

(a)(1) have not been met, then beginning January 1, 2020, the floor space requirements (irrespective of the date such requirements expire) related to new caging devices contained in subsection (b)(2)(B) of section 7A shall apply to existing caging devices placed into operation prior to January 1, 1995.

“(3) REQUIREMENTS NOT MET.—If the Secretary finds that the requirements of subsection (b)(2) have not been met, then beginning 1 year from the date of the Secretary’s finding, the floor space and enrichment requirements (irrespective of the date such requirements come into force) contained in subsection (a)(3)(A) and subsection (b)(3)(B)(ii) of section 7A shall apply to all caging devices in California.

“(4) REPORT.—At the end of 12 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, and again after December 31, 2029, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on compliance with subsections (a) and (b).

“(5) RELATIONSHIP TO OTHER LAW.—Notwithstanding section 12, the remedies provided in this subsection shall be the exclusive remedies for violations of this section.”.

(c) INSPECTIONS.—Section 5 of the Egg Products Inspection Act (21 U.S.C. 1034) is amended—

(1) in subsection (d), in the first sentence, by inserting “(other than requirements with respect to housing, treatment, and housing-related labeling)” after “as he deems appropriate to assure compliance with such requirements”; and

(2) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “and”;
(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following new subparagraph:

“(B) are derived from egg-laying hens housed and treated in compliance with section 7A; and”; and

(iv) in subparagraph (C), as redesignated by clause (ii), by inserting “adequate housing-related labeling and” after “contain”;

(B) in paragraph (2), by striking “In the case of a shell egg packer” and inserting “In the cases of an egg handler with a flock of more than 3,000 egg-laying hens and a shell egg packer”;

(C) in paragraph (3), by inserting “(other than requirements with respect to housing, treatment, and housing-related labeling)” after “to ensure compliance with the requirements of paragraph (1)”; and

(D) in paragraph (4), by striking “with a flock of not more than 3,000 layers.” and inserting “who buys, sells, handles, or processes eggs or egg products solely from 1 flock of not more than 3,000 egg-laying hens.”.

(d) LABELING.—Section 7(a) of the Egg Products Inspection Act of 1970 (21 U.S.C. 1036(a)) is amended by inserting “adequate housing-related labeling,” after “plant where the products were processed.”.

(e) LIMITATION ON EXEMPTIONS BY SECRETARY.—Section 15(a) of the Egg Products Inspection Act of 1970 (21 U.S.C. 1044(a)) is amended in the matter preceding paragraph (1) by inserting “(not including subsection (c) of section 8)” after “exempt from specific provisions”.

(f) IMPORTS.—Section 17(a)(2) of the Egg Products Inspection Act of 1970 (21 U.S.C. 1046(a)(2)) is amended by striking “subdivision thereof and are labeled and packaged” and inserting “subdivision thereof; and no eggs or egg products capable of use as human food shall be imported into the United States unless they are produced, labeled, and packaged”.

(g) ENFORCEMENT OF HEN HOUSING AND TREATMENT STANDARDS.—Section 8 of the Egg Products Inspection Act (21 U.S.C. 1037) is amended—

(1) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (f), and (g), respectively;

(2) by inserting after subsection (b) the following new subsection:

“(c)(1) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in any business or commerce any eggs or egg products derived from egg-laying hens housed or treated in violation of any provision of section 7A.

“(2) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in any business or commerce any eggs or egg products derived from egg-laying hens unless the container or package, including any immediate container, of the eggs or egg products, beginning 1 year after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, contains adequate housing-related labeling.

“(3) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in any business or commerce, in California, any eggs or egg products derived from egg-laying hens unless the egg-laying hens are provided floor space and enrichments equivalent to that required under subsections (a)(3) and (b)(3) of section 7A of this Act regardless of where the eggs are produced.”; and

(3) in subsection (e) (as redesignated by paragraph (1)), in the matter preceding paragraph (1), by inserting “7A,” after “section”.

(h) STATE AND LOCAL AUTHORITY.—Section 23 of the Egg Products Inspection Act (21 U.S.C. 1052) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(2) by inserting after subsection (b) the following new subsection:

“(c) PROHIBITION AGAINST ADDITIONAL OR DIFFERENT REQUIREMENTS THAN FEDERAL REQUIREMENTS RELATED TO MINIMUM SPACE ALLOTMENTS FOR HOUSING EGG-LAYING HENS IN COMMERCIAL EGG PRODUCTION.—Requirements within the scope of this Act with respect to minimum floor space allotments or enrichments for egg-laying hens housed in commercial egg production which are in addition to or different than those made under this Act may not be imposed by any State or local jurisdiction. Otherwise the provisions of this Act shall not invalidate any law or other provisions of any State or other jurisdiction in the absence of a conflict with this Act.”; and

(3) by inserting after subsection (e) (as redesignated by subsection (a)) the following new subsection:

“(f) ROLE OF CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE.—With respect to eggs produced, shipped, handled, transported, or received in California prior to the date that is 15 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall delegate to the California Department of Food and Agriculture the authority to enforce sections 7A(a)(3), 7A(b)(3), 8(c)(3), and 11.”.

