

AMENDMENT TO H.R. 3590
OFFERED BY MR. CRAWFORD OF ARKANSAS

Add at the end the following:

1 **TITLE _____—EXEMPTIONS FOR**
2 **TAKING MIGRATORY BIRDS**
3 **ON CERTAIN AGRICULTURAL**
4 **LAND**

5 **SEC. __01. SHORT TITLE.**

6 This title may be cited as the “Hunter and Farmer
7 Protection Act”.

8 **SEC. __02. EXEMPTIONS ON CERTAIN LAND.**

9 Section 3 of the Migratory Bird Treaty Act (16
10 U.S.C. 704) is amended by adding at the end the fol-
11 lowing:

12 “(c) EXEMPTIONS ON CERTAIN LAND.—

13 “(1) IN GENERAL.—Nothing in this section pro-
14 hibits the taking of any migratory game bird, includ-
15 ing waterfowl, coots, and cranes, on or over land
16 that—

17 “(A) contains—

18 “(i) a standing crop or flooded stand-
19 ing crop, including an aquatic crop;

1 “(ii) standing, flooded, or manipulated
2 natural vegetation;

3 “(iii) flooded harvested cropland; or

4 “(iv) an area in a State on which seed
5 or grain has been scattered solely as the
6 result of an agricultural planting, har-
7 vesting, or post-harvest manipulation prac-
8 tice, or a soil stabilization practice, that
9 the head of the State office of the Coopera-
10 tive Extension System of the Department
11 of Agriculture has determined in accord-
12 ance with paragraph (2) to be a normal
13 practice in that State; and

14 “(B) is not otherwise a baited area.

15 “(2) STATE DETERMINATIONS.—

16 “(A) IN GENERAL.—The head of a State
17 office of the Cooperative Extension System may
18 make a determination for purposes of para-
19 graph (1)(A)(iv) upon the request of the Sec-
20 retary of the Interior.

21 “(B) REVISIONS.—The head of a State of-
22 fice of the Cooperative Extension System may
23 revise a determination under subparagraph (A)
24 as the head of a State office determines to be

1 necessary to reflect changing agricultural prac-
2 tices.

3 “(C) CONCURRENCE REQUIRED.—A deter-
4 mination or revision under this paragraph shall
5 not be effective for purposes of this subsection
6 unless the head of the State department of fish
7 and wildlife concurs therein.”.

