



FREQUENTLY ASKED QUESTIONS ABOUT A FEDERAL NATIVE AMERICAN TRIBAL EAGLE REMAINS PERMIT

A Tribal Eagle Remains permit authorizes a tribal entity engaged in Indian religious activities to collect remains of Bald Eagles and/or Golden Eagles found on Tribal lands for the Tribe's religious use. For a Quick Reference, please see page 4 of this document.

You should review Title 50 Parts 10, 13, and 22.22 of the Code of Federal Regulations (CFR). You should also review [Service Manual Chapter 720 FW 6.7: Handling and Distribution of Bald and Golden Eagles and Parts](#). **You are responsible for reviewing and understanding these regulations before you request and accept a permit.** These regulations can be found on our website at: [Eagle Management](#)

1. *Who can receive a Federal Tribal Eagle Remains Permit?*

A Federal Tribal Eagle Remains permit will be issued only to a Tribe that is federally recognized under the Federally Recognized Tribal List Act of 1994, 25 U.S.C. 479a-1, 108 Stat. 4791 (1994).

2. *What does a Federal Tribal Eagle Remains Permit authorize?*

A Federal Tribal Eagle Remains permit authorizes the Tribe to salvage with prior approval, receive, possess, distribute, and transport within the United States bald eagles and/or golden eagles for Indian religious purposes. Eagles must be found dead within the Tribe's Indian Country and includes whole remains, partial remains, and feathers.

3. *Where can eagle remains be salvaged?*

Eagles remains found within the Tribe's Indian Country may be salvaged. Indian Country is defined under 18 U.S.C. 1551 as (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

4. *When should a tribe apply for a permit?*

The Service encourages interested tribes to apply for a permit prior to discovery of eagle remains. Coordination with the Service's Office of Law Enforcement is required prior to salvage of whole eagle remains. The permit conditions outline this process and in the permit application, the tribe identifies the appropriate tribal contacts to coordinate with the Service.

5. *What if a tribe discovers an eagle and does not have a permit?*

Do NOT salvage the eagle remains. The Tribal Leader or approved contact designated by the Tribal Leader must contact the Service's [Office of Law Enforcement](#) for instructions and approval prior to collection. The Tribe must then apply for and receive a permit prior to taking possession of the eagle remains. If a tribal member discovers an eagle, the Service recommends that the member work with tribal leadership to contact the Service; however, the member may also contact the Office of Law Enforcement directly, especially if there is concern that the eagle remains may be disturbed.

6. How does the Tribe work with the Service Office of Law Enforcement?

The Tribe will need to coordinate with the Service's Office of Law Enforcement (OLE) for every eagle discovered, whether an eagle is discovered before or after the Tribe receives a permit. OLE coordinates with the Tribe regarding picking up the remains and any necessary investigation. The Tribe may designate individuals who may represent the Tribe in coordination with the OLE, such as Tribal Law Enforcement or Tribal Natural Resources staff. The Service recommends identifying positions, rather than individuals, on the permit to reduce the need for frequent updating of staff names.

7. What is the authorized disposition of eagle remains?

At the discretion of the Tribal Leader (Principal Officer named on the permit), eagle remains may be distributed to enrolled members of federally recognized tribes or any federally recognized tribal entities who are listed under 25 U.S.C. 5131. The Tribe is responsible for ensuring recipients meet these requirements. Remains may also be otherwise handled in the customs of the tribe.

8. What is not authorized by a Tribal Eagle Remains permit?

This permit does not authorize locations other than Indian Country, nor does it authorize the take (shoot, poison, capture, trap, disturb) of eagles from the wild. Eagle remains, feathers, or parts may not be purchased, sold, traded, or bartered. Additional authorization is required for other migratory bird species. Contact your Migratory Bird Permit Office for more information about migratory bird remains permits.

9. What do I do if I find an injured eagle?

Contact the nearest eagle rehabilitator. They can provide instructions on the transportation and care of the injured eagle. Your regional Migratory Bird Permit Office or State Wildlife Agency can assist you with finding a permitted rehabilitator. Licensed veterinarians may also provide emergency care and euthanasia. If the injured eagle is discovered within a tribe's Indian Country and subsequently dies outside of Indian Country, the eagle still qualifies for transfer to an Eagle Remains permit. The Tribe must hold an Eagle Remains permit and coordinate with OLE as required. For euthanized eagles, there may be a risk of secondary poisoning. The Service recommends you contact the attending veterinarian and/or OLE for questions about safe use and follow their recommendations for disposal of any potentially contaminated parts.

