

**DIVISION OF NATURAL RESOURCES
NAVAJO NATION DEPARTMENT OF FISH AND WILDLIFE**

EAGLE FEATHER DISTRIBUTION POLICY

I. POLICY

The Navajo Nation Department of Fish and Wildlife (NNDFW) provides a legal means of distributing Eagle Feathers which are naturally molted from eagles housed at the Navajo Nation Zoo, in a fair and equitable manner for the spiritual well-being of the Navajo People.

II. PURPOSE

This Policy establishes guidelines for the Department of Fish and Wildlife to legally distribute eagle feathers to enrolled members of the Navajo Nation. Eagle feathers that are naturally molted (shed) from the live eagles at the Navajo Nation Zoo in Window Rock Arizona will be distributed under the auspices of a federal permit held by the Navajo Nation. This policy only covers molted feathers from the eagles at the Navajo Nation Zoo, and does not include any dead, salvaged eagles, unless separately covered by a Federal Salvage Permit for feathers. This distribution process is designed to provide efficient access to eagle feathers for the Navajo People for traditional-use purposes.

III. DEFINITIONS

1. Navajo Tribal Member – Refers to any person who is recognized as a member of the Navajo Nation by the Navajo Office of Vital Records (Census Office), Window Rock Arizona, and possesses a tribally-issued Certificate of Indian Blood (CIB) and census number.
2. Eagle – An individual bird belonging to the family *Accipitridae* and either species of Golden Eagle (*Aquila chrysaetos*) or Bald Eagle (*Haliaeetus leucocephalus*).
3. 'Long' Eagle Feather – A flight feather naturally molted from the tail or wings of an Eagle; these feathers are referred to as 'Tail', 'Primaries' and 'Secondaries'.

IV. FEDERAL PERMIT

The Navajo Nation holds a federal permit which allows for the keeping of live eagles by the Navajo Nation at the Navajo Zoo, and for the authority to regulate an eagle feather distribution policy and procedure. This permit is the Native American Eagle Aviary - Permit No. MB054509-00; Authority Statute 16 USC 668a; Regulations 50 CFR Part 13, 50 CFR 22.22.

V. REQUIREMENTS FOR APPLICANTS

1. Persons requesting eagle feathers from the Navajo Nation through this distribution system may apply in person at The Navajo Nation NNDFW Office in Window Rock, AZ. Feather requests may also be made by completing and mailing the online "Navajo Nation Eagle Feather Application" from 'www.nndfw.org' or

'www.navajozoo.org' (mail application to: Navajo Nation Department of Fish and Wildlife, P.O. Box 1480, Window Rock, AZ 86515, Attn: Eagle Feather Application)
All applicants must meet all of the following requirements:

- a. Prove membership as a Navajo Tribal Member or member of a federally-recognized Native American Tribe/Nation. Applicant must provide a copy of the Certificate of Indian Blood from their Agency Office of Vital Records. A valid Navajo Nation Identification Card will suffice as a form of identification for enrolled members of the Navajo Nation.
- b. Prove identification by providing a valid state driver's license or state-issued identification card which includes photo-identification and signature.
- c. Must complete, and sign, a Navajo Nation Eagle Feather Application.
- d. Must not have received the maximum of two 'long' eagle feathers from the Navajo Nation within the last calendar year from the date of application.
- e. Must be at least 18 years of age.
- f. Must agree to abide by all federal and Navajo-Tribal laws protecting eagles and the possession and distribution of eagle feathers. This includes:
 1. Navajo Nation Code – Bald and Golden Eagles (17 N.N.C. § 505)
 2. Navajo Nation Code – Endangered Species (17 N.N.C. § 507)
 3. Federal Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c)
 4. Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712)
- g. Violators of this policy will be prosecuted per Navajo Nation and federal laws, and will forfeit their eligibility to receive eagle feathers under this policy.

VI. RULES FOR EAGLE FEATHER DISTRIBUTION AND POSSESSION

1. Eagle feathers will be distributed in a fair and equitable manner by the NNDFW of Fish and Wildlife based on availability of feathers.
2. Eagle feathers will be provided to enrolled members of the Navajo Nation upon completion of The Navajo Nation Eagle Feather Application. Members of other federally-recognized Native American Tribes/Nations may receive feathers through this process when an excess of feathers allows; however, preference for Navajo applicants will be conducted when the feather supply is low.
3. A maximum of two (2) 'long' eagle feathers per calendar year will be provided to applicants from this distribution system. Requests for more than two long feathers per calendar year must be justified in writing to the Director of the NNDFW; such requests will be evaluated and approved/disapproved by the Director of the NNDFW.
4. Feather applications will be processed within a maximum of 30-days unless feather supplies will not allow; typically applications are processed in a shorter time.
5. If the feather will be gifted to another person, that person must be a Navajo Tribal Member or Tribal Enrolled Member of another federally-recognized tribe. Applicants

must identify the person that will receive the feather(s), and that person's name and identification information must be placed on The Navajo Nation Eagle Feather Application. When a feather is gifted to another person, a copy of the completed Navajo Nation Eagle Feather Application must accompany the feather as proof of receipt from the Navajo Nation.

6. Recipients of eagle feathers from this distribution system must follow all Navajo Nation and/or federal wildlife laws and regulations regarding eagles and the possession of eagle feathers. Violators of any current Navajo Nation and/or federal wildlife laws and regulations will be prosecuted and ineligible for eagle feathers under this distribution system.

