

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5103  
OFFERED BY MR. WESTERMAN OF ARKANSAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Fishery Improvement  
3 to Streamline untimely regulatory Hurdles post Emer-  
4 gency Situation Act” or the “FISHES Act”.

**5 SEC. 2. SPEND PLANS.**

6 Section 312(a)(6) of the Magnuson-Stevens Fishery  
7 Conservation and Management Act (16 U.S.C.  
8 1861a(a)(6)) is amended—

9 (1) in subparagraph (D), to read as follows:

10 “(D) SPEND PLANS.—

11 “(i) IN GENERAL.—To receive an allo-  
12 cation from funds available under para-  
13 graph (9), a requester with an affirmative  
14 fishery resource disaster determination  
15 shall submit a spend plan to the Secretary,  
16 not more than 120 days after receiving no-  
17 tification that funds are available, that

1 shall include the following information, if  
2 applicable:

3 “(I) Objectives and outcomes,  
4 with an emphasis on addressing the  
5 factors contributing to the fishery re-  
6 source disaster and minimizing future  
7 uninsured losses, if applicable.

8 “(II) Statement of work.

9 “(III) Budget details.

10 “(ii) REVIEW.—

11 “(I) IN GENERAL.—The Sec-  
12 retary shall review a spend plan sub-  
13 mitted under clause (i) to determine if  
14 it is complete and provide notice with-  
15 in 10 days.

16 “(II) INCOMPLETE SPEND  
17 PLAN.—If the Secretary determines  
18 that a spend plan submitted under  
19 clause (i) is not complete, when pro-  
20 viding the notice required by sub-  
21 clause (I), the Secretary shall provide  
22 a detailed description of the informa-  
23 tion that is necessary for the spend  
24 plan to be determined complete.”; and

25 (2) in subparagraph (F)(i), to read as follows:

1 “(i) AVAILABILITY.—

2 “(I) TIMELINE.—Funds shall be  
3 made available to grantees not later  
4 than 90 days after the date the Sec-  
5 retary receives a complete spend plan.

6 “(II) REVIEW OF COMPLETED  
7 SPEND PLAN AND APPORTIONMENT  
8 OF FUNDS.—If so requested, the Di-  
9 rector of the Office of Management  
10 and Budget may review a completed  
11 spend plan concurrently with the Sec-  
12 retary. The Director of the Office of  
13 Management and Budget may not  
14 delay the timeline described in sub-  
15 clause (I).”

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