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PROTECTION FOR THE GOLDEN EAGLE

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HEARING BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON COMMERCE UNITED STATES SENATE

EIGHTY-SEVENTH CONGRESS

SECOND SESSION

ON

S.J. Res. 105

AND

H.J. Res. 489

JOINT RESOLUTIONS TO PROVIDE PROTECTION FOR THE
GOLDEN EAGLE

JUNE 26, 1962

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CONTENTS

Statement of—	Page
Alderman, John A., 220 Church Street, Mail Station 32, New York, N.Y.-----	98
Auld, Dan, Kerrville, Tex., for the Texas Sheep & Goat Raisers' Association-----	79
Buchheister, Carl W., president, National Audubon Society, 1130 Fifth Avenue, New York, N.Y.-----	39
Callison, Charles H., assistant to the president, National Audubon Society, New York, N.Y.-----	68
Compton, Robert A., field extension secretary, Hawk Mountain Sanctuary Association, Route 2, Kempton, Pa.-----	100
Fisher, Hon. O. C., U.S. House of Representatives-----	13
Goodling, Hon. George A., U.S. House of Representatives-----	11
Kahl, Fritz, Fort Davis, Tex., for the Texas Sheep & Goat Raisers' Association-----	94
Keating, Hon. Kenneth B., U.S. Senate-----	36
Miller, Clay, Valentine, Tex-----	75
Parker, Lansing A., Assistant Director, Bureau of Sports Fisheries and Wildlife, accompanied by Dr. John W. Aldrich, staff assistant, Branch of Wildlife Research, and Mr. Frederick A. Williams, Chief, Section of Regulation and Enforcement, Management and Enforcement Branch, Bureau of Sports Fisheries and Wildlife, Department of the Interior, and Manager of the Bureau of Indian Affairs-----	22
Penfold, J. W., conservation director, Izaak Walton League of America, 1404 New York Avenue NW., Washington, D.C.-----	39
Spofford, Dr. Walter, Department of Anatomy, Upstate Medical Center, State University of New York, Syracuse, N.Y.-----	58
Statements submitted:	
Butcher, Devereux, editor, National Wildlands News, 2607 Connecticut Avenue, Washington, D.C.-----	75
Crowder, J. A., attorney, Shoreham Building, Washington, D.C., for National Wool Growers' Association-----	78
Gruening, Hon. Ernest, U.S. Senate-----	38
Love, J. B., Llano, Tex-----	103
Sieker, E. G., director, Texas Sheep & Goat Raisers' Association, Menard, Tex-----	103
Twyne, Mrs. Paul M., president, Defenders of Wildlife, 809 Dupont Circle Building, Washington, D.C-----	103
Letters received:	
Alderman, John R., 220 Church Street, New York, N.Y., June 29, 1962-----	111
Auld, Dan, Kerrville, Tex., June 29, 1962-----	115
Callison, Charles H., assistant to the president, National Audubon Society, 1130 Fifth Avenue, New York, N.Y., to Senator Ralph Yarborough, June 27, 1962, and other material-----	104
Cottam, Clarence, Box 1396, Sinton, Tex., to Senator Ralph Yarborough, June 27, 1962-----	108
Spofford, Dr. Walter R., State University of New York, Syracuse, N.Y., June 29, 1962-----	109
Reports received:	
Comptroller General, April 13 and June 28, 1962-----	10
Department of Agriculture, April 27, 1962-----	6-8
Department of the Interior, February 5 and April 27, 1962-----	4-8
Department of Justice, May 11, 1962-----	11

CONTENTS

Page

1. Introduction 1

2. The History of the 10

3. The Geography of the 20

4. The Climate of the 30

5. The Flora and Fauna of the 40

6. The People of the 50

7. The Government of the 60

8. The Economy of the 70

9. The Education of the 80

10. The Religion of the 90

11. The Literature of the 100

12. The Art of the 110

13. The Music of the 120

14. The Dance of the 130

15. The Games of the 140

16. The Sports of the 150

17. The Festivals of the 160

18. The Holidays of the 170

19. The Customs of the 180

20. The Traditions of the 190

21. The Superstitions of the 200

22. The Beliefs of the 210

23. The Opinions of the 220

24. The Attitudes of the 230

25. The Manners of the 240

26. The Customs of the 250

27. The Habits of the 260

28. The Tastes of the 270

29. The Preferences of the 280

30. The Dislikes of the 290

31. The Aversions of the 300

32. The Repugnances of the 310

33. The Dislikes of the 320

34. The Aversions of the 330

35. The Repugnances of the 340

36. The Dislikes of the 350

37. The Aversions of the 360

38. The Repugnances of the 370

39. The Dislikes of the 380

40. The Aversions of the 390

41. The Repugnances of the 400

42. The Dislikes of the 410

43. The Aversions of the 420

44. The Repugnances of the 430

45. The Dislikes of the 440

46. The Aversions of the 450

47. The Repugnances of the 460

48. The Dislikes of the 470

49. The Aversions of the 480

50. The Repugnances of the 490

51. The Dislikes of the 500

52. The Aversions of the 510

53. The Repugnances of the 520

54. The Dislikes of the 530

55. The Aversions of the 540

56. The Repugnances of the 550

57. The Dislikes of the 560

58. The Aversions of the 570

59. The Repugnances of the 580

60. The Dislikes of the 590

61. The Aversions of the 600

62. The Repugnances of the 610

63. The Dislikes of the 620

64. The Aversions of the 630

65. The Repugnances of the 640

66. The Dislikes of the 650

67. The Aversions of the 660

68. The Repugnances of the 670

69. The Dislikes of the 680

70. The Aversions of the 690

71. The Repugnances of the 700

72. The Dislikes of the 710

73. The Aversions of the 720

74. The Repugnances of the 730

75. The Dislikes of the 740

76. The Aversions of the 750

77. The Repugnances of the 760

78. The Dislikes of the 770

79. The Aversions of the 780

80. The Repugnances of the 790

81. The Dislikes of the 800

82. The Aversions of the 810

83. The Repugnances of the 820

84. The Dislikes of the 830

85. The Aversions of the 840

86. The Repugnances of the 850

87. The Dislikes of the 860

88. The Aversions of the 870

89. The Repugnances of the 880

90. The Dislikes of the 890

91. The Aversions of the 900

92. The Repugnances of the 910

93. The Dislikes of the 920

94. The Aversions of the 930

95. The Repugnances of the 940

96. The Dislikes of the 950

97. The Aversions of the 960

98. The Repugnances of the 970

99. The Dislikes of the 980

100. The Aversions of the 990

101. The Repugnances of the 1000

PROTECTION FOR THE GOLDEN EAGLE

TUESDAY, JUNE 26, 1962

U.S. SENATE,
COMMITTEE ON COMMERCE,
SPECIAL SUBCOMMITTEE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m., in room 5110, New Senate Office Building, Hon. Ralph Yarborough (chairman of the subcommittee) presiding.

Senator YARBOROUGH. The special subcommittee of the Commerce Committee will come to order.

This committee, which consists of myself and Senator Engle and Senator Keating, is today opening hearings on Senate Joint Resolution 105 and House Joint Resolution 489, to provide protection for the golden eagle. These bills both extend the protections of the present Bald Eagle Act of 1940 to include the golden eagle, because bald eagles are becoming extremely scarce and are being killed by mistake for the unprotected golden eagle.

In order to insure that we do not commit the folly of exterminating our national bird or indeed the golden eagle, this legislation has been proposed.

Certain exceptions from the general prohibition against taking are provided in the bills, including the right to kill eagles where necessary to protect other wildlife or livestock. I am particularly concerned with this section of the bill because I have received numerous statements from the western part of my State that the golden eagle there represents a great danger to the sheep and goat industry. I hope we have witnesses here this morning who can give us some firsthand knowledge of the situation in that section of the country, in the country as a whole, and provide us with some accurate information on the habits of the golden eagle.

I might add that my correspondence indicates that there is certainly a great deal of emotion on this subject, both for and against, and I hope this morning we can obtain some enlightening evidence that will allow the subcommittee to calmly make the best recommendations in the light of all of the known facts about the subject. I am hopeful the witnesses from the Department of Interior can give us some guidelines as to what type of regulations might be issued under the agricultural exception to the proposed bill, for the guidance of Congress and those interested in the matter.

So, as far as this member of the subcommittee is concerned, I would like very much to have some exact scientific information on the range and number of the bald and golden eagles and their food habits and on the need for this Federal protection. Congress needs

to know the exact facts on these matters before it can intelligently legislate in this field and I ask the witnesses to direct their testimony particularly to these points.

Gentlemen, I say that because I have made a number of inquiries and I have had great difficulty in getting exact information on the range, extent of the range, and the numbers of these eagles. I am hopeful the witnesses may limit their main statements to a few minutes each, so we can be certain of finishing today.

I hope that doesn't sound like two mutually antagonistic recommendations, that we want these facts, and ask witnesses to limit their statements. But, of course, if you have written statements, they will all be put in, will be studied, and if it takes more than a few minutes to give us the facts, please give us facts.

At this point I order printed in the record copies of Senate Joint Resolution 105 and House Joint Resolution 489 and its report.

(The resolutions and report follow:)

[S.J. Res. 105, 87th Cong., 1st sess.]

JOINT RESOLUTION To provide protection for the golden eagle.

Whereas the population of the golden eagle has declined at such an alarming rate that it is now threatened with extinction; and

Whereas the golden eagle should be preserved because of its value to agriculture in the control of rodents; and

Whereas protection of the golden eagle will afford greater protection for the bald eagle, the national symbol of the United States of America, because the bald eagle is often killed by persons mistaking it for the golden eagle: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act for the protection of the bald eagle", approved June 8, 1940 (54 Stat. 250; 16 U.S.C. 668), is amended by inserting immediately after the words "American eagle" the words "or any golden eagle."

SEC. 2. Section 2 of such Act is amended by inserting immediately after the words "bald eagle" the words "or the golden eagle".

[H.J. Res. 489, 87th Cong., 2d sess.]

JOINT RESOLUTION To provide protection for the golden eagle.

Whereas the population of the golden eagle has declined at such an alarming rate that it is now threatened with extinction; and

Whereas the golden eagle should be preserved because of its value to agriculture in the control of rodents; and

Whereas protection of the golden eagle will afford greater protection for the bald eagle, the national symbol of the United States of America, because the bald eagle is often killed by persons mistaking it for the golden eagle: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first two sections of the Act of June 8, 1940 (54 Stat. 250, as amended; 16 U.S.C. 668, 668a), are hereby amended to read as follows: "Whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted to do so as hereinafter provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle commonly known as the American eagle, or any golden eagle, alive or dead, or any part, nest, or egg of the foregoing eagles, shall be fined not more than \$500 or imprisoned not more than six months or both: *Provided*, That nothing herein shall be construed to prohibit possession or transportation of any bald eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to June 8, 1940, and that nothing herein shall be construed to prohibit possession or transportation of any golden eagle, alive or dead, or any part, nest or egg thereof, lawfully taken prior to the addition to this Act of the provisions relating to preservation of the golden eagle.

"Sec. 2. Whenever, after investigation, the Secretary of the Interior shall determine that it is compatible with the preservation of the bald eagle or the golden eagle to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, and zoological parks, or for the religious purposes of Indian tribes, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality, he may authorize the taking of such eagles pursuant to regulations which he is hereby authorized to prescribe: *Provided*, That bald eagles may not be taken for any purpose unless, prior to such taking, a permit to do so is procured from the Secretary of the Interior."

Passed the House of Representatives April 2, 1962.

Attest:

RALPH R. ROBERTS, *Clerk.*

[H. Rept. 1450, 87th Cong., 2d sess.]

The amendments are as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"* * * Whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted to do so as hereinafter provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle commonly known as the American eagle, or any golden eagle, alive or dead, or any part, nest, or egg of the foregoing eagles, shall be fined not more than \$500 or imprisoned not more than six months, or both: *Provided*, That nothing herein shall be construed to prohibit possession or transportation of any bald eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to June 8, 1940, and that nothing herein shall be construed to prohibit possession or transportation of any golden eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to the addition to this Act of the provisions relating to preservation of the golden eagle.

"Sec. 2. Whenever, after investigation, the Secretary of the Interior shall determine that it is compatible with the preservation of the bald eagle or the golden eagle to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, and zoological parks, or for the religious purposes of Indian tribes, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality, he may authorize the taking of such eagles pursuant to regulations which he is hereby authorized to prescribe: *Provided*, That bald eagles may not be taken for any purpose unless, prior to such taking, a permit to do so is procured from the Secretary of the Interior."

PURPOSE OF THE BILL

The purpose of House Joint Resolution 489 is to afford protection to the golden eagle and indirectly to increase protection of our national bird, the bald eagle.

BACKGROUND OF THE LEGISLATION

At the present time the golden eagle is protected by legislation in 43 States while the bald eagle is protected by Federal legislation enacted in 1940.

Up to 4 years of age the bald eagle and the golden eagle are virtually indistinguishable and as a result it is believed that a number of bald eagles have been killed by hunters of the golden eagle. There is reason to believe that the bald eagle population in the United States is declining and additional protection for it is desirable.

Certain feathers of the golden eagle are important in religious ceremonies of some Indian tribes and a large number of the birds are killed to obtain these feathers, as well as to provide souvenirs for tourists in the Indian country. In addition, they are actively hunted by bounty hunters in Texas and some other States. As a result of these activities, if steps are not taken as contemplated in this legislation, there is grave danger that the golden eagle will completely disappear.

DEPARTMENTAL REPORTS

While the report of the Department of the Interior indicates that the golden eagle is a predator, the testimony of experts before the subcommittee was to the effect that this assumption is not correct.

The golden eagle, while it achieves a wingspread of about 7 feet, weighs no more than 7 pounds and is not able to carry prey weighing over about 10 pounds. There was no testimony before the committee that any agricultural livestock was harmed by the golden eagle and that its usual food is rabbits and other small rodents.

In any event, as appears hereafter, the committee amended the bill to authorize the Secretary of the Interior to permit the taking of golden eagles for the protection of agricultural or other interests in any particular locality. It is the belief of the committee that this safeguard will adequately protect the interest of livestock growers in all events.

AMENDMENTS TO THE BILL

As a result of the hearings and in accordance with the recommendations of the Department of the Interior, the committee amended the bill to incorporate protection of the golden eagle into the existing legislation covering the bald eagle. This will accomplish the purpose of the committee and at the same time simplify administration of the regulations covering the two species.

COST OF THE LEGISLATION

The cost of administration of this legislation will be \$75,000 a year.

The reports of the Department of Agriculture and the Department of the Interior on an identical bill, House Joint Resolution 479, are as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 5, 1962.

HON. HERBERT C. BONNER,
Chairman, Committee on Merchant Marine and Fisheries,
House of Representatives, Washington, D.C.

DEAR MR. BONNER: Your committee has requested a report on House Joint Resolution 479, to provide protection for the golden eagle. This proposal would expand the purpose and provisions of the act of June 8, 1940 (54 Stat. 250; 16 U.S.C. 668), for the protection of the bald eagle. The act would be expanded by this proposal to include protection of the golden eagle. This report is applicable also to identical bills, House Joint Resolution 487, House Joint Resolution 489, and House Joint Resolution 541.

Enactment of this proposed legislation will have the effect of giving additional protection to the American or bald eagle. We are sympathetic to the proposal for this reason and because we favor the conservation of wildlife in general. As hereafter indicated, however, there are certain considerations to which we invite your attention including the problem of enforcement that will result from such enactment.

The golden eagle (*Aquila chrysaetos*) is a majestic bird of prey. It is one of the largest of the world's eagles and has a wingspread of about 7 feet. It is the national symbol of Mexico and there is a recent proposal by the Government of the United Mexican States that the golden eagle be included among the species covered by the Convention for the Protection of Migratory Birds and Game Mammals that was signed by the Governments of Mexico and the United States on February 7, 1936. The golden eagle is portrayed on various emblems of European countries. The species, in its various forms, has a circumpolar distribution in the Northern Hemisphere. The American golden eagle breeds from northern Alaska and Labrador southward into Mexico. While the principal breeding range in the United States is the general region west of the Great Plains, the species has nested sparingly in the Appalachian Mountains south to western North Carolina. We have no recent records of nesting, however, in this region.

The bald eagle is the only other eagle regularly found in North America. Immature bald eagles are similar in appearance to golden eagles, and it is difficult to distinguish between them. The ranges of these two eagles completely overlap. Consequently, immature bald eagles are inadvertently killed at times by persons who mistake them for golden eagles. The bald eagle, while resembling the golden eagle in its earlier years, develops white tail feathers when it is several years old and a white head and neck which give it the appearance of being bald. The adult golden eagle, which is similar in size and weight, has a uniform dark brown or blackish color except for brownish-yellow neck feathers. The base of the tail is white.

This resolution states that the golden eagle is threatened with extinction. Although golden eagles apparently have declined in number in recent years in the Eastern States, we cannot state, on the basis of our present information, that

the golden eagle has reached the stage of an endangered species. Golden eagle abundance varies widely between regions. Also, the scope and pattern of their movements are not well established. These factors indicate the difficulty of appraising accurately the overall situation relating to the golden eagle.

Consumption of rodents and rabbits by golden eagles is a natural and common occurrence, but we have no information to support the view that their consumption of these animals is of economic significance or that it has any measurable limiting effect on the general abundance of such populations.

The golden eagle is important in enabling many Indian tribes, particularly those in the Southwest, to continue ancient customs and ceremonies that are of deep religious or emotional significance to them. We note that the Handbook of American Indians (Smithsonian Institution, 1912) volume I, page 409, states in part, as follows:

"Among the many birds held in superstitious and appreciative regard by the aborigines of North America, the eagle, by reason of its majestic, solitary, and mysterious nature, became an especial object of worship. This is expressed in the employment of the eagle by the Indian for religious and esthetic purposes only * * *.

"The mythology of almost every tribe is replete with eagle beings, and the widespread thunderbird myth relates in some cases to the eagle. In Hopi myth the man-eagle is a skybeing who lays aside his plumage after flights in which he spreads devastation, and the hero who slays him is carried to the house in the sky by eagles of several species, each one in its turn bearing him higher. The man-eagle myth is widely diffused, most tribes regarding this being as a manifestation of either helpful or maleficent power."

There are frequent reports of the continued veneration of eagles and of the use of eagle feathers in religious ceremonies of tribal rites. The Hopi, Zuni, and several of the Pueblo groups of Indians in the Southwest have great interest in and strong feelings concerning eagles. In the circumstances, it is evident that the Indians are deeply interested in the preservation of both the golden and the bald eagle. If enacted, the bill should, therefore, permit the Secretary of the Interior, by regulation to allow the use of eagles for religious purposes by Indian tribes.

Golden eagles are not protected under the Migratory Bird Treaty Act and are not now the subject of Federal regulations. Some of the States may object to the precedent of Federal regulation of a bird that historically has been under exclusive State control and not the object of Federal treaty, covenant, or enactment that would supersede the authority of the several States. Notwithstanding these considerations, there is, however, considerable movement of these birds between the States and geographical regions, which accounts for the national as well as State and local interest in the species. Protective laws for the golden eagle have been in effect in most of the States and in almost every Eastern State during its apparent decline there. However, it is evident that from a national standpoint, protective legislation alone will not fully solve the problem of decreasing numbers of these birds in particular regions. We believe there are unknown factors, other than the direct killing that has taken place, that are reducing the golden eagle population.

