

110TH CONGRESS
1ST SESSION

H. R. 4093

To amend the Migratory Bird Treaty Act to provide for penalties and enforcement for intentionally taking protected avian species, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 2007

Mr. DEFAZIO (for himself, Mr. WU, Mr. BLUMENAUER, and Ms. HOOLEY) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Migratory Bird Treaty Act to provide for penalties and enforcement for intentionally taking protected avian species, 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. SHORT TITLE.**

4 This Act may be cited as the “Migratory Bird Treaty
5 Act Penalty and Enforcement Act of 2007”.

6 **SEC. 2. AMENDMENT OF MIGRATORY BIRD TREATY ACT.**

7 Section 6 of the Migratory Bird Treaty Act (16
8 U.S.C. 707) is amended by redesignating subsections (c)

1 and (d) as subsections (d) and (e), respectively, and by
2 inserting after subsection (b) the following:

3 “(c)(1) Except in the case of hunting and other activ-
4 ity allowed under section 3, whoever, in violation of this
5 Act, intentionally takes by any manner any migratory bird
6 shall be guilty of a felony, and, upon conviction, shall be
7 fined not more than \$50,000 for each violation or impris-
8 oned for not more than one year, or both.

9 “(2) Any person who intentionally commits any other
10 act or omission in violation of this Act or any regulations
11 issued under this Act shall, upon conviction, be guilty of
12 a felony and shall be fined not more than \$25,000 for each
13 violation or imprisoned for not more than six months, or
14 both.”.

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