

## Union Calendar No.

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3109

[Report No. 113-]

To amend the Migratory Bird Treaty Act to exempt certain Alaskan Native articles from prohibitions against sale of items containing nonedible migratory bird parts, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2013

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Natural Resources

SEPTEMBER --, 2014

Committed to the Committee of the Whole House on the State of the Union,  
and ordered to be printed

# **A BILL**

To amend the Migratory Bird Treaty Act to exempt certain Alaskan Native articles from prohibitions against sale of items containing nonedible migratory bird parts, 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. EXEMPTION FROM PROHIBITIONS FOR ALAS-**  
4 **KAN NATIVE ARTICLES CONTAINING MIGRA-**  
5 **TORY BIRD PARTS.**

6       Section 2 of the Migratory Bird Treaty Act (16  
7 U.S.C. 703) is amended by adding at the end the fol-  
8 lowing:

9       “(c) EXEMPTION FOR AUTHENTIC ALASKAN NATIVE  
10 ARTICLES OF HANDICRAFT OR CLOTHING.—

11       “(1) IN GENERAL.—Notwithstanding any other  
12 provisions of this Act, nothing in this Act prohibits  
13 possession, offering for sale, sale, offering to barter,  
14 barter, offering to purchase, purchase, delivery for  
15 shipment, shipment, causing to be shipped, delivered  
16 for transportation, transport or causing to be trans-  
17 ported, carrying or causing to be carried, or receiv-  
18 ing for shipment, transportation, or carriage, any  
19 authentic Alaskan Native article of handicraft or  
20 clothing on the basis that it contains a nonedible mi-  
21 gratory bird part.

22       “(2) LIMITATION.—This subsection shall not  
23 apply with respect to any handicraft or clothing con-  
24 taining any part of a migratory bird that was taken  
25 in a wasteful manner.

1 “(3) DEFINITIONS.—In this subsection:

2 “(A) ALASKAN NATIVE.—The term ‘Alas-  
3 kan Native’ means any Indian, Aleut, or Es-  
4 kimo who resides in Alaska.

5 “(B) AUTHENTIC ALASKAN NATIVE ARTI-  
6 CLE OF HANDICRAFT OR CLOTHING.—The term  
7 ‘authentic Alaskan Native article of handicraft  
8 or clothing’—

9 “(i) means any item that is—

10 “(I) composed wholly or in some  
11 significant respect of natural mate-  
12 rials; and

13 “(II) produced, decorated, or  
14 fashioned by an Alaskan Native, in  
15 the exercise of traditional Alaskan  
16 Native handicrafts, without the use of  
17 any pantograph or other mass copying  
18 device; and

19 “(ii) includes any weaving, carving,  
20 stitching, sewing, lacing, beading, drawing,  
21 or painting described in clause (i), or any  
22 combination thereof.”.