



HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: Subcommittee on Water, Wildlife and Fisheries Republican Members
From: Subcommittee on Water, Wildlife and Fisheries Staff: Richie O’Connell (richie@mail.house.gov), Doug Levine (doug.levine@mail.house.gov), Kirby Struhar (kirby.struhar@mail.house.gov), and Jackson Renfro (jackson.renfro@mail.house.gov); x5-8331
Date: Monday, February 2, 2026
Subject: Legislative Hearing on 4 Bills

The Subcommittee on Water, Wildlife and Fisheries will hold a legislative hearing on four bills: H.R. 3276 (Rep. Dingell), “*Local Communities & Bird Habitat Stewardship Act of 2025*”; H.R. 6021 (Rep. Begich), “*Archie Cavanaugh Migratory Bird Treaty Amendment Act*”; H.R. 6568 (Rep. Downing), “*Lower Yellowstone River Native Fish Conservation Act*”; and H.R. 7159 (Rep. Gosar), “*Protecting Local Zoos Act of 2026*”.

The hearing will take place on **Wednesday, February 4, 2026, at 10:00 a.m. in room 1324 Longworth House Office Building.**

Member offices are requested to notify Hannah Garrett (hannah.garrett@mail.house.gov) by 4:30 p.m. on Tuesday, February 3, 2026, if their Member intends to participate in the hearing.

I. KEY MESSAGES

- H.R. 6021 reaffirms Congress’s commitment to Alaska Native cultural traditions by clarifying that the Migratory Bird Treaty Act does not ban the possession, sale, or transport of authentic Native handicrafts and artwork made with natural materials, such as migratory bird feathers.
- H.R. 6568 reduces eastern Montana and western North Dakota farmers’ financial and operational obligations associated with the Lower Yellowstone Fish Bypass Channel.
- H.R. 7159 amends the Lacey Act to refine regulations governing the possession of big cats. The bill addresses stakeholder concerns by creating a pathway to rectify mistaken registrations and clarifying import and export requirements for qualified facilities and the personnel who care for big cats.
- H.R. 3276 codifies a federal grant program to support the conservation of birds and their habitats in urban areas.

II. WITNESSES

Panel I (Members of Congress)

- *To Be Announced*

Panel II (Outside Experts)

- **The Hon. Megan Onders**, Chief, King Island Native Community, Nome, Alaska [*H.R. 6021*]
- **Mr. James Brower**, Manager, Lower Yellowstone Irrigation Project, Sidney, Montana [*H.R. 6568*]
- **Ms. Mindy Stinner**, Chair, Feline Conservation Foundation, Burlington, North Carolina [*H.R. 7159*]
- **Mr. Matthew Bryant**, Resident in Charge (Retired), U.S. Fish and Wildlife Service, Office of Law Enforcement, Midlothian, Texas [*H.R. 7159*] (*Minority Witness*)

III. BACKGROUND

[H.R. 6021 \(Rep. Begich\), “Archie Cavanaugh Migratory Bird Treaty Amendment Act”](#)

Enacted in 1918 and amended subsequently, the Migratory Bird Treaty Act (MBTA)¹ implements four conservation treaties—those that the U.S. entered into with Canada in 1916, Mexico in 1936, Japan in 1972, and Russia in 1976—whose shared purpose is to ensure the sustainability of protected migratory bird species.² The MBTA treaties protect over 900 bird species,³ using the term “migratory bird” to include all wild species of crows, ducks, falcons, geese, hawks, snipes, woodcocks, mourning doves, and white-winged doves.

The MBTA prohibits the take of protected migratory bird species without prior authorization by the U.S. Fish and Wildlife Service (Service). Take is defined to include killing, capturing, selling, trading, and transporting a protected migratory bird species.⁴ The Service has promulgated regulations under the MBTA restricting the take of migratory birds, including what species can be hunted, the length of hunting seasons, bag limits, and the use of live decoys or other techniques to hunt migratory birds.

