

SENSE OF THE CONGRESS REGARDING HUNTING SEASONS  
FOR MIGRATORY MOURNING DOVES

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MARCH 4, 2002.—Referred to the House Calendar and ordered to be printed

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Mr. HANSEN, from the Committee on Resources,  
submitted the following

R E P O R T

[To accompany H. Con. Res. 275]

The Committee on Resources, to whom was referred the concurrent resolution (H. Con. Res. 275) expressing the sense of the Congress that hunting seasons for migratory mourning doves should be modified so that individuals have a fair and equitable opportunity to hunt such birds, having considered the same, report favorably thereon without amendment and recommend that the concurrent resolution be agreed to.

PURPOSE OF THE BILL

The purpose of H. Con. Res. 275 is to express the Sense of the Congress that hunting seasons for migratory mourning doves should be modified so that individuals have a fair and equitable opportunity to hunt such birds.

BACKGROUND AND NEED FOR LEGISLATION

The mourning dove is the most widely distributed migratory game bird in North America, nesting in 48 of the 50 states in America. Both male and female birds measure from 11 to 13 inches in length and weigh four to five ounces each. Their average life span is about 18 months and they reproduce up to four sets of offspring each year. Typically, the eggs hatch in about 14 days. The young doves grow rapidly, leaving the nest in 12 to 14 days, and become independent of their parents at about three weeks of age. Doves have adapted well to man-made habitat, preferring the open fields, abundant food supply, and forest edges that modern agriculture provide. Despite this fact, the annual mortality rate of mourning doves is around sixty percent regardless of whether hunting activity occurs.

The Migratory Bird Treaty of 1916, which has been signed by the United States, Canada, Great Britain, Japan, Mexico and Russia, established a framework that allows the hunting of migratory game birds to occur between September 1st and March 10th. Migratory birds has been defined to include: all wild species of ducks, geese, brants, coots, gallinules, rails, snipes, woodcocks, crows and mourning and white-winged doves. There is little legislative history justifying the selection of this fall opening date and in the 86 years since the Treaty's ratification, migration routes, hunting practices and conservation efforts have significantly changed.

About 50 million mourning doves are taken by U.S. hunters each year, which is more than any other game species. Unfortunately, because of naturally occurring events, most doves have migrated to the southern regions of the United States by the arbitrary date of September 1st. It is not uncommon for the fall hunting season to last less than one week or even one day in northern states like Colorado, Maryland, Montana and Utah. The net effect is that thousands of Americans are denied a fair and equitable chance to harvest migratory mourning doves. The last week of August has been identified as a transition period when doves are not nesting but are preparing for their annual southern migration. Biologists have consistently found that regulated hunting for mourning doves has no significant effect on recruitment of fledglings in mourning dove populations.

H. Con. Res. 275 would urge the Bush Administration to begin negotiations with the other signatories to the Migratory Bird Treaty to modify the hunting framework dates contained within this agreement to extend the hunting season for migratory mourning doves by one week for those States above 37 degrees north latitude (see map). This would allow individuals in those States a fair and equitable opportunity to harvest these birds. This modification would not adversely affect dove populations and it will increase revenues paid into the Federal Aid in Wildlife Restoration Fund which is used to conserve critical wetlands that provide habitat for millions of migratory birds. In addition, game managers will be free to update any regulations necessary to allow for a lengthened season. This legislation would not affect those States that do not have a dove hunting season.

#### COMMITTEE ACTION

H. Con. Res. 275 was introduced on November 16, 2001, by Congressman Jim Hansen (R-UT) and was referred to the Committee on Resources. Within the Committee, the bill was referred within the Committee to the Subcommittee on Fisheries Conservation, Wildlife and Oceans. On December 6, 2001, the Subcommittee met to mark up the legislation. There were no amendments and the resolution was then forwarded to the Full Committee by voice vote. On February 27, 2002, the full Resources Committee met to consider the measure. No amendments were offered and the resolution was then ordered favorably reported to the House of Representatives by unanimous consent.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Re-

sources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. The bill expresses a sense of Congress regarding dove hunting and therefore, no costs are incurred.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. H. Con. Res. 275 is a sense of Congress resolution and therefore, no costs are incurred. No cost estimate was requested from the Congressional Budget Office.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

