

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.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 2021

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

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## 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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