10. How long does it take to obtain a permit?

Processing times can vary. Generally, once a completed application is received, permits are processed within 30-90 days. However, this time can be longer when applications are received incomplete, requests are complex, or applications are received during peak season. The Service encourages any interested tribes to apply for a permit prior to discovery of an eagle to minimize Permit Office delays in the release of a discovered eagle.

11. Is there a processing fee for a Federal Tribal Eagle Remains permit?

No. There are no fees for processing a Federal Tribal Eagle Remains permit application or amendment.

12. What is the tenure of a Tribal Eagle Remains permit?

Tribal Eagle Remains permits are indefinite, there is no expiration date.

13. Who are the personnel identified on my permit and what are they authorized to do?

The Service uses the following terms for personnel related to permit activities. The Principal Officer must be an enrolled member of a federally recognized tribe. There is no requirement for other personnel to be enrolled members of federally recognized tribes.

- (a) Principal Officer. For permits issued to organizations, a Principal Officer is identified on the permit; they are the permittee. The Principal Officer is the person in charge of the organization and is responsible for the application and any permitted activities. In the case of a Tribe this would generally be the Chairman or President or other leader of the tribal governing body.
- (b) Primary Contact. The Primary Contact is the person in the organization who is available to answer questions about the application or permitted activities. This person may be the same or different than the Principal Officer. The Primary Contact is not listed on the permit unless the individual is also listed as a subpermittee.

(c) Subpermittee. A subpermittee is an individual authorized to conduct some or all of the permitted activities without the permittee present. You must identify any subpermittees in your application. Your subpermittees must have either a copy of your permit that identifies them as a subpermittee, or a copy of your permit and a letter from the Permittee (Principal Officer) listing activities (including location and duration) they are authorized to conduct.

14. Will I be required to keep records of my activities with eagles authorized by this permit?

Yes. You must maintain accurate records, legibly written or reproducible in English, on a calendar-year basis. If remains are distributed, you must keep the name and address of the person(s) to whom the item(s) were transferred, their federally recognized tribe name, a description of the items, and the date of transfer. These records do not need to be submitted to the MBPO but must be available upon request by an authorized representative of the Service.

15. Will anyone inspect my records or eagles held under a Federal Tribal Eagle Remains permit?

By accepting a Federal Tribal Eagle Remains permit, you authorize an agent of the Service to enter your premises at any reasonable hour to inspect your records. (50 CFR 13.47)

16. Will I be required to submit an annual report of activities?

No. There is no annual report requirement. However, there is a one-time reporting requirement for each eagle you salvage. You must submit the information listed in your permit to your Migratory Bird Permit Office, including identifying eagle information and approving Service Office of Law Enforcement Agent information. You do not need to report to us remains and feathers transferred to others, but you must keep records of these transfers.



Discovered an Eagle Quick Reference



Are you an enrolled member of a federally recognized tribe?

Yes

No

Contact [USFWS-OLE](#) (link below) or your Tribal Law Enforcement.

Is the discovered eagle whole or partial remains?

Yes

No

Federally recognized tribal members are authorized to acquire from the wild naturally molted or fallen feathers of eagles ([2012 DOJ Policy](#))

Are the discovered eagle remains located in your tribe's Indian Country?

Yes

No

Contact [USFWS-OLE](#) (link below) or your Tribal Law Enforcement.

Does your tribe have an Eagle Remains permit?
Note: Tribes may (and are encouraged) to apply for a permit prior to the discovery of an eagle.

Contact your Tribe. Your Tribe will follow the process outlined in their permit conditions. If you do not know who to contact, contact your Tribal Law Enforcement or [USFWS-OLE](#) (see below).

Yes

No

STOP. Do not touch or collect the eagle. Contact [USFWS-OLE](#) (link below) or your Tribal Law Enforcement. USFWS-OLE will provide instructions, including if remains may be collected.

Can the Tribe keep the Eagle Remains?

IF the Tribe has an Eagle Remains permit *and* [USFWS-OLE](#) determines the eagle is eligible to return to the tribe. The permit conditions explain the reporting requirements and how remains may be distributed.

Yes

No

If [USFWS-OLE](#) determines the eagle is not eligible (the eagle is needed as evidence or there are human safety risks) or the Tribe does not have an Eagle Remains permit.

USFWS-OLE (Office of Law Enforcement) Contact Information:
<https://www.fws.gov/program/office-of-law-enforcement/contact-us>