

Suspend the Rules and Pass the Bill, H.R. 897, with An Amendment**(The amendment strikes all after the enacting clause and inserts a new text)**114TH CONGRESS
1ST SESSION**H. R. 897**

To amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2015

Mr. GIBBS introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Zika Vector Control
3 Act”.

4 **SEC. 2. USE OF AUTHORIZED PESTICIDES.**

5 Section 3(f) of the Federal Insecticide, Fungicide,
6 and Rodenticide Act (7 U.S.C. 136a(f)) is amended by
7 adding at the end the following:

8 “(5) USE OF AUTHORIZED PESTICIDES.—

9 “(A) IN GENERAL.—Except as provided in
10 section 402(s) of the Federal Water Pollution
11 Control Act, the Administrator or a State may
12 not require a permit under such Act for a dis-
13 charge from a point source into navigable wa-
14 ters of a pesticide authorized for sale, distribu-
15 tion, or use under this Act, or the residue of
16 such a pesticide, resulting from the application
17 of such pesticide.

18 “(B) SUNSET.—This paragraph shall cease
19 to be effective on September 30, 2018.”.

20 **SEC. 3. DISCHARGES OF PESTICIDES.**

21 Section 402 of the Federal Water Pollution Control
22 Act (33 U.S.C. 1342) is amended by adding at the end
23 the following:

24 “(s) DISCHARGES OF PESTICIDES.—

25 “(1) NO PERMIT REQUIREMENT.—Except as
26 provided in paragraph (2), a permit shall not be re-

1 quired by the Administrator or a State under this
2 Act for a discharge from a point source into navi-
3 gable waters of a pesticide authorized for sale, dis-
4 tribution, or use under the Federal Insecticide, Fun-
5 gicide, and Rodenticide Act, or the residue of such
6 a pesticide, resulting from the application of such
7 pesticide.

8 “(2) EXCEPTIONS.—Paragraph (1) shall not
9 apply to the following discharges of a pesticide or
10 pesticide residue:

11 “(A) A discharge resulting from the appli-
12 cation of a pesticide in violation of a provision
13 of the Federal Insecticide, Fungicide, and
14 Rodenticide Act that is relevant to protecting
15 water quality, if—

16 “(i) the discharge would not have oc-
17 curred but for the violation; or

18 “(ii) the amount of pesticide or pes-
19 ticide residue in the discharge is greater
20 than would have occurred without the vio-
21 lation.

22 “(B) Stormwater discharges subject to reg-
23 ulation under subsection (p).

24 “(C) The following discharges subject to
25 regulation under this section:

1 “(i) Manufacturing or industrial efflu-
2 ent.

3 “(ii) Treatment works effluent.

4 “(iii) Discharges incidental to the nor-
5 mal operation of a vessel, including a dis-
6 charge resulting from ballasting operations
7 or vessel biofouling prevention.

8 “(3) SUNSET.—This subsection shall cease to
9 be effective on September 30, 2018.”.