

113TH CONGRESS
1ST SESSION

H. R. 3109

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.

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

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:

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

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

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

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

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

22 “(B) AUTHENTIC ALASKAN NATIVE ARTI-
23 CLE OF HANDICRAFT OR CLOTHING.—The term
24 ‘authentic Alaskan Native article of handicraft
25 or clothing’—

1 “(i) means any item that is—

2 “(I) composed wholly or in some
3 significant respect of natural mate-
4 rials; and

5 “(II) produced, decorated, or
6 fashioned by an Alaskan Native, in
7 the exercise of traditional Alaskan
8 Native handicrafts, without the use of
9 any pantograph or other mass copying
10 device; and

11 “(ii) includes any weaving, carving,
12 stitching, sewing, lacing, beading, drawing,
13 or painting described in clause (i), or any
14 combination thereof.”.

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