While the bilateral treaties with Japan and Russia recognized the legitimate subsistence needs of indigenous peoples, the treaties with Canada⁵ and Mexico⁶ did not. As a result, federal courts have prevented the implementation of any subsistence rights, holding that the MBTA requires the federal government to follow the most restrictive provisions of any of the four international agreements.

¹ 16 U.S.C. 703-712.

² “Migratory Bird Treaty Act of 1918.” U.S. Fish and Wildlife Service. <https://www.fws.gov/law/migratory-bird-treaty-act-1918>.

³ *Id.*

⁴ *Id.*

⁵ “Convention between the United State and Great Britain for the Protection of Migratory Birds.” December 7, 1916. <https://www.fws.gov/sites/default/files/documents/treaty-canada-migratory-birds-1916.pdf>.

⁶ “Convention for the Protection of Migratory Birds and Game Mammals.” April 3, 1936. <https://www.fws.gov/sites/default/files/documents/treaty-mexico-migratory-birds-1936.pdf>.

Under the 1916 Convention between the United States and Great Britain for the Protection of Migratory Birds, shared between the U.S. and Canada,⁷ there is a closed season from March 10 to September 1, during which no hunting is permitted, except in extremely limited circumstances.⁸ The 1936 Convention for the Protection of Migratory Birds and Game Mammals between the U.S. and Mexico established a similar closed season for ducks.⁹

In Alaska, migratory birds leave most of the state's northern, western, and interior regions by mid-September, and they generally do not return before March 10. Consequently, much of the traditional harvest of migratory birds, which has occurred for thousands of years in rural Alaska, takes place during the closed portion of the year.

Efforts to update the international treaties began in the 1970s and culminated with the Protocol between the United States and Canada, signed on December 14, 1995,¹⁰ and the Protocol between the United States and Mexico, signed on May 5, 1997.¹¹ These Protocols aimed to allow aboriginal and indigenous peoples to legally hunt protected migratory birds for subsistence and traditional uses in Alaska and Canada. On October 23, 1997, the U.S. Senate approved the Protocols amending the Migratory Bird Treaties with Canada and Mexico.¹² However, when implementing the treaty language, Congress failed to clarify that non-edible parts of harvested migratory birds could be sold in commercial products. The Service followed by promulgating regulations prohibiting the sale or purchase of migratory bird parts, including feathers and parts of birds taken for subsistence.¹³

In 2012, Archie Cavanaugh, an Alaska Native artist, attempted to sell a headdress that contained flicker feathers, a member of the woodpecker family, and a hat containing raven feathers, consistent with cultural practices. Both flickers and ravens are protected under the MBTA, and the Service pursued charges against Mr. Cavanaugh. He faced up to 10 years in prison and a \$100,000 fine, but a settlement was reached in which he agreed to pay a \$2,000 fine.¹⁴

In 2012, the Alaska Federation of Natives adopted a resolution urging the State of Alaska and the Service to revise existing regulations to allow Alaskan natives to sell traditional handicrafts

⁷ Canada did not achieve legislative independence from the United Kingdom until 1931. Erin Blakemore. "Canada's Long, Gradual Road to Independence." History.com. June 8, 2018. <https://www.history.com/articles/canada-independence-from-britain-france-war-of-1812>.

⁸ "Convention between the United State and Great Britain for the Protection of Migratory Birds." December 7, 1916. [treaty-canada-migratory-birds-1916.pdf](https://www.fws.gov/sites/default/files/documents/treaty-canada-migratory-birds-1916.pdf)<https://www.fws.gov/sites/default/files/documents/treaty-canada-migratory-birds-1916.pdf>.

⁹ "Convention for the Protection of Migratory Birds and Game Mammals." March 15, 1937. <https://www.fws.gov/sites/default/files/documents/treaty-mexico-migratory-birds-1976.pdf>.

