

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.

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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

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## 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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