

105TH CONGRESS  
1ST SESSION

# H. R. 2291

To amend the Fish and Wildlife Improvement Act of 1978 to enable the Secretary of the Interior to more effectively utilize the proceeds of sales of certain items.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 29, 1997

Mr. SKAGGS introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To amend the Fish and Wildlife Improvement Act of 1978 to enable the Secretary of the Interior to more effectively utilize the proceeds of sales of certain items.

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. FINDINGS AND PURPOSE.**

4 (a) FINDINGS.—The Congress finds the following:

5 (1) The United States Fish and Wildlife Service  
6 (in this Act referred to as the “Service”) is respon-  
7 sible for storage and disposal of fish and wildlife, in-  
8 cluding eagles and eagle parts, and other items  
9 which have become the property of the United States

1 through abandonment or forfeiture under applicable  
2 laws related to fish, wildlife, or plants.

3 (2) The Service distributes many items de-  
4 scribed in paragraph (1) for educational and sci-  
5 entific uses, and in addition is responsible for the  
6 collection of dead eagles and for making such eagles  
7 or parts thereof available to Native Americans for  
8 religious purposes.

9 (3) Some of the items described in paragraph  
10 (1) that are not distributed as described in para-  
11 graph (2) can be disposed of by sale.

12 (4) Under current law, not all the proceeds of  
13 such sales are available to cover all of the expenses  
14 incurred in such sales and distributions.

15 (5) Making all proceeds from such sales avail-  
16 able to cover costs incurred in such sales and dis-  
17 tributions will result in more effective implementa-  
18 tion of the laws under which such sales and distribu-  
19 tions are carried out, and will permit the Service to  
20 make more extensive distributions for educational,  
21 scientific, and Native American religious purposes.

22 (b) PURPOSE.—The purpose of this Act is to author-  
23 ize the use of proceeds from sales described in subsection  
24 (a)(3) for the purposes described in subsection (a)(5), and  
25 thereby to permit more effective use of such proceeds.

1 **SEC. 2. AMENDMENT.**

2 Section 3(c) of the Fish and Wildlife Improvement  
3 Act of 1978 (16 U.S.C. 742l(c)) is amended—

4 (1) by inserting “(1)” before “Notwithstand-  
5 ing”; and

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

7 “(2) Any revenues received from the disposition of  
8 items under paragraph (1), and all sums referred to in  
9 the first sentence of each of the provisions of law codified  
10 in sections 1540(d) and 3375(d) of title 16, United States  
11 Code, shall be available for—

12 “(A) payments under those provisions of law;

13 and

14 “(B) payment of costs associated with—

15 “(i) shipping items referred to in para-  
16 graph (1) to and from storage, sale, or tem-  
17 porary or final disposition, including temporary  
18 or permanent loan;

19 “(ii) storage of such items, including in-  
20 ventory and security thereof;

21 “(iii) appraisal of such items;

22 “(iv) sale or other disposal of such items  
23 pursuant to applicable law, including auctioneer  
24 commissions and related expenses;

25 “(v) payment of any valid liens or other  
26 encumbrances on such items or other steps re-

1           quired in order to clear the title to such items;

2           and

3                   “(vi) processing and shipping of eagles and

4           other migratory birds and parts thereof for Na-

5           tive American religious purposes.”.

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