(i) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act.

SA 1058. Mr. WHITEHOUSE (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 256, strike line 15 and insert the following:

(I) Climate change benefit projects, including—

- (i) enhancing soil quality;
- (ii) reducing greenhouse gas emissions; and
- (iii) increasing resilience to rising temperatures, extreme weather events, and related climate changes.

(J) Other related activities that the Sec-

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, June 4, 2013, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to explore wildland fire management.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to John_Assini@energy.senate.gov.

For further information, please contact Meghan Conklin (202) 224-8046 or John Assini (202) 224-9313.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, May 22, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to mark-up S. 959, Pharmaceutical Compounding Quality and Accountability Act; S. 957, Drug Supply Chain Security Act; the nomination of Mark Gaston Pearce, to be a Member of the National Labor Relations Board; the nomination of Richard F. Griffin, Jr., to be a Member of the National Labor Relations Board; the nomination of Sharon Block, to be a Member of the National Labor Relations Board; and the nomination of Harry I. Johnson III, to be a Member of the National Labor Relations Board.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Banking, Housing and Urban Affairs be authorized to meet during the session of the Senate on May 21, 2013, at 10:15 a.m. to conduct a hearing entitled “The Financial Stability Oversight Council Annual Report to Congress.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 21, 2013, at 10 a.m., in room 216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 21, 2013, at 10 a.m. in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "A Review of Criteria Used by the IRS to Identify 501(c)(4) Applications for Greater Scrutiny."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 21, 2013, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 21, 2013, at 2:45 p.m., to hold a Near Eastern and South and Central Asian Affairs subcommittee hearing entitled, "Prospects for Afghanistan's 2014 Elections."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 21, 2013, at 10:30 a.m., in SH-216 of the Hart Senate Office Building, to continue its executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 21, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMER PROTECTION,
PRODUCT SAFETY, AND INSURANCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Protection, Product Safety, and Insurance of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 21, 2013, at 9:30 a.m. in room 253 of the Russell Senate Office Building. The Committee will hold a hearing entitled, "S. 921, The Raechel and Jacqueline Houck Safe Rental Care Act of 2013."

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Government Affairs be authorized to meet during the session of the Senate on May 21, 2013, at 9:30 a.m., to conduct a hearing entitled "Offshore Profit Shifting and the U.S. Tax Code—Part 2."

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES READ THE FIRST
TIME—S. 1003, S. 1004, H.R. 45

Mr. REID. Madam President, I am told that three bills are at the desk. I would ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The legislative clerk read as follows:

A bill (S. 1003) to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

A bill (S. 1004) to permit voluntary economic activity.

A bill (H.R. 45) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010.

Mr. REID. Madam President, I now ask for a second reading en bloc for each of these and I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for a second time the next legislative day.

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, after consultation with the Chairman of the Committee on Armed Services, pursuant to the provisions of Public Law 112-239, the appointment of the following individuals to be members of the Military Compensation and Retirement Modernization Commission: the Honorable Bob Kerrey of Nebraska, and the Honorable Larry Pressler of South Dakota.

EXECUTIVE SESSION

NOMINATION OF SRIKANTH
SRINIVASAN TO BE UNITED
STATES CIRCUIT JUDGE FOR
THE DISTRICT OF COLUMBIA
CIRCUIT

Mr. REID. Madam President, I now move to proceed to executive session to consider Calendar No. 95.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

Without objection, the motion is agreed to.

The clerk will report the nomination.

The legislative clerk read as follows:

Nomination of Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

CLOTURE MOTION

Mr. REID. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will report the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

Harry Reid, Patrick J. Leahy, Bill Nelson, Christopher A. Coons, Amy Klobuchar, Tim Kaine, Jack Reed, Barbara A. Mikulski, Mark R. Warner, Sheldon Whitehouse, Sherrod Brown, Benjamin L. Cardin, Robert P. Casey, Jr., Tom Harkin, Bernard Sanders, Al Franken, Robert Menendez.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, we are moving forward. This will be the sixth or seventh year we have tried to fill vacancies on the DC Circuit. There are four vacancies there. I hope the President sends us some more names. I understand that will be the case maybe before the end of this week.

It is outrageous we have been stopped procedurally from doing the work of this country in filling these nominations in this very important court. We are going to have a cloture vote on this on Thursday, as we should do, and hopefully finish by the end of the week. If we get cloture, we will finish by the end of the week if we have to stay over another day or so.

ORDERS FOR WEDNESDAY, MAY 22,
2013

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until Wednesday, May 22, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks the Senate be in a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of S. 954, the farm bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

SCHEDULE

Mr. REID. We will continue to work through amendments on the farm bill