

**FISH AND WILDLIFE SERVICE
MIGRATORY BIRDS**

Migratory Birds

Part 724 Migratory Bird Permits

Chapter 4 Permits for Eagle Carcasses, Parts, and Feathers from the National Eagle Repository 724 FW 4

4.1 What is the purpose of this chapter? This chapter explains how to issue permits for possession of eagle carcasses, parts, and feathers for Native American religious ceremonial use.

4.2 What is the objective of this chapter? The objective of this chapter is to streamline the permitting process.

4.3 What are the authorities for this chapter?

- A. Bald and Golden Eagle Protection Act (16 U.S.C. 668a-d).
- B. Migratory Bird Treaty Act (16 U.S.C. 703-712).
- C. Eagle Permits (50 CFR 22).
- D. General Permit Procedures (50 CFR 13).

4.4 Who is responsible for the migratory bird permit program and the National Eagle Repository?

- A. The **Assistant Director – Migratory Birds** has oversight responsibility and the lead role for implementing the migratory bird permit program.
- B. **Regional Directors** are responsible for ensuring that the permitting processes in their areas of responsibility are efficient and effective.
- C. The **Regional Migratory Bird Permit Office staff** issue permits for eagle carcasses, parts, and feathers for Native American religious and cultural use.
- D. The **Chief – Office of Law Enforcement** is responsible for operation of the National Eagle Repository.

4.5 What is the National Eagle Repository? The National Eagle Repository (Repository):

- A. Is a Fish and Wildlife Service facility in Commerce City, Colorado, that receives, stores, and distributes dead bald and golden eagles and their parts and feathers.
- B. Ships eagle carcasses, parts, and feathers to Native Americans for religious ceremonies.
- C. Is operated by the Office of Law Enforcement.

4.6 Who is eligible for eagle possession permits, and how do they get permits and make requests for eagle carcasses, parts, and feathers?

- A. Only enrolled tribal members from federally recognized tribes are eligible for permits to possess eagles for religious use. The Secretary publishes a list of recognized tribes annually (see 25 U.S.C. 479a-1). An individual tribal member may apply on behalf of a school or other organization.
- B. To get a permit and to make a first request for an eagle part or feather, an applicant sends the following information to the Regional Migratory Bird Permit Office that serves his or her area:
 - (1) FWS Form 3-200-15A. The form includes a completed Permit Application and a First Order form.
 - (2) A valid Certificate of Enrollment that:
 - (a) Originates from the tribal enrollment office of a federally recognized tribe, and

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(b) Includes an enrollment number.

C. For all subsequent requests for eagle carcasses, parts, and feathers, permittees send the Re-Order Request Form (FWS Form 3-200-15B) directly to the Repository. A permittee may have only one request pending at a time.

4.7 What are the procedures for issuing permits for possession of eagle carcasses, parts, and feathers for Native American religious and cultural use?

A. Regional Migratory Bird Permit Office staff (Regional Offices):

(1) Process the applications and issue the permits.

(2) When issuing the permit, send a copy of the Permit Application and First Order form to the Repository so the Repository can fill the request.

(3) Are responsible for administration of procedures to suspend or revoke permits in accordance with the procedures in 50 CFR 13.27, 28, and 29.

B. The Repository staff:

(1) Fill the requests in the order in which they receive them.

(2) Send a transmittal letter with the shipment for the permittee's records.

(3) Track all shipments to verify delivery confirmation.

(4) Keep records of the history of requests and acquisitions.

4.8 How does the Service process changes of address?

A. The permittee should notify the Regional Office if his or her address or telephone number changes. Unless requested by the permittee, the Service will not amend permits for address changes. If a permittee wants an amended permit to reflect the address change, he or she must request the amendment by sending a signed request to the Regional Office. The Regional Office staff will amend the permit with the new contact information.

B. If Repository staff receive a request to amend permits to reflect a change of address, they will send the request to the appropriate Regional Office

4.9 What are the restrictions and limitations of eagle possession permits?

A. We do not restrict the number of eagle carcasses, parts, and feathers the permittee may hold under the permit. However, the permit only covers items that the Repository distributes.

B. A permit is valid for the life of the permittee unless suspended or revoked.

Date:

DEC 20 2007

Acting
DIRECTOR



MIGRATORY BIRDS