In the event that the Congress enacts this proposal, the enforcement problem will be difficult. We believe that it will be necessary to broaden our regulations governing the bald eagle by including provisions relating to the taking and disposition or possession of the golden eagle. Because of the different food habits of bald and golden eagles, however, we expect that it will be necessary to allow livestock owners to protect their interests in emergencies by killing golden eagles committing or about to commit depredations on livestock. Our regulations probably would be along the lines of regulations that have been issued for the taking of depredating blackbirds (see 50 CFR 10.62). We estimate that our additional costs for administration and enforcement resulting from enactment of this proposal will be approximately \$75,000 annually.

In the event that your committee gives favorable consideration to this resolution, we recommend that the text of the measure be revised to read as follows:

"The first two sections of the act of June 8, 1940 (54 Stat. 250, as amended; 16 U.S.C. 668, 668a) are hereby revised to read as follows: 'Whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted to do so as hereinafter provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle commonly known as the American eagle, or any golden eagle, alive or dead, or any part, nest, or egg of the foregoing eagles, shall

be fined not more than \$500 or imprisoned not more than six months, or both: *Provided*, That nothing herein shall be construed to prohibit possession or transportation of any bald eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to June 8, 1940, and that nothing herein shall be construed to prohibit possession or transportation of any golden eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to the addition to this Act of the provisions relating to preservation of the golden eagle.'

"Sec. 2. Whenever, after investigation, the Secretary of the Interior shall determine that it is compatible with the preservation of the bald eagle or the golden eagle to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, and zoological parks, or for the religious purposes of Indian tribes, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality, he may authorize the taking of such eagles pursuant to regulations which he is hereby authorized to prescribe: *Provided*, That bald eagles may not be taken for any purpose unless, prior to such taking, a permit to do so is procured from the Secretary of the Interior."

The Bureau of the Budget has no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

FRANK P. BRIGGS,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 5, 1962.

HON. HERBERT C. BONNER,
*Chairman, Committee on Merchant Marine and Fisheries,
House of Representatives.*

DEAR MR. CHAIRMAN: This is in reply to your request of July 19, 1961, for the views of this Department on House Joint Resolution 479, to provide protection for the golden eagle.

This Department is in accord with the purposes of the joint resolution.

The eagles are important birds with considerable attraction to many people. One objective in administering the national forests and national grasslands is to preserve all species of wildlife that add to public enjoyment of these areas. House Joint Resolution 479 would foster that objective with respect to both the bald and the golden eagle.

The inclusion of the migratory golden eagle with the bald (American) eagle in Federal legislation would give added protection to both. The resolution points to the diminishing number of golden eagles and to the loss of bald eagles through inability of some persons to distinguish between the two species.

The act of June 8, 1940 (54 Stat. 250), which the resolution would propose to amend, provides in section 2 (16 U.S.C. 668a) for the control of eagles where necessary for the protection of wildlife or of agricultural or other interests. This provision would be retained.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, as amended, changes in existing law made by the bill as reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTIONS 1 AND 2 OF THE ACT OF JUNE 8, 1940 (54 STAT. 250, AS AMENDED;
16 U.S.C. 668, 668a)

AN ACT for the protection of the bald eagle.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That [whoever, within the United States, or any

place subject to the jurisdiction thereof, without being permitted so to do as hereinafter provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle, commonly known as the American eagle, alive or dead, or any part, nest, or egg thereof, shall be fined not more than \$500 or imprisoned not more than six months, or both: Provided, That nothing herein shall be construed to prohibit possession or transportation of any such eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to the effective date of this Act, but the proof of such taking shall lie upon the accused in any prosecution under this Act.]

[Sec. 2. That whenever after investigation the Secretary of the Interior shall determine that it is compatible with the preservation of the bald eagle as a species to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, or zoological parks, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality he may issue permits therefor under regulations which he is hereby authorized and directed to prescribe.]

* * * *Whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted to do so as hereinafter provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle commonly known as the American eagle, or any golden eagle, alive or dead, or any part, nest, or egg of the foregoing eagles, shall be fined not more than \$500 or imprisoned not more than six months, or both: Provided, That nothing herein shall be construed to prohibit possession or transportation of any bald eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to June 8, 1940, and that nothing herein shall be construed to prohibit possession or transportation of any golden eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to the addition to this Act of the provisions relating to preservation of the golden eagle.*

SEC. 2. Whenever, after investigation, the Secretary of the Interior shall determine that it is compatible with the preservation of the bald eagle or the golden eagle to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, and zoological parks, or for the religious purposes of Indian tribes, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality, he may authorize the taking of such eagles pursuant to regulations which he is hereby authorized to prescribe: Provided, That bald eagles may not be taken for any purpose unless, prior to such taking, a permit to do so is procured from the Secretary of the Interior.

Senator YARBOROUGH. Both resolutions are designed to protect the golden eagle. Senate Joint Resolution 105 would accomplish this by adding the words "golden eagle" to the 1940 act that protects the American or bald eagle. That act provides a fine of up to \$500, imprisonment for 6 months, or both for the possession, sale, purchase, barter, offer to do the same, export or import of any bald eagle, alive or dead, or any part, nest, or egg thereof, unless permitted to do so by the Secretary of the Interior.

House Joint Resolution 489 does the same thing, except this resolution would provide that the golden eagle could be taken for the religious purposes of Indian tribes. Again, a permit from the Secretary would be necessary, as it would be if these birds had to be killed to protect wildlife or agriculture.

We will want to know just how one would go about getting such a permit, how long it takes, since the Department must have had experience along these lines under the Bald Eagle Act.

We will hear the Department of the Interior witnesses first.

At this point I introduce for the record, without objection, reports favoring the legislation from the Department of Agriculture and the Department of the Interior. The House amended the bill in line with Interior's suggestions.

The Comptroller General and the Department of Justice have no comments to offer.

(The documents follow:)

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 27, 1962.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce,
U.S. Senate.

DEAR MR. CHAIRMAN: This is in reply to your request of April 4, 1962, for the views of this Department on House Joint Resolution 489, to provide protection for the golden eagle.

This Department is in accord with the purpose of the joint resolution.

The eagles are important birds with considerable attraction to many people. One objective in administering the national forests and national grasslands is to preserve all species of wildlife that add to public enjoyment of these areas. House Joint Resolution 489 would foster that objective with respect to both the bald and the golden eagle.

The inclusion of the migratory golden eagle with the bald (American) eagle in Federal legislation would give added protection to both. The resolution points to the diminishing number of golden eagles and to the loss of bald eagles through inability of some persons to distinguish between the two species.

The act of June 8, 1940 (54 Stat. 250), which the resolution would propose to amend, provides in section 2 (16 U.S.C. 668a) for the control of eagles where necessary for the protection of wildlife or of agricultural or other interests. This provision would be retained.

The Bureau of the Budget advises that there is on objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 5, 1962.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR SENATOR MAGNUSON: Your committee has requested a report on Senate Joint Resolution 105, a bill to provide protection for the golden eagle. This proposal would expand the purpose and provisions of the act of June 8, 1940 (54 Stat. 250; 16 U.S.C. 668), for the protection of the bald eagle. The act would be expanded by this proposal to include protection of the golden eagle.

Enactment of this proposed legislation will have the effect of giving additional protection to the American or bald eagle. We are sympathetic to the proposal for this reason and because we favor the conservation of wildlife in general. As hereafter indicated, however, there are certain considerations to which we invite your attention including the problem of enforcement that will result from such enactment.

The golden eagle (*Aquila chrysaetos*) is a majestic bird of prey. It is one of the largest of the world's eagles and has a wingspread of about 7 feet. It is the national symbol of Mexico and there is a recent proposal by the Government of the United Mexican States that the golden eagle be included among the species covered by the Convention for the Protection of Migratory Birds and Game Mammals that was signed by the Governments of Mexico and the United States on February 7, 1936. The golden eagle is portrayed on various emblems of European countries. The species, in its various forms, has a circumpolar distribution in the Northern Hemisphere. The American golden eagle breeds from northern Alaska and Labrador southward into Mexico. While the principal breeding range in the United States is the general region west of the Great Plains, the species has nested sparingly in the Appalachian Mountains south to western North Carolina. We have no recent records of nesting, however, in this region.

The bald eagle is the only other eagle regularly found in North America. Immature bald eagles are similar in appearance to golden eagles, and it is difficult to distinguish between them. The ranges of these two eagles completely overlap. Consequently, immature bald eagles are inadvertently killed at times by persons who mistake them for golden eagles. The bald eagle, while resembling the golden

eagle in its earlier years, develops white tail feathers when it is several years old and a white head and neck which give it the appearance of being bald. The adult golden eagle, which is similar in size and weight, has a uniform dark brown or blackish color except for brownish-yellow neck feathers. The base of the tail is white.

This resolution states that the golden eagle is threatened with extinction. Although golden eagles apparently have declined in number in recent years in the Eastern States, we cannot state, on the basis of our present information, that the golden eagle has reached the stage of an endangered species. Golden eagle abundance varies widely between regions. Also, the scope and pattern of their movements are not well established. These factors indicate the difficulty of appraising accurately the overall situation relating to the golden eagle.

Consumption of rodents and rabbits by golden eagles is a natural and common occurrence, but we have no information to support the view that their consumption of these animals is of economic significance or that it has any measurable limiting effect on the general abundance of such populations.

The golden eagle is important in enabling many Indian tribes, particularly those in the Southwest, to continue ancient customs and ceremonies that are of deep religious or emotional significance to them. We note that the "Handbook of American Indians" (Smithsonian Institution, 1912) vol. I, p. 409, states in part, as follows:

"Among the many birds held in superstitious and appreciative regard by the aborigines of North America, the eagle, by reason of its majestic, solitary, and mysterious nature, became an especial object of worship. This is expressed in the employment of the eagle by the Indian for religious and esthetic purposes only. * * *

"The mythology of almost every tribe is replete with eagle beings, and the widespread thunderbird myth relates in some cases to the eagle. In Hopi myth the man-eagle is a sky being who lays aside his plumage after flights in which he spreads devastation, and the hero who slays him is carried to the house in the sky by eagles of several species, each one in its turn bearing him higher. The man-eagle myth is widely diffused, most tribes regarding this being as a manifestation of either helpful or maleficent power."

There are frequent reports of the continued veneration of eagles and of the use of eagle feathers in religious ceremonies of tribal rites. The Hopi, Zuni, and several of the Pueblo groups of Indians in the Southwest have great interest in and strong feelings concerning eagles. In the circumstances, it is evident that the Indians are deeply interested in the preservation of both the golden and the bald eagle. If enacted, the bill should therefore permit the Secretary of the Interior, by regulation to allow the use of eagles for religious purposes by Indian tribes.

Golden eagles are not protected under the Migratory Bird Treaty Act and are not now the subject of Federal regulations. Some of the States may object to the precedent of Federal regulations of a bird that historically has been under exclusive State control and not the object of Federal treaty, covenant, or enactment that would supersede the authority of the several States. Notwithstanding these considerations, there is, however, considerable movement of these birds between the States and geographical regions, which accounts for the rational as well as State and local interest in the species. Protective laws for the golden eagle have been in effect in most of the States and in almost every Eastern State during its apparent decline there. However, it is evident that from a national standpoint, protective legislation alone will not fully solve the problem of decreasing numbers of these birds in particular regions. We believe there are unknown factors, other than the direct killing that has taken place, that are reducing the golden eagle population.

In the event that the Congress enacts this proposal, the enforcement problem will be difficult. We believe that it will be necessary to broaden our regulations governing the bald eagle by including provisions relating to the taking and disposition or possession of the golden eagle. Because of the different food habits of bald and golden eagles, however, we expect that it will be necessary to allow livestock owners to protect their interests in emergencies by killing golden eagles committing or about to commit depredations on livestock. Our regulations probably would be along the lines of regulations that have been issued for the taking of depredating blackbirds (see 50 CFR 10.62). We estimate that our additional costs for administration and enforcement resulting from enactment of this proposal will be approximately \$75,000 annually.

In the event that your committee gives favorable consideration to this resolution, we recommend that the text of the measure be revised to read as follows:

"The first two sections of the Act of June 8, 1940 (54 Stat. 250, as amended; 16 U.S.C. 668, 668a) are hereby revised to read as follows: 'Whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted to do so as hereinafter provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle commonly known as the American eagle, or any golden eagle, alive or dead, or any part, nest, or egg of the foregoing eagles, shall be fined not more than \$500 or imprisoned not more than six months, or both: *Provided*, That nothing herein shall be construed to prohibit possession or transportation of any bald eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to June 8, 1940, and that nothing herein shall be construed to prohibit possession or transportation of any golden eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to the addition to this Act of the provisions relating to preservation of the golden eagle.'

"SEC. 2. Whenever, after investigation, the Secretary of the Interior shall determine that it is compatible with the preservation of the bald eagle or the golden eagle to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, and zoological parks, or for the religious purposes of Indian tribes, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality, he may authorize the taking of such eagles pursuant to regulations which he is hereby authorized to prescribe: *Provided*, That bald eagles may not be taken for any purpose unless, prior to such taking, a permit to do so is procured from the Secretary of the Interior."

The Bureau of the Budget has no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

FRANK P. BRIGGS,
Assistant Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 27, 1962.

HON. WARREN G. MAGNUSON,
*Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.*

DEAR SENATOR MAGNUSON: Your committee has requested a report on House Joint Resolution 489, to provide protection for the golden eagle. This proposed legislation has been amended and passed by the House of Representatives in the form suggested by this Department.

We believe the enactment of this proposed legislation will have the effect of giving additional protection to the American or bald eagle. We are sympathetic to the proposal for this reason and because we favor the conservation of wildlife in general.

Our views on this matter are set forth in more detail in our report of February 5 to the Committee on Merchant Marine and Fisheries, House of Representatives, which is reprinted in the committee report (Rept. No. 1450).

The Bureau of the Budget advises that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

FRANK P. BRIGGS,
Assistant Secretary of the Interior.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, June 28, 1961.

HON. WARREN G. MAGNUSON,
*Chairman, Committee on Commerce,
U.S. Senate.*

DEAR MR. CHAIRMAN: Your letter of June 20, 1961, acknowledged on June 21, requests our comments on Senate Joint Resolution 105, entitled "Joint resolution to provide protection for the golden eagle."

We have no particular information concerning the need for the proposed legislation and, if enacted, it would not affect our auditing and accounting responsibilities. Accordingly, we have no recommendation to offer regarding the bill.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, April 13, 1962.

HON. WARREN G. MAGNUSON,
*Chairman, Committee on Commerce,
U.S. Senate.*

DEAR MR. CHAIRMAN: Your letter of April 4, 1962, acknowledged April 5, requests our comments on House Joint Resolution 489, entitled "Joint Resolution to provide protection for the golden eagle."

We have no particular information concerning the need for the proposed legislation and, if enacted, it would not affect our auditing and accounting responsibilities. Accordingly, we have no recommendation to offer regarding the bill.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

DEPARTMENT OF JUSTICE RE SENATE JOINT RESOLUTION 105 AND HOUSE JOINT
RESOLUTION 489

MAY 11, 1962.

By telephone today, Mr. Herbert Hoffman of the Attorney General's Office, advised Mr. Baynton that the Department has no recommendation to make on this bill.

Senator YARBOROUGH. I assume you gentlemen are here to support these bills or oppose them, and are familiar with the reports from the Department of Agriculture and Department of the Interior.

The first witness is Congressman Goodling, of the House of Representatives of the United States.

STATEMENT OF HON. GEORGE A. GOODLING, HOUSE OF REPRESENTATIVES, MEMBER OF CONGRESS FROM THE 19TH DISTRICT, STATE OF PENNSYLVANIA

Senator YARBOROUGH. Congressman, I believe you are author of the House Joint Resolution 489, are you not?

Mr. GOODLING. Yes, sir.

Senator YARBOROUGH. We are glad to have you here, Congressman. We are always glad to see a member of the other body and are relieved you didn't insist we meet on a median line halfway, under the dome.

Mr. GOODLING. The last time we were together we were discussing Civil War-Centennial affairs, I believe.

Senator YARBOROUGH. We were.

Mr. GOODLING. Mr. Chairman, I am grateful for this opportunity to testify on behalf of House Joint Resolution 489 and Senate Joint Resolution 105, which provide for the protection of the golden eagle, and close a loophole in the existing Federal law that is designated to protect the bald eagle, our national bird.

Irrefutable evidence gathered over many years by qualified and impartial scientists support the claim of conservationists that the

golden eagle is greatly overrated as a destructive predator. As a matter of fact, it feeds primarily upon rodents that compete with livestock and game for available food and, therefore, must be considered an ally rather than an enemy of the stockman and sportsman.

In those very rare instances where golden eagles attacked or threatened livestock, nothing in the act would prevent the owner from shooting or otherwise destroying the offending bird. This safeguard is already written into the act of June 8, 1940, which these joint resolutions would amend.

The golden eagle is one of the most spectacular and beautiful birds in America, and the promiscuous shooting, especially by bounty hunters, has resulted in alarming decrease in the numbers throughout its range.

The bald eagle, on the other hand, already is classified as a threatened species throughout North America, south and east of Alaska. As our national symbol, it deserves the full protection it enjoys under existing Federal law.

The problem, however, is that it is impossible to apply full protection to the bald eagle without extending similar protection for the golden eagle. During the first 3 years of its life, the bald eagle lacks the characteristic white head and tail of the adult, and it takes a highly skilled observer to distinguish the difference between the two species in their juvenile plumage. As a result, many young bald eagles are shot down in the mistaken belief they are golden eagles, which, according to all evidence, are the victims themselves of unwarranted persecution.

Widespread public alarm has been expressed in recent years over the decline of both the bald and the golden eagles. I feel that these joint resolutions have the support of a majority of the citizens of the United States, and certainly that of all scientific organizations and conservation groups in the Nation.

The Hawk Mountain Sanctuary Association in my State is unique in that it is in one of the few places in the East where eagle migration may be seen. Each fall thousands of people from all over the country are attracted to see these magnificent birds in flight. Biologists everywhere are concerned over the declining numbers. At Hawk Mountain there has been a steady erosion in the number of both species. A 33 percent decline in the number of golden eagles and a 30 percent decline of bald eagles from 1954 to 1960, as against a similar period 1935 to 1941.

What has been more alarming is a 50-percent decline in immature birds during that same period. Biologists everywhere report comparable findings.

I propose that we act now to prevent a further decline in the two spectacular species of American wildlife that are already threatened by extinction at the hands of man. It would indeed be a sad commentary on conservation in our great land if we were to learn that the golden and bald eagles are gone the way of the American bison and the carrier pigeon. It couldn't happen to them, but it did.

The same fate awaits our national emblem, if we are to delay too long. It would appear the time to act is now.

Senator, I want to thank you for the privilege of appearing here this morning and giving my few short views on this important subject, and I know you will give this legislation serious consideration.

Senator YARBOROUGH. Congressman Goodling, your interest in this is known in both branches of the Congress. Your leadership is known in both branches and your knowledge of the subject has come to the attention of a lot of people, too. And I know you have given this personal study.

At the risk of exposing my ignorance, I want to ask where is Hawk Mountain in Pennsylvania?

