

1 (3) by redesignating paragraph (3), as so  
2 amended, as paragraph (2).

3 **Subtitle B—Regulatory Reform**

4 **PART I—STATE LEAD AGENCIES UNDER FED-**  
5 **ERAL INSECTICIDE, FUNGICIDE, AND**  
6 **RODENTICIDE ACT**

7 **SEC. 9101. RECOGNITION AND ROLE OF STATE LEAD AGEN-**  
8 **CIES.**

9 (a) STATE LEAD AGENCY DEFINED.—Section 2(aa)  
10 of the Federal Insecticide, Fungicide, and Rodenticide Act  
11 (7 U.S.C. 136(aa)) is amended—

12 (1) by striking “(aa)STATE.—The term” and  
13 inserting the following:

14 “(aa) STATE; STATE LEAD AGENCY.—

15 “(1) STATE.—The term”; and

16 (2) by adding at the end the following:

17 “(2) STATE LEAD AGENCY.—The term ‘State  
18 lead agency’ means a statewide department, agency,  
19 board, bureau, or other entity in a State that is au-  
20 thorized to regulate, in a manner consistent with  
21 section 24(a), the sale or use of any federally reg-  
22 istered pesticide or device in such State.”.

23 (b) UNIFORM REGULATION OF PESTICIDES.—

24 (1) COOPERATION WITH AND ROLE OF STATE  
25 LEAD AGENCY.—Section 22(b) of the Federal Insec-

1        ticide, Fungicide, and Rodenticide Act (7 U.S.C.  
2        136t(b)) is amended by inserting before the period  
3        at the end the following: “promulgated by the Ad-  
4        ministrator or, when authorized pursuant to a coop-  
5        erative agreement entered into under section  
6        23(a)(1), by a State lead agency for a State”.

7            (2) AUTHORITY TO ESTABLISH AND MAINTAIN  
8        UNIFORM REGULATIONS.—Section 23(a)(1) of the  
9        Federal Insecticide, Fungicide, and Rodenticide Act  
10       (7 U.S.C. 136u(a)(1)) is amended by inserting after  
11       “enforcement of this Act,” the following: “to author-  
12       ize the State or Indian tribe to establish and main-  
13       tain uniform regulation of pesticides within the  
14       State or for the Indian tribe,”.

15           (3) CONDITION ON MORE RESTRICTIVE REGU-  
16       LATION.—Section 24(a) of the Federal Insecticide,  
17       Fungicide, and Rodenticide Act (7 U.S.C. 136v(a))  
18       is amended by striking “A State may” and inserting  
19       “A State, but not a political subdivision of a State,  
20       may”.

21           (c) ROLE OF STATE LEAD AGENCIES IN PROMULGA-  
22       TION OF REGULATIONS.—Section 25(a)(2) of the Federal  
23       Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.  
24       136w(a)(2)) is amended—

25            (1) in subparagraph (A)—

1 (A) in the first sentence, by inserting “and  
2 each State lead agency” after “Agriculture”;

3 (B) by striking the second sentence and in-  
4 serting the following: “If the Secretary or any  
5 State lead agency comments in writing to the  
6 Administrator regarding any such regulation  
7 within 30 days after receiving the copy of the  
8 regulation, the Administrator shall publish in  
9 the Federal Register (with the proposed regula-  
10 tion) all such comments and the response of the  
11 Administrator to the comments.”; and

12 (C) in the third sentence, by inserting “or  
13 any State lead agency” after “Secretary”;

14 (2) in subparagraph (B)—

15 (A) in the first sentence, by inserting “and  
16 each State lead agency” after “Agriculture”;

17 (B) by striking the second sentence and in-  
18 serting the following: “If the Secretary or any  
19 State lead agency comments in writing to the  
20 Administrator regarding any such regulation  
21 within 15 days after receiving the copy of the  
22 regulation, the Administrator shall publish in  
23 the Federal Register (with the final regulation)  
24 the comments of the Secretary or State lead  
25 agency, if requested by the Secretary or State

1 lead agency, and the response of the Adminis-  
2 trator to the comments.”; and

3 (C) in the third sentence, by inserting “or  
4 any State lead agency” after “Secretary”; and

5 (3) in subparagraph (C), by inserting before the  
6 period at the end the following: “, in consultation  
7 with the State lead agencies”.

## 8 **PART II—PESTICIDE REGISTRATION AND USE**

### 9 **SEC. 9111. REGISTRATION OF PESTICIDES.**

10 (a) APPROVAL OF REGISTRATION.—Section 3(e)(5)  
11 of the Federal Insecticide, Fungicide, and Rodenticide Act  
12 (7 U.S.C. 136a(e)(5)) is amended—

13 (1) by redesignating subparagraphs (A) through  
14 (D) as clauses (i) through (iv), respectively and mov-  
15 ing the margins of such clauses (as so redesignated)  
16 2 ems to the right;

17 (2) by striking “REGISTRATION.—The Adminis-  
18 trator” and inserting the following: “REGISTRA-  
19 TION.—

20 “(A) IN GENERAL.—The Administrator;”;

21 (3) in clause (iii), as so redesignated, by strik-  
22 ing “; and” at the end and inserting a semicolon;

23 (4) in clause (iv), as so redesignated, by strik-  
24 ing the period at the end and inserting “; and”;