, sense of purpose and unfailing fidelity to the mission of the Justice Department and the court, Elizabeth Hacker has set a high standard. I know my colleagues join me in congratulating Elizabeth Hacker as she concludes her long and distinguished legal career.●

law, a report relative to the Air-Sea Battle Concept (ASBC) (OSS-2013-0090); to the Committee on Armed Services.

EC-189. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of nineteen (19) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-190. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13348 relative to the former Liberian regime of Charles Taylor; to the Committee on Banking, Housing, and Urban Affairs.

EC-191. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Suspension of Community Eligibility” ((44 CFR Part 64) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-192. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Suspension of Community Eligibility” ((44 CFR Part 64) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-193. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled “Escrow Requirements Under the Truth in Lending Act (Regulation Z)” ((RIN3170-AA16) (Docket No. CFPB-2013-0001)) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-194. A communication from the Administrator, Arizona Public Safety Personnel Retirement System, transmitting, pursuant to law, a report relative to compliance with the Arizona Terror Country Divestment Act; to the Committee on Banking, Housing, and Urban Affairs.

EC-195. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled “Appraisal Requirements for Higher-Priced Mortgage Loans Joint-Agency Rule” (RIN2590-AA58) received in the Office of the President of the Senate on January 23, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-196. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, a report entitled “Energy Conservation Program: Test Procedures for Microwave Ovens” (RIN1904-AB78) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Energy and Natural Resources.

EC-197. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Adequacy of Massachusetts Municipal Solid Waste Landfill Permit Program” (FRL No. 9771-7) received in the Office of the President of the Senate on January 24, 2013; to the Committee on Environment and Public Works.

EC-198. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air

#### MESSAGES FROM THE HOUSE

At 10:12 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to sections 5580 and 5581 of the revised statutes (20 U.S.C. 42–43), and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Regents of the Smithsonian Institution: Mr. BECERRA of California.

The message also announced that pursuant to 22 U.S.C. 3003, and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. HASTINGS of Florida.

#### ENROLLED BILL SIGNED

At 3:18 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker pro tempore (Mr. UPTON) had signed the following enrolled bill:

H.R. 152. An act making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 164. A bill to prohibit the United States from providing financial assistance to Pakistan until Dr. Shakil Afridi is freed.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 177. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-188. A communication from the Secretary of Defense, transmitting, pursuant to

Quality Implementation Plans; Ohio and Indiana; Cincinnati-Hamilton, Ohio; Ohio and Indiana 1997 8-Hour Ozone Maintenance Plan Revisions to Approved Motor Vehicle Emissions Budgets" (FRL No. 9773-5) received in the Office of the President of the Senate on January 24, 2013; to the Committee on Environment and Public Works.

EC-199. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Technical Corrections Regarding the Methods of Collection of Certain User Fees by CBP" (CBP Dec. 13-3) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Finance.

EC-200. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2013 Cost-of-Living Adjustments to Certain Tax Items" (Rev. Proc. 2013-15) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Finance.

EC-201. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—February 2013" (Rev. Rul. 2013-3) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Finance.

EC-202. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of Guidance in Notice 2011-14 and Rev. Proc. 2011-55 for Participants in the HFA Hardest Hit Fund, the Emergency Homeowners' Loan Program, and Substantially Similar State Programs" (Notice 2013-7) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Finance.

EC-203. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Relating to Information Reporting by Foreign Financial Institutions and Withholding on Certain Payments to Foreign Financial Institutions and Other Foreign Entities" (RIN1545-BK68) (TD 9610) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Finance.

EC-204. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Application of Retroactive Increase in Excludable Transit Benefits" (Notice 2013-8) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Finance.

EC-205. A communication from the Acting Executive Director, Office of the Chairman, Federal Labor Relations Authority, transmitting, pursuant to law, the fiscal year 2012 Competitive Sourcing annual report; to the Committee on Homeland Security and Governmental Affairs.

EC-206. A communication from the Acting Director, Office of Government Ethics, transmitting, pursuant to law, the Performance and Accountability Report for the Office of Government Ethics for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-207. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the In-

spector General for the period from April 1, 2012 through September 30, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-208. A communication from the Acting Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the 2012 Information Collection Budget of the United States Government (ICB); to the Committee on Homeland Security and Governmental Affairs.

EC-209. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-210. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-211. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Internet Publication of Administrative Seizure and Forfeiture Notices" ((CBP Dec. 13-04) (RIN1651-AA94)) received in the Office of the President of the Senate on January 24, 2013; to the Committee on the Judiciary.

EC-212. communication from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Commission's Rules Concerning Commercial Radio Operators" (FCC 13-4) received in the Office of the President of the Senate on January 24, 2013; to the Committee on Commerce, Science, and Transportation.

EC-213. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Transportation Policy, received in the Office of the President of the Senate on January 23, 2013; to the Committee on Commerce, Science, and Transportation.

EC-214. A communication from the Assistant Secretary for Communications and Information, National Telecommunications and Information Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Relocation of and Spectrum Sharing by Federal Government Stations—Technical Panel and Dispute Resolution Boards" (RIN0660-AA26) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC-215. A communication from the Secretary of the Commission, Bureau of Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Reporting Requirements Under Section 7A of the Clayton Act, 15 U.S.C. Section 18a" received in the Office of the President of the Senate on January 24, 2013; to the Committee on Commerce, Science, and Transportation.

EC-216. A communication from the Secretary of the Commission, Bureau of Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Reporting Requirements Under Section 8 of the Clayton Act, 15 U.S.C. Section 19(a) (5)" received in the Office of the President of the Senate on January 24, 2013; to the Committee on Commerce, Science, and Transportation.

## EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. MENENDEZ for the Committee on Foreign Relations.

\*John Forbes Kerry, of Massachusetts, to be Secretary of State.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VITTER (for himself, Mr. HOEVEN, Mr. CRAPO, and Mr. THUNE):

S. 167. A bill to suspend sales of petroleum products from the Strategic Petroleum Reserve until certain conditions are met; to the Committee on Energy and Natural Resources.

By Mr. HARKIN (for himself, Mr. LEAHY, Mrs. BOXER, Mrs. MURRAY, Mr. LAUTENBERG, Mr. BROWN, Mr. BLUMENTHAL, and Mrs. GILLIBRAND):

S. 168. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself, Ms. KLOBUCHAR, Mr. RUBIO, Mr. COONS, Mr. FLAKE, Mrs. SHAHEEN, Mr. HELLER, Mr. BLUMENTHAL, Mr. HOEVEN, Mr. WARNER, Mr. NELSON, and Mr. SCHATZ):

S. 169. A bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself and Mr. MANCHIN):

S. 170. A bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities; to the Committee on Energy and Natural Resources.

By Mr. UDALL of Colorado (for himself, Mr. MORAN, and Mr. UDALL of New Mexico):

S. 171. A bill to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian and contractor personnel continue to receive pay and allowances for active service performed when a Governmentwide shutdown occurs; to the Committee on Appropriations.

By Mr. MERKLEY (for himself, Mr. UDALL of New Mexico, Mr. DURBIN, and Mr. BLUMENTHAL):

S. 172. A bill to amend the Truth in Lending Act to address certain issues related to the extension of consumer credit, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SHELDY:

S. 173. A bill to repeal the current Internal Revenue Code and replace it with a flat tax, thereby guaranteeing economic growth and fairness for all Americans; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, and Mr. LAUTENBERG):