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.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Farmworker Pesticide Safety Act”.
SEC. 2. PESTICIDE REGISTRATION FUND SET-ASIDES FOR
WORKER PROTECTION, PARTNERSHIP
GRANTS, AND PESTICIDE SAFETY EDUCATION.

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

(1) by amending paragraph (2) to read as follows:

“(2) DEPOSITS IN FUND.—Subject to paragraph (4), the Administrator shall deposit in the Fund—

“(A) fees collected under this section; and

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

“(i) a fine;

“(ii) a civil or criminal penalty; or

“(iii) restitution to the Federal Government.”;

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

“(i) IN GENERAL.—

“(I) FISCAL YEARS 2013 THROUGH 2020.—For each of fiscal years 2013 through 2020, the Admin-
istrator shall use approximately $1,000,000,000) deposited pursuant to paragraph (2)(A) to enhance scientific and regulatory activities relating to worker protection, with an emphasis on field-worker populations in the United States.

“(II) FISCAL YEARS 2021 THROUGH 2023.—For each of fiscal years 2021 through 2023, the Administrator shall use for the purpose specified in subclause (I)—

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

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

“(ii) PARTNERSHIP GRANTS.—

“(I) FISCAL YEARS 2013 THROUGH 2020.—Of the amounts deposited in the Fund pursuant to para-

•HR 2313 IH
graph (2)(A), the Administrator shall use for partnership grants, for each of fiscal years 2013 through 2020, $500,000.

“(II) FISCAL YEARS 2021 THROUGH 2023.—For each of fiscal years 2021 through 2023, the Administrator shall use for partnership grants—

“(aa) not less than $500,000 of the amount deposited in the Fund pursuant to paragraph (2)(A); and

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

“(iii) PESTICIDE SAFETY EDUCATION PROGRAM.—

“(I) FISCAL YEARS 2013 THROUGH 2020.—Of the amounts deposited in the Fund pursuant to paragraph (2)(A), the Administrator shall use $500,000 for each of fiscal years 2013 through 2020 to carry out the pesticide safety education program.
“(II) FISCAL YEARS 2021
through 2023.—For each of fiscal
years 2021 through 2023, the Admin-
istrator shall use to carry out the pes-
ticide safety education program—
“(aa) not less than
$500,000 of the amount depos-
ited in the Fund pursuant to
paragraph (2)(A); and
“(bb) 25 percent of the
amount deposited in the Fund
pursuant to paragraph (2)(B).”; and

(3) in paragraph (4), by amending subpara-
graph (A) to read as follows:
“(A) shall be collected and available for ob-
ligation—
“(i) in the case of amounts referred to
in paragraph (2)(A), only to the extent
provided in advance in appropriations Acts;
and
“(ii) in the case of amounts referred
to in paragraph (2)(B), upon deposit, with-
out further appropriation and without fis-
cal year limitation.”.
SEC. 3. REPORTING REQUIREMENTS.


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

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

(3) by adding at the end the following:

“(v) a comprehensive statement of deposits into the Fund under subsection (c)(2) and expenditures from the Fund under subsection (c)(3) during the previous fiscal year.”.

SEC. 4. TECHNICAL AND CLARIFYING AMENDMENTS.

(a) DEFINITIONS.—Section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136) is amended—

(1) in subsection (hh)(3)—

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

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

(2) in subsection (i), by inserting “the District Court for the Northern Mariana Islands” after “the District Court of Guam,”; and
(3) in subsection (aa), by striking “the Trust Territory of the Pacific Islands” and inserting “the Commonwealth of the Northern Mariana Islands”.

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


(d) EXPENDITURES FROM PESTICIDE REGISTRATION FUND.—Section 33(c)(3)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8(c)(3)(A)) is amended by striking “Subject to subparagraphs (B) and (C)” and inserting “Subject to subparagraph (B)”.

SEC. 5. TRANSFER OF FUNDS FROM VIOLATIONS OF FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT.

The Secretary of the Treasury shall transfer to the Administrator of the Environmental Protection Agency for deposit into the Pesticide Registration Fund pursuant to subparagraph (B) of section 33(e)(2) of the Federal Insec-
8(c)(2)), as amended by section 2, any amounts collected or otherwise received by the United States as fines, civil or criminal penalties, forfeitures of property or assets, or restitution to the Federal Government for any violation under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).