

1 **SEC. 8. AGRICULTURAL WORKER PROTECTION STANDARD;**

2 **CERTIFICATION OF PESTICIDE APPLICATORS**

3 (a) **IN GENERAL.** —Except as provided in subsection (b), during the period
4 beginning on the date of enactment of this Act and ending not earlier than
5 October 1, 2021, the Administrator of the Environmental Protection Agency
6 (referred to in this section as the “Administrator”)—

7 (1) shall carry out—

8 (A) the final rule of the Administrator entitled “Pesticides;
9 Agricultural worker Protection Standard Revisions” (80 Fed.
10 Reg. 67496 (November 2, 2015)); and

11 (B) the final rule of the Administrator entitled “Pesticides;
12 Certification of Pesticide Applicators” (82 Fed. Reg. 952
13 (January 4, 2017)); and

14 (2) shall not revise or develop revisions to the rules described in
15 subparagraphs (A) and (B) of paragraph (1).

16 (b) **EXCEPTIONS.**—Prior to October 1, 2021, the Administrator may propose,
17 and after a notice and public comment period of not less than 90 days,
18 promulgate—

19 (1) revisions to the final rule described in subsection (a)(1)(A)
20 addressing application exclusion zones under part 170 of title 40,
21 Code of Federal Regulations, consistent with the Federal Insecticide,
22 Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.); *and*

23 (2) *revisions to such rule related to the use by workers of designated*
24 *representatives if such revisions—*

25 (A) *do not restrict the right of a worker to use anyone as a*
26 *designated representative;*

27 (B) *provide guidance to employers on how to respond to requests*
28 *that do not appear to be authentic or bona fide requests from*
29 *workers; and*

30 (C) *limit or proscribe the use by a designated representative of*
31 *records when such use is not related to providing the records*
32 *to the worker who requested the records on the worker's*
33 *behalf.*

34 (c) GAO REPORT.—The Comptroller General of the United States shall—

35 (1) conduct a study *that—*

36 (A) *evaluates on the use of designated representative provisions*
37 *in states that have such provisions, including the effect of that*
38 *use provision on the availability to workers of pesticide*
39 *application and hazard information;*

40 (B) *compares and worker health and safety in states that have*
41 *had such provisions with health and safety of workers in*
42 *states that have not had such provisions; and*

43 (2) not later than October 1, 2021, *shall make publicly available a report*
44 *describing the study under paragraph (1), including any*
45 *recommendations to prevent the misuse of pesticide application and*
46 *hazard information, if that misuse is identified the use or release by*
47 *designated representatives of pesticide application and hazard*
48 *information to parties other than to the worker on whose behalf the*
49 *designation and release was requested.*