

113TH CONGRESS
1ST SESSION

S. 1650

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

IN THE SENATE OF THE UNITED STATES

NOVEMBER 5, 2013

Ms. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Migratory Bird Treaty Act to exempt certain Alaska 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 ALASKA**
4 **NATIVE ARTICLES CONTAINING MIGRATORY**
5 **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 ALASKA NATIVE
2 ARTICLES OF HANDICRAFT OR CLOTHING.—

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

4 “(A) ALASKA NATIVE.—The term ‘Alaska
5 Native’ means a person who is a member of any
6 Native village, Village Corporation, or Regional
7 Corporation, as those terms are defined in sec-
8 tion 3 of the Alaska Native Claims Settlement
9 Act (43 U.S.C. 1602).

10 “(B) ALASKA NATIVE HANDICRAFT.—

11 “(i) IN GENERAL.—The term ‘Alaska
12 Native handicraft’ means any handicraft or
13 clothing item that—

14 “(I) is composed, wholly or in a
15 significant respect, of natural mate-
16 rials; and

17 “(II) is produced, decorated, or
18 fashioned—

19 “(aa) by an Alaska Native;

20 “(bb) in the exercise of tra-
21 ditional Alaska Native handi-
22 crafts; and

23 “(cc) without the use of any
24 pantograph or other mass copy-
25 ing device.

1 “(ii) INCLUSIONS.—The term ‘Alaska
2 native handicraft’ includes—

3 “(I) any weaving, carving, stitch-
4 ing, sewing, lacing, beading, drawing,
5 or painting that meet the criteria de-
6 scribed in clause (i); or

7 “(II) an item that combines the
8 techniques described in subclause (I).

9 “(2) EXEMPTION FOR CERTAIN ALASKA NATIVE
10 HANDICRAFTS.—Notwithstanding any other provi-
11 sion of this Act and subject to paragraph (3), noth-
12 ing in this Act prohibits the possession, offering for
13 sale, sale, offering to barter, barter, offering to pur-
14 chase, purchase, delivery for shipment, shipment,
15 causing to be shipped or delivered for transpor-
16 tation, transport, causing to be transported, car-
17 rying, causing to be carried, or receiving for ship-
18 ment, transportation, or carriage of any Alaska Na-
19 tive handicraft on the basis that the Alaska Native
20 handicraft contains a nonedible migratory bird part.

21 “(3) LIMITATION.—This subsection does not
22 apply to any Alaska Native handicraft containing a
23 part of a migratory bird that was taken in a waste-
24 ful manner.”.

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