

# THE NATIONAL LAW REVIEW

---

## Federal Budget Deal Negotiations Fail to Advance PRIA Reauthorization

---

Thursday, February 14, 2019

As reported in the trade press on February 14, 2019, following budget negotiations late on Wednesday, February 13, several legislative riders did not make it into the conference report for the final fiscal year (FY) 2019 omnibus spending package.

This purportedly includes an extension of the Pesticide Registration Improvement Extension Act (PRIA 3) or the long-awaited Reauthorization known as "PRIA 4." This may be the result of political pressure to avoid another government shutdown with a "clean bill" package capable of garnering the necessary votes. The Senate and House are expected to vote on the omnibus package today, February 14, 2019, ahead of the expiration of the current budget resolution on February 15. While much is still in flux, the final omnibus package once passed, will provide a clearer picture on any PRIA implications. At this time it appears that, contrary to past budget resolutions, PRIA 3 will not be extended. More information on the recent PRIA extensions is available in our blog items [Continuing Resolution to Re-open the Government Includes PRIA Extension](#) and [Registrants Face PRIA and Shutdown Issues](#).

In the event of a lapse, the "phase-down" provisions in the statute will mean that new submissions require a reduced fee schedule, but submissions will no longer have an associated PRIA deadline for a decision on the application. The U.S. Environmental Protection Agency (EPA) will likely "clarify" in the coming days and weeks what this means for any expectation for an application submitted during this time. During the recent shutdown, EPA stated that applications submitted during that temporary lapse only required the reduced fee. At that time, however, since no deadline was required for such an application, EPA advised that applicants should expect guidance as to when to expect a decision (that is, in effect, do not bother to submit things during the shutdown period since PRIA actions with an associated deadline will have priority for the foreseeable future). When the federal government reopened on January 28, however, EPA processed all applications received during the shutdown as PRIA actions submitted on January 28.

Now with PRIA likely not in effect after February 15, 2019, even with an approved EPA budget for FY2019, EPA will have to evaluate what to communicate to applicants about what to expect during the time of the PRIA 3 phase-down. Any plans for this period may be affected by provisions in PRIA 4. On February 13, 2019, the Senate introduced standalone PRIA 4 legislation (S. 483) with bipartisan support which could facilitate relatively quick Senate action on a PRIA 4 proposal. The House would also need to take action to renew the program.

Because no PRIA action was taken in the budget agreement, important questions now swirl about the program, including:

- What happens to any new submissions?
- Will there be impacts on pending deadlines?



Article By [Sheryl Dolan](#)  
[James V. Aidala](#)[Susan M. Kirsch](#)  
[Bergeson & Campbell, P.C.](#)  
[Pesticide Law and Policy Blog](#)  
[Administrative & Regulatory](#)  
[Environmental, Energy & Resources](#)  
[All Federal](#)

- What exactly will happen to any submissions made during the current “no PRIA” period?
- What might be the longer term impact of this (in)action on general pesticide program operations (e.g., staffing, contracts, schedules for non-PRIA actions)?

EPA will be addressing these and many other important questions over the next few days.

© 2019 Bergeson & Campbell, P.C.

**Source URL:** <https://www.natlawreview.com/article/federal-budget-deal-negotiations-fail-to-advance-pria-reauthorization>