



Possession of Eagle Feathers and Parts by Native Americans

Eagles are directly protected under two Federal laws: the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. These laws generally prohibit the possession, use, and sale of eagle feathers and parts as well as a number of other activities.

Such restrictions help ensure the future viability of eagles in the wild. The U.S. Fish and Wildlife Service, however, has long recognized the religious and cultural significance of eagles to Native Americans and works to accommodate these special needs.

The Service operates the National Eagle Repository as a clearinghouse for eagles and eagle parts to provide Native Americans with eagle feathers for religious use. The Repository collects dead eagles salvaged by Federal and State agencies, zoos, and other organizations. Enrolled members of federally recognized tribes (as established under the Federally Recognized Tribal List Act of 1994, 25 U.S.C. Section 479a, 108 Stat. 4791) may obtain a permit from the Service authorizing them to receive and possess eagle feathers and parts from the Repository. Permit applications must include certification of tribal enrollment from the Bureau of Indian Affairs. Because demand is high, waiting periods exist.

Native Americans may also legally possess eagle feathers and parts acquired through certain other means. Such items include any owned before eagles were first protected by Federal law (1940 for bald eagles, and 1962 for golden eagles) and feathers and parts passed down within a family or received as gifts from other Native Americans.

Native Americans may wear feathers legally in their possession or make them into religious or cultural items

for their own or tribal use. They may transfer feathers to tribal craftsmen to be fashioned into such objects; no money may be received for the feathers, but craftsmen may be compensated for their work.

Native Americans may give feathers or other eagle items as gifts to other Native Americans and may hand them down within their families. They may not, however, give them to non-Native Americans.

No person — including Native Americans — may kill or capture eagles without a permit from the Service. Nor may anyone buy, sell, barter, trade, import, or export eagle feathers or items made from them. These prohibitions cover all feathers and parts, including those that “pre-date” Federal protections and others that are legally possessed. (Native Americans, however, can obtain permits to travel overseas with eagle items for religious use.)

Service law enforcement efforts focus on the illegal take and commercial exploitation of eagles by anyone attempting to profit at the expense of these birds. Service officers who encounter individuals with noncommercial quantities of eagle feathers that are being used as personal or religious items will generally take no action if the individuals possess a valid Service permit or reasonably demonstrate that they are enrolled members of a federally recognized tribe. The production of a certificate of enrollment card would be one way for individuals to easily document their tribal affiliation, but this is not a legal requirement. An individual’s possession of such a card would, of course, tend to facilitate the resolution of any questions about the legality of his or her ownership and personal use of eagle feathers.



For More Information

If you have questions about possession and use of eagle feathers and parts, please contact:

**U.S. Fish & Wildlife Service
Office of Law Enforcement
4401 N. Fairfax Drive, MS-3000
Arlington, Virginia 22203
Phone: 703- 358-1949
Email: lawenforcement@fws.gov**

Additional information on how Native Americans may acquire eagle feathers and parts from the Service is available from the agency’s Regional Migratory Bird Permit Offices or by contacting:

**National Eagle Repository
U.S. Fish and Wildlife Service
Rocky Mountain Arsenal, Building 128
Commerce City, Colorado 80022
Phone: 303-287-2110**