

114TH CONGRESS  
2D SESSION

# S. 2728

To facilitate the import of marine mammal products into the United States  
by Alaska Natives.

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IN THE SENATE OF THE UNITED STATES

MARCH 17, 2016

Mr. SULLIVAN introduced the following bill; which was read twice and referred  
to the Committee on Commerce, Science, and Transportation

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## A BILL

To facilitate the import of marine mammal products into  
the United States by Alaska Natives.

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. SHORT TITLE.**

4       This Act may be cited as the “Alaska Native Access  
5       Card Act”.

6       **SEC. 2. DEFINITION OF ALASKA NATIVE.**

7       (a) DEFINITION.—Section 3 of the Marine Mammal  
8       Protection Act of 1972 (16 U.S.C. 1362) is amended—

9               (1) by redesignating paragraphs (1) through  
10              (29) as paragraphs (7), (5), (8), (11), (12), (14),

1 (15), (17), (19), (20), (21), (24), (26), (29), (30),  
2 (9), (4), (10), (25), (22), (23), (3), (2), (27), (28),  
3 (18), (16), (13), and (6), respectively;

4 (2) in paragraph (2) (as so redesignated), by  
5 striking “Indians, Aleuts, or Eskimos” and inserting  
6 “Alaska Natives”;

7 (3) in subparagraph (B) of paragraph (24) (as  
8 so redesignated), by striking “in section” and insert-  
9 ing “In section”; and

10 (4) by inserting before paragraph (2) (as so re-  
11 designated) the following:

12 “(1) ALASKA NATIVE.—

13 “(A) IN GENERAL.—The term ‘Alaska Na-  
14 tive’ has the meaning given the term ‘Native’ in  
15 section 3 of the Alaska Native Claims Settle-  
16 ment Act (43 U.S.C. 1602).

17 “(B) INCLUSION.—The term ‘Alaska Na-  
18 tive’ includes any Tsimishian Indian, regardless  
19 of whether the Tsimishian Indian is enrolled in  
20 the Metlakatla Indian Community.”.

21 (b) CONFORMING AMENDMENTS.—

22 (1) Section 101 of the Marine Mammal Protec-  
23 tion Act of 1972 (16 U.S.C. 1371) is amended—

1 (A) in subsections (a) and (b), by striking  
2 “Indian, Aleut, or Eskimo” each place it ap-  
3 pears and inserting “Alaska Native”;

4 (B) in subsection (a)(5)(D)(iv), by striking  
5 “clauses” and inserting “clause”; and

6 (C) in subsection (b)—

7 (i) in paragraph (2), by striking “na-  
8 tive” each place it appears and inserting  
9 “Alaska Native”; and

10 (ii) in the undesignated matter fol-  
11 lowing paragraph (3), in the first sentence,  
12 by striking “Indians, Aleuts, or Eskimos”  
13 and inserting “Alaska Natives”.

14 (2) Section 109 of the Marine Mammal Protec-  
15 tion Act of 1972 (16 U.S.C. 1379) is amended—

16 (A) in subsection (b)(3)(B)(i), by striking  
17 “section 3(14)(B)” and inserting “section  
18 3(29)(B)”;

19 (B) in paragraphs (1) and (2) of sub-  
20 section (d), by striking “section 3(14)(B)” each  
21 place it appears and inserting “section  
22 3(29)(B)”;

23 (C) in subsection (e)(2)(B), by striking  
24 “Alaskan Natives” and inserting “Alaska Na-  
25 tives”.

1           (3) Section 202(a)(7) of the Marine Mammal  
 2           Protection Act of 1972 (16 U.S.C. 1402(a)(7)) is  
 3           amended by striking “Indians, Eskimos, and Aleuts”  
 4           and inserting “Alaska Natives”.

5           (4) Section 408(g)(2) of the Marine Mammal  
 6           Protection Act of 1972 (16 U.S.C. 1421f-1(g)(2)) is  
 7           amended by striking “section 3(12)(A)” and insert-  
 8           ing “section 3(24)(A)”.

9           (5) Section 508(a)(1) of the Marine Mammal  
 10          Protection Act of 1972 (16 U.S.C. 1423g(a)(1)) is  
 11          amended by striking “Alaskan natives” and insert-  
 12          ing “Alaska Natives”.

13 **SEC. 3. ALASKA NATIVE ACCESS CARDS.**

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

16               (1) in subparagraph (A)—

17                       (A) in clause (ii), by striking “or” after  
 18                       the semicolon;

19                       (B) in clause (iii), by striking the period at  
 20                       the end and inserting “; or”; and

21                       (C) by adding at the end the following:

22                               “(iv) is imported into the United  
 23                               States for noncommercial purposes by an  
 24                               Alaska Native presenting an Alaska Native

1 Access Card issued under subparagraph  
2 (C).”; and

3 (2) by adding at the end the following:

4 “(C) ESTABLISHMENT OF ALASKA NATIVE  
5 ACCESS CARDS.—

6 “(i) IN GENERAL.—Not later than 90  
7 days after the date of enactment of the  
8 Alaska Native Access Card Act, the Sec-  
9 retary shall develop and implement a proc-  
10 ess for issuing an access card, to be known  
11 as an ‘Alaska Native Access Card’ (re-  
12 ferred to in this subparagraph as an ‘ac-  
13 cess card’) to any Alaska Native who ap-  
14 plies for an access card.

15 “(ii) AUTHORIZATION.—An access  
16 card issued under this subparagraph shall  
17 authorize the import by Alaska Natives of  
18 marine mammal products.

19 “(iii) DEADLINE.—Not later than 30  
20 days after receipt of an application under  
21 clause (i), the Secretary shall issue the ac-  
22 cess card to the applicant.”.

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