¹⁰ "*1 Protocol Amending the 1916 Convention for the Protection of Migratory Birds." December 14, 1995. [Canada: *1 Protocol Amending the 1916 Convention for the Protection of](https://www.fws.gov/sites/default/files/documents/treaty-canada-migratory-birds-1995.pdf)<https://www.fws.gov/sites/default/files/documents/treaty-canada-migratory-birds-1995.pdf>[Migratory Birds](https://www.fws.gov/sites/default/files/documents/treaty-canada-migratory-birds-1995.pdf).

¹¹ "Protocol with Mexico Amending Convention for Protection of Migratory Birds and Game Mammals." May 5, 1997. <https://www.congress.gov/105/cdoc/tdoc26/CDOC-105tdoc26.pdf>.

¹² *Id.*

¹³ 50 CFR 92.6, before the 2017 final rule.

¹⁴ "U.S. Senator from Alaska Introduces Bill to Allow Indigenous Artists to Use Bird Feathers, Parts." Sealaska Heritage Institute Press Release. <https://sealaskaheritage.org/u-s-senator-from-alaska-introduces-bill-to-allow-indigenous-artists-to-use-bird-feathers-parts/>.

containing feathers or parts of migratory birds.¹⁵ On August 23, 2017, a Service final rule went into effect that amended the permanent migratory bird subsistence-harvest regulations in Alaska.¹⁶ This rule enabled Alaska Natives to sell authentic Native articles of handicraft or clothing that contain inedible byproducts from 27 migratory bird species that were taken for food during the Alaska migratory bird subsistence-harvest season. The rule could provide relief only for those 27 species, not others covered by the treaty with Japan, which allows subsistence hunting only for “food and clothing.”¹⁷

Introduced by Representative Nicholas Begich (R-AK-At Large), H.R. 6021 would expand upon the Service’s 2017 rule by amending the MBTA to allow for the sale and shipment of any “authentic Alaska Native article of handicraft,” as long the article contains only nonedible bird parts that were not taken in a wasteful or illegal manner. The bill also directs the U.S. Secretary of State to work with the U.S. Secretary of the Interior to enter into appropriate bilateral procedures with countries that are parties to the MBTA treaties to clarify the treatment of “authentic Alaska Native articles of handicraft.”

[H.R. 6568 \(Rep. Downing\), “Lower Yellowstone River Native Fish Conservation Act”](#)

The Bureau of Reclamation’s (Reclamation) Lower Yellowstone Irrigation Project (Project) diverts water from the Yellowstone River, a tributary of the Missouri River, providing essential irrigation services for approximately 58,000 acres of cropland in eastern Montana and western North Dakota.¹⁸ The Project is operated and maintained by the Lower Yellowstone Irrigation District Board of Control under contract with Reclamation.¹⁹ The Project includes the Intake Diversion Dam, 71 miles of main canal, 225 miles of laterals, 118 miles of drains, and multiple pumping plants on the Yellowstone and Missouri Rivers.²⁰

On April 3, 2000, the U.S. Army Corps of Engineers (Corps) initiated a Section 7 consultation with the Service under the Endangered Species Act (ESA) to analyze how Missouri River project operations affect listed species like the pallid sturgeon.²¹ Later that year, the Service issued its Biological Opinion (BiOp) in which it recommended that the Corps “identify and evaluate the effects of tributary dams and other structures on sturgeon spawning migrations” and “recommend alternatives to enhance sturgeon passage should the study find that the structures are impeding spawning migrations.”²² The BiOp also recommended that the Corps coordinate with Reclamation when addressing these concerns.²³

¹⁵ “2012 AFN Convention Resolutions, Follow-up Summary Report.” Alaska Federation of Natives.

<https://www.nativefederation.org/wp-content/uploads/2018/07/2012-AFN-CONVENTION-RESOLUTIONS-Follow-upcd-2.pdf>

¹⁶ 82 FR 34263.

¹⁷ “Convention between the government of the United States of America and the government of Japan for the protection of migratory birds and birds in danger of extinction, and their environment.” December 19, 1974.

