

117TH CONGRESS
1ST SESSION

H. R. 2313

To amend the Federal Insecticide, Fungicide, and Rodenticide Act to provide for better protection of workers using registered pesticides, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 2021

Mr. GARAMENDI introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Federal Insecticide, Fungicide, and Rodenticide Act to provide for better protection of workers using registered pesticides, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Farmworker Pesticide
5 Safety Act”.

1 **SEC. 2. PESTICIDE REGISTRATION FUND SET-ASIDES FOR**
2 **WORKER PROTECTION, PARTNERSHIP**
3 **GRANTS, AND PESTICIDE SAFETY EDU-**
4 **CATION.**

5 Section 33(c) of the Federal Insecticide, Fungicide,
6 and Rodenticide Act (7 U.S.C. 136w–8(c)) is amended—

7 (1) by amending paragraph (2) to read as fol-
8 lows:

9 “(2) DEPOSITS IN FUND.—Subject to para-
10 graph (4), the Administrator shall deposit in the
11 Fund—

12 “(A) fees collected under this section; and

13 “(B) any amounts collected or otherwise
14 received by the United States for any violation
15 under this Act, including such amounts received
16 as—

17 “(i) a fine;

18 “(ii) a civil or criminal penalty; or

19 “(iii) restitution to the Federal Gov-
20 ernment.”;

21 (2) by amending paragraph (3)(B) to read as
22 follows:

23 “(i) IN GENERAL.—

24 “(I) FISCAL YEARS 2013
25 THROUGH 2020.—For each of fiscal
26 years 2013 through 2020, the Admin-

1 istrator shall use approximately 1/17
2 of the amount in the Fund (but not
3 less than \$1,000,000) deposited pur-
4 suant to paragraph (2)(A) to enhance
5 scientific and regulatory activities re-
6 lating to worker protection, with an
7 emphasis on field-worker populations
8 in the United States.

9 “(II) FISCAL YEARS 2021
10 THROUGH 2023.—For each of fiscal
11 years 2021 through 2023, the Admin-
12 istrator shall use for the purpose spec-
13 ified in subclause (I)—

14 “(aa) approximately 1/17 of
15 the amount (but not less than
16 \$1,000,000) deposited in the
17 Fund pursuant to paragraph
18 (2)(A); and

19 “(bb) 50 percent of the
20 amount deposited in the Fund
21 pursuant to paragraph (2)(B).

22 “(ii) PARTNERSHIP GRANTS.—

23 “(I) FISCAL YEARS 2013
24 THROUGH 2020.—Of the amounts de-
25 posited in the Fund pursuant to para-

1 graph (2)(A), the Administrator shall
2 use for partnership grants, for each of
3 fiscal years 2013 through 2020,
4 \$500,000.

5 “(II) FISCAL YEARS 2021
6 THROUGH 2023.—For each of fiscal
7 years 2021 through 2023, the Admin-
8 istrator shall use for partnership
9 grants—

10 “(aa) not less than
11 \$500,000 of the amount depos-
12 ited in the Fund pursuant to
13 paragraph (2)(A); and

14 “(bb) 25 percent of the
15 amount deposited in the Fund
16 pursuant to paragraph (2)(B).

17 “(iii) PESTICIDE SAFETY EDUCATION
18 PROGRAM.—

19 “(I) FISCAL YEARS 2013
20 THROUGH 2020.—Of the amounts de-
21 posited in the Fund pursuant to para-
22 graph (2)(A), the Administrator shall
23 use \$500,000 for each of fiscal years
24 2013 through 2020 to carry out the
25 pesticide safety education program.

1 “(II) FISCAL YEARS 2021
2 THROUGH 2023.—For each of fiscal
3 years 2021 through 2023, the Admin-
4 istrator shall use to carry out the pes-
5 ticide safety education program—

6 “(aa) not less than
7 \$500,000 of the amount depos-
8 ited in the Fund pursuant to
9 paragraph (2)(A); and

10 “(bb) 25 percent of the
11 amount deposited in the Fund
12 pursuant to paragraph (2)(B).”;
13 and

14 (3) in paragraph (4), by amending subpara-
15 graph (A) to read as follows:

16 “(A) shall be collected and available for ob-
17 ligation—

18 “(i) in the case of amounts referred to
19 in paragraph (2)(A), only to the extent
20 provided in advance in appropriations Acts;
21 and

22 “(ii) in the case of amounts referred
23 to in paragraph (2)(B), upon deposit, with-
24 out further appropriation and without fis-
25 cal year limitation.”.

1 **SEC. 3. REPORTING REQUIREMENTS.**

2 Section 33(k)(2)(O) of the Federal Insecticide, Fun-
3 gicide, and Rodenticide Act (7 U.S.C. 136w-8(k)(2)(O))
4 is amended—

5 (1) in clause (iii), by striking “and” at the end;

6 (2) in clause (iv), by striking the period at the
7 end and inserting “; and”; and

8 (3) by adding at the end the following:

9 “(v) a comprehensive statement of de-
10 posits into the Fund under subsection
11 (c)(2) and expenditures from the Fund
12 under subsection (c)(3) during the previous
13 fiscal year.”.

14 **SEC. 4. TECHNICAL AND CLARIFYING AMENDMENTS.**

15 (a) DEFINITIONS.—Section 2 of the Federal Insecti-
16 cide, Fungicide, and Rodenticide Act (7 U.S.C. 136) is
17 amended—

18 (1) in subsection (hh)(3)—

19 (A) in the matter preceding subparagraph
20 (A), by striking “substances.” and inserting
21 “substances”; and

22 (B) in subparagraph (B), by inserting “,
23 or” after “ammonia volatilization”;

24 (2) in subsection (i), by inserting “the District
25 Court for the Northern Mariana Islands” after “the
26 District Court of Guam,”; and

1 (3) in subsection (aa), by striking “the Trust
2 Territory of the Pacific Islands” and inserting “the
3 Commonwealth of the Northern Mariana Islands”.

4 (b) RESEARCH AND MONITORING.—Section 20(c) of
5 the Federal Insecticide, Fungicide, and Rodenticide Act
6 (7 U.S.C. 136r(c)) is amended by striking “incidental
7 pesticide exposure” and inserting “incidental pesticide ex-
8 posure”.

9 (c) REFUNDS.—Section 33(b)(8)(A) of the Federal
10 Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.
11 136w–8(b)(8)(A)) is amended by striking “25 percent.”
12 and inserting “25 percent”.

13 (d) EXPENDITURES FROM PESTICIDE REGISTRATION
14 FUND.—Section 33(c)(3)(A) of the Federal Insecticide,
15 Fungicide, and Rodenticide Act (7 U.S.C. 136w–
16 8(c)(3)(A)) is amended by striking “Subject to subpara-
17 graphs (B) and (C)” and inserting “Subject to subpara-
18 graph (B)”.

19 **SEC. 5. TRANSFER OF FUNDS FROM VIOLATIONS OF FED-**
20 **ERAL INSECTICIDE, FUNGICIDE, AND**
21 **RODENTICIDE ACT.**

22 The Secretary of the Treasury shall transfer to the
23 Administrator of the Environmental Protection Agency for
24 deposit into the Pesticide Registration Fund pursuant to
25 subparagraph (B) of section 33(c)(2) of the Federal Insec-

1 ticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–
2 8(c)(2)), as amended by section 2, any amounts collected
3 or otherwise received by the United States as fines, civil
4 or criminal penalties, forfeitures of property or assets, or
5 restitution to the Federal Government for any violation
6 under the Federal Insecticide, Fungicide, and Rodenticide
7 Act (7 U.S.C. 136 et seq.).

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