

“(A) REGIONAL REPRESENTATION.—Each of the regions listed in subparagraphs (A) through (F) of paragraph (2) shall be represented on the Committee by 3 members—

- “(i) who are appointed by the Secretary;
- “(ii) who reside in a State or territory in the region that the member will represent;
- “(iii) of which—
- “(I) one shall have experience as a seafood harvester or processor;
- “(II) one shall have experience as recreational or commercial fisher or have experience growing seafood; and
- “(III) one shall be an individual who represents the fisheries science community or the relevant Regional Fishery Management Council; and

“(iv) that are selected so that the members of the Committee have experience or expertise with as many seafood species as practicable.

“(B) AT-LARGE MEMBERS.—The Secretary shall appoint to the Committee at-large members as follows:

- “(i) One individual with experience in food distribution, marketing, retail, or food service.
- “(ii) One individual with experience in the recreational fishing industry supply chain, such as fishermen, manufacturers, retailers, and distributors.
- “(iii) One individual with experience in the commercial fishing industry supply chain, such as fishermen, manufacturers, retailers, and distributors.
- “(iv) One individual who is an employee of the National Marine Fisheries Service with expertise in fisheries research.

“(C) BALANCED REPRESENTATION.—In selecting the members described in subparagraphs (A) and (B), the Secretary shall seek to maximize on the Committee, to the extent practicable, a balanced representation of expertise in United States fisheries, seafood production, and science.

“(4) MEMBER TERMS.—The term for a member of the Committee shall be 3 years, except that the Secretary shall designate staggered terms for the members initially appointed to the Committee.

“(5) RESPONSIBILITIES.—The Committee shall be responsible for—

- “(A) identifying needs of the fishing community that may be addressed by a project funded with a grant under subsection (c);
- “(B) developing the request for proposals for such grants;
- “(C) reviewing applications for such grants; and
- “(D) selecting applications for approval under subsection (c)(2)(B).

“(6) CHAIR.—The Committee shall elect a chair by a majority of those voting, if a quorum is present.

“(7) QUORUM.—A simple majority of members of the Committee shall constitute a quorum, but a lesser number may hold hearings.

“(8) MEETINGS.—

“(A) FREQUENCY.—The Committee shall meet not more than 2 times each year.

“(B) LOCATION.—The meetings of the Committee shall rotate between the geographic regions described under paragraph (2).

“(C) MINIMIZING COSTS.—The Committee shall seek to minimize the operational costs associated with meetings, hearings, or other business of the Committee, including through the use of video or teleconference.

“(9) DESIGNATION OF STAFF MEMBER.—The Secretary shall designate a staff member to coordinate the activities of the Committee and to assist with administrative and other functions as requested by the Committee.

“(10) PER DIEM AND EXPENSES AND FUNDING.—

“(A) IN GENERAL.—A member of the Committee shall serve without compensation,

but shall be reimbursed in accordance with section 5703 of title 5, United States Code, for reasonable travel costs and expenses incurred in performing duties as a member of the Committee.

“(B) FUNDING.—The costs of reimbursements under subparagraph (A) and the other costs associated with the Committee shall be paid from funds made available to carry out this section (which may include funds described in subsection (f)(1)(B)), except that no funds allocated for grants under subsection (f)(1)(A) shall be expended for any purpose under this subsection.

“(11) CONFLICT OF INTEREST.—The conflict of interest and recusal provisions set out in section 302(j) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(j)) shall apply to any decision by the Committee and to all members of the Committee as if each member of the Committee is an affected individual within the meaning of such section 302(j), except that in addition to the disclosure requirements of section 302(j)(2)(C) of such Act (16 U.S.C. 1852(j)(2)(C)), each member of the Committee shall disclose any financial interest or relationship in an organization or with an individual that is applying for a grant under subsection (c) held by the member of the Committee, including an interest as an officer, director, trustee, partner, employee, contractor, agent, or other representative.

“(12) TECHNICAL REVIEW OF APPLICATIONS.—

“(A) IN GENERAL.—Prior to review of an application for a grant under subsection (c) by the Committee, the Secretary shall obtain an independent written technical evaluation from 3 or more appropriate Federal, private, or public sector experts (such as industry, academia, or governmental experts) who—

- “(i) have subject matter expertise to determine the technical merit of the proposal in the application;
- “(ii) shall independently evaluate each such proposal; and
- “(iii) shall certify that the expert does not have a conflict of interest concerning the application that the expert is reviewing.

“(B) GUIDANCE.—Not later than 180 days after the date of enactment of the American Fisheries Advisory Committee Act, the Secretary shall issue guidance related to carrying out the technical evaluations under subparagraph (A). Such guidance shall include criteria for the elimination by the National Oceanic and Atmospheric Administration of applications that fail to meet a minimum level of technical merit as determined by the review described in subparagraph (A).”.

