



THE WILDLIFE SOCIETY

Policy Brief Series

Bald and Golden Eagle Protection Act

Congress passed the Bald Eagle Protection Act in 1940 in response to declining populations of the Bald Eagle (*Haliaeetus leucocephalus*) in the early 1900s. The Act was later amended in 1962 to include protections for the Golden Eagle (*Aquila chrysaetos*). The Bald and Golden Eagle Protection Act (Eagle Act) is enforced through regulations written by the U.S. Fish and Wildlife Service (FWS).

Methods

The Eagle Act prohibits anyone without a permit issued by the Department of the Interior from “taking” bald eagles, including their parts, nests, or eggs.¹ To take is defined as to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb. FWS prohibits the take, possession, sale, purchase, barter, transport, export or import, of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless authorized by permit.¹ The Eagle Act prohibits the disturbance of any eagle nest whether active or inactive.

Golden Eagles were added to the Eagle Act in 1962 to address their diminishing population as well as to protect Bald Eagles that were being killed by people mistaking them for Golden Eagles.

Results

Provisions in the Eagle Act, Migratory Bird Treaty Act, and Endangered Species Act enabled the Bald Eagle population to rebound in the lower 48 states from 487 nesting pairs in 1963 to 9,789 nesting pairs in 2006 (Figure 1).²

Golden Eagles now maintain a stable population in the U.S. FWS estimates that there are now 30,000 Golden Eagles in the U.S.³

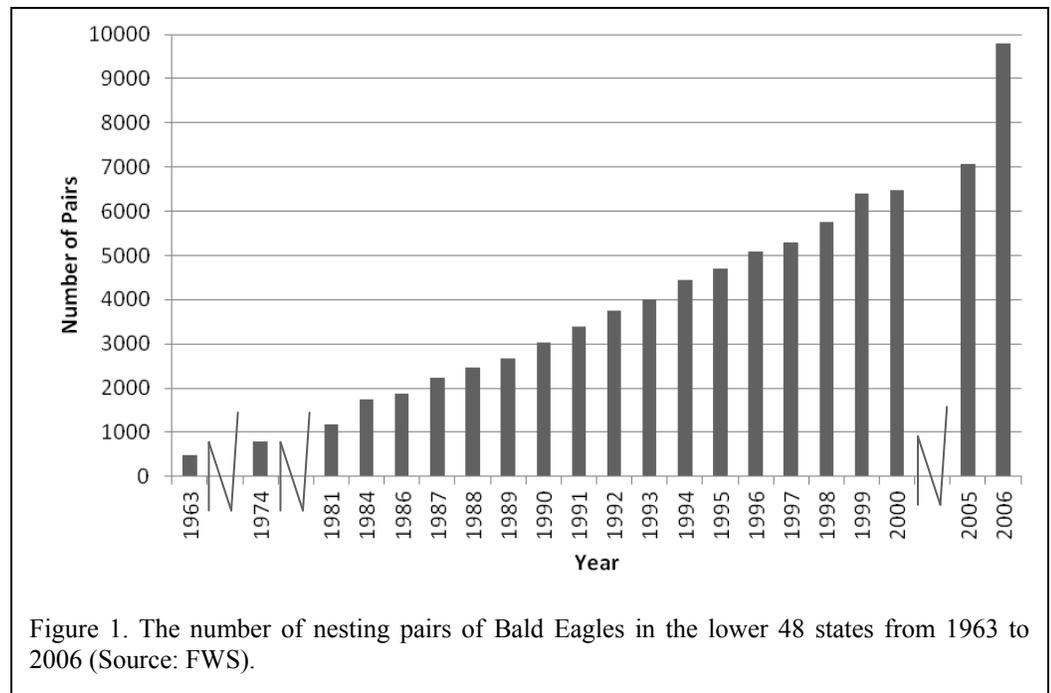
Discussion

The Bald Eagle population south of the 40th parallel was listed as an endangered species in 1967; due to population increases the Bald Eagle was delisted in 2007.² The Bald Eagle and Golden Eagle continue to be protected by the Eagle Act and the Migratory Bird Treaty Act.

The Department of the Interior issues permits for scientific, educational, Indian religious purposes, falconry (Golden Eagles only) and depredation of eagles. Native Americans can contact the National Eagle Repository, a facility managed by the FWS Office of Law Enforcement to obtain Eagle feathers and other parts for religious ceremonies.⁴

Implications for Wildlife Professionals

The Eagle Act empowers wildlife professionals to conserve eagle populations through enforcement of the regulations. Under the Eagle Act the Department of the Interior is authorized to enter into cooperative agreements with state fish and wildlife agencies to enforce the provisions of the act.



Bald and Golden Eagle Protection Act: Features

Operation Rolling Thunder⁵

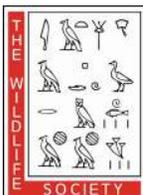
Operation Rolling Thunder was a two-year covert investigation by FWS agents into unlawful trafficking of migratory birds in Montana and South Dakota. The investigation documented 43 transactions of protected migratory birds, primarily bald and golden eagles, in violation of the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act and the Lacey Act from 2008 to 2011. The unlawful transactions included the purchase of multiple whole carcass bald and golden eagles in interstate commerce. In total, the operation was able to purchase feathers, other bird parts like wings and claws and complete birds, which involved at least 80 eagles. Ten of the eleven defendants from the operation were sentenced for violating the Eagle Act; the other defendant was found in violation of the Migratory Bird Treaty Act.



Golden Eagle (Credit: George Gentry, USFWS).

Sources

- 1 USFWS. 2012. The Bald and Golden Eagle Protection Act. <<http://www.fws.gov/midwest/MidwestBird/EaglePermits/bagepa.html>> Accessed 28 Aug 2014.
- 2 USFWS. 2007. Bald Eagle Fact Sheet.
- 3 USFWS. 2011. Golden Eagles Status Fact Sheet.
- 4 FWS. 2014. National Eagle Repository – About Us. <<http://www.fws.gov/eaglerepository/about.php>> Accessed 2 Sept 2014.
- 5 United States District Attorney's Office, District of South Dakota. 2013. <<http://www.justice.gov/usao/sd/pressreleases/SF-2013-02-11-Oprollingthunderl.html>>. Accessed 14 Oct 2014.



The Wildlife Society

Government Affairs and Partnerships
5410 Grosvenor Lane, Suite #200
Bethesda, MD 20814
301.897.9770
policy@wildlife.org

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