VII. PROCEDURES FOR HANDLING EAGLE FEATHER REQUESTS

1. All applicants requesting eagle feathers must complete "The Navajo Nation Eagle Feather Application." The application may be completed in-person at the Navajo Nation NNDFW office in Window Rock, Arizona; this application form is triplicated, providing three copies upon completion. The application may be downloaded from 'www.nnfw.org' or 'www.navajozoo.org', completed, and mailed to "Navajo Nation Department of Fish and Wildlife, P.O. Box 1480, Window Rock, AZ 86515. When mailing applications, be sure to include all necessary attached documents listed.
2. Applications are processed at the NNDFW in Window Rock. The Receiving Official (designated NNDFW employee(s)) must:
 - a. confirm identification of applicant with valid driver's license or state-issued identification card;
 - b. confirm enrollment as a Navajo Tribal Member;
 - c. confirm that the application is complete;
 - d. sign and date the 'Official Use Only' section of the application indicating that the application was properly completed and valid proof of Navajo Nation enrollment and identification was provided by the application; and
 - e. make a legible copy of the applicant's valid driver's license or state-issued identification card, and Certificate of Indian Blood (CIB), and attach these to the completed application.
 - f. Completed applications will not be separated, but rather forwarded to the Reviewing Official (designated NNDFW employee(s)) along with copies of the driver's license and CIB.
3. Completed applications will be forwarded to the Reviewing Official (designated NNDFW employee(s)) for final review and completing the feather distribution; the Reviewing Official will:
 - a. examine the applications for completeness, accuracy, and appropriate signatures;
 - b. confirm that the applicant has not received two long eagle feathers from the Navajo Nation in the past calendar year;
 - c. determine if the applicant is qualified for receiving an eagle feather;
 - d. indicate whether the application is 'approved' or 'denied';
 - e. sign and date the 'Official Use Only' section of the Eagle Feather Application indicating the applicant's eligibility to receive a feather; and
 - f. forward applications to the Database Manager for processing.

4. The Reviewing Official forwards completed applications to the Database Manager (designated NNDFW employee(s)) for data entry of the applicant's information. The Database Manager will:
 - a. receive all completed applications and complete all database fields for each application;
 - b. indicate whether the application was 'approved' or 'denied';
 - c. if applicant is approved for an eagle feather, a letter will be generated and mailed to the applicant, indicating that their application has been approved, and that they may receive a feather at the NNDFW office;
 - d. if applicant is disapproved, a letter will be generated and mailed to the applicant, indicating the reason(s) for denial of their application; and
 - e. sign and date the 'Official Use Only' section of the application indicating the date upon which the database entry was completed.

VIII. RECEIVING OF EAGLE FEATHERS

1. Applicant must receive the eagle feather(s) in-person at the NNDFW Office in Window Rock. Applicant must present a valid form of identification to receive feather. If the applicant is unable to be present at the NNDFW Office, the feather(s) may be mailed to the address provided on the application.
2. When the feather is transferred to the applicant, the Navajo Nation official will complete the "Official Use Only" box on the application to document the number and type of feather(s) provided to the applicant.
3. Tail and wing feathers have unique identification numbers; the database and application must indicate which feather is provided to the applicant.
4. After the "Official Use Only" portion of the application is completed, and the applicant has their feather(s), the distribution process is completed. Now the triplicate application is separated.
 - a. the cover copy of the application is filed within the NNDFW files;
 - b. the second copy is forwarded to the Navajo Nation Zoo for filing and record-keeping; and
 - c. the third copy is provided to the applicant as proof of receipt of feather from the Navajo Nation.
5. Completed applications that have had feathers distributed will be filed in chronological order at the Navajo Zoo, and the database will be updated to reflect a completed processing for each applicant.

IX. DISAPPROVAL OF EAGLE FEATHER REQUESTS

1. Applications for eagle feathers will be disapproved for any of the following reasons:
 - a. application was not completed properly or applicant does not meet all the requirements in section V. (these applications may be resubmitted by the applicant upon completion and/or submission of necessary documents);

- b. applicant has received their maximum number (2 long feathers for most individuals) of eagle feathers for the calendar year; or
- c. any other reason deemed necessary, on an individual basis, by the NNDFW Director.

X. APPEAL PROCESS FOR DISAPPROVED FEATHER REQUESTS

- 1. Applicants who had their applications disapproved may appeal, in writing, with the Director of the NNDFW.
- 2. The applicant has 25 days from receipt of a feather-refusal letter to appeal the decision.
- 3. The applicant must submit a signed letter of appeal, addressed to the Director of the NNDFW, stating the reason(s) they believe that the disapproved feather application was in error. Any documentation not previously submitted with the application, which may have led to the denial, should be submitted with the letter of appeal.
- 4. The Director of the NNDFW will respond to the letter of appeal, in writing, within 10 days of receipt of the letter with a final decision as to the result of the appeal. If the disapproval is overturned, the applicant will continue the application process and be eligible to receive an eagle feather. If the disapproval is determined to be valid, the applicant will be deemed ineligible for an eagle feather through this Navajo Nation process.
- 5. If an applicant deemed ineligible after the NNDFW appeal process considers the decision to be in error, they may further appeal through the Navajo Nation Office of Hearings and Appeals in Window Rock, Arizona.

XI. PROCEDURE WHEN NO FEATHERS ARE AVAILABLE

- 1. If the situation arises in which the NNDFW has no eagle feathers available, or no feathers of any one type, for distribution under this process, the NNDFW will cease to take applications and place all current applications on a waiting list. All approved applicants will be notified, and provided feather(s), prior taking of new applications.