“(b) ROLE IN APPROVAL OF GRANTS.—Section 2(c)(3) of the Act of August 11, 1939 (15 U.S.C. 713c-3(c)(3)), is amended to read as follows:

“(3)(A) No application for a grant under this subsection may be approved unless the Secretary—

- “(i) is satisfied that the applicant has the requisite technical and financial capability to carry out the project; and
- “(ii) based on the recommendations of the American Fisheries Advisory Committee established in subsection (e), evaluates the proposed project as to—
- “(I) soundness of design;
- “(II) the possibilities of securing productive results;
- “(III) minimization of duplication with other fisheries research and development projects;
- “(IV) the organization and management of the project;
- “(V) methods proposed for monitoring and evaluating the success or failure of the project; and
- “(VI) such other criteria as the Secretary may require.

“(B) If the Secretary fails to provide funds to a grant selected by the American Fisheries Advisory Committee, the Secretary shall provide a written document to the Committee justifying the decision.”.

SEC. 3. EXPANSION OF SPECIFIED PURPOSES OF FISHERIES RESEARCH AND DEVELOPMENT PROJECTS GRANTS PROGRAM TO INCLUDE FISHERIES RESEARCH AND DEVELOPMENT PROJECTS.

Section 2(c)(1) of the Act of August 11, 1939 (15 U.S.C. 713c-3(c)(1)) is amended by inserting fisheries science, recreational fishing, before harvesting..

SEC. 4. PUBLIC AVAILABILITY OF GRANTS PROPOSALS.

Section 2(c) of the Act of August 11, 1939 (15 U.S.C. 713c-3(c)), is amended by adding at the end the following:

“(6) Any person awarded a grant under this subsection shall make publicly available a title and abstract of the project to be carried out by the grant funds that serves as the public justification for funding the project that includes a statement describing how the project serves to enhance United States fisheries, including harvesting, processing, marketing, and associated infrastructures, if applicable.”.

J. BENNETT JOHNSTON WATERWAY HYDROPOWER EXTENSION ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. 1142.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1142) to extend the deadline for commencement of construction of certain hydroelectric projects.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill as reported be considered, the committee substitute be withdrawn, the Murkowski amendment be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment, in the nature of a substitute, was withdrawn.

The amendment (No. 4002) was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “J. Bennett Johnston Waterway Hydropower Extension Act of 2018”.

SEC. 2. EXTENSION.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission project numbers 12756, 12757, and 12758, the Commission may, at the request of the licensee for the applicable project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the

procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the applicable project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF LICENSE.—If the time period required for commencement of construction of a project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission may reinstate the license for the applicable project effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration.

The bill (S. 1142), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1142

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 “J. Bennett Johnston Waterway Hydropower Extension Act of 2018”.

SEC. 2. EXTENSION.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission project numbers 12756, 12757, and 12758, the Commission may, at the request of the licensee for the applicable project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the applicable project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF LICENSE.—If the time period required for commencement of construction of a project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission may reinstate the license for the applicable project effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration.

VETERANS PROVIDING HEALTH-CARE TRANSITION IMPROVEMENT ACT

Mr. McCONNELL. Mr. President, I ask that the Chair lay before the Sen-

ate the message from the House to accompany S. 899.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 899) entitled “An Act to amend title 38, United States Code, to ensure that the requirements that new Federal employees who are veterans with service-connected disabilities are provided leave for purposes of undergoing medical treatment for such disabilities apply to certain employees of the Veterans Health Administration, and for other purposes.”

Mr. McCONNELL. Mr. President, I move to concur in the House amendment, and I ask unanimous consent that the motion be agreed to and the motions to reconsider be considered made and laid upon the table without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS TREATMENT COURT IMPROVEMENT ACT OF 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 466, H.R. 2147.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2147) to require the Secretary of Veterans Affairs to hire additional Veterans Justice Outreach Specialists to provide treatment court services to justice-involved veterans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2147) was ordered to a third reading, was read the third time, and passed.

HONORING THE LIFE AND LEGACY OF ARETHA FRANKLIN

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 615, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 615) honoring the life and legacy of Aretha Franklin and the contribution of Aretha Franklin to music, civil rights, and the City of Detroit.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 615) was agreed to.

The preamble was agreed to. (The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR THURSDAY, AUGUST 23, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, August 23; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; and that following leader remarks, the Senate proceed to executive session and resume consideration of the Johnson nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:59 p.m., adjourned until Thursday, August 23, 2018 at 9:30 a.m.