

Tom Sulli

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.

S. 1965

To amend the Marine Mammal Protection Act of 1972 to protect the cultural practices and livelihoods of producers of Alaska Native handicrafts and traditional mammoth ivory products, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. Sullivan

Viz:

1 Strike all after the enacting clause and insert the following:
2

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Allowing Alaska Ivory Act".

5 **SEC. 2. ALASKA NATIVE HANDICRAFTS.**

6 Section 101(b) of the Marine Mammal Protection Act
7 of 1972 (16 U.S.C. 1371(b)) is amended—

8 (1) by striking paragraph (1) and all that follows through "is done" in the first sentence of paragraph (2) and inserting the following:
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10

11 "(A)(i) is for subsistence purposes; or

1 “(ii) is done”;

2 (2) by redesignating paragraph (3) as subpara-
3 graph (B), and indenting appropriately;

4 (3) in the matter preceding subparagraph (A)(i)
5 (as redesignated by paragraph (1)), by striking “(b)
6 Except as” and inserting the following:

7 “(b) APPLICATION TO CERTAIN ALASKA NATIVES.—

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

9 “(A) AUTHENTIC NATIVE ARTICLE OF
10 HANDICRAFTS AND CLOTHING.—The term ‘au-
11 thentic native article of handicrafts and cloth-
12 ing’ means an item composed wholly or in some
13 significant respect of natural materials that is
14 produced, decorated, or fashioned in the exer-
15 cise of traditional native handicrafts without
16 the use of a pantograph, multiple carvers, or
17 any other mass copying device.

18 “(B) TRADITIONAL NATIVE HANDI-
19 CRAFTS.—The term ‘traditional native handi-
20 crafts’ includes weaving, carving, stitching, sew-
21 ing, lacing, beading, drawing, and painting.

22 “(2) APPLICATION.—Except as”;

23 (4) in subparagraph (A)(ii) of paragraph (2)
24 (as redesignated by paragraph (1)), by striking “and

1 clothing;" and all that follows through "painting"
2 and inserting "and clothing";

3 (5) in the flush text following subparagraph (B)
4 of paragraph (2) (as redesignated by paragraph (2)),
5 by striking "Notwithstanding the preceding provi-
6 sions of this subsection, when" and inserting the fol-
7 lowing:

8 "(3) LIMITATIONS.—Notwithstanding para-
9 graph (2), if"; and

10 (6) by adding at the end the following:

11 "(4) SPECIAL RULES.—

12 "(A) INTERSTATE COMMERCE.—Only au-
13 thentic native articles of handicrafts and cloth-
14 ing may be sold in interstate commerce.

15 "(B) EDIBLE PORTIONS OF MARINE MAM-
16 MALS.—Any edible portion of a marine mammal
17 may be sold in a native village or town in Alas-
18 ka or for native consumption.

19 "(5) PROHIBITIONS.—No State or political sub-
20 division thereof shall prohibit the importation, sale,
21 offer for sale, transfer, trade, barter, possession or
22 possession with the intent to sell, transfer, trade, or
23 barter of mammoth, mastodon, or walrus ivory, ma-
24 rine mammal bones, teeth, or baleen produced under

1. this title by an Indian, Aleut, or Eskimo as an au-
2. thentic native article of handicrafts and clothing.”.