Mr. GOODLING. It is in the Allentown area, between Allentown and Reading.

Senator YARBOROUGH. About what is the elevation of that area?

Mr. GOODLING. I don't recall, Senator.

I would think it would be around 2,000 feet, probably; somewhere between 1,500 and 2,000 feet.

Senator YARBOROUGH. Thank you for this very concise statement.

Does the Senator from California have any questions at this time?

Senator ENGLE. I think not.

Senator YARBOROUGH. Does counsel have any questions?

Mr. BAYNTON. No, sir.

Senator YARBOROUGH. Thank you.

Congressman Fisher is the next Member of Congress present. Congressman Fisher is from the central southwestern district of the State of Texas. I have known him for many years, and we formerly roomed together in college. I shouldn't tell that on him publicly, I guess, but his family is quite noted in frontier history in Texas. His ancestors were the first family to push out into the rugged Edwards Plateau to which country the Comanches were excluding the whites at that time, and they lived there for a considerable number of years while the Comanches came in from the northwest during the light of the moon and raided ranches in that area. So he has a great familiarity with that country and is the author of a book of history in Texas that occurred in Kimball County, the county in which his family settled. I might add he found the time to do that research and write that book years before he came to Congress.

Congressman Fisher, we will be glad to hear from you.

STATEMENT OF HON. O. C. FISHER, HOUSE OF REPRESENTATIVES, 21ST DISTRICT, STATE OF TEXAS

Mr. FISHER. Than you very much, Mr. Chairman.

I welcome this opportunity to be heard in opposition to the pending legislation. In my considered judgment, the legislation is unnecessary, would serve no useful purpose, and would in all likelihood interfere with the proper protection of livestock and wild game against depredations by the golden eagle.

It is contended that the legislation is needed to prevent the extermination of the golden eagle. There appears to be no justification for that concern. The Department of the Interior in its report on bills relating to the golden eagle stated:

This resolution states that the golden eagle is threatened with extinction. Although golden eagles have declined in number in recent years in the Eastern States, we cannot state, on the basis of our present information, that the golden eagle has reached the stage of an endangered species.

The report goes on to state that the reason for the decline in numbers may be attributable to causes other than the killing of them.

I assume that the contention about the declining in numbers must be confined to the eastern part of the country, rather than in the West and Southwest. Certainly, we know in Texas from experience they have increased rather than decreased in numbers in their migratory visits to the State during the winter months in recent years, and that fact can be confirmed by any number of witnesses.

There is no danger of extinction in our part of the country. Therefore, there is no evidence that indicates the species is in any danger of extinction. It follows that the alleged danger of extinction, which is the principal reason given for the legislation, is not a valid reason for the pending legislation, even assuming that there is good reason for the preservation of this bird in numbers.

There are many reasons, Mr. Chairman, why landowners should not be restricted or hampered in the destruction of the golden eagles in areas where they depredate upon livestock. It is true that the House Committee on Merchant Marine and Fisheries, which considered similar proposals, adopted an amendment suggested by the Department of the Interior which conceivably could provide protection for landowners and by appropriate regulations enable them to destroy these birds where it is determined that they are preying upon livestock.

I have been informed by the Department of the Interior, commenting upon possible regulations that would be prescribed if a law were enacted, that—

the order or permit would describe the area where the depredating birds could be taken and designate who may take them.

While this would seem to provide the machinery for necessary defense against golden eagle depredations, it can be seen that a certain amount of redtape would be necessary in obtaining permits and considerable discretion would be lodged in the Department of the Interior in granting such permits.

We know that the Secretaries of Interior change from one administration to another and it is impossible to assure consistency in the administration of the act as it would relate to the granting of such permits for the protection of livestock, over the long pull.

After talking with personnel in the Department at this time, I am quite pleased with their attitude and their understanding of our problem. But that is a situation, of course, that could change through the years, and we are fearful that the redtape that would be involved in obtaining permits could be very bad from the standpoint of those who find it necessary to protect their livestock.

In my opinion, it would be well to consider an additional amendment to the proposal to clarify the language and remove any doubt about the authority to grant blanket permits, or open seasons, if you please, to destroy the depredating eagles by anyone, without them being designated by name, in areas where they are known to be depredating livestock and wild game.

As I am sure the testimony will show here, you don't go out and punish an eagle that kills a lamb, because you probably won't even see it. And if you did, you would have to be a fast operator and have an airplane, such as my friend from California sometimes uses, to ever catch up with them, and that is about the only way they can

fight them in that rough country, with airplanes. And you don't usually catch them in the act.

It may be that authority is included in the amendment adopted by the House committee, but perhaps the language should be clarified in that respect, if this committee should give serious consideration to the legislation.

In other words, if a ranchman discovers that a bunch of eagles are in his area and they are destroying his livestock, how long would it take him to go through the redtape that might be required, in order to get a personal permit to shoot them? Probably the destruction has already been done before that could be accomplished.

That raises a serious problem of whether, even with the legislation in shape where permits could be granted, as to whether that would be enough protection as is required.

I desire to address myself now, Mr. Chairman, for just a moment, to the the depredating habits of the golden eagle, since that seems to be a subject of some misunderstanding and misinformation on the part of a few people around over the country.

Unfortunately, there appears to be a few uninformed or misinformed people who contend that the golden eagle does not kill wild game and livestock. That simply is not true. It would be just as valid for the same people to contend that the coyote does not kill livestock or wild game. In fact, in many areas the golden eagle does considerably more damage in that respect than does the coyote where the latter is still found.

At this point, I will cite a few specific authorities which will confirm what I have just stated, and these authorities are people who know and not those who theorize. The fact that the golden eagles destroy livestock is confirmed by the Department of the Interior in its report. The following language is found:

Because of the different food habits of bald and golden eagles, however, we expect that it will be necessary to allow livestock owners to protect their interests in emergencies by killing golden eagles committing or about to commit depredations on livestock.

I recently received a letter from Mr. W. J. Burns, of Del Rio, Tex., in which he stated:

I trapped 11 years for the Fish and Wildlife Service. I caught 193 coyotes and killed 265 dogs, all killing sheep. I have also killed eagles with a wingspread of 8 feet * * *. I lived day and night on the range and in the ranch pastures. And I know that the men who are trying to pass a law to stop killing the eagle do not have any experience in the line I have followed. They are listening to people who don't know what they are trying to do. * * *

Then, after describing his many firsthand experiences on the range—can you imagine a better authority to testify to a subject of this kind?—Mr. Burns states:

I have seen the eagles fly over the pastures and dive straight down like a bullet, and rise with a lamb in its claws.

That man is telling the truth. He knows what he is talking about. I have received another letter, this one from Buddy Pape at Prade Ranch, Texas, and I am sure Senator Yarborough is familiar with that part of the country. That is a good country for the golden eagles to operate in because they usually seek the rough, inaccessible areas.

I think he leases some land, incidentally, from Mr. Dan Auld, whom you will hear here in a few moments.

He makes this statement:

We are in the ranching business in Real County, about 14 miles north of Leakey. We have been bothered with the golden eagles every year. They come here during the fall of the year and leave in the spring.

We have actually seen them fly down and catch little lambs and goat kids. Several times we have scared an eagle up off the ground and went to the spot and found little remains of a goat kid or lamb the eagle had been eating.

We have a few bobcats in this part of the country the year round, and also have had some trouble with the Russian hogs, but we have never had wild animals of any kind that did us as much damage or were as hard to combat as the golden eagle. * * *

It is a hard enough job to raise a lamb and goat kid crop here without the eagles catching them, and as for the people who want to protect them, all I wish is they could try raising a bunch of lambs and kids for a few years among a bunch of golden eagles. I am sure they would change their minds about them.

Mrs. DeWayne Lindsey of Rankin, Tex., writes:

Have you ever seen an eagle kill a lamb? Well, I have, and it is not very pretty.

W. H. Glimp—Senator Yarborough may know him personally; he is a prominent, highly respected ranchman at Ballinger, Tex., from an old distinguished family throughout that area. He writes as follows:

For 10 years I operated a 50-section ranch in Hudspeth County near Van Horn. That is out in the rough eagle country.

With all of the trouble we had from coyotes, bobcats, and panthers—

There are lots of those out there that came in from the Big Bend National Park, where they have a sanctuary, and it is a constant source of trouble. Talk to any ranchman in that part of the country about panthers and coyotes; it is really rough.

With all of the trouble we had from coyotes, bobcats, and panthers, there was nothing that hurt me as bad as the eagles. Forty percent was the highest lamb crop I ever raised under ideal conditions. I saw these eagles eat a whole lamb crop while I fought them with every known means. I want to go on record that I saw these eagles attack and kill my lambs. And, I know what I am talking about.

Mr. George K. Whitman of Marble Falls, Tex., wrote:

I worked for the USDA foot and mouth program at Langley, Tex., 3½ years, and saw one eagle kill five lambs in 1 day. * * *

Mr. Charles Schreiner III, of Kerrville, Tex., who is well known by Senator Yarborough, one of the most prominent and respected ranchmen and friends of wildlife in Texas, recently told me that in his judgment, based upon actual observation and experience, the golden eagle is today the No. 1 predator of lambs, kids, and young wild turkeys in southwest Texas.

Mr. C. F. Cox of Sanderson, Tex., on a visit to my office recently stated:

We have to bring our goats down out of the mountains every year during kidding because of the eagles.

Mr. Chairman, scores of other authorities could be cited, but I shall not further impose upon the time of the committee. The fact is that there is no possible basis for any valid argument to the effect that golden eagles do not kill lambs, kids, and a considerable amount

of wild game. It is our No. 1 enemy, ahead of the bobcat, the coyote, and panther in southwest Texas today.

Perhaps the best and most respected authority on this subject is Mr. Dan Auld, of Kerrville, Tex., who, at his own expense, has come here to give the committee information on this subject. He is here today. His testimony will be based upon actual experience and observation and it will be absolutely factual and reliable.

Before concluding, I should like to quote from a resolution adopted by the directors of the Texas Angora Goat Raisers' Association, dated March 7, 1962, which includes the following:

1. This bill (prohibiting the killing of golden eagles) would be very detrimental to the Angora industry of Texas, as the section of Texas where this golden eagle migrates each winter is a very large mohair-producing area.

2. It would have a vital and very serious effect on the mohair production of our Nation, as Texas produces over 90 percent of this Nation's mohair.

Thank you, Mr. Chairman.

Senator YARBOROUGH. Senator Engle?

Senator ENGLE. That is a pretty devastating statement, Congressman, with regard to the depredation of these eagles.

You say they hunt them with airplanes?

Mr. FISHER. Oh, yes; it is about the only effective way of combating them.

Senator ENGLE. They fly alongside of them and shoot them; is that it?

Mr. FISHER. That is right. They are very elusive and very difficult to approach from the ground.

Senator ENGLE. We used to hunt coyotes that way.

Mr. FISHER. Yes.

Senator ENGLE. Two of my friends were killed. We found out the coyotes were getting more of us than we were getting of them. So I am a retired aerial coyote hunter.

Mr. FISHER. Well, the gentleman is closely identified with the sheep industry and he is in a position to appreciate the problem we have, because we have enough problems, without taking on additional ones and trying to make a living out of the sheep business.

Senator ENGLE. Do you think this bill would be adequate if we allowed them to protect the golden eagle in areas where they don't apparently cause very much difficulty? We have protection, I believe, in California for the golden eagle. I think it is illegal to shoot them out there.

Mr. FISHER. Some States have that.

Senator ENGLE. We don't have enough of them, as far as I know. I would have to talk to some of my sheep people out there, but we haven't had any difficulty with it. I do recognize where they want you to get a personal permit, that is going to create some problems. If they could select areas in which people could shoot them to protect their crops, perhaps this bill wouldn't be as onerous, as far as you people are concerned, as it is in its present form or as it is in the form presently before the Senate in Joint Resolution 105.

Mr. FISHER. Yes. Of course, we feel that since there actually is no danger of any extinction of the golden eagle and I think the Department would confirm that fact; we don't see any particular necessity for this legislation.

Senator ENGLE. The present law protects the bald eagle. Do you have any trouble with the bald eagle down there?

Mr. FISHER. Well, very little. Our chief difficulty is with the golden eagle.

Senator ENGLE. Do you have any bald eagles in Texas?

Mr. FISHER. A few of them come in. But we feel, again, very strongly that in the event the committee should see fit to give serious consideration to this legislation, which we don't feel it is actually necessary at all, but if it should, then above everything, consideration should be given to the most effective and the most practical means of enabling those people who are adversely affected by these birds coming in to destroy them and protect their livestock. Otherwise, they are helpless against an enemy that is relentless.

Senator YARBOROUGH. Congressman Fisher, since I have the problem of representing the whole State, in addition to your district, I don't believe I have told you, so I will tell you now, that the support for this bill in the eastern half of Texas is just as avid as the opposition to it is in the western part. Now, as I see this House bill, it has two different kinds of protection. It provides protection for the bald eagle that requires a permit, a special type of permit from the Secretary of the Interior, but with regard to golden eagles it gives the Secretary of Interior authority to promulgate regulations that would permit the killing of golden eagles to protect wildlife or livestock in certain localities.

It seems to me under this legislation—which passed the House unanimously, after that amendment was adopted—the people from the livestock areas believed that adequate protection would be provided by promulgating regulations protecting the livestock by permitting killing golden eagles in certain areas.

Mr. FISHER. The bill was called up in the House at least a week before any of us had reason to think it would be. There is considerable opposition to it in the House. Many of us are vigorously opposed to it and we would have actively opposed it had we had the warning we think we were entitled to at the time.

At the same time, in view of the amendment that was adopted, which does give some apparent assistance to the ranchmen in protecting their interests, which was recommended by the Department, in view of that, probably the bill could have passed by a suspension of the rules anyhow.

There were only 20 minutes per side permitted and that was taken up pretty much by the sponsors, so we were in an awkward position in the House, those of us who recognized the danger of this legislation. That made it necessary for us to come to the Senate to seek the protection we think we are entitled to have.

Senator YARBOROUGH. You don't agree then that there is a danger of extinction of these eagles? You don't agree with Mr. Graves' statement, in his recent book, "Goodbye to a River," when he described an eagle in a tree near the Brazos, west of Waco, and commented that Texans deserve eagles which will probably soon be extinct here.

Mr. FISHER. It is amazing how much misinformation there is floating over the country about a lot of things and this is a good example of it.

Senator YARBOROUGH. He was a native of that west Texas area.

Mr. FISHER. I understand that. But I suggest you seek better information from those who actually live in the area where these eagles visit. And I think they will tell you that they are increasing in number every year, rather than decreasing. They know.

Senator YARBOROUGH. That is what we have asked for, specific factual information, and you have given us a lot of facts. I think the facts will be very beneficial to this subcommittee. Thank you a lot.

Congressman Fisher, if you want to attach letters to your statement, it would be fine. I think it would be very helpful. As I sat here and listened to your condensed statement, it occurred to me that it would be very helpful if we had a map of that part of Texas, showing these towns that these letters are from. Of course, you and I recognize geographically where they are, but it would show the Edwards Plateau and the southern foothills of the Rocky Mountains. It would be very beneficial, I think, if we had that in the record.

Mr. FISHER. It seems that probably because of the terrain and climate, and possibly other reasons, that is the area in south Texas, along the Mexican border, covering 200 or 300 miles, where they migrate every year in great quantities. And I think we can supply that very readily.

Senator ENGLE. It is very important. I certainly agree with the chairman. Could you give us a map which would indicate the area you believe from the evidence you have should be excluded by permit or by this legislation from the protections which would be involved?

I observed 43 States presently have laws protecting the golden eagle, and the bald eagle is protected by Federal legislation, enacted in 1940. But it seems to me—I am very much impressed with these letters, incidentally. I live out in the hill country of California, and I know that when you get letters like that from men who live out there on the range and have lived out there all of their lives, they know what they are talking about. If those letters—you perhaps read from excerpts, or did you put them in in toto?

Mr. FISHER. I excerpted some of them.

Senator ENGLE. That is perfectly all right. The record is complete in any case.

But it would be helpful if you defined the area somewhat, so we can see what you are talking about. And if this bill is voted out, we can have clearly in the record what we are talking about. Because it seems to me unless somebody comes along with better evidence, you made a fine case for exempting your areas, at least, from the prohibitions that would exist in the law if the bill was passed.

But we have to see what the area is, and as the chairman has indicated, some of us are not as familiar with Texas geographically as we would like to be.

Mr. FISHER. I think with the assistance of Mr. Auld, and others who are even more familiar with the area than I, we can work something out and submit it to the committee that will generally define the areas where the golden eagle are most prevalent and do the most damage, based upon the experience these people have had through the years.

Senator YARBOROUGH. Yes. We may not have a topographical map available, Congressman Fisher. The ordinary State road maps of Texas give a rough indication, however.

Mr. FISHER. Yes, I think we can work that out. I think it is most important, from our standpoint, to have some arrangement whereby a so-called open season can be maintained in these areas where these birds are the enemy of the livestock producers and wild game development.

You just can't imagine what a serious problem this is. We can have a hundred witnesses here, easily. It is a long way to Texas, and you can't bring them all up. But we have spokesmen here for all of the people out there. We could have hundreds of witnesses here to testify to the depredating habits of these birds and how difficult it is to fight and live with them.

They would rather put up with the coyote and the panther. They are that bad. They come down and they don't have enough rodents that they may have in New York to live on, so what do they do, they catch those freshly born baby lambs and kids and young wild turkeys, and that is what they live on for months. And they have pretty heavy appetites, too.

Senator YARBOROUGH. I am very much impressed, Congressman Fisher, with those letters, and I am impressed, too, with Congressman Goodling's statement about the 50-percent decline in immature birds in Pennsylvania. Now, we have areas of the country where these birds are declining rapidly. And we have other areas where it seems the amendment put in by the House to protect the ranchman is not adequate. We ought to try to work something out to take care of them since this is a great country and covers a lot of areas.

Mr. FISHER. We are grateful for that amendment. It is all right up to a point, but we are fearful we will run into a lot of redtape, difficulty, and delays that will be hard to live with, unless that provision is amended even further to permit open seasons or blanket permits in Val Verde County, Hudspeth County, various counties where they are prevalent every year when they come down there. If we had something like that, that would cover the area, of course that would meet our problem, and not be dependent on going through a long redtape process of getting a permit, and having a hearing on it and so forth, maybe take a month to get it. In the meantime, you have lost a hundred lambs or kids. That is what we are afraid of.

So if we can have the legislation in the shape where that sort of thing can be avoided and they can have absolute protection in defending themselves against these preying birds, why, that of course would be fine. I am completely sympathetic with the views of those in other areas, where they don't have a problem such as ours. Ours seems to be a little special, because that is the principal place where they migrate in the winter months. And that is the time when we do our lambing and our kidding, and in the early spring, when wild turkeys hatch out, and of course they tell me there is no defense against the eagles in destroying those baby turkeys, that is their No. 1 enemy and it is a headache every year.

Senator ENGLE. Where do those golden eagles migrate from?

Mr. FISHER. I think the Department better testify to that. Mostly up West. Of course, there are a lot of them in Mexico.

Senator ENGLE. Do we have any equivalent situation anyplace else in the country that you know about?

Mr. FISHER. I am not too familiar, but I am sure the Department can tell you.

Senator ENGLE. If 43 States now protect the golden eagle, that only leaves 7 States where it is not protected. I assume Texas is one of them?

