



(Original Signature of Member)

119TH CONGRESS  
2D SESSION

# H. R. \_\_\_\_\_

To prohibit the use of Federal funds to implement the Executive order entitled “Promoting the National Defense by Ensuring an Adequate Supply of Elemental Phosphorus and Glyphosate-Based Herbicides”, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. MASSIE (for himself, Ms. PINGREE, Ms. BOEBERT, Ms. MACE, and Mr. KHANNA)  
introduced the following bill; which was referred to the Committee on

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# A BILL

To prohibit the use of Federal funds to implement the Executive order entitled “Promoting the National Defense by Ensuring an Adequate Supply of Elemental Phosphorus and Glyphosate-Based Herbicides”, 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 “No Immunity for Glyphosate Act”.

**SEC. 2. NO FEDERAL FUNDS FOR EXECUTIVE ORDER RELATING TO PHOSPHORUS AND GLYPHOSATE-BASED HERBICIDES.**

No Federal funds may be used to implement, administer, or enforce the Executive order entitled “Promoting the National Defense by Ensuring an Adequate Supply of Elemental Phosphorus and Glyphosate-Based Herbicides”, issued on February 18, 2026.

**SEC. 3. NO IMMUNITIES FOR GLYPHOSATE MANUFACTURERS.**

(a) Cause of Action.— Any person, or the estate, survivors, or legal representative of such person, who suffers or has suffered physical injury, illness, disease, or death caused, in whole or in part, by exposure to elemental phosphorus or a glyphosate-based herbicide manufactured, distributed, sold, or supplied within the United States, may bring a civil action in an appropriate district court of the United States against any covered entity.

(b) Covered Entities.— For purposes of this section, the term “covered entity” means any person, corporation, partnership, association, contractor, subcontractor, or other entity that manufactures, distributes, formulates, supplies, or sells elemental phosphorus or glyphosate-based herbicides.

(c) Jurisdiction.— The district courts of the United States shall have jurisdiction over any civil action arising under this section without regard to the amount in controversy or the citizenship of the parties.

(d) Relief.— In a civil action under this section, the court may award—

(1) compensatory damages, including damages for medical expenses, lost income, pain and suffering, and wrongful death;

(2) punitive damages;

(3) equitable relief, including declaratory and injunctive relief; and

(4) attorney’s fees and costs.

(e) Waiver and Nullification of Immunity.— Notwithstanding section 707 of the Defense Production Act of 1950 (50 U.S.C. 4557), or any other provision of law, no covered entity shall be immune from civil liability under Federal or State law for injury, illness, disease, or death caused by exposure to elemental phosphorus or glyphosate-based herbicides.

(f) No Federal Contractor Defense.— Notwithstanding any other provision of Federal law, including any doctrine of Federal contractor immunity or preemption, no covered entity may assert as a defense to liability in any action brought under this section, or under any other Federal or State law, that the manufacture, formulation, distribution, sale, or supply of elemental phosphorus or a glyphosate-based herbicide was conducted in compliance with, or pursuant to, an Executive order, regulation, directive, contract, or other authorization issued under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), or any other Federal law, regulation, or authority.

(g) Preservation of Existing and Pending Claims.— Nothing in this Act shall be construed to—

(1) preempt, displace, or otherwise limit any civil action authorized under Federal or State law; or

(2) require dismissal of, or otherwise adversely affect, any civil action pending on or before the date of enactment of this Act.

(h) Applicability.— This section shall apply to any claim arising before, on, or after the date of enactment of this Act.

(i) Non-Preemption of State Law.— Nothing in this section shall be construed to preempt, displace, or limit any right or remedy available under State law.

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