

Mr. Speaker, we in the Committee on Commerce had a problem with the portion of the amendment that allows scholarship recipients to pay back their debt by working in an academic setting where their primary responsibility is the recruitment of more Indians. The problem is that Indians do not have enough medical care on their reservations, and this amendment offers somewhat of a loophole for scholarship recipients to avoid working on reservations by living and working at universities.

Mr. Speaker, after reviewing these hardship cases of health professionals who thought that they were getting credit for doing recruitment, we agree those cases were better dealt with on a case-by-case basis under a Secretarial waiver authority rather than by a large loophole. The amendments grant the Secretary waiver authority for hardship and good cause, so we all agreed to strike the academic recruitment language from the bill, and the managers state their concerns on the floor.

Mr. Speaker, with the above concerns discussed earlier relative to the legislation, I support the amendments that we have now agreed to with the other side, and I ask my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

I will compliment the gentleman on the statement. He and I worked very closely on these issues in committee, and he is a great friend of Alaska natives and most people involved in American native group.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. FALEOMAVEGA. Mr. Speaker, I have no additional speakers at this time. I urge the adoption of this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska [Mr. YOUNG] that the House suspend the rules and agree to the resolution, House Resolution 544.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

#### SUSTAINABLE FISHERIES ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 39) to amend the Magnuson Fishery Conservation and Management Act to authorize appropriations, to provide for sustainable fisheries, and for other purposes.

The Clerk read as follows:

S. 39

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Sustainable Fisheries Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Amendment of Magnuson Fishery Conservation and Management Act.

#### TITLE I—CONSERVATION AND MANAGEMENT

Sec. 101. Findings; purposes; policy.

Sec. 102. Definitions.

Sec. 103. Authorization of appropriations.

Sec. 104. Highly migratory species.

Sec. 105. Foreign fishing and international fishery agreements.

Sec. 106. National standards.

Sec. 107. Regional fishery management councils.

Sec. 108. Fishery management plans.

Sec. 109. Action by the Secretary.

Sec. 110. Other requirements and authority.

Sec. 111. Pacific community fisheries.

Sec. 112. State jurisdiction.

Sec. 113. Prohibited acts.

Sec. 114. Civil penalties and permit sanctions; rebuttable presumptions.

Sec. 115. Enforcement.

Sec. 116. Transition to sustainable fisheries.

Sec. 117. North Pacific and northwest Atlantic Ocean fisheries.

#### TITLE II—FISHERY MONITORING AND RESEARCH

Sec. 201. Change of title.

Sec. 202. Registration and information management.

Sec. 203. Information collection.

Sec. 204. Observers.

Sec. 205. Fisheries research.

Sec. 206. Incidental harvest research.

Sec. 207. Miscellaneous research.

Sec. 208. Study of contribution of bycatch to charitable organizations.

Sec. 209. Study of identification methods for harvest stocks.

Sec. 210. Review of Northeast fishery stock assessments.

Sec. 211. Clerical amendments.

#### TITLE III—FISHERIES FINANCING

Sec. 301. Short title.

Sec. 302. Individual fishing quota loans.

Sec. 303. Fisheries financing and capacity reduction.

#### TITLE IV—MARINE FISHERY STATUTE REAUTHORIZATIONS

Sec. 401. Marine fish program authorization of appropriations.

Sec. 402. Interjurisdictional Fisheries Act amendments.

Sec. 403. Anadromous fisheries amendments.

Sec. 404. Atlantic coastal fisheries amendments.

Sec. 405. Technical amendments to maritime boundary agreement.

Sec. 406. Amendments to the Fisheries Act.

#### SEC. 2. AMENDMENT OF MAGNUSON FISHERY CONSERVATION AND MANAGEMENT ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or re-

peal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

#### TITLE I—CONSERVATION AND MANAGEMENT

##### SEC. 101. FINDINGS; PURPOSES; POLICY.

Section 2 (16 U.S.C. 1801) is amended—

(1) by striking subsection (a)(2) and inserting the following:

"(2) Certain stocks of fish have declined to the point where their survival is threatened, and other stocks of fish have been so substantially reduced in number that they could become similarly threatened as a consequence of (A) increased fishing pressure, (B) the inadequacy of fishery resource conservation and management practices and controls, or (C) direct and indirect habitat losses which have resulted in a diminished capacity to support existing fishing levels.;"

(2) by inserting "to facilitate long-term protection of essential fish habitats," in subsection (a)(6) after "conservation.;"

(3) by adding at the end of subsection (a) the following:

"(9) One of the greatest long-term threats to the viability of commercial and recreational fisheries is the continuing loss of marine, estuarine, and other aquatic habitats. Habitat considerations should receive increased attention for the conservation and management of fishery resources of the United States.

"(10) Pacific Insular Areas contain unique historical, cultural, legal, political, and geographical circumstances which make fisheries resources important in sustaining their economic growth.;"

(4) by striking "principles;" in subsection (b)(3) and inserting "principles, including the promotion of catch and release programs in recreational fishing.;"

(5) by striking "and" after the semicolon at the end of subsection (b)(5);

(6) by striking "development." in subsection (b)(6) and inserting "development in a non-wasteful manner; and";

(7) by adding at the end of subsection (b) the following:

"(7) to promote the protection of essential fish habitat in the review of projects conducted under Federal permits, licenses, or other authorities that affect or have the potential to affect such habitat.;"

(8) in subsection (c)(3)—

(A) by striking "promotes" and inserting "considers"; and

(B) by inserting "minimize bycatch and" after "practical measures that";

(9) striking "and" at the end of paragraph (c)(5);

(10) striking the period at the end of paragraph (c)(6) and inserting "; and"; and

(11) adding at the end of subsection (c) a new paragraph as follows:

"(7) to ensure that the fishery resources adjacent to a Pacific Insular Area, including resident or migratory stocks within the exclusive economic zone adjacent to such areas, be explored, developed, conserved, and managed for the benefit of the people of such area and of the United States.;"

##### SEC. 102. DEFINITIONS.

Section 3 (16 U.S.C. 1802) is amended—

(1) by redesignating paragraphs (2) through (32) as paragraphs (5) through (35) respectively, and inserting after paragraph (1) the following:

"(2) The term 'bycatch' means fish which are harvested in a fishery, but which are not sold or kept for personal use, and includes economic discards and regulatory discards. Such term does not include fish released