<https://www.fws.gov/sites/default/files/documents/treaty-japan-migratory-birds.pdf>.

¹⁸ “Lower Yellowstone Project.” June 15, 2021. <https://www.usbr.gov/gp/mtao/loweryellowstone/>.

¹⁹ *Id.*

²⁰ *Id.*

²¹ “U.S. Fish and Wildlife Service Biological Opinion on the Operation of the Missouri River Main Stem Reservoir System, Operation and Maintenance of the Missouri River Bank Stabilization and Navigation Project, and Operation of the Kansas River Reservoir System.” November 30, 2000. digitalcommons.unl.edu/usarmycomaha/1/.

²² *Id.*

²³ *Id.*

Through their collective efforts, the Corps and Reclamation determined that the Project's Intake Diversion Dam impedes upstream migration for pallid sturgeon.²⁴ Accordingly, in 2007 Congress authorized the Corps to use funds from the Missouri River Recovery Program to assist Reclamation in designing and constructing a project to improve pallid sturgeon fish passage at the dam, continue the Project's viable and effective operation, and contribute to ecosystem restoration.²⁵ In 2022, Reclamation and the Corps completed construction of the 2.1-mile Lower Yellowstone Fish Bypass Channel, providing pallid sturgeon with an alternate passage around the dam.²⁶

Since the channel's completion, however, water users have worried that these federal agencies will shift the channel's financial costs and operational obligations onto them, despite differing interpretations of the legal and financial connection to the Reclamation project.²⁷ Local irrigators, who already pay to operate and maintain the Project's existing facilities and infrastructure, have expressed concerns about cost increases and their lack of expertise in managing a technically complex and ESA-driven fish passage structure that has little to do with the Project's original purpose.

Sponsored by Representative Troy Downing (R-MT-02), H.R. 6568 would affirm that Reclamation retains exclusive ownership, operational control, and financial responsibility for the Lower Yellowstone Fish Bypass Channel.²⁸ This clarification would prevent the agency from transferring financial or operational responsibility to the Lower Yellowstone Irrigation District. H.R. 6568 would also authorize \$1 million per year beginning in fiscal year (FY) 2026 for Reclamation to operate, repair, and adaptively manage the channel.²⁹ Moreover, the bill would uphold the right of water users to file suit against Reclamation for attempting a transfer, with the U.S. District Court for the District of Montana retaining exclusive jurisdiction over such cases.³⁰ Finally, this legislation would require Reclamation to issue a biennial report to both the House Natural Resources Committee and the Senate Energy and Natural Resources Committee detailing the channel's status, repairs, and costs.³¹

H.R. 7159 (Rep. Gosar), "Protecting Local Zoos Act of 2026"

The Big Cat Public Safety Act (BCPSA) was signed into law on December 20, 2022, and amended the Lacey Act³² to prohibit the possessing and breeding of big cats.³³ Congress had already amended the Lacey Act for a similar purpose when it passed the Captive Wildlife Safety Act (CWSA)³⁴ in 2003. The CWSA banned the import, export, transport, sale, receipt, acquisition, or purchase of big cats across U.S. federal or state borders, unless a person or entity

²⁴ "Lower Yellowstone Project." June 15, 2021. <https://www.usbr.gov/gp/mtao/loweryellowstone/>.

²⁵ P.L. 110-114.

²⁶ "New Fish Bypass Channel Open at Intake, Yellowstone River, Montana." April 20, 2022.

www.nwo.usace.army.mil/Media/News-Releases/Article/3005074/new-fish-bypass-channel-open-at-intake-yellowstone-river-montana/.

²⁷ H.R. 6568. 119th Congress. <https://www.congress.gov/119/bills/hr6568/BILLS-119hr6568ih.pdf>.

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² 16 U.S.C. 3371-3378.

³³ The term "big cats" means living species of lion, tiger, leopard, cheetah, jaguar, or cougar or any hybrid of such species.