Mr. FISHER. Yes.

Senator ENGLE. It seems to me we could identify these areas rather readily.

I wouldn't be in favor of a bill that would require a personal permit to shoot a golden eagle. It seems to me if you are going to exempt the area, you ought to exempt the area. What do those farmers do; do they hire pilots?

Mr. FISHER. They hire pilots and pay then so much an hour. That is the only defense they have against them.

Senator ENGLE. They don't pay them by the eagle?

Mr. FISHER. No; I think they pay them by the hour, usually.

Senator ENGLE. If he wasn't a good shot, he wouldn't do very much for his money; would he?

Mr. FISHER. That is right.

Thank you very much, Mr. Chairman.

Senator YARBOROUGH. Thank you, Congressman Fisher, for the enlightening information you have given us. The question the Senator from California brought up is very important, too, on these areas, because as I have stated earlier, many of the people in the eastern part of the State of Texas, are very strong supporters of this legislation. Where they once saw eagles, they no longer see them or they are just an occasional visitor. They are alarmed about extinction over there.

Mr. FISHER. Yes; of course, those people are not familiar with our problem.

Senator YARBOROUGH. No. This is a very peculiar problem you have, as you very graphically stated, but it is not statewide.

Mr. FISHER. That is right.

I think it can be substantiated that there is a noticeable increase in the number of golden eagles in Texas, certainly in the Southwest.

Senator YARBOROUGH. Thank you a lot. That helps a lot.

We will put the map that will be supplied by Congressman Fisher in the committee files so that it will be available for inspection, and, without objection, place in the record at this point such other information as he may supply.

(The letter is as follows:)

HOUSE OF REPRESENTATIVES,
Washington, D.C., June 29, 1962.

Hon. RALPH YARBOROUGH,
U.S. Senate, Washington, D.C.

DEAR RALPH: You will recall that you and Senator Engle requested a Texas map marked to show the area that is infested with the golden eagle menace. Mr. Auld and Mr. Kahl, both of whom are thoroughly familiar with this, joined with me in marking a map to accurately locate the area involved. I enclose one herewith. You will note that the infested area includes the following counties:

El Paso	Crockett	Bandera
Jeff Davis	Ward	Kimble
Brewster	Upton	Sutton
Val Verde	Hudspeth	Pecos
Uvalde	Presidio	Culberson
Kerr	Terrell	Real
Edwards	Kinney	

I have been told informally by the Library of Congress that there is ample precedent for this proposed exemption from a constitutional standpoint. I have requested a formal report from the Library. When it is received I will promptly forward you a copy.

If it can be done, the exemption would seem to be the proper approach in order to give the landowners in the infested area the protection they need. As you know, the big drive to destroy the eagles in that area is made shortly before the lambing and kidding begins, and before the heavy damage actually begins. If the ranchman is forced to wait until the eagle strikes before getting a permit, most of the damage would be done before permits could be obtained. That is due to the fact that the lambing and kidding season usually lasts only 2 or 3 weeks, and apparently the eagles prefer and can more easily destroy the real young ones. The killing, of course, continues, but it is more serious shortly after the lambs and kids are born.

Therefore, there would seem to be good reason for an open season in the infested area.

I am going to Texas today and will not return until July 9. If I can be of any possible assistance in working on alternative language, I shall, of course, be happy to be of any help I can.

With personal regards, I remain,
Sincerely yours,

O. C. FISHER.

Senator YARBOROUGH. The next witness is Mr. Lansing Parker, Assistant Director, Bureau of Sports Fisheries and Wildlife, Department of the Interior; accompanied by Dr. John W. Aldrich, staff assistant, Branch of Wildlife Research, and Mr. Frederick A. Williams, Chief of the Section of Regulation and Enforcement, Management and Enforcement Branch, Bureau of Sports Fisheries and Wildlife, Department of the Interior.

STATEMENT OF LANSING A. PARKER, ASSISTANT DIRECTOR, BUREAU OF SPORTS FISHERIES AND WILDLIFE, U.S. FISH AND WILDLIFE SERVICE; ACCOMPANIED BY DR. JOHN W. ALDRICH, STAFF ASSISTANT, BRANCH OF WILDLIFE RESEARCH, AND MR. FREDERICK A. WILLIAMS, CHIEF, SECTION OF REGULATION AND ENFORCEMENT, MANAGEMENT AND ENFORCEMENT BRANCH, BUREAU OF SPORTS FISHERIES AND WILDLIFE, DEPARTMENT OF THE INTERIOR, AND MR. MANGAN, BUREAU OF INDIAN AFFAIRS

Senator YARBOROUGH. Are those gentlemen with you?

Mr. PARKER. Yes, sir. I also have with me this morning, Martin Mangan, the Assistant Commissioner for Research, Bureau of Indian Affairs, Department of the Interior, in the event there are some questions concerning the Indians.

Mr. Chairman, I am Lansing Parker, Assistant Director, Bureau of Sports Fisheries and Wildlife. As indicated, we have Dr. John Aldrich, who is a staff specialist in the Branch of Wildlife Research, and Fred Williams, who is Chief of the Section of Regulations and Enforcement in the Bureau with me, as well as Mr. Mangan, who is with the Bureau of Indian Affairs. I have a short statement, and if you don't mind, I would like to read it.

Senator YARBOROUGH. Yes.

Mr. PARKER. The bill, Senate Joint Resolution 105, presently being considered by your committee, is intended to give Federal protection to the golden eagle and additional protection to the bald eagle by amending the Bald Eagle Act of June 8, 1940, by making the provisions applicable to golden eagles.

We are in accord with the objectives of the bill. It will give added protection to the bald eagle and protect the golden eagle from unwarranted harassment and killing.

During the first 3 years and sometimes longer, the young bald eagle has a gross appearance similar to that of the golden eagle so that the two are not distinguishable at a distance. Thus, the immature bald eagle can be mistakenly shot for a golden eagle. Currently, eight of the States do not protect the golden eagle.

The committee is no doubt aware of the controversy surrounding the habits of the golden eagle. Proponents of complete protection emphasize the fact that the bird feeds largely on rodents and rabbits and that the sheep, antelope, and deer found in the eagle's diet is largely carrion. Others contend that the amount of feeding on livestock is significant and that control of the golden eagle is essential to a profitable sheep and goat industry in many places, particularly in the Southwest. Food habit studies and reliable eyewitness accounts substantiate the contentions of both sides with respect to the feeding habits of the bird.

Over much of its range, the golden eagle imposes little, if any, economic losses, and feeds largely upon rabbits, rodents, and carrion. However, we feel that it is essential to permit an owner to protect his herds where significant losses from depredations are evident. Thus, the Department of the Interior, in its report to this committee dated February 5, 1962, recommended revision in the text of Senate Joint Resolution 105 which would authorize the Secretary to issue regulations to permit the killing of the golden eagle for the protection of wildlife, agriculture, or other interests in particular localities.

Further, the golden eagle is an important part of the ceremonies and religion of many Indian tribes and the Department recommends that provision be made to authorize the Secretary by regulation to allow the use of eagles and parts thereof for religious purposes by Indian tribes.

The House of Representatives, in its action on House Joint Resolution 489, passed the bill in the form recommended by the Department of the Interior, which includes the recommendations I have just cited.

This concludes my formal statement, and I will be happy to answer any questions.

Senator YARBOROUGH. Do those accompanying you, Mr. Parker, have prepared statements?

Mr. PARKER. No, sir.

Senator YARBOROUGH. Have any studies been made by the Bureau of Sports Fisheries and Wildlife, or the Wildlife Research Department or any department or any bureau of the Department of Interior or any bureau of any department of the Government, concerning the range of the golden eagle, the migratory habits, and the percent that migrate. I have been asking people about the golden eagle since this bill has been pending. I have talked to people from Alaska, where they see the golden eagle. They were not certain whether it migrated but said they remembered seeing them in the winter.

Have any studies been made about the migratory habits of the golden eagle? I know we have a great deal of data about ducks, geese, and waterfowl, about the Mississippi flyway, the Atlantic flyways, and the Pacific coast flyways. I have books with elaborate

charts showing where ducks and geese migrate to and from. Have any such studies been made of eagles?

Mr. PARKER. The last studies the Bureau made were printed in 1947. The Bureau does not have any area management responsibilities with reference to the golden eagle. The Federal Government's responsibilities rest largely with those birds that are defined in the Migratory Bird Act, and as a consequence we have only carried out these research studies, the last of which was printed in 1947.

Senator YARBOROUGH. What is the size of that one printed in 1947? Is it a book or pamphlet?

Mr. PARKER. This is it. It is called "The Golden Eagle and Its Economic Status."

Senator YARBOROUGH. How many pages long is that?

Mr. PARKER. With the reference material, 35 pages.

Senator YARBOROUGH. Do you have an extra copy of that?

Mr. PARKER. We would be glad to give you this copy. We have others that are available.

As far as the occurrence of the golden eagle, it has in the past occurred pretty much all over the United States, nesting more principally in the northern half of the country. The greater populations occur west of the Mississippi. It has always been more or less a rare bird east of the Mississippi River. It occurs in substantial numbers in Alaska and in Canada. Dr. Aldrich, who is a staff specialist in bird migrations, will be able to expand a bit on my statements in that regard.

Senator YARBOROUGH. Dr. Aldrich, could you give us a brief description and condensation of the nonmigratory habits of the golden eagle, with special emphasis on the territory west of the Mississippi River?

Dr. ALDRICH. Well, the information on the migration of the golden eagle in the West, I might say, is quite poorly known in its detail, largely because there have been very few individual bandings so they could be traced from their breeding area to their wintering area. The very few we do have, however, indicate that there is a considerable and even a long-distance migration of birds from northern and western Canada, southward into the Southwestern United States. It is certainly indicative of this migration, the fact that there is a concentration of these birds in the Southwest, in the winter, and these birds concentrate there, and we are quite certain, even though we have so little data, they come from a very wide area of nesting in the northwestern part of the North American Continent. They migrate southward and their chief distribution, of course, is in the western part of the continent, and evidently the primary wintering area is in the Southwestern United States where we heard reports of this concentration in the livestock areas. That, unfortunately, is the best that we can give, a very general statement, on the distribution and migration.

The concentrations, apparently, are rather local, probably in areas where they have a good food supply, and this is indicated by the fact that in general few birds are seen by observers, even in those areas such as New Mexico and west Texas, and Arizona, southern California, by organized observers, who go out specifically to see birds in the winter and you will recall the Christmas bird counts, which are organized observations by observers all over the United States, who

cooperate with the Bureau of Fisheries and Wildlife and the National Audubon Society. I took occasion to look over the recent accounts of the last ones which have been published, and it indicates that each group, which covers an area not greater than 15 miles in diameter, see about half of them—see golden eagles, and these groups see anywhere from one to six birds.

Senator YARBOROUGH. Were these groups you are describing in the southwestern part of the United States?

Dr. ALDRICH. Yes; I am referring only to those three or four States—Arizona, California, New Mexico, and Texas. They are most frequently seen in New Mexico. Of the total of six, Arizona count, three recorded golden eagles. Of the 36 California counts, 14 recorded golden eagles. Of 8 New Mexico counts, 4 golden eagles and 1 bald eagle, and Texas, with a total of 26 counts, there were 3 bald eagles seen, but no golden eagles.

I suspect the reason for that is that none of the counts were in the primary concentration area for the golden eagle, because we know they are there in that area.

Senator YARBOROUGH. You don't happen to know what part of the State those counts were in, do you? Do you have a list of that?

Dr. ALDRICH. No, sir; I don't have a list of the localities with me. But that is available. But they were mostly in the eastern part of Texas, because that is where the larger cities are and most of the people that make the counts work.

Mr. PARKER. We will be glad to supply that for the record.

Senator YARBOROUGH. All right, if you will, please.

(The material referred to is as follows:)

DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICE,
BUREAU OF SPORT FISHERIES AND WILDLIFE,
Washington, D.C., July 5, 1962.

HON. RALPH W. YARBOROUGH,
U.S. Senate, Washington, D.C.

DEAR SENATOR YARBOROUGH: In accordance with your request at the June 26 Senate committee hearing on Senate Joint Resolution 105 to provide protection to the golden eagle, we have tabulated counts of eagles in several of the Western States. The tabulations which are enclosed are based on the annual "Christmas Bird Counts" published by the National Audubon Society in collaboration with the Bureau of Sport Fisheries and Wildlife. These counts are made by volunteer bird observers who work in teams in circular areas no greater than 15 miles in diameter in the vicinity of the listed localities. Each team records birds for a single whole day during a prescribed 2-week period, including Christmas.

These data are not as abundant nor gathered in as precise a manner as we might wish, but they are the best we have and we do believe they may be indicative of general trends. It will be noted that golden eagles are recorded less frequently in Texas than in any of the more western States. Although the total frequency of observations of golden eagles and bald eagles in Texas appears to be equal (each sighted on 21 counts) over the last 12 years, the total number of bald eagles seen was less (32 bald as compared with 54 golden eagles). Furthermore, the frequency of recording golden eagles on Texas Christmas counts has been decreasing while the frequency for bald eagles has been increasing during the past 12 years.

I trust that this information will be helpful in assessing the importance of the bill in protecting the two species of eagle in the United States.

Sincerely yours,

D. H. JANZEN, *Director.*

Eagles on Christmas counts

Localities	1961		1960		1959		1958		1957		1955		1954		1953		1952		1951		1950	
	Golden	Bald																				
Arizona:																						
Imperial National Wildlife Refuge.....	0	0	0	0	0	0	0	0	0	1	0	0	1	0	1							
Alacosa Highlands.....	4	2	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Nogales.....	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Phoenix.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							2
Santa Catalina Mountains.....	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0							0
Sierra Pinta, Cabeza Prieta G.R.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							2
Tucson.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							2
Santa Cruz Valley.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Hereford.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Flagstaff.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Havasas Lake National Wildlife Refuge.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
California:																						
Angwin.....	0	0	1	2	0	0	4	4	0	0	0	0	0	0	0							0
Big Bear Lake.....	0	0	0	0	5	1	1	1	2	4	0	2	0	4	3	5	4	4	6	1	6	4
Chico.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
China Lake.....	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0							0
Coastal Humboldt County.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Contra Costa County.....	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0							0
Crystal Springs.....	1	0	0	0	3	0	3	3	2	0	0	2	0	0	0							0
Death Valley.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Daywild.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Lodi.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Los Angeles.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Marysville.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Marysville.....	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0							1
Monterey Peninsula.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Morongo Valley.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Morro Bay.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Oakland.....	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0							0
Oceanside-Vista.....	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Orange County (central-coastal).....	0	0	0	0	1	1	2	2	0	0	2	2	1	0	0							0
Orange County (northeastern).....	4	0	1	3	0	0	2	2	6	4	0	0	2	2	0							0
Oroville.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Palo Alto.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Pasadena-San Gabriel Valley.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Redding.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Redlands.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
Sacramento.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
San Bernardino.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0
San Diego.....	1	1	1	0	1	0	0	0	0	0	0	0	0	0	0							0
San Fernando Valley.....	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0							0
San Fernando Valley.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							0

Data for Christmas counts of eagles in Texas

Year	Counts	Golden			Bald		
		Fre- quency	Percent frequency	Total birds	Fre- quency	Percent frequency	Total birds
1961.....	36	1	3	1	5	14	8
1960.....	36	1	3	1	5	14	6
1959.....	37	1	3	1	0	0	0
1958.....	31	3	10	15	4	13	5
1957.....	32	1	3	4	4	13	8
1956.....	25	2	8	2	1	4	2
1955.....	23	2	9	4	1	4	2
1954.....	17	3	18	8	0	0	0
1953.....	17	3	18	8	0	0	0
1952.....	15	1	7	7	1	7	1
1951.....	11	1	9	1	0	0	0
1950.....	11	2	18	2	0	0	0
Total.....	291	21	7	54	21	7	32
Total years seen.....		12			7		

Senator YARBOROUGH. Does counsel have any questions?

Mr. BAYNTON. Yes, Mr. Chairman.

Mr. Parker, you said eight States did not protect the golden eagle and earlier we had a record of seven. Which is the additional State?

Mr. PARKER. Yes; I meant to call the attention of the committee to the fact that the recent check, as best we were able to put together, indicates there are eight States that do not protect the golden eagle. They are Arizona, Colorado, Georgia, Montana, New Mexico, South Carolina, Texas, and Wyoming.

Mr. BAYNTON. New Mexico is the addition?

Mr. PARKER. Yes.

Mr. BAYNTON. Now, with respect to the House resolution, it would provide a couple of exemptions under regulations that could be issued by the Secretary. Then it has a proviso that bald eagles may not be taken for any purpose unless prior to such taking a permit to do so is procured from the Secretary. I am curious if you have had any experience under that proviso, because it is somewhat similar to the 1940 act where bald eagles could be taken if the Secretary issued a permit. Have you had any experience in the Department as to the length of time and how you go about getting such a permit?

Mr. PARKER. As far as the issuance of the permits for the bald eagle are concerned, we have not issued any on depredation problems. The only permits that have ever been issued were issued for scientific purposes or display in public museums. The food habits of the bald eagle are much different than the golden eagle, and we don't anticipate any particular problem of depredation with the bald eagle. But this has always been done, they are requested by scientific institutions, or public museums, that wanted an animal for display or for scientific purposes. And they are procured by writing to the Secretary.

Mr. BAYNTON. In other words, in these instances there would be no hurry.

Mr. PARKER. That is right.

Mr. BAYNTON. And you have had no experience, of course, other than that?

Mr. PARKER. That is right.

Mr. BAYNTON. That is all, Mr. Chairman.

Senator YARBOROUGH. Do you have any responsibilities anywhere in the Department of the Interior for predator control?

Mr. PARKER. Yes, sir; we have a branch of predator control and rodent control.

Senator YARBOROUGH. Now has any research been done in that branch on the predator habits of the golden eagle?

Mr. PARKER. That branch would not do research on it. The research that would have been done in the Bureau would have been done by the Research Branch, and it is summarized in the publication which you have.

Senator YARBOROUGH. Do you feel that this research, Mr. Parker, has been sufficient to permit the Department to make an unqualified recommendation on the legislation?

Mr. PARKER. Yes, I think, as you well appreciate, Mr. Chairman, that it is a matter of local problems with reference to depredation on livestock. I think you will find, for example, that even the sheep owners in Colorado are anxious to see the golden eagle protected. It depends entirely on how they handle their operations.

Generally there, as I understand it, the lambs are born in sheds, so that there is not the opportunity for the eagle to depredate, where if the lambs and goats are born out on the open range, there is that possible danger.

Now, the other aspect of the thing that has puzzled everyone is to determine when the kill was actually made by an eagle, and when he is feeding on carrion. There is no question that there are eyewitness accounts to the fact they have seen eagles preying on lambs and deer and antelope, but to determine from a food habit study whether all of the livestock that they consume are animals that they killed or carrion is a very difficult proposition. It is almost impossible to tell. You almost have to be on the site to witness the actual account.

Senator YARBOROUGH. I notice in the Department publication on the golden eagle and its economic status, your first paragraph begins by agreeing that Mr. Arthur Cleveland Bent's opinion that the golden eagle is a powerful influence for either good or evil, according to the conditions of its habitat, and the sheep raisers in the States farther north, where they are herded and guarded not only don't object to the eagles, but seek their protection.

