

Alaska Native Sale of Migratory Bird Handicrafts Final Rule

Questions and Answers

1. Why has the U.S. Fish and Wildlife Service made these changes?

Regulations (50 CFR 92.6) previously prohibited the sale or purchase of migratory birds, their parts, or their egg(s) taken under the migratory bird subsistence harvest in Alaska. Native artisans in Kodiak submitted a request to the Alaska Migratory Bird Co-management Council to allow the inedible parts from birds taken for food during the subsistence hunt, to be incorporated into handicrafts for sale. The Alaska Migratory Bird Co-management Council developed a proposal to legalize the sale of handicrafts that incorporate the inedible parts of migratory birds taken for food during the spring/summer Alaska subsistence harvest season.

2. How were these changes developed?

The changes were developed by the Alaska Migratory Bird Co-management Council, whose members include a representative from the U.S. Fish and Wildlife Service, the Alaska Department of Fish and Game, and ten tribal representatives. The Co-management Council's proposed changes have been presented to the Pacific Flyway Council and to the Service's Regulations Committee. The rule has been approved by the Director of the U.S. Fish and Wildlife Service.

3. What changes have been made?

The rule includes a provision to allow the sale, including consignment sales, of handicrafts that contain the inedible parts of birds taken for food during the Alaska spring and summer subsistence harvest and definitions for authentic native article of handicraft or clothing, migratory birds authorized for use in handicrafts or clothing, and sales by consignment.

4. Who is eligible to sell articles containing migratory bird parts under these regulations?

Consistent with Article 11(4)(b) of the Protocol between the United States and Canada, only Alaska Natives would be eligible to sell handicrafts or articles of clothing that incorporate the inedible parts of migratory birds. Eligibility can be shown by a tribal enrollment card, Bureau of Indian Affairs card, or membership in the [Silver Hand program](#). The Silver Hand program is a state program that helps Alaska Native artists promote their work and certifies for consumers that artwork with a silver hand insignia was made by an Alaska Native artist.

5. How will the Service ensure that the new regulations do not increase the overall migratory bird harvest or increase the risk to threatened and endangered species?

Limited sale of Alaska Native-made handicrafts containing inedible parts of migratory birds taken during the subsistence season is not expected to significantly increase harvest rates or have a significant impact to bird species or the environment. Alaska subsistence harvest rates have continued to decline over the past years, similarly to declining sport-hunting harvest rates in Alaska

during the past several years. Handicraft items must be created by hand by an Alaska Native person, so there would be limited producers of handicraft. Product sales will be limited to being conducted by Alaska Native artists only or their consignees. The market for traditional Alaska Native art is limited and not a major item of commerce, especially with restrictions in international sale. Lastly, continued monitoring of the subsistence harvest will enable tracking trends in harvest levels.