

Fact Sheet



Sale of Marine Mammal Parts and Handicrafts by Alaska Natives

November, 2004

U.S. Fish and Wildlife Service - Department of the Interior

This fact sheet addresses frequently asked questions concerning the sale of walrus, sea otter, and polar bear parts and handicrafts by Alaska Natives. For answers to specific questions, contact one of the offices listed on the back of this sheet.

WHO MAY HARVEST MARINE MAMMALS AND CREATE HANDICRAFTS?

Alaska Natives (Indians, Aleuts or Eskimos) who reside in Alaska and dwell on the coast of the North Pacific Ocean or the Arctic Ocean may harvest marine mammals for subsistence purposes or the creation and sale of Native articles of handicraft or clothing, providing the harvest is not wasteful. A Native must be one-fourth degree or more Alaska Indian, Aleut, or Eskimo or be enrolled under the Alaska Native Claims Settlement Act. **Under the Marine Mammal Protection Act, it is illegal for a person who is not Indian, Aleut, or Eskimo to harvest marine mammals or to create handicrafts from marine mammals harvested after December 21, 1972.**

WHAT IS LEGAL FOR AN ALASKA NATIVE TO SELL TO A NON-NATIVE?

Alaska Natives may sell or trade authentic Native handicrafts created from marine mammal parts to non-Natives. **It is illegal to sell trade or barter marine mammal parts in their natural unaltered form to a non-Native.**

WHAT IS AN AUTHENTIC NATIVE HANDICRAFT?

Authentic Native handicrafts are items composed wholly or in some significant respect of natural materials **which are significantly altered from their natural form** and which are produced, decorated, or fashioned in the exercise of traditional handicrafts without the use of pantographs, multiple carvers or other mass copying devices. Traditional handicrafts include, but are not limited to weavings, carvings, stitching, sewing, lacings, beadings, drawings, and paintings.

CAN UNALTERED WALRUS SKULLS, HEAD MOUNTS, TUSKS, OR OOSIKS BE SOLD TO NON-NATIVES?

No, it is illegal to sell unaltered walrus skulls, head mounts, tusks, or oosiks (penis bones) to non-Natives. Walrus skulls, head mounts, tusks, or oosiks must be fashioned into authentic Native handicrafts (significantly altered from their natural form) before they may be sold to non-Natives. Polishing these objects alone does not qualify as "significant alteration."

CAN UNALTERED WALRUS SKULLS, HEAD MOUNTS, TUSKS, OR OOSIKS BE SOLD TO ALASKA NATIVES?

Yes, Alaska Natives may sell or trade any walrus parts in any form to other Alaska Natives without restriction. However before they are sold, tusks must be tagged through the FWS Marking, Tagging, & Reporting Program.. **It is the seller's responsibility to make sure that the buyer or recipient is a qualified Alaska Native.** If you are in doubt, ask to see proper identification, which could include but is not limited to a BIA card or a certificate of Indian blood.

CAN SEA OTTER OR POLAR BEAR HIDES, SKULLS, OR CLAWS BE SOLD TO NON-NATIVES?

No, it is illegal to sell, trade, or barter sea otter or polar bear hides or unaltered skulls and claws to non-Natives. Sea otter and polar bear hides or skulls and claws must be fashioned into authentic Native handicrafts (significantly altered from their natural form) before they may be sold or transferred to non-Natives. Tanning alone is not considered “significantly altered”.

CAN SEA OTTER OR POLAR BEAR HIDES OR SKULLS BE SOLD TO ALASKA NATIVES?

Yes, Alaska Natives may sell or trade any sea otter and polar bear parts in any form to other Alaska Natives without restriction. Hides and skulls must be tagged through the FWS, Marking, Tagging, & Reporting Program prior to sale. **It is the seller’s responsibility to make sure that the buyer or recipient is a qualified Alaska Native. If you are in doubt, please ask to see proper identification, which could include but is not limited to a BIA card or tribal enrollment card from a federally recognized Alaska tribe.**

WHAT IS A REGISTERED AGENT?

A Registered Agent is a person who has registered with the U.S. Fish and Wildlife Service and possesses a certificate allowing him/her to legally buy unaltered walrus ivory, sea otter hides and/or polar bear hides from Alaska Natives for resale to other Alaska Natives or registered agents. Registered agents may not sell to non-Natives.

WHAT SHOULD I DO IF A NON-NATIVE ASKS ME TO SELL THEM UNALTERED MARINE MAMMAL PARTS?

You should explain to them that it is illegal and show them this fact sheet. If the person persists in asking, you may report them to the U.S. Fish & Wildlife Service, Law Enforcement Office (see below for contact information). If the person claims to be a Registered Agent, ask to see a copy of their registration permit or contact USFWS Law Enforcement (see contact information below) for confirmation, before making a sale.

WHERE CAN I GET INFORMATION CONCERNING OTHER MARINE MAMMALS?

For information on whales, seals, sea lions, porpoises, and dolphins, contact the National Marine Fisheries Service (907)-271-5006.

FOR MORE INFORMATION PLEASE CONTACT THE FOLLOWING OFFICES:

- Alaska Nanuuq Commission, P.O. Box 946, Nome AK 99762, (907) 443-5044
- Eskimo Walrus Commission, P.O. Box 948, Nome, AK 99762, (907) 443-4380 or 1-877-277-4392
- Chief, Marine Mammals Management Office, USFWS, 1011 East Tudor Rd., Anchorage, AK 99503, (907) 786-3800 or 1-800-362-5148
- Special Agent in Charge, USFWS, Division of Law Enforcement, 1011 East Tudor Rd., Anchorage, AK 99503, (907) 786-3311
- USFWS, Office of Law Enforcement, P.O. Box 2030, Nome, AK 99762 (907)-443-2479
- USFWS, Office of Law Enforcement, 1412 Airport Way, Fairbanks, AK 99701 1-877-535-1795
- National Marine Fisheries Service, 701 C. Street, P.O. Box 43, Anchorage, AK 99513, (907) 271-5006

###