Mr. PARKER. That is right.

Senator YARBOROUGH. It is a difference of whether you have an open range with the sheep unherded and unprotected or an area where they are protected?

Mr. PARKER. Yes; as I say, unless you actually saw the action of depredation, you couldn't be sure if you found an eagle feeding on a sheep whether he killed it or whether it was a stillborn lamb, or just what caused the death.

Senator YARBOROUGH. Do you think if this legislation or amended legislation were passed, that regulations could be drawn that would be sufficiently broad and capable of expeditious administration, so that in areas where eagles that migrate in the winter in large numbers and destroy the wildlife or livestock, general authorization to kill them could be granted?

Mr. PARKER. I would say, Mr. Chairman, we very definitely would develop regulations that recognize both sides of the problem. At the moment I am not in a position to say what they would be. I think

it is essential first to develop the area of intensive damage, so we can readily identify it, and determine somewhat the magnitude of that damage, and on that basis determine exactly what sort of regulations should be prescribed.

For example, I think it is pretty well recognized that aside from the lambing period of the year, there probably isn't too much problem with the eagles. As a matter of fact, most of them have migrated north. So there would be little need to permit the killing of eagles during the period of the year when they were not depredating. So there might be arrangements such as that. Now in handling other depredating birds, the blackbirds, for example, it is a rather broad regulation, which permits any landowner to kill a blackbird when he is doing or about to do damage to agriculture.

Senator YARBOROUGH. And that was the rice growing areas which were very desirous of that.

Mr. PARKER. It covered all of the United States, but the rice growing areas predominantly, yes. But just what those regulations would look like, we have not completed our studies on this.

As I say, it is going to be essential to follow through more to determine specifically where the areas of depredation occur. And as you well appreciate, the section 4 of the Administrative Procedure Act provides that we develop any of our regulations through adequate advance notice to the public, and the Department of Interior always publishes these in the Federal Register and where we deem it advisable, we would go to the interests that are concerned, and hold public meetings and discuss the regulations.

Senator YARBOROUGH. Now if this legislation were passed, you wouldn't have to wait for 2 or 3 years to get data on this, would you?

Mr. PARKER. No; we are in the process of gathering information now. We started since the bill was introduced, so we can better spell out the areas where the problem exists.

Senator YARBOROUGH. Because two or three lambing seasons, with no protection under the conditions described by Congressman Fisher, could be disastrous to an area where the sheep and lamb are on the open range, without the protection you have further north?

Mr. PARKER. That is right. We recognize that, sir.

Senator YARBOROUGH. I will place in the record at this point two pages of summary and conclusions from Fish and Wildlife Service Circular No. 27, U.S. Department of Agriculture, title "The Golden Eagle and its Economic Status." This is the 12 points outlined on pages 31 and 32 and we will make the rest of the publication a part of our files. The staff will study this and we may desire to add other excerpts. But for the brevity of the record at this point, we order the summary and conclusions printed in the record.

(The material referred to is as follows:)

SUMMARY AND CONCLUSIONS

1. The golden eagle is widely distributed in mountains and adjacent plains throughout much of the Northern Hemisphere. Its principal breeding range in North America extends from the Arctic Ocean south into Mexico, westward from the 99th meridian. As it nests from near sea level to timberline, it may be found in a wide variety of habitats, and in winter it occurs practically throughout this country. Its food habits are as varied as the diversified habitats in which it lives.

2. The golden eagle had been known to kill and eat more than 60 different kinds of animals ranging from full-grown deer and antelope to mice, birds, frogs, and

insects. Both living creatures and dead are included in this diet, and at times it accepts carrion even though living prey is available.

3. Rabbits and rodents form the staple diet of the golden eagle, the proportion taken varying with local conditions. During the nesting season on a Colorado antelope range, rabbits supplied most of the golden eagles' food; under winter conditions on a North Dakota pheasant refuge, they comprised approximately 19 percent.

4. On occasion, the bird will kill adult and young antelope, although in northern Colorado, where four pairs of eagles nested in close proximity to antelope at fawning time such predation was negligible.

5. Although the golden eagle will kill either the adult or the young of deer, no evidence was found to indicate that the bird is more than a minor influence when compared to other factors controlling deer populations.

6. One fairly conclusive account of golden eagle predation on a bighorn lamb is cited, but available information indicates that any danger to bighorn sheep either in decimating populations or inhibiting their restoration has been relatively minor.

7. Depending on local conditions, the golden eagle exerts a varying pressure on upland game birds, and at times the pressure may be sufficient to warrant eagle control. Harassment of upland game, thus keeping it from feeding properly in severe weather, may be more serious than the actual killing activities of the eagle. That being the case, it appears that time and effort might be wisely spent in developing cover which will give permanent protection from the golden eagle rather than in assuming the never-ending task of control. Golden eagles kill wild turkeys, but the significance of this activity on present-day wild-turkey populations was not determined in this study.

8. When nesting in the vicinity of waterfowl areas, the golden eagle may feed its young largely on waterfowl. In one study cited, it was shown that pressure on waterfowl was applied principally by a pair of eagles in whose nesting territory the prey was found.

9. Golden eagles at times kill domestic lambs. The extent of this damage varies with local conditions. Conservative local control, properly executed in areas of severe damage, should not unduly influence the overall status of the species. Because the birds tend to congregate, especially in winter, in areas where carrion is available, it would be to the sheep rancher's own advantage to determine whether the eagles on his ranch are preying on live lambs or on those that died from other causes that perhaps could be remedied.

10. On occasion, golden eagles kill calves or may even contribute to the death of full-grown cattle. All evidence indicates that this is an exceptional activity and the general attitude of cattlemen interviewed during this study has not been antagonistic to the eagle.

11. Golden eagles occur in varying numbers on more than 65 Federal wildlife refuges where, in general, they serve a beneficial purpose in consuming wounded, sick, or dead ducks and forage-consuming jackrabbits and rodents. On those areas where not detrimental, they are given full protection.

12. The golden eagle may vary in influence depending on its habitat, from the one extreme where it may be endangering the young of the rare trumpeter swan to the opposite extreme where it may be a contributing factor in saving some rancher appreciable forage which would be eaten by jackrabbits. Its harmful activities should not be allowed to go unbridled. Neither should its beneficial influence be dissipated for want of insight into the complexities of present-day wildlife problems. In the final analysis of any wildlife situation in which the golden eagle is involved, its management calls for local appraisal combined with an impartial and thorough understanding of the broader aspects of its influence. Let it not be forgotten that the golden eagle will always be looked upon as a noble and priceless heritage of our mountains and western plains.

Senator YARBOROUGH. To what extent does the range of the bald and golden eagles overlap?

Mr. PARKER. Well, you must consider first the food habits of the two. The bald eagle feeds largely on fish and scavengers, so they generally occur along the coast or around larger bodies of water, generally where fish are available. On the other hand, the golden eagle feeds on flesh and rodents, as was developed here earlier, and the greater possibilities for food for the golden eagle occur in the West and in the range country. Now in migration, there will be some bald

eagles and golden eagles intermingled, but the habitat is somewhat different and also the requirements of the two.

Do you want to expand on that any more, John?

Dr. ALDRICH. That is certainly correct. The ranges do completely overlap during migration. They extend from coast to coast, although the bald eagle is more around the larger bodies of water, and the golden eagle more in the arid interior.

There is a concentration of bald eagles in the southern Great Plains, where there is water, such as in the Salt Plains of Oklahoma, during the winter. There they might come in contact with golden eagles more than in most places. But there is the overlap and during migration the birds might be completely intermingled.

Senator YARBOROUGH. To what extent do they migrate? Do you have 100 percent migration from the northern breeding range or 90 percent, or 80 percent? What percent of the eagles in the Northern States or what percent in Canada? They breed all the way up to the Arctic Circle, don't they?

Dr. ALDRICH. That is right. It is not 100 percent, but I can't give you the exact percentage. The more northern birds probably would tend to move. We know they move farther. They would be more likely to move, more of them, although we know that even the Florida bald eagles move away from their breeding area and in this case they go northward, rather than southward. So there is in general a movement of the birds away from their breeding area, either for short or longer distances.

Senator YARBOROUGH. Any further questions?

Senator KEATING. Could I ask a couple of questions?

I regret I was not able to hear all of the testimony of these witnesses from the Department. I wanted to ask whoever is best equipped to answer, how large an animal, a lamb or a kid or smaller than that, how large an animal can a golden eagle take?

Mr. PARKER. Senator Keating, there are witness accounts of golden eagles being able to kill a mature deer or antelope, under unusual circumstances. But generally I think it is recognized that it would be animals much smaller. They feed predominantly on jackrabbits, rodents, and so forth. The ability to carry a weight has been used as criteria as to whether they do or don't kill larger animals and as will be noted in the publication, they attempted to test to see how much weight an eagle could carry, and one, an 11-pound bird, was not able to fly with $5\frac{1}{4}$ pounds attached to his foot, and another one perched on a 15-foot high platform was just barely able to fly carrying 8 pounds. But I think there are plenty of eyewitness accounts to indicate the eagle will kill something on the spot and eat parts of it there and carry parts of it away.

Senator KEATING. How do they kill with their claws?

Mr. PARKER. With their claws, dive with their claws set.

Senator KEATING. Is there evidence of depredation by eagles in any areas of the country except Texas?

Mr. PARKER. We have accounts of depredations that extend over quite a large area, miscellaneous observations, which include California, Colorado, Idaho, Kansas, Louisiana, Montana, Oklahoma, South Dakota, Tennessee, Washington, but the area where extensive losses are reported in is New Mexico and Texas, particularly the west half of Texas.

Senator KEATING. In the mature birds, it is pretty hard to confuse a bald eagle with a golden eagle, isn't it?

Mr. PARKER. That is right.

Senator KEATING. But when they are younger, do they look a lot alike?

Mr. PARKER. Yes, sir; if you would like to see some specimens, we have them here, if you care to take the time to look at them.

Senator KEATING. Yes.

Senator YARBOROUGH. Would you bring the specimens around, please?

Dr. ALDRICH. The adult bald eagle, of course, is no problem. The white head and tail distinguishes it very definitely from the golden eagle, which in the immature plumage has white in the tail, but not the tip. This is the tail, of course, which we recognize in the Indian headdress, a white feather with back tip, of the young golden eagle.

Senator KEATING. The one you just had in your hand is an adult?

Dr. ALDRICH. No, that is the young. This is the adult golden eagle, which compared to the adult bald eagle is very distinct.

Senator KEATING. No white at all, practically.

Dr. ALDRICH. There are no large patches of white anywhere on it.

Now when we come then to the distinction of the immature bald eagle, up to below the age of four, we also have an all dark bird.

Senator KEATING. That is the bald eagle?

Dr. ALDRICH. That is the young bald eagle.

Senator KEATING. They are like a lot of the rest of us, they don't get white hair until later.

Dr. ALDRICH. Right. So in comparison, you see, with the golden eagle, it is superficially very similar. They are both all dark. You have to have the bird very close or in your hand, to see the fact that the bill of the bald eagle is slightly larger and heavier, the legs of the golden eagle are feathered all of the way to the toes, the legs of the bald eagle are not feathered all of the way to the toes, there is some bare shank showing. There are some minor differences in the scales on the feet of the two birds and in the coloration of the tail. The differences are extremely minor. They both have some white markings, marblings, or specklings. The bald eagle is more speckled possibly, and the golden eagle a more marbled type of pattern. But it is something you have to have the bird in your hand to see.

Senator KEATING. Thank you. That is all I wish to ask now, Mr. Chairman.

Senator YARBOROUGH. Mr. Aldrich, is the golden eagle adult larger than the bald eagle? This particular specimen I notice is larger. Is it generally larger?

Dr. ALDRICH. No, they are approximately the same size, sex for sex. The females of both are larger than the males. So that you get a complete overlap, if you had representatives of both sexes present.

Senator YARBOROUGH. What is the approximate weight of an adult?

Dr. ALDRICH. The average weight of the golden eagle is about 9 pounds. They vary all of the way from 6 to 12 pounds.

Senator YARBOROUGH. The immature golden eagle you had there, about what age is that specimen that had the white tail?

Dr. ALDRICH. Probably 1 year old or less.

Senator YARBOROUGH. How old does the golden eagle get before those white tail feathers turn brown?

Dr. ALDRICH. That would be 4 years old. But it is a progressive change. The tail feathers come in moults progressively, so the first year they would be all white and then the next year, more dark and so on, up until they are all dark in 4 years.

Senator YARBOROUGH. Thank you very much, Mr. Aldrich, for this information.

Any further questions?

Mr. BAYNTON. No questions, Mr. Chairman.

Senator YARBOROUGH. Thank you for your information.

Senator KEATING. Mr. Chairman, could I read a short opening statement at this time as I was unable to be present at the start of the hearing?

Senator YARBOROUGH. Yes, Senator Keating of New York has a statement.

STATEMENT OF HON. KENNETH B. KEATING, U.S. SENATOR FROM THE STATE OF NEW YORK

Senator KEATING. I was delayed in another committee and I notice that the president and assistant to the president of the National Audubon Society in New York are here and Dr. Stoford, professor of zoology at Syracuse are to be the next witnesses. I wanted to express my interest in this legislation, as evidenced by my cosponsorship of this measure with the chairman.

According to my information, there is a real threat of extinction of the golden eagle. This bird is important to the Nation, not only because of its great value to agriculture and its religious significance to many Indian tribes in America, but also because it is a beautiful bird, as we have seen here, which is gradually becoming extinguished. These birds, I am told, are being literally slaughtered by the hundreds each year by indiscriminate hunters, by specific eagle clubs and by profiteers, who merely desire the feathers for retail.

Another crucial consideration is the fact that the immature golden eagle, as we have seen from this demonstration, is quite similar in appearance to an immature bald eagle, which is our national symbol, and which is already protected from needless destruction by Federal legislation. This striking similarity has resulted in the killing of many bald eagles, by hunters who are unable to distinguish between the two species. Any action to protect the golden eagle would automatically avoid such cases of mistaken identity, and would close the present gap in our Federal legislation, the natural intention of which was the total preservation of our national symbol.

The golden eagles are protected neither by the convention between the United States and Mexico for the protection of migratory birds and mammals nor by the migratory bird treaty arrangements between the United States and Canada. It has been argued this bird as a predator should be primarily the concern of the individual States. And it is true that many States, including New York State, have already enacted protective legislation. But the golden eagle, unlike the other predators, is a migratory bird, as we have been told. Its life and activities are not centered in specific States, but in very broad regions.

The preservation of this species thus depends on the adoption of adequate legislation on the national level.

Recently, Mr. Chairman, Prince Philip, the husband of the British Queen, appealed for worldwide conservation policies. He referred particularly to the bald eagle, whose days appear to be numbered unless there is more vigorous and determined effort at conservation. Surely the United States should set a pace and not lag in this measure affecting so closely our own national symbol. The House has already passed a resolution, House Joint Resolution 489, which provides for the protection of the golden eagle, and the bill which you have offered, Mr. Chairman, with several cosponsors, including myself, has expressed an identical aim.

The Secretary of the Interior, under the House resolution, would be empowered to authorize the taking of golden eagles for the specific purposes of scientific societies, public museums, zoological parks for the religious customs of certain Indian tribes. This power may also be exercised if any locality feels that the predatory actions of the golden eagle are endangering wildlife or agriculture.

This point embodies the prime objection of those who oppose protective legislation. Some people feel these eagles constitute a threat to very young cattle and sheep, I am told, although the last witness seemed to feel that they were primarily after rabbits. Certainly, it is clear that they prefer prairie dogs, rabbits, and rodents, and they revert to other animals only in the extremes of food reduction. It should also be realized that if nature's carefully planned balance is destroyed through man's killing of this valuable eagle, the rodent population may be uncontrolled. The result of this lack of natural control would be the destruction of the turf on which these very herds feed.

Thus, in my judgment there are no legitimate objections to the enactment of Federal legislation for the protection of the golden eagle, and very many important factors in favor of such legislation. To prevent the gradual extinction of this magnificent bird and remove a very real threat to the existence of the bald eagle, it seems to me of utmost importance that this resolution, with any refinements that may be necessary, should be passed and I therefore urge prompt and favorable action of the subcommittee of which I am pleased and honored to be a member.

Thank you, Mr. Chairman.

Senator YARBOROUGH. Thank you, Senator Keating.

We have a statement from Senator Gruening, who wanted to be present and testify in person, but pressing business in Alaska called him back to his home State.

I order Senator Gruening's statement printed at this point in the record.

In it he points out that while he was Governor of Alaska, he worked to have the bounty removed that was then paid for the destruction of bald eagles. They were becoming very scarce. He got the bounty repealed, and he states in the statement:

Today in Alaska, we have an abundance of bald eagles. Less than a year ago I counted 64 American eagles on a trip from Haines to Klukwan, a distance of perhaps 14 miles.

He states that Alaska will be glad to share its growing flock of bald eagles with such other States as may desire them.

He is a cosponsor of a resolution.

(The above-mentioned statement follows.)

STATEMENT SUBMITTED BY SENATOR ERNEST GRUENING

Mr. Chairman and members of this special Senate Commerce Committee, a previous commitment makes it impossible for me to appear personally before you today on behalf of Senate Joint Resolution 105, legislation I have cosponsored which will protect the golden eagle by making the slaughter of these birds illegal. Therefore, I shall appreciate your placing this written statement in the hearing record.

Too few Americans have been concerned with the steady decline of our golden eagle population. The golden eagle is so-called because of the brownish-yellow tips of the feathers on its head and neck. Not many of us have the opportunity to see the golden eagle, although I have seen them in Alaska where they are less plentiful than the bald eagle. Even the Webster's New International Dictionary refers to this particular species as "rare."

In his conservation message to the Congress earlier this year, President Kennedy stated:

"Our national conservation effort must include the complete spectrum of resources: air, water, and land; fuels, energy, and minerals; soils, forests, and forage; fish and wildlife. Together they make up the world of nature which surrounds us—a vital part of the American heritage."

This is most sensible.

Our conservation efforts ought not be limited to one area.

The laws of our Nation today protect the bald eagle, the national symbol of the United States of America. No less protection should be afforded the golden eagle, a bird which helps the farmers of this land protect their crops from rodents.

Ironically, our own national symbol, the bald eagle, is mistaken often for a golden eagle, and killed.

Nearly a quarter century ago, on June 8, 1940, the legislative intent of a law protecting the bald eagle provided:

"Whereas the Continental Congress in 1782 adopted the bald eagle as the national symbol; and

"Whereas the bald eagle thus became the symbolic representation of a new nation under a new government in a new world; and

"Whereas by that act of Congress and by tradition and custom during the life of this Nation, the bald eagle is no longer a mere bird of biological interest but a symbol of the American ideals of freedom; and

"Whereas the bald eagle is now threatened with extinction: Therefore—"

Mr. Chairman, I suggest a similar situation exists today and I would hope the Congress finds it possible to act and thus protect our national symbol, the bald eagle, and the bird which so closely resembles it, the golden eagle.

The resolution introduced by Senator Yarborough and cosponsored by Senators Keating, Clark, and Saltonstall and myself would give to the golden eagle the protection available today to the bald eagle. The persons found guilty of selling, transporting, importing, or exporting a bald eagle or golden eagle alive or dead, or dealing in a similar manner with the nest or egg of either bird "shall be fined not more than \$500 or imprisoned not more than 6 months, or both * * *."