³⁴ P.L. 108-191.

qualified under an exemption administered by the U.S. Department of Agriculture.³⁵ The CWSA amendments specifically upheld a state's authority to regulate big cat species within its borders. As such, the Lacey Act did not address possession of big cats resulting from intrastate transfers.

The BCPSA, however, substantially changed federal law in the following two ways:

- The BCPSA removed the 2003 state authority pre-emption language, which prevented the Lacey Act from superseding a state's authority to regulate big cats within its borders.
- The BCPSA mandated all persons or entities that possess big cats to register, within 180 days of the legislation's enactment, each animal with the Service. The statute also required owners to agree not to breed, acquire, or sell big cats and to prohibit "public contact" with them. As written, this requirement appeared to apply to every entity that possesses big cats, including private owners, Class C license exhibitors, and non-federal research facilities licensed under the AWA.

The BCPSA's implementation has revealed textual shortcomings that have jeopardized facilities that house and care for big cats. For example, the law's restrictions took effect immediately upon enactment, with no implementation period. Accordingly, all exhibitors who were not immediately in compliance with the new requirements, including the requirement to construct and maintain a permanent barrier or 15-foot gap, could be subject to fines, jail time, or both.

Furthermore, if a facility registered its big cats with the Service, the BCPSA would prevent it from accepting any more. Although the BCPSA intended to allow registration exemptions mirroring those in the CWSA, some Class C licensees registered in error due to the registration process's ambiguity.

Relatedly, the Service's implementing guidance for the BCPSA has made it nearly impossible to export or import a big cat to or from a foreign country unless the foreign government intends to release it. The export or import of animals between zoo facilities is common, as many have cooperative relationships. The BCPSA's sponsors raised both concerns to the Service in a letter dated April 4, 2024.³⁶

Additionally, neither the BCPSA nor its implementing regulations explicitly allowed trained volunteers and facility owners to be in contact with big cats. This omission has created issues for small facilities that rely upon trained volunteers for much of the care given to their animals.

Introduced by Representative Paul Gosar (R-AZ-09), H.R. 7159 would amend the Lacey Act to address these concerns and allow the export or import of big cats to or from facilities that are authorized to operate in the country where they are located. The bill would also give facilities that registered their big cats with the Service in error the ability to request cancellation of that registration, allow trained volunteers and facility owners to care for big cats, and provide

³⁵ *Id.*

³⁶ Letter to U.S. Fish and Wildlife Service Director Martha Williams from Senators Richard Blumenthal and Tom Carper and Representatives Mike Quigley and Brian Fitzpatrick. April 4, 2024. https://republicans-naturalresources.house.gov/UploadedFiles/2024.04.04_Letter_SenatorBlumenthal_FWS_re_BCPSAInterimRule_Final.pdf.

additional flexibility for veterinary personnel by allowing access for veterinary assistants, technicians, and non-veterinary specialists.

H.R. 7159 would also grant Class B license holders under the AWA, which include brokers and operators of auction sales, an exemption from BCPSA restrictions. Class B licensees undergo the same inspection process for animal welfare as Class C licensees and do not have members of the public on site, making the safety of the public, BCPSA’s original goal, a lesser concern.

Lastly, the bill would ensure that snow leopards and clouded leopards are excluded from the list of species covered under the BCPSA. Prior to the BCPSA’s implementation, the CWSA defined covered species as “(A) any live species of lion, tiger, leopard, cheetah, jaguar, or cougar; and (B) any live hybrid of any of those species.”³⁷ The Service subsequently included snow leopards and clouded leopards on its list of prohibited wildlife species in its implementing regulations.³⁸ The inclusion of snow leopards and clouded leopards, which are only distantly related to each other and to the African/Asian Leopard, “*panthera pardus*,” occurred only because the word “leopard” is part of their common names. The BCPSA effectively codified the Service’s prior overreach, contrary to the intent of the CWSA.

