

118TH CONGRESS  
2D SESSION

# S. 4262

To require the Director of the Office of Management and Budget to approve or deny spend plans within a certain amount of time, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 2, 2024

Mr. SCOTT of Florida (for himself, Mr. SULLIVAN, Ms. MURKOWSKI, and Mr. RUBIO) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To require the Director of the Office of Management and Budget to approve or deny spend plans within a certain amount of time, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

7 **SEC. 2. APPROVAL OR DENIAL OF SPEND PLANS.**

8 (a) IN GENERAL.—Notwithstanding any other provi-  
9 sion of law, in the case of a spend plan submitted to the

1 Director by the Secretary for approval by the Director  
2 pursuant to section 312(a) of the Magnuson-Stevens Fish-  
3 ery Conservation and Management Act (16 U.S.C.  
4 1861a(a)), the Director shall approve or deny such spend  
5 plan not later than 30 days after the date on which the  
6 Secretary submits such spend plan to the Director for ap-  
7 proval.

8 (b) DENIAL OF SPEND PLAN.—

9 (1) IN GENERAL.—If the Director denies a  
10 spend plan under subsection (a) or paragraph (3) of  
11 this subsection, the Director shall, not later than 15  
12 days after the date of such denial, return such de-  
13 nied spend plan to the Secretary with a description  
14 of the changes to such denied spend plan that are  
15 necessary for the Director to approve such denied  
16 spend plan.

17 (2) RESUBMISSION OF SPEND PLAN.—Upon re-  
18 ceipt of a denied spend plan under paragraph (1),  
19 the Secretary, in consultation with the relevant re-  
20 quester with an affirmative fishery resource disaster  
21 determination of the spend plan, shall make the nec-  
22 essary changes to such spend plan described by the  
23 Director under paragraph (1) and resubmit such  
24 spend plan to the Director for approval.

1           (3) REVIEW OF RESUBMITTED SPEND PLAN.—  
2           Not later than 15 days after the date of the receipt  
3           of a spend plan under paragraph (2), the Director  
4           shall approve or deny such spend plan.

5           (c) APPROVAL OF SPEND PLAN.—If the Director ap-  
6           proves a spend plan under subsection (a) or subsection  
7           (b)(3), the Director shall—

8           (1) make such approval publicly available on  
9           the website of the Office of Management and Budg-  
10          et; and

11          (2) include in such approval—

12           (A) the date on which communication re-  
13           garding such spend plan was initiated between  
14           the Director and the Secretary;

15           (B) if applicable—

16           (i) the date of each denial of such  
17           spend plan under subsection (a) and sub-  
18           section (b)(3); and

19           (ii) the date of each resubmission of  
20           such spend plan under subsection (b)(2);  
21           and

22           (C) the date on which the Director ap-  
23           proved such spend plan.

1 (d) EXPEDITING DISASTER REVIEW.—Section  
2 312(a) of the Magnuson-Stevens Fishery Conservation  
3 and Management Act (16 U.S.C. 1861a(a)) is amended—

4 (1) in paragraph (4)(B), by amending clause  
5 (ii) to read as follows:

6 “(ii) TIME FRAME.—The Secretary  
7 shall complete the review described in  
8 clause (i) not later than 30 days after the  
9 Secretary receives a complete request for a  
10 fishery resource disaster determination.”;  
11 and

12 (2) in paragraph (6)(F)(i), by striking “90”  
13 and inserting “30”.

14 (e) DEFINITIONS.—In this section:

15 (1) AFFIRMATIVE FISHERY RESOURCE DIS-  
16 ASTER DETERMINATION.—The term “affirmative  
17 fishery resource disaster determination” means a de-  
18 termination by the Secretary under section 312(a) of  
19 the Magnuson-Stevens Fishery Conservation and  
20 Management Act (16 U.S.C. 1861a(a)) that a fish-  
21 ery resource disaster has occurred.

22 (2) FISHERY RESOURCE DISASTER.—The term  
23 “fishery resource disaster” has the meaning given  
24 the term in section 312(a)(1)(C) of the Magnuson-

1 Stevens Fishery Conservation and Management Act  
2 (16 U.S.C. 1861a(a)(1)(C)).

3 (3) DIRECTOR.—The term “Director” means  
4 the Director of the Office of Management and Budget.  
5 et.

6 (4) SECRETARY.—The term “Secretary” means  
7 the Secretary of Commerce.

8 (5) SPEND PLAN.—The term “spend plan”  
9 means a spend plan submitted to the Secretary  
10 under section 312(a)(6)(D) of the Magnuson-Ste-  
11 vens Fishery Conservation and Management Act (16  
12 U.S.C. 1861a(a)(6)(D)) by a requester with an af-  
13 firmative fishery resource disaster determination.

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