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RECESS

The SPEAKER pro tempore (Mr. WILSON of South Carolina). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:30 p.m. today.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1532

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. CHENEY) at 3 o'clock and 32 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

PESTICIDE REGISTRATION ENHANCEMENT ACT OF 2017

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1029) to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve pesticide registration and other activities under the Act, to extend and modify fee authorities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1029

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Pesticide Registration Enhancement Act of 2017”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Extension and modification of maintenance fee authority.
- Sec. 3. Reregistration and Expedited Processing Fund.
- Sec. 4. Experimental use permits for pesticides.
- Sec. 5. Pesticide registration service fees.
- Sec. 6. Revision of tables regarding covered pesticide registration applications and other covered actions and their corresponding registration service fees.

SEC. 2. EXTENSION AND MODIFICATION OF MAINTENANCE FEE AUTHORITY.

(a) MAINTENANCE FEE.—Section 4(i)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(i)(1)) is amended—

(1) in subparagraph (C), by striking “an aggregate amount of \$27,800,000 for each of fis-

cal years 2013 through 2017” and inserting “an average amount of \$31,000,000 for each of fiscal years 2017 through 2023”;

(2) in subparagraph (D)—

(A) in clause (i), by striking “\$115,500 for each of fiscal years 2013 through 2017” and inserting “\$129,400 for each of fiscal years 2017 through 2023”; and

(B) in clause (ii), by striking “\$184,800 for each of fiscal years 2013 through 2017” and inserting “\$207,000 for each of fiscal years 2017 through 2023”;

(3) in subparagraph (E)(i)—

(A) in subclause (I), by striking “\$70,600 for each of fiscal years 2013 through 2017” and inserting “\$79,100 for each of fiscal years 2017 through 2023”; and

(B) in subclause (II), by striking “\$122,100 for each of fiscal years 2013 through 2017” and inserting “\$136,800 for each of fiscal years 2017 through 2023”; and

(4) in subparagraph (I), by striking “2017” and inserting “2023”.

(b) PROHIBITION ON OTHER FEES.—Section 4(i)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(i)(2)) is amended—

(1) by striking “during the period beginning on the date of enactment of this section and ending on September 30, 2019” and inserting “until September 30, 2025”; and

(2) by inserting after “registration of a pesticide under this Act” the following: “or any other action covered under a table specified in section 33(b)(3).”.

(c) EXTENSION OF PROHIBITION ON TOLERANCE FEES.—Section 408(m)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(m)(3)) is amended by striking “2017” and inserting “2023”.

SEC. 3. REREGISTRATION AND EXPEDITED PROCESSING FUND.

(a) AUTHORIZED USE OF FUND.—Section 4(k)(2)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)(2)(A)) is amended—

(1) in the first sentence, by striking “the fund” and inserting “the Reregistration and Expedited Processing Fund”;

(2) by striking “paragraph (3),” in the first sentence and all that follows through the second sentence and inserting the following: “paragraph (3), to offset the costs of registration review under section 3(g), including the costs associated with any review under the Endangered Species Act of 1973 (16 U.S.C. 1531 et. seq.) required as part of the registration review, to offset the costs associated with tracking and implementing registration review decisions, including registration review decisions designed to reduce risk, for the purposes specified in paragraphs (4) and (5), and to enhance the information systems capabilities to improve the tracking of pesticide registration decisions.”;

(3) in clause (i), by striking “are allocated solely” and all that follows through “3(g);” and inserting the following: “are allocated solely for the purposes specified in the first sentence of this subparagraph;”;

(4) in clause (ii), by striking “necessary to achieve” and all that follows through “3(g);” and inserting the following: “necessary to achieve the purposes specified in the first sentence of this subparagraph;”.

(b) SET-ASIDE FOR REVIEW OF INERT INGREDIENTS AND EXPEDITED PROCESSING OF SIMILAR APPLICATIONS.—Section 4(k)(3)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)(3)(A)) is amended, in the matter preceding clause (i), by striking “The Administrator shall use” and all that follows through “personnel and resources—” and inserting the following: “For each of fiscal years 2017 through 2023, the Administrator shall use between ½ and ¾ of the maintenance fees collected in such

fiscal year to obtain sufficient personnel and resources—”.

(c) SET-ASIDE FOR EXPEDITED RULEMAKING AND GUIDANCE DEVELOPMENT FOR CERTAIN PURPOSES.—Paragraph (4) of section 4(k) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)) is amended to read as follows:

“(4) EXPEDITED RULEMAKING AND GUIDANCE DEVELOPMENT FOR CERTAIN PRODUCT PERFORMANCE DATA REQUIREMENTS.—

“(A) SET-ASIDE.—For each of fiscal years 2017 through 2021, the Administrator shall use not more than \$500,000 of the amounts made available to the Administrator in the Reregistration and Expedited Processing Fund for the activities described in subparagraph (B).

“(B) PRODUCTS CLAIMING EFFICACY AGAINST INVERTEBRATE PESTS OF SIGNIFICANT PUBLIC HEALTH OR ECONOMIC IMPORTANCE.—The Administrator shall use amounts made available under subparagraph (A) to develop, receive comments with respect to, finalize, and implement the necessary rulemaking and guidance for product performance data requirements to evaluate products claiming efficacy against the following invertebrate pests of significant public health or economic importance (in order of importance):

“(i) Bed bugs.

“(ii) Premise (including crawling insects, flying insects, and baits).

“(iii) Pests of pets (including pet pests controlled by spot-ons, collars, shampoos, powders, dips).

“(iv) Fire ants.

“(C) DEADLINES FOR GUIDANCE.—The Administrator shall develop, and publish guidance required by subparagraph (B) with respect to claims of efficacy against pests described in such subparagraph as follows:

“(i) With respect to bed bugs, issue final guidance not later than June 30, 2017.

“(ii) With respect to pests specified in clause (ii) of such subparagraph—

“(I) submit draft guidance to the Scientific Advisory Panel and for public comment not later than June 30, 2018; and

“(II) complete any response to comments received with respect to such draft guidance and finalize the guidance not later than September 30, 2020.

“(iii) With respect to pests specified in clauses (iii) and (iv) of such subparagraph—

“(I) submit to the Scientific Advisory Panel and for public comment draft guidance not later than June 30, 2019; and

“(II) complete any response to comments received with respect to such draft guidance and finalize the guidance not later than March 31, 2021.

“(D) REVISION.—The Administrator shall revise the guidance required by subparagraph (B) from time-to-time, but shall permit applicants and registrants sufficient time to obtain data that meet the requirements specified in such revised guidance.

“(E) DEADLINE FOR PRODUCT PERFORMANCE DATA REQUIREMENTS.—The Administrator shall, not later than September 30, 2021, issue regulations prescribing product performance data requirements for any pesticide intended for preventing, destroying, repelling, or mitigating any invertebrate pest of significant public health or economic importance specified in clauses (i) through (iv) of subparagraph (B).”.

(d) SET-ASIDE FOR GOOD LABORATORY PRACTICES INSPECTIONS.—Section 4(k) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)) is amended—

(1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(2) by inserting after paragraph (4) the following new paragraph:

“(5) GOOD LABORATORY PRACTICES INSPECTIONS.—