I find nothing improper in this added safeguard which will protect both the now unprotected golden eagle and the protected bald eagle which is known more commonly as the American eagle.

When I was Governor of Alaska it was my privilege to work successfully for the elimination of the bald eagle bounty in the then territory. Today in Alaska we have an abundance of bald eagles. Less than a year ago I counted 64 American eagles on a trip from Haines to Klukwan, a distance of perhaps 14 miles. It may be that it will become necessary to transplant some of these birds to the lower 48 States after suitable studies. In an article which I wrote for the Audubon magazine, recounting the success of the effort to protect the bald eagle in Alaska, issue of July-August 1961, I suggested the consideration of this undertaking. Alaska would be glad to share its growing flock of bald eagles with such other States as may desire them.

The American eagle is a strong and soaring national symbol.

I respectfully urge this committee to approve Senate Joint Resolution 105 which will provide a protective measure insuring the safety of the golden eagle, and, in turn, the American bald eagle.

Senator YARBOROUGH. I have a question to ask Mr. Parker and Mr. Aldrich and the others with them.

Has any census been taken of the eagles?

Congressman Goodling mentioned a count at one point in Pennsylvania. Has there been any nationwide census taken of either the bald or golden eagles in this country over the past 20 years?

Mr. PARKER. The National Audubon Society, in cooperation with the Bureau and other conservation organizations, are conducting a 5-year census. I have not had an opportunity to review the data of the first year's count, but the Audubon people will have that for you.

Senator YARBOROUGH. Thank you.

The next witness is Mr. Carl W. Buckheister, president, National Audubon Society; accompanied by Mr. Charles Callison, assistant to the president; and Mr. John Alderman and Dr. Walter Spofford.

STATEMENT OF CARL W. BUCKHEISTER, PRESIDENT, NATIONAL AUDUBON SOCIETY, NEW YORK CITY; ACCOMPANIED BY CHARLES CALLISON, ASSISTANT TO THE PRESIDENT; JOHN A. ALDERMAN, FOREST HILLS, N.Y.; AND DR. WALTER SPOFFORD, OF NEW YORK STATE UNIVERSITY, SYRACUSE, N.Y., ON BEHALF OF NATIONAL AUDUBON SOCIETY AND IZAAK WALTON LEAGUE

Mr. BUCKHEISTER. Mr. Chairman, Mr. Joseph Penfold, the conservation director of the Izaak Walton League of America has this morning asked me to inform you that the Izaak Walton League wishes to be associated with the National Audubon Society in its testimony here today.

Senator YARBOROUGH. Fine. That statement will appear in the record and the testimony will be considered as on behalf of that organization as well as the National Audubon Society.

Mr. BUCKHEISTER. Mr. Chairman, in behalf of an organization which for 57 years has been actively engaged in conservation education, research, and the conservation of our wildlife, I welcome this opportunity to endorse the pending bill.

We believe this legislation is essential to the preservation of both the great eagles that grace the wildlands and skies of North America.

One of these is the bald eagle, which is indigenous only to our continent, and which was chosen by the second Continental Congress in 1782 to symbolize the freedom and strength of our beloved Nation.

The other is the golden eagle, and equally majestic creature, although one whose natural range extends into Mexico and around the North Pole over most of the land mass of the Northern Hemisphere.

The fate of these two birds in our continent is inextricably entwined, for reasons we shall explain and demonstrate. As pointed out editorially by the New York Times on April 15, 1962:

These creatures of the wilderness are no match for civilization unless man proves civilized enough to protect them and thoughtful enough to save some of the habitat they need to survive.

Congress, in 1940, alarmed at the decline of the bald eagle, and its virtual disappearance from much of its former range, passed a law to protect the great, white-headed bird that serves as our national emblem. The Bald Eagle Act of 1940 made it illegal for anyone to kill, capture, possess, or traffic in bald eagles except for special, designated purposes under special permit by the Secretary of the Interior.

Unfortunately, there was a practical loophole in the fact that the golden eagle remained unprotected and at gunsight distance few people can tell the two birds apart. Until the bald eagle develops its white head and tail feathers in its fourth year of life, it takes a trained person to tell it from a golden eagle even close at hand.

Mr. Chairman, we have displayed in the hearing room some enlarged photographs which demonstrate this difficulty. The immature bald eagle is essentially an all-brown bird, almost identical in size and general appearance to the golden eagle.

The National Audubon Society is now engaged in a continent-wide inventory and research study of the bald eagle. Our first winter survey of wintering eagles, conducted in 1961, indicated there are probably fewer than 5,000 of these birds left alive in the United States outside of Alaska. This is what we indicated from our continental survey, outside of Alaska. That was 1961. As yet we do not have figures from Alaska, where a sizable population is known to exist and is believed to be in healthy condition, as yet relatively unaffected by the encroachments of civilization.

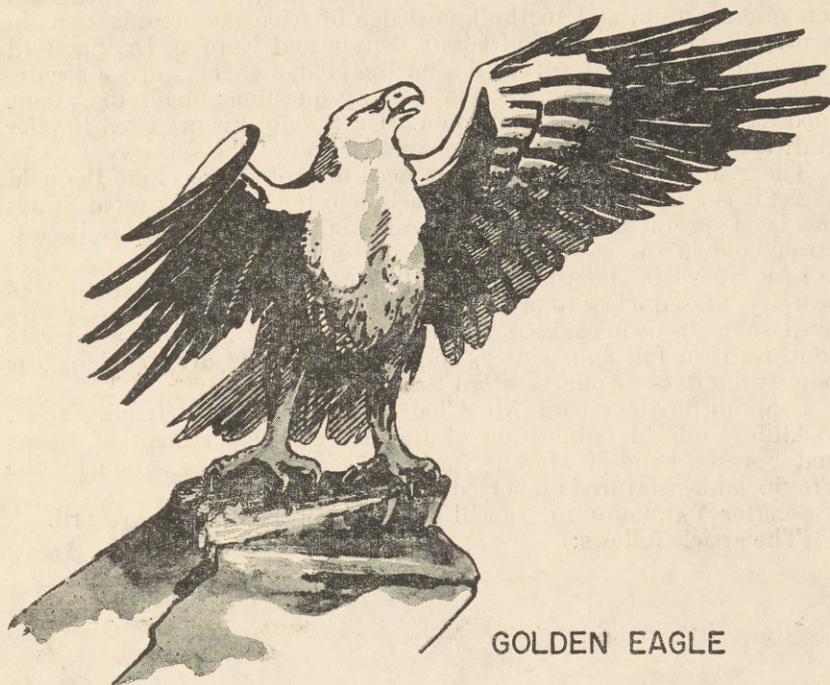
The second nationwide, midwinter count of bald eagles was conducted last January with the highly appreciated help and cooperation of the Federal Bureau of Sport Fisheries and Wildlife and the game departments of the several States. The results are now being gathered, tabulated, and analyzed and will be released later this year.

These extensive surveys, or population inventories, will be supplemented by intensive research into the biological problems and ecological requirements of the bald eagle. All these studies will continue for 5 years, or until the facts emerge upon which can be based a realistic, practical conservation program, just as Audubon Society research helped establish the scientific foundation for the international, cooperative effort that appears now to be bringing the whooping crane back, slowly but surely, from the brink of extinction.

Our eagle research program is still less than 2 years along, but facts have already emerged to prove what we had long suspected: that there is a continuing, serious drain on the bald eagle population through illegal and mistaken shooting of the big birds. We suspected that bald eagles were being killed as a result of the thriving commercial trade in golden eagle feathers. Our suspicion was confirmed on March 1 of this year when a Federal game management agent, assisted by conservation officers of the State of New Mexico, searched the premises of two men at Cimarron, N. Mex. These men were known to have been buying and selling golden eagles and conducting a mail order business in eagle feathers and talons. They were found to have in their possession—in addition to quantities of golden eagle parts which were not illegal—the complete skins of 5 bald eagles, and the tails of 12 additional bald eagles. The two men were fined \$100 each in U.S. commissioner's court. They pleaded guilty and protested they

[From Land, Forest, Wildlife, published bi-monthly by Department of Lands and Forests, Edmonton, Alberta. March-April issue, 1962]

GOLDEN EAGLE FREED



GOLDEN EAGLE

Alberta's game act was amended during the 1961 session of the legislature to remove the golden eagle from among the list of birds and animals which are unprotected from hunting or trapping throughout the year. Among the province's many naturalists, both amateur and professional, this was perhaps the most significant event of the current legislature. Alberta bird men and women have worked long and hard to secure protection for this "king of birds" and supplied massive evidence on its behalf.

"The Birds of Alberta" by Salt and Wilk has this to say about the eagle:—

The golden eagle is a magnificent and picturesque bird whose numbers, like those of certain other species of hawk, are rapidly approaching a dangerously low level. These species are unable to change their predatory nature; therefore, if they are to exist, man

must change his. The survival of a predatory species is as important in the mind of the conservationist as is the survival of such game species as the whooping crane and trumpeter swan.

To these words we hasten to add "Amen". The matter of discrimination in the protection of certain birds has always puzzled and sometimes annoyed us. After many years spent in the mountains and fields of this province we still consider the sighting of an eagle to be an event of great joy. Where, we ask, can be seen such lonely majesty, winged strength and superlative grace and how can so rare a specimen possibly constitute a threat of any economic consequence to man's earthbound life.

A tip of the hat to Alberta legislators and a whispered "God speed" to this splendid bird.

Mr. BUCKHEISTER. While the bald eagle has since 1782 served as the official symbol of the United States of America, the golden eagle serves the same symbolic role for our neighbor to the south, Mexico. The Government of Mexico, also concerned about the future of this noble bird, has officially asked our Government to do something about protecting it.

The bald eagle feeds mostly on fish; the golden eagle mostly on rabbits and rodents. The bald eagle has long since been exonerated by scientific evidence of the charge that it depletes the supplies of salmon or other fishes needed by man. It preys mostly on rough fish, such as carp and bullheads, or on spent salmon after spawning.

The golden eagle likewise has been exonerated by scientists of the mistaken belief, still held by some people, that it is responsible for serious deprivations on domestic livestock or wild game such as deer or antelope. Observant stockmen of the Western States are coming to recognize that the golden eagle, along with the hawks and owls is indeed an aid to agriculture in helping to control the rodents that damage the range and compete with their domestic flocks and herds for grass.

Both species will take carrion, a fact that unquestionably has led some to conclude erroneously that eagles killed the dead sheep or dead calf they were found feeding on.

Both have been the victims of the erroneous belief, a belief still held by some people, that because they are predators they are bad birds and should, therefore, be eliminated. The golden eagle and the bald eagle play the same role in the balance of nature that is played by the mockingbird, the thrush, and the warbler. These songbirds are also predators, feeding upon the insect life of garden, field, and forest.

I might interject here, for many, many years before Federal protection was given to the bald eagle, it was claimed far and wide it too was a bad predator. And this has been proven otherwise, through scientific studies.

It is generally agreed that an occasional eagle may develop a taste for lamb, particularly if natural food is scarce at a given time.

House Joint Resolution 489 was amended by the House, in accordance with language recommended by the Department of the Interior, to provide that:

Whenever, after investigation, the Secretary of the Interior shall determine * * * that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality, he may authorize the taking of such eagles pursuant to regulations which he is hereby authorized to prescribe.

The National Audubon Society accepts this amendment. We respectfully urge this subcommittee to approve, the full Commerce Committee to report, and the Senate to pass House Joint Resolution 489, or Senate Joint Resolution 105, amended in the same fashion.

Passage of this legislation will provide essential protection for the golden eagle and will go a long way toward halting a continuing drain on the bald eagle.

In conclusion, I wish to submit some brief letters and statements by leading wildlife scientists who confirm that golden eagle predation has no significant, or even measurable, effect on the population of deer,

antelope, or bighorn sheep. I respectfully request these be included in the record of this hearing. They include:

A letter from Dr. Walter P. Taylor, the noted mammalogist and biologist who was leader of the Cooperative Wildlife Research Units at Texas A. & M. College and at Oklahoma A. & M. from 1935 to 1951, and now, in semiretirement, is lecturer on conservation at the Claremont Graduate School in California. Dr. Taylor was awarded the Aldo Leopold Medal, the highest recognition of his profession, in 1961.

A letter from Dr. John J. Craighead, leader of the Montana Cooperative Wildlife Research Unit at Montana State University, Missoula.

A letter from Dr. Helmut K. Buechner of Washington State University, who studied antelope-golden eagle relationships in the Trans-Pecos region of Texas.

A letter from Dr. Lowell Sumner, principal biologist of the National Park Service, commenting on a recent study of golden eagle-bighorn sheep relationships in Death Valley.

Senator YARBOROUGH. Just a moment there. There has been a recent publication or study of the bighorn sheep in Death Valley.

Mr. BUCKHEISTER. Yes; that has been published within the year, sir.

Senator YARBOROUGH. Yes, I have read that study and I know there is some comment in there about eagles. But I believe the comment was that they had not noticeably disturbed the bighorn sheep.

Incidentally, all of these letters are ordered printed in full in the record, those that you have previously identified and those you will identify hereafter.

Mr. BUCKHEISTER. I also submit for the committee's files, and recommend to your study, a recently published research report by the Utah State Department of Fish and Game, "Antelope Populations in Southwestern Utah, With Special Reference to Golden Eagle Predation." I call to your attention the "Discussion and Conclusions" by biologist Robert A. Hinman beginning on page 51.

Also submitted for your files, a 1962 published research report by the Colorado Game and Fish Department on "The Bighorn Sheep of Colorado," by biologist Clifford A. Moser, and call to your attention the statement on page 35 that:

Eagles: At no time during this study was any evidence found which would support the case of predation on bighorn sheep by eagles. At all seasons golden eagles have been observed flying over sheep with neither paying attention to the other. Particular attention was paid to the lambing grounds and while eagles were observed flying in such areas, at no time were they seen to dive at, or otherwise molest the ewes or lambs in any way.

I also present for the record or for the file, in the committee's judgment, a sampling of the editorial support for this legislation that has appeared in newspapers and magazines throughout the country. The clipping service subscribed to by the National Audubon Society has disclosed almost no opposition by the press to the enactment of a law to protect the golden eagle, but a great amount of support.

In conclusion, there is one we would like to submit to be included in the record today, and that is an article about the golden eagle, and an editorial about eagle protection in the May issue of the Eagle

magazine of the Fraternal Order of Eagles, which I would respectfully request be included in the record.

May I add that the National Audubon Society is profoundly grateful to the Fraternal Order of Eagles for its wonderful help in connection with our society's continental survey of the bald eagle and research study of the bald eagle, and also in urging and seeking protection for the golden eagle.

Senator KEATING. Mr. Chairman, I may say that I am an Eagle, and I have been importuned by the Fraternal Order of Eagles, among others, and I am glad to hear this commendation of this fine fraternal order.

Senator YARBOROUGH. We are glad to hear of the affinity the distinguished Senator from New York has for those eagles that have not yet been reduced to civilization, but are suffering from its inroads.

Senator YARBOROUGH. Had you finished your statement?

Mr. BUCKHEISTER. Yes, sir.

Senator YARBOROUGH. All right.

Mr. BUCKHEISTER. Mr. Chairman, there is a new report on the bighorn sheep, just published from the State of Colorado, and this booklet is included with the material we are submitting for your files. I am sure you wouldn't want to print all of this.

Senator YARBOROUGH. We will file all of this material submitted by the society, and I am going to ask the staff to go through this material since there may be pertinent extracts that should be printed in full in the hearing.

Mr. CALLISON. Now, we have quite a volume of reprints and clippings and editorials from newspapers around the country, including these from Eagle magazine, that Mr. Buckheister mentioned and we would leave it to the judgment of the chairman as to whether this should go in the record or the file.

Senator YARBOROUGH. How many pages are there?

Mr. CALLISON. Quite a selection, including several from Texas.

Senator KEATING. Mr. Chairman, I think when we come to approach our colleagues, it might be helpful to have all of the editorials favoring this legislation.

Senator YARBOROUGH. There are only 15 pages of material. I will order all of it printed.

Does that complete your statement, Mr. Buckheister?

Mr. BUCKHEISTER. Yes; it does.

(The above-mentioned material follows:)

CLAREMONT GRADUATE SCHOOL,
Claremont, Calif., February 3, 1962.

MR. CHARLES H. CALLISON,
National Audubon Society,
New York, N. Y.

DEAR CHARLES: While it is true that golden eagles take an occasional young antelope, deer, or bighorn, there is no evidence whatever that the populations of these species were ever affected for the worse in the long run by golden eagle predation. Only when the antelope, deer, or bighorn were continuously hunted by man with his evermore-efficient firearms and transportation has a decrease in these big game animals been observed.

In the instances of the antelope, deer, and bighorn nature has provided for a continuing surplus which compensates for natural predation. But the natural increase of the bighorn and the pronghorn cannot make up for an overkill by human hunters. With the deer, in most parts of its range, it is different. In many,

if not most parts of the deer range, the increase of the animal is sufficient more than to compensate for both natural predation and reasonable hunting pressure.

As a field biologist for more than 40 years in the Western States (employed by the University of California, the U.S. Department of Agriculture, and the U.S. Department of the Interior) I feel that the golden eagle should be fully protected and that no appreciable damage would be done either to the pronghorn or to the bighorn, provided careful and effective control of human hunting is maintained. Certainly there would be no damage to the deer.

Sincerely yours,

WALTER P. TAYLOR,
Lecturer in Conservation Education.

MONTANA COOPERATIVE WILDLIFE RESEARCH UNIT,
MONTANA STATE UNIVERSITY,
Missoula, Mont., February 5, 1962.

Mr. CHARLES H. CALLISON,
*National Audubon Society,
New York, N.Y.*

DEAR CHARLIE: I certainly hope that you will be able to get bill Senate Joint Resolution 105 to protect the golden eagle enacted into law. There is serious need for this type of legislation.

Because the golden eagle is already a relatively scarce resident in most of the Western States and because its nesting sites are frequently difficult of access, there has not been an intensive study made of these birds. I believe there is a project underway in Arizona, but I do not have any details on who is conducting the research or the objectives of the studies. You might obtain more information on this by writing to Dr. Lyle Sowls, leader, Arizona Cooperative Wildlife Research Unit, University of Arizona, Tucson, Ariz.

I have visited a good many golden eagle nests in the West over the past 20 years but have never made an intensive quantitative study of the species. From the analysis of food at the nest and observations of golden eagles hunting, I would conclude the following: That during the nesting period the golden eagle feeds largely on such rodents as ground squirrels, marmots, snowshoe rabbits, and other small rodents and lagomorphs. In certain areas they take sage grouse, ring-necked pheasants, and blue grouse but these have always constituted a very minor item in their diet during the nesting season.

In the fall and winter, my observations have been confined largely to these birds in Wyoming, Idaho, and Montana. In 1948, 1949, and 1950 I had unusual opportunities to observe golden eagles hunting in the upper Green River Basin of Wyoming. Here the populations of jackrabbits were tremendously high and the golden eagles fed almost exclusively on these.

In 1957 and 1958 jackrabbits had reached excessively high numbers in and around Gooding, Idaho, and parts of eastern Oregon. Again golden eagles were there in relatively large numbers and were feeding primarily on the jackrabbits.