[H.R. 3276 \(Rep. Dingell\), “Local Communities & Bird Habitat Stewardship Act of 2025”](#)

Birds play key roles in local ecosystems and economies. They help sustain healthier, more resilient landscapes; cleaner waterways; and balanced, biodiverse ecosystems. Moreover, nearly 96 million Americans participate in birdwatching every year, generating \$279 billion in annual economic output and supporting approximately 1.4 million jobs nationwide.³⁹ Unfortunately, an estimated one billion birds die annually in the U.S. from building collisions alone, while light pollution in urban areas disorients migratory species.⁴⁰

Sponsored by Representative Debbie Dingell (D-MI-06), H.R. 3276 would codify the Service’s Urban Bird Treaty Program, transforming it into a permanent, structured grant program with an authorized annual budget of \$1 million through FY 2031.⁴¹ The program would aim to protect, restore, and enhance urban habitats for birds, reduce urban hazards to birds, and educate and engage communities in scientific activities involving the monitoring of birds and their habitats.⁴²

IV. MAJOR PROVISIONS & ANALYSIS

[H.R. 6021 \(Rep. Begich\), “Archie Cavanaugh Migratory Bird Treaty Amendment Act”](#)

- Clarifies that nothing in the MBTA prohibits the sale or shipment of any authentic Alaska Native article of handicraft on the basis that it contains non-edible migratory bird parts and those parts were not taken in a wasteful or illegal manner.

³⁷ P.L. 108-191.

³⁸ 50 CFR 14.252.

³⁹ H.R. 3276. 119th Congress. <https://www.congress.gov/119/bills/hr3276/BILLS-119hr3276ih.pdf>.

⁴⁰ “New Study Confirms Building Collisions Kill Over One Billion Birds Annually in U.S.” April 7, 2024. <https://abcbirds.org/news/bird-building-collisions-study-2024/>.

⁴¹ H.R. 3276. 119th Congress. <https://www.congress.gov/119/bills/hr3276/BILLS-119hr3276ih.pdf>.

⁴² *Id.*

- Requires the Secretary of State to work with the Secretary of the Interior to enter into bilateral procedures, as necessary, with the four countries covered in the MBTA to clarify the treatment of authentic Alaska Native articles of handicraft.

H.R. 6568 (Rep. Downing), “Lower Yellowstone River Native Fish Conservation Act”

- Affirms that Reclamation retains sole ownership, operational control, and financial responsibility of the Lower Yellowstone Fish Bypass Channel.
- Clarifies that no administrative action or agreement may ever delegate or transfer any responsibility of the channel to the irrigation district or any other non-federal entity.
- Authorizes \$1 million per year beginning in FY 2026 for Reclamation to operate, repair, and adaptively manage the channel.

H.R. 7159 (Rep. Gosar), “Protecting Local Zoos Act of 2026”

- Amends the Lacey Act to allow trained volunteers and facility owners to be in contact with big cats and explicitly allows veterinary support staff, such as veterinary assistants, veterinary technicians, and non-veterinary specialists, to aid in the care of big cats.
- Allows for the import and export of big cats to or from facilities that are authorized to operate in the country within which they are located.
- Allows facilities that mistakenly registered their big cats with the Service to apply for that registration to be cancelled.
- Ensures that snow leopards and clouded leopards are not included in the list of prohibited wildlife under Section 2(h) of the Lacey Act.

H.R. 3276 (Rep. Dingell), “Local Communities & Bird Habitat Stewardship Act of 2025”

- Codifies the Service’s Urban Bird Treaty Program, transforming it into a permanent, structured grant program with an authorized annual budget of \$1 million through FY 2031.

V. COST

A formal cost estimate from the Congressional Budget Office (CBO) is not yet available for any of the bills.

VI. ADMINISTRATION POSITION

The Trump administration’s position on any of these bills is unknown at this time.

VII. EFFECT ON CURRENT LAW

H.R. 6021

H.R. 7159