In Montana I have made many observations of golden eagles in mule deer and bighorn sheep country. I have yet to see them attack a bighorn sheep but I have seen them attack mule-deer fawns. I think there is little doubt that they occasionally take the young of big game animals but to my knowledge there is no evidence that they exert a depressing effect upon populations of these animals.

I have not had the opportunity to observe the golden eagle in antelope country, but I would doubt very much whether a single raptor could seriously depress a single prey species such as the antelope. In the last 10 years the problem wildlife managers have faced over most of the antelope range is not one of predation but obtaining a sufficient harvest to keep these big game species within the carrying capacity of their ranges. This is only being accomplished by heavy-hunting pressure. Again, to my knowledge there is no scientific evidence that the golden eagle is a serious predator on antelope.

We have an interesting situation in Montana where many hundreds of eagles migrate into the eastern portion of the State and winter there. Each year large numbers are shot by sportsmen, wardens, and others who cannot resist taking a shot at a bird of prey. This population probably represents many of the birds from central Canada. In this area they also feed heavily on jackrabbits and to some extent on sage grouse and game birds but predation on antelope during the winter months is, I believe, quite limited.

I have not had the time or opportunity to study this situation in any detail, but we do know that many golden eagles are killed in this winter concentration

in eastern Montana. Someday we hope to be able to explore the situation in greater detail.

I am including a reprint of a food analysis of 51 golden eagle stomachs obtained in March of 1948. Although a small sample, I think this gives an indication of the food habits at this time of year.

There is need for considerably more study of the golden eagle, but I think it can safely be stated that this predator alone does not act as a limiting factor or population depressor on big game species.

Sincerely,

JOHN J. CRAIGHEAD, *Leader.*

WASHINGTON STATE UNIVERSITY,
DEPARTMENT OF ZOOLOGY,
Pullman, Wash., February 20, 1962.

MR. CHARLES H. CALLISON,
*Assistant to the President,
National Audubon Society,
New York, N.Y.*

DEAR MR. CALLISON: In answer to your letter of the 7th of February, I am enclosing a quotation from my 1950 paper "Life History, Ecology, and Range Use of the Pronghorn in Trans-Pecos, Texas" (*American Midland Naturalist*, 43: 310-315). I doubt that the depredation of golden eagles on domestic sheep is as serious as it is purported to be, but it is difficult to prove this point. I have no data to support my hypothesis. This is something that would have to be researched. On the matter of depredation on pronghorn antelope I can confidently say that the golden eagle is not a significant factor in affecting numbers. The enclosed reprint "Regulation of Numbers of Pronghorn Antelope in Relation to Land Use" contains a section (two pages, 276-277) documenting the fall and rise of the pronghorn population in Trans-Pecos, Texas, throughout a period of drought. During all of this time golden eagles were being controlled in the Trans-Pecos region. It seems that the populations fluctuate with drought and correlated range conditions rather than with controlled eagles.

If I can be of further assistance, please let me know.

Very sincerely yours,

HELMUT K. BUECHNER,
Associate Professor of Zoology.

DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D.C., February 16, 1962.

MR. CHARLES H. CALLISON,
*Assistant to the President,
National Audubon Society,
New York, N.Y.*

DEAR MR. CALLISON: Thank you for your letter of February 7 inquiring as to the findings of Mr. and Mrs. Ralph Welles on the significance of golden eagle predation on bighorn populations. The findings are summarized in the book "The Bighorn of Death Valley," Fauna No. 6, Fauna of the National Parks of the United States. This volume is in page proof at present and we hope that it will be off the press by the middle of March.

In answer to your question, during 1,693 hours of observing bighorn no specific interest in bighorn was shown by golden eagles. No anxiety was displayed by bighorn toward golden eagles as such, even though on one occasion (p. 180) "We watched three golden eagles circle slowly in and come to water at Old Spring while a band of five bighorn containing one 6-month-old lamb lay in siesta on a point a hundred yards away * * *. Ewes with 'wet' lambs show anxiety over large flying birds but so do they of almost everything that moves in their vicinity at that time." These are some additional observations regarding ravens and bighorn, but they do not materially change the picture.

In brief the observations of the authors do not rule out the possibility that golden eagles occasionally may try to attack small lambs, but with the added possibility of a successful defense by the mother (as observed in deer). However, no such encounters and no evidence of predation by eagles was observed.

Sincerely,

LOWELL SUMNER, *Principal Biologist.*

[From the Eagle, Lawrence, Kans., May 1962]

KEEP 'EM FLYING

From an esteemed contemporary publication comes a nod to the Eagle campaign to help the National Audubon Society in its efforts to preserve the bald eagle. The following, quoted in full, appeared in a recent issue of the popular weekly Sports Illustrated:

AID FOR OLD BALDY

The alarming numerical decline of our national bird, the bald eagle, down to a mere 5,000 in the United States has won the sympathetic attention of President Kennedy ("* * * we have failed a trust if we permit the eagle to disappear") and, perhaps, even more appropriately, of the Fraternal Order of Eagles.

When the National Audubon Society began costly biological research to learn the ways of the bald eagle—his range, nesting and eating habits, and most important, what ails him—it didn't have too much money for the job. Now to the fiscal rescue of the Audubons have come the fraternal Eagles, all 825,000 of them, but most especially that distinguished, barren-pated segment of the club known as the Bald Eagles. Last week in Seattle, where the order's Aerie No. 1 was founded in 1898, the Eagles Club loaded plates with smorgasbord and admitted the general, eagle-loving public at a price, proceeds to go to preservation of the totem. The Bald Eagles, a club within the club, have established themselves as a working committee to extend the fund raising nationwide. Objective: \$50,000, which is a lot of birdseed.

It is a splendid idea and we wonder why it should not be extended to other areas. What, for instance, are the Elks doing for elks, the Moose for moose, the Lions for lions, the Owls for owls? What, indeed, did the Imperial Order of the Dragon ever do for its regrettably extinct symbol?

[From the Eagle, Lawrence, Kans., May 1962]

THE EAGLE KILLERS

(By Tom Guyant)

MARKET HUNTERS COLLECT BIG BOUNTIES FOR KILLING HUNDREDS OF OUR EAGLES

If an eagle could afford a psychiatrist, he'd probably complain that he was the most misunderstood wildfowl on the face of the North American continent.

I surely wouldn't argue with that. Neither would the National Audubon Society, which is currently urging Congress to pass a bill protecting the golden eagle, giving it the same status as the bald eagle, which has been on the no-hunting list since 1940.

Even with protection, the bald eagle is on the decline, and some fear that within a few years the great seal of the United States may carry the figure of a bird that, like the passenger pigeon, is extinct.

Market hunters, to most outdoorsmen, are past history, relegated to the same status as covered wagons, buffalo stampedes, and raiding Indians. But market hunting is taking place these days on—you guessed it—golden eagles. Because most folks can't tell a golden from a bald, all eagledom is threatened.

Most of this activity takes place in western Texas. The professional hunters even make double pay. Ranchers, who claim the birds kill lambs, pay a bounty for each bird shot. And manufacturers, who know eagle feathers look good on hats, pay for the carcasses.

Shooting and trapping of eagles is done in other Western States, but it's the Texans who are bragging about it.

The Audubon group claims that some of the Texas gunners boast of bagging hundreds of eagles each year. John Caspairs of Alpine, Tex., claims he has killed 12,000 eagles in 20 years, the Audubon report continues.

The Audubon Society further claims that the Texas slaughter is draining off the eagles of half the continent, since a large percentage of the birds winter there.

"Even more tragic, the market hunting of the golden eagle poses a serious threat to the bald eagle," said Carl W. Buchheister, president of the Audubon Society.

It takes a trained ornithologist to tell the two birds apart until the bald eagle is 4 years old, at which time it develops its white head and tail feathers. Immature bald eagles are brown and almost the same size as golden eagles.

The society is quick to admit that an occasional eagle may kill a lamb or a barnyard chicken, but it cites scientific studies that show the bald eagle feeds mainly on fish, the golden eagle on rabbits and rodents.

But it's not only the market hunters that are plaguing these birds. Suburbia threatens. Swamps are being filled. Crowded lakeshores, reduction in wilderness areas, clearing of forests, the dearth of nesting trees all hurt, all contribute to the eagles' demise.

For despite Federation protection, the great, white-headed bald eagle continues to decline.

The bald eagle—never really bald; his head is just a pompadour of white feathers—used to breed in nearly every State. Now its nests are concentrated in only a few regions, including Wisconsin, Minnesota, Florida, and the Chesapeake Bay area.

Alaska, which gave the birds protection in 1952, is relatively well stocked. Canada has them, too, in the Great Lakes country and in the Maritime Provinces.

Eagles were hunted for sport in Alaska up to 1952. The State even paid a bounty, for it believed the eagles cut into the salmon population. From 1917 to 1940, Alaska paid bounties on some 103,000 eagles, and in a 6-month period in 1952, just before being outlawed, bounties were collected on 2,152 birds.

The eagle is not the largest bird known. He is outweighed and outwinged by several others. Both the condor and the wandering albatross outweigh it, and the albatross has a wingspread of $11\frac{1}{2}$ feet, the greatest of any known bird.

A very large bald eagle has a wingspread of a little more than 7 feet, and a weight of 10 or 12 pounds. Experiments have shown that 10 pounds is the very most a large eagle can carry when flying.

There is no evidence that an eagle ever attacked a man, although several fiction thrillers have been written about heroic parents rescuing their babies from the bird's clutches.

The bald eagles mate for life, and in that characteristics are superior to many humans. The bird is a commanding figure, perched atop a tall tree or sweeping effortlessly through the sky. He is a bird qualified to be the emblem of any State—and the fitting symbol of a great fraternal order.

And he is a very misunderstood bird to boot.



The golden and bald eagles look alike until the bald eagle develops the white head at 4 years of age.

[From the Salem (Oreg.) Statesman, Feb. 22, 1962]

PROTECT GOLDEN EAGLES

The National Audubon Society is worried lest the golden eagle go the way of the passenger pigeon and become extinct. The bald eagle, which is a national emblem (make the eagle scream.) is protected by law. The Audubon group wants to have the golden eagle included in the protective law.

It seems there is commercial hunting of golden eagles for trade in eagle feathers. Professional hunters use airplanes to hunt the eagles and get compensated by ranchers who regard the eagles as sheep killers, and by those who buy eagle feathers. According to the Audubon bulletin most of this hunting is done in western Texas. It cites one man who claims to have killed 12,000 eagles in 20 years. Since bald eagles are all brown birds and about the size of golden eagles until they are 4 years old, many bald eagles are shot down, too, so survival of the bald eagle is in danger.

One of the scandals of the past was the way birds were shot for their plumage, which went to grade milady's hat. Laws were passed which banned hunting of certain species, but evidently the golden eagle remains free prey, on the theory it is a predator. In these days of "civilization" it's hard for birds to survive, as their nesting places are torn up and killing sprays and chemicals are spread over the lands. We ought to let the eagles live—they are among the original astronauts. One golden eagle—the \$20 gold piece—has virtually disappeared. Another, the bird, should be preserved.

[From the Cuero (Tex.) Record, Apr. 1, 1962]

URGES PROTECTION FOR EAGLES

The growing commercial trade in eagle feathers may doom the golden eagle as a North American bird, unless something is done to stop its slaughter. This was announced by Mr. Carl W. Buchheister, president of the National Audubon Society.

In his announcement, Mr. Buchheister stated that Congress is now considering a bill to protect the golden eagle. The bald eagle, which is our national emblem, is a scarce species now. It has been protected by our Federal law since 1940. The pending legislation in the Federal Congress would amend the Bald Eagle Act, making the protective law apply to both the golden eagle and the bald eagle.

It is interesting to note that the bald eagle looks much like the golden eagle in the first 4 years of its life. The bald eagle is a completely brown bird until it develops its white head and tail feathers. Many bald eagles are killed in the belief that hunters mistake them for golden eagles.

Those who hunt eagles, many times, are professional hunters. They are remunerated for their services by farmers who feel that the birds are a menace to sheep and, again by those who commercialize in selling eagle feathers. The hunters, many times, shoot the eagles from airplanes and at least one hunter claims that he has killed over 12,000 birds in the past 20 years.

In actuality, the Audubon Society claims that the eagle may occasionally kill a lamb or other small domestic animal, but scientific studies showed that the bald eagle feeds predominantly on fish. The golden eagle usually feeds on rabbits and other small rodents.

From a conservation standpoint, if no other, it is highly desirable that we protect these magnificent birds. The eagle, in some respects, is a symbol of America, and it would seem as important to protect the golden eagle as it is the bald eagle. Particularly, is this so where they are so closely similar in features and looks in their early years.

[From the Orange (Tex.) Leader, Apr. 3, 1962]

WORST ENEMY OF OUR EAGLES IS GUNPOWDER

The National Audubon Society has been sending us frequent news releases of late in connection with its campaign to save the bald eagle from becoming extinct.

It was this campaign which inspired last Sunday's article in our Spice! magazine about the golden eagles which once roamed the skies of east Texas.

Little did we know at the time this article was written that a day after its appearance we would be in the thick of the Audubon Society's crusade to preserve the bald eagle.

Our story brought information that a pair of huge birds believed to be bald eagles are nesting in a clump of trees just across the Sabine River from the city limits of Orange.

This is a followup to the appeal published yesterday on page 1 of this newspaper: Please, let's protect these birds, no matter what they may turn out to be.

The big danger is that some trigger-happy individual might find them a tempting target and kill one or both of them. This would be tragic.

In its crusade to preserve the bald eagle the Audubon Society is centering current attention on west Texas. It claims the basic problem in that territory is not predators such as the eagle but overgrazing.

In this part of the country the basic problem is gunpowder. So we beg of all our readers, in the immediate Orange area or further upriver, if a bird which might be an eagle should come within range while you have a gun in hand, don't shoot.

[From the Scottsdale (Ariz.) Progress, Feb. 6, 1962]

FEWER EAGLES

The National Audubon Society's annual census continues to record a declining bald eagle population in the United States. Each year the society's observers have found fewer nests and eaglets. Only Alaska is reported to have a flourishing eagle population.

Biologists believe the birds' reproductive organs may have been damaged by eating fish killed by DDT. And in recent years many nests have been destroyed by hurricanes.

There are those who would accept with equanimity even the total disappearance of the bald eagle. They denounce it as a bird of prey, a cousin of the buzzard and the vulture, a lazy creature that prefers carrion to making its own kill.

They insist it represents imperial might, rapacity, and brute power and therefore is an inappropriate symbol for America, a nation that preaches industry, thrift, and good-neighborliness.

But tradition does not yield readily. Since Revolutionary times the bald eagle has appeared on U.S. emblems, banners, and coins and it looks noble. Its character and disposition may be questionable, but it continues to hold the affections of Americans and they hope some way can be found to keep it from vanishing. In the eagle the United States has a symbol that isn't chicken.

[From the Sioux City (Iowa) Journal, Feb. 24, 1962]

CONGRESS SHOULD ACT TO SAVE THE EAGLES

The National Audubon Society and other wildlife groups are deeply concerned about the fate of the golden eagle, Market hunters in western Texas and some other Western States, the society has warned, are shooting eagles from airplanes—and the hunters are paid twice for the birds. Ranchers, who consider eagles a menace to sheep, and buyers for the feather trade are willing to make it worth the professional hunter's time.

Not only is the golden eagle facing possible doom in North America, the Audubon people say, but so is the bald eagle which is protected by law as our national emblem. Reason for the threat to the bald eagle is that it takes a trained ornithologist to tell the two birds apart until the bald eagle is 4 years old, at which time it develops its white head and tail feathers. Immature bald eagles are all brown birds, almost exactly the size of golden eagles.

To stop the eagle slaughter, Congress is considering a bill which would protect the golden eagle. This legislation would amend the Bald Eagle Act and make the protective law apply to both species.

It should take very little urging for Congress to give this wildlife conservation measure quick passage. For the golden eagle is already an extremely rare bird in the Eastern States and the bald eagle is becoming so scarce the National Audubon Society has initiated a 5-year research study of its problems.

We join the Audubon Society in the hope Congress will remedy the situation at this session.

[From the Chicago, Ill., Chicago's American, Feb. 25, 1962]

A SKY WITHOUT EAGLES?

In Texas a determined campaign seems to be underway for the extermination of the golden eagle. The National Audubon Society describes the slaughter as "a national disgrace," and warns that, unless it is stopped, the golden eagle will vanish from the earth, as the passenger pigeon has done.

The Texans say this would be all right with them; they accuse the golden eagle of eating lambs and of killing off game birds and small animals. And this, they say, is a problem peculiar to Texas and the rest of the country should stay out of it.

For our part, we don't believe the people of any State have the right to kill off a species. We think Congress should act to bring the golden eagle under protection of the Federal law which protects the bald eagle—the bird symbol of America's freedom.

And we think an objective study should be made to find out what the golden eagle really does eat. The Audubon Society says it eats mostly fish, as the bald eagle does; and if this is true, there can't be much excuse for hunting it down with airplanes, as the society says professional Texas hunters are doing, or for the paying of bounties for its destruction, as some Texas counties are reported to be doing.

No wild species can survive indefinitely against such a campaign of armed assault. In Florida 30-odd years ago the egret, a giant crane, was being pushed to extinction by hunters who sold its ornamental feathers as trimmings for women's hats. Congress enacted Federal laws which stopped the slaughter. The egrets are firmly reestablished now, and in the warm months they migrate along the water courses into Illinois. Their dazzling white beauty is one of the stirring summer sights at Lake Springfield. But there would be no egret flying over any water on the earth had not Congress intervened.

Congress should consider the question of protecting the golden eagle before this session ends.

[From the New York Times, Apr. 15, 1962]

STOP THE EAGLE SLAUGHTER

The golden eagle, like the American bald eagle which it closely resembles, is one of our more spectacular forms of wildlife. Few people get to see one nowadays, except perhaps in a zoo, because (again like the bald eagle) it is becoming increasingly rare. These creatures of the wilderness are no match for civilization unless man proves civilized enough to protect them and thoughtful enough to save some of the habitat they need to survive.

Sensitive people throughout the Nation have been revolted by the callous killing of eagles in Texas by hired hunters "riding shotgun" in airplanes—hardly a heroic occupation. They have been doubly shocked to learn that the feathers and talons of slaughtered eagles, both golden and bald, are being marketed, in some cases by mail order businesses, to curio collectors and hobbyists.

A bill already approved by the House would try to put a stop to this disgusting slaughter by extending Federal protection to the golden eagle. We hope the Senate will also pass the measure at this session.

[From the Pocatello, Idaho, State Journal, Apr. 1, 1962]

CONGRESS ASKED TO ENACT GOLDEN EAGLE PROTECTION

(By Jim Humbird, Idaho Fish-Game Department)

"The Founding Fathers made an appropriate choice when they selected the bald eagle as the emblem of the Nation. The fierce beauty and proud independence of this great bird aptly symbolize the strength and freedom of America."

These are the words of President Kennedy. No doubt prompted by reports that there probably are fewer than 5,000 American eagles left alive in the United States exclusive of Alaska, he added:

"But as latter-day citizens we shall have failed a trust if we permit the eagle to disappear. To find out why the bald eagle has declined in numbers, and then to take the necessary steps to assure its permanence among our living wildlife, these are important tasks for conservationists."

One such step already is underway. It is a bill before Congress that would amend the Bald Eagle Act of 1940 to accord the same protection to the golden eagle. Similar legislation already has been passed in the Senate and, on March 7, the House Subcommittee on Fisheries and Wildlife unanimously approved the golden eagle protection bill, with certain amendments. The ugly truth is that the golden eagle may be doomed along with the bald species unless something is done to halt its slaughter by market hunters and to outlaw a growing commercial trade in eagle feathers.

The nub of the problem is that the two kinds of birds are extremely hard to tell apart until the bald eagle is in his fourth year. Many immature bald eagles mistakenly are shot by gunners in some States where they have a legal right to kill golden eagles, because they honestly can't tell the difference.

For example, Carl W. Buchheister, president of the National Audubon Society, says:

"The intentional slaughter of golden eagles and the accidental killing of bald eagles is encouraged today by a growing commercial trade in eagle feathers. The wings and feathers are retailed by mail order throughout the Nation and in over-the-counter trade, particularly in the Southwest, to craft-hobbyists and souvenir hunters. Many of them go into pseudo-Indian headdresses which are sold to the tourist trade."

This is relevant in Idaho despite the fact that State law gives year-round protection to both kinds of eagles, as well as all species of hawks and owls and other raptorial birds. In fact, only 8 of the more than 260 species of birds may be used as targets for spring-time plinkers. These are English sparrows, crows, ravens, starlings, kingfishers, cormorants, magpies, and pelicans.

The fact is that national protection—enforced in all States—is needed to spare the golden eagle as the only means of protecting the bald. Dr. Walter Spofford, New York State University zoologist and the Nation's leading authority on the golden eagle, points out that the hundreds of eagles shot down each year by professional hunters in western Texas are mostly migrating birds.

For example, John Casparis of Alpine, Tex., claims he has shot down from his airplane about 12,000 eagles of various feather in 20 years. And Verne Miller of nearby San Angelo claims a kill of about 1,000 eagles in only 2 years. This slaughter of migrating eagles is draining off the population of half a continent.

Because the golden eagle already is an extremely rare bird, Idaho conservation officers are cooperating with the National Audubon Society in a 5-year research study of the problems.

Morlan Nelson, snow survey supervisor of the Soil Conservation Service in Boise and a falconist of national repute for more than 30 years, lately gave rebuttal to a syndicated columnist whose newspaper and magazine articles applauded the commercial and indiscriminate slaughter of eagles.

"I realize that the subject of eagles is difficult and controversial," Nelson points out. "This is true only because so little is known about them. The eagles have been the subject of emotions and imaginations since the decline of falconry in the Middle Ages."

He demolished the age-old bugaboo about eagles being hostile to everything but their own kin by taking several pictures of his eight-year-old son posing with an adult golden eagle of the same age perched on his left arm. "Both the golden eagle and the bald eagle are friendly to people, dogs, cats and children once the steady hand of friendship has been extended to them, rather than the mailed fist, shot and shell which has been their lot since the invention of gunpowder."

Nelson also is critical of recent published statements to the effect that eagles deplete annual antelope fawn crops.

"This is just the opposite of conclusions resulting from antelope studies made in Wyoming and Idaho on the same subjects," he points out. "After several years of intensive study, they concluded that the eagles were not a significant factor in controlling the numbers of any large animal or its young. These studies were scientific by trained biologists."

Likewise the popular belief that eagles kill sheep is disputed. Nelson says bald eagles have never been accused of killing sheep where there was any evidence—they are essentially fisheaters. "A close parallel to this in nature would be to say, 'geese eat mice.' The golden eagle has been investigated in many countries, but in the final analysis has been dropped as a significant factor in the killing of large animals. * * *

"The golden eagle now is protected in Scotland with support by most shepherds. "The same point is true among our Basque shepherders in the Western United States," Nelson continues. "Many of these men have spent their lives herding sheep with eagles in sight every day and have never seen an eagle kill a lamb,

and have yet to find one who said, 'yes'. They have seen eagles eating dead lambs occasionally but have never seen one killed. Undoubtedly some eagles do kill lambs in rare cases, but the men who live with them do not consider eagle a menace to raising sheep. On the contrary, herders consider these birds useful on the range because they live on jackrabbits and rodents that sharply compete with sheep for feed on the grazing land."

It's not only the 12-gauge shotgun with the pistol grip—fired from airplanes by professional market hunters—now menacing remnant numbers of this country's bald and golden eagles. It's also the high-powered rifle and fine scope of the sharpshooter, out for a little springtime target practice, that places these birds on the losing end of long odds.

The eagle's cunning craftiness virtually is reduced to zero because he never knows as he perches handsomely on the highest peak that cross hairs are upon him, a trigger finger is gently squeezing away his life.

[From the Monongahela, Pa., Republican, June 7, 1962]

EAGLES SHOULD BE PROTECTED

During the 1930's and the early 1940's great alarm was sounded in this country because of the probability that the bald eagle would become extinct unless something was done to protect it. The result was that a Bald Eagle Act was passed, which extended Federal protection to the bird which is the national emblem of the United States.

Recently, it has been pointed out that the bald eagle resembles closely the golden eagle in its infancy. Many persons across the country were greatly alarmed when stories coming from Texas during the past year indicated that eagle hunting was a very profitable endeavor, and some hunters had killed an astounding number of these magnificent birds.

This instituted the National Audubon Society to make a study of the diet of eagles and, especially, of the golden eagle. The results were interesting and should be enlightening to the ranchers who have heretofore felt that these birds were of detriment to them and their investments.

Approximately 15 percent of the golden eagle's diet consists of rodents, pack rats, ground squirrels, and other such animals, the elimination of which would be of benefit to any rancher or farmer. Approximately 80 percent of the bird's diet consists of rabbits, with the other 5 percent being made up of miscellaneous rodents, such as snakes, small birds, or frogs.

We strongly feel that this action is desirable and that the eagle (both the golden and bald) should be protected in our continent.

[From the Science News letter, Washington, D.C., Jan. 20, 1962]

BALD EAGLE IN DANGER

The bald eagle, national symbol of the United States, is declining in numbers, and there is widespread fear that it may disappear from the skies.

Nationwide surveys being taken continually on these proud and handsome birds reveal the alarming decrease in both the eagles and their nests in the two major continental nesting areas, Florida and the Chesapeake Bay.

President Kennedy commended the National Audubon Society bald eagle project last summer, pointing out the need for preserving the birds chosen for the national symbol by the Founding Fathers.

But too many factors are working against the bald eagle population. Hunters in Texas and elsewhere are pursuing golden eagles and shooting them from airplanes for a fee from ranchers and for their bounty. Much to the dismay of the naturalist, the immature bald eagle is so similar to the golden eagle, even the trained naturalist cannot distinguish them at gun range.

This slaughter not only threatens the bald eagle but may help the golden eagle on its flight to extinction.

Senator Ralph W. Yarborough, Democrat of Texas, and three colleagues have introduced a bill to amend the Bald Eagle Act of 1940 which will protect the golden eagle as the bald eagle is now protected by law.

In other parts of the country, however, unknowing hunters still mistake young eagles for hawks and shoot them from the skies. Hurricanes and housing develop-

ments have also destroyed many of the favorite nesting grounds on the Atlantic seaboard.

The U.S. Fish and Wildlife Service is now studying the effects of insecticides on the reproductivity of the birds. Some naturalists believe pesticides render the eagle sterile, or at least delay the egg-laying process.

Although most figures show there are less than 1,000 bald eagles in continental United States, Alaska is apparently the largest nesting area for the birds. Sigurd T. Olson, an Alaskan naturalist, told Science Service that southeast Alaska alone has several thousand eagles. He points out, however, that the problem of vanishing or threatened species is serious and should be treated carefully.

Two surveys have been scheduled by the Audubon Naturalist Society and the Florida Audubon Society. The first, taking place in January, is aimed to locate all active nests and count eagles in the Florida and Chesapeake Bay areas, while the second in April and May will determine the number of young which have been raised. Eagles raise only one to three eaglets per pair.

Although legislation in Canada and the United States (including Alaska) prohibits the killing of the bald eagle, and even if legislation is passed to prohibit killing the golden eagle, the effects of housing developments and the possible effects on reproductivity of increasing usage of pesticides may still push the country's national symbol into oblivion.

[From the Casper, Wyo., Star, Feb. 23, 1962]

EAGLES

The other day we received a release from the National Audubon Society presenting a strong argument that the golden eagle is doomed unless protected nationally.

Unfortunately, some national groups having been so far off the track on conservation situations about which we have first-hand knowledge, we hesitate to come right out and cheer the Audubon arguments on.

On one point, however, we will side all the way with them without knowing the immediate situation. We agree that market slaughter and commercial trade in wildlife should be choked off. Actually, in this agreement, we agree pretty much in full agreement with the Audubon cry for protection of the golden eagle. They say full protection is now needed.

Our argument against the market hunting is the same as it has always been. With more and more people taking to the field, with more time for recreation by the public, what recreation there is in wildlife should go first to that public rather than to professionals. We see more benefit thus derived than by the harvest of any wildlife by professionals. We also see better chance of control and management through sports income and control than where markets are available to any who can procure the wildlife commercially.

Whether the golden eagle needs full protection or not we will not debate, but we will agree that it should receive intelligent management, and this could be full protection at this time. We hesitate to endorse any complete bans, because times and situations change. Thus, we would rather favor intelligent management to insure adequate stock for the continuation of any wildlife, with due caution and consideration exercised in reduction of numbers to fit the situation.

The fact that the golden eagle and bald eagle are both brown birds about the same size until about 4 years old is even further strength to the Audubon argument of immediate action toward protection.

[From the Butte, Mont., Standard-Post, May 21, 1962]

"KEEP 'EM FLYING"—EAGLES OUT TO SAVE EAGLES

The Fraternal Order of Eagles has started, appropriately enough, a "Keep 'Em Flying" campaign with the principal purpose of saving both the golden eagle and the bald eagle from extinction.

Support comes from the National Audubon Society, which for some years has protested the market hunting of golden eagles for their feathers, and the payment in some areas, including Texas, of bounties on eagle carcasses in the mistaken belief that the eagle is primarily a predator.

The so-called bald eagle—actually white-headed but not bald—has been protected by law since 1940. The golden eagle has not. Those who wish the eagle well, and the naturalists who know him best, point out that the bald eagle does not develop his pompadour crest until he is about 4 years old. Until then the two species cannot readily be distinguished one from the other, and the feathers which are always in demand with milliners are equally welcome in hatmaking establishments whether they come from the bald or the golden eagle.

All accounts indicate that west Texas market hunters are the principal menace to eagles of both species. The FOE magazine, *Eagle*, recently carried an article which yields the pungent observation:

"Shooting and trapping of eagles is done in other Western States, but it's the Texans who are bragging about it."

In support of that, the article quotes the Audubon Society to the effect that one Texas gunner boasts of having slain 12,000 eagles in 20 years.

Texas ranchers, not the State, pay a bounty on the carcasses in what the Audubon Society and now the FOE have contended is a mistaken notion that all eagles are predators. It cannot be denied that an eagle will prey on domesticated poultry or even that now and then a brash bird will snatch a lamb from the range. But naturalists say the eagle feeds principally and by choice upon fish and upon rabbits and other rodents.

The hunter who collects his bounty from the ranchers remains in possession of the carcass and its salable feathers. For him, the deal is good.

But members of the Eagles lodges fear a time will come when the majestic bird whose likeness adorns the Great Seal of the United States and the country's coinage will be as extinct as the dodo or the passenger pigeon.

The FOE, it says, proposes to do more for the eagle than the Elks have done for the elk, or the Moose for the moose, or the Lions for the lion.

It and the Audubon Society are vigorously supporting congressional legislation which would extend Federal protection to the golden eagle and thus indirectly preserve the bald eagle from further illegal but virtually unstoppable assaults by feather and bounty hunters.

[From the Richmond, Va., News Leader, June 7, 1962]

OF WOODS AND WATERS—AIR CHECK OF NESTS SHOWS EAGLES' PLIGHT IN VIRGINIA

(By Jennings Culley)

The American eagle, the national emblem of the United States, may soon be just like the ol' dodo bird—extinct.

He's just about that way in Virginia now.

In recent years, the National Audubon Society has been deeply concerned over the declining numbers of eagles and this past winter enlisted the help of the U.S. Fish and Wildlife Service in counting and checking eagle nests.

The results of that survey show just how critical the eagle situation has become especially in Virginia.

"It looks like the birds may become extinct before too long," said Robert Bain, Federal wildlife agent who made the aerial survey in Virginia.

"The status of the birds has become a real worry. The birds just aren't around. We'll have to take every step we can in the next few years to protect the eagles and their young if the population is to survive."

This, Bain feels, means stricter enforcement on the illegal killing of eagles in many areas.

Bain found that the eagles had two big nesting areas in Virginia—one stretching down the James from Curles Neck to Hog Island and the other on the Potomac just below Quantico.

There are about 30 nests on each river.

In February, Bain made flights over the two areas and spotted seven active nests on the James and nine on the Potomac.

But in May, he checked the nests again and discovered that all except one had been abandoned.

"I don't know what happened to them * * * why the birds left," Bain said. "But they were gone. In some nests, there were broken eggs and in some, infertile eggs.

"But the thing that is so puzzling is the fact that the birds are gone. They weren't anywhere in the area."

It isn't possible, Bain said, for the birds to have completed their nesting and for the young to have taken off.

Biologists say it takes more than 4 weeks for the eggs to hatch and another 12 weeks for the young birds to be able to fly.

Another characteristic of the eagle points up just how critical the situation has become. That is its mating habit.

Eagles apparently mate for life and are very affectionate in their home lives. Year after year, a pair returns to the same nest, repairing it each spring before going about their nesting activity.

So what about the empty nests along the James and Potomac? What's happened to the birds that used to live there?

Well, neither Bain nor the Audubon Society can pinpoint the exact cause of the decline.

Both feel that the illegal killing of the birds is taking a surprisingly heavy toll. "I don't think the situation is as bad here as in some parts of the country," Bain said, "but there have been reports of eagles being killed in Virginia recently. This, despite the fact the eagles are protected by law and the killing of them carries the same fine as the illegal shooting of any other migratory birds * * * a maximum fine of \$500 and a 6-month jail sentence."

Bain thinks that some of the illegal killing of eagles is being done by people unaware that the birds are eagles.

"It's very difficult to distinguish the young eagles from other birds, especially ospreys," Bain explained. "That's because the eagles don't get their adult plummage, especially the telltale white head, until their fourth year."

"In their first year, the eagles are almost entirely black. The following year the head and neck are still black and there is a black and gray mixture in the remaining plummage."

Bain urged people to make certain of a bird's identification before shooting.

[Audubon news release, National Audubon Society, New York, N.Y., May 25, 1962]

Contents this release:

1. Nesting eagles in Texas prefer rabbits and rodents.
2. Inch worms not "invaders," Audubon biologist says.
3. Texans rediscover Eskimo curlew, feared extinct.

LUBBOCK, TEX.—Nesting golden eagles in this area feed almost entirely on rabbits and small rodents, according to Dr. R. W. Strandtmann, professor of biology at Texas Technological College.

This "cap-rock" country of western Texas is devoted principally to cattle ranching, although there are some sheep ranchers in the vicinity.

Here the sheep ranchers "tolerate the eagles and apparently suffer no losses," Dr. Strandtmann said. "The cattle ranchers give the eagles no more attention than any other bird of prey. One rancher I know actually forbids his hired hands to shoot eagles."

Lubbock lies northeast of the so-called hill country and Trans-Pecos region of Texas where the operations of professional eagle hunters have received wide publicity. The bounty hunters shoot down the big birds from airplanes and sell their services to local associations of ranchers on the grounds that the eagles are a menace to their flocks.

Dr. Strandtmann, who has studied local eagles since 1954, reported his findings in response to an inquiry by the National Audubon Society. The biologist has kept tabs on 26 nests which through the years resulted from the reproductive attempts of five pairs of eagles. Since the female almost invariably lays two eggs, the 26 nests represented a potential of 52 new birds. Only 18 reached fledgling size.

"At this rate," Dr. Strandtmann observed, "the golden eagle is probably just barely able to hold its own."

"My records of what the eagles feed upon are based on what I find in the nests. I have never observed eagles feeding in the field and I have never made a stomach-content survey. My method gives a disproportionate picture because small rodents are completely consumed and, therefore, no remnants can be found. However, if lambs, kids, calves, foals, or fowl were taken, their remains would be present. I have recorded the following:

"Rabbits, about equally divided between cottontails and jackrabbits, estimated to make up 80 percent of the diet.

"Rodents—ground squirrels, pack rats, and prairie dogs—about 15 percent. These are completely consumed so only fresh-caught specimens are seen at the nest. Perhaps the eagles actually catch more small rodents than I have figured.

"Miscellaneous—one horned toad, one coachwhip snake, one coot (a bird), and one dove.

"I have never found any sign or remnant of domestic bird or animal."

The adult eagles are solicitous of their young and considerate of each other, according to the Texas Tech professor. Both adult birds share in incubating the eggs and both bring food to the young.

"In the Lubbock area," he said, "the greatest threat to the eagle is the expanding human population. About half the available nesting sites have been abandoned because of the proximity of man."

The National Audubon Society has endorsed a bill in Congress that would amend the Bald Eagle Act of 1940 to extend the Federal protection to the golden eagle as well. It would prohibit the killing of eagles except under Government permit and outlaw the present commercial trade in eagle feathers and talons. The society says such a law is needed to protect both species because the bald eagle, our national symbol, is often shot by mistake for a golden eagle.

Senator YARBOROUGH. Senator Keating?

Senator KEATING. Has there been any census of the golden eagles, as of the bald eagles?

Mr. BUCKHEISTER. Only in the annual Audubon Christmas counts and these have been in many different parts of the country, as you know, but this gives pretty conclusive evidence. These Christmas counts have been conducted once a year for over 50 years. But as far as any such continentalwide survey as we are now conducting in connection with the bald eagle, I cannot say that there has been. I know of none. But still the Christmas counts are very revealing.

Senator KEATING. Can you estimate the number?

Mr. BUCKHEISTER. I would like to ask Dr. Spofford that, please.

Dr. SPOFFORD. I have no accurate information on the population, the continentwide population. What we do know most about is the population here in Eastern America, which is a remnant population and the maximum count we have had of birds flying past Hawk Mountain is approximately 70 birds.

This bird had not been reported nesting south of the St. Lawrence River since 1880, until I undertook a study some 20 years ago. During that time I have found seven nesting pairs in our Appalachians, from the Gaspé Peninsula, down into New York State, where we have three pairs in the Adirondack Mountains, which are not breeding. This is a remnant of a former population, which was very much higher and Whitmer Stone in 1895, reported seeing 13 golden eagles over a single mountain peak in Virginia. We have this remnant left then of once a widespread population in the Appalachians.

Now in Western America, if I may speak a little of that, the major population is in the Boreal and sub-Arctic zones of northern Alaska and northern parts of the Northwest Territories, down through the Rocky Mountains of Canada. As one goes down the Anderson River and down the McKenzie River, one passes through an area where one sees principally whiteheaded or black eagles in the forested zone and as one approaches the open ledges, gets into the sub-Arctic, the golden eagle replaces it and it is there widely distributed over the Arctic region, feeding on marmots and ground squirrel.

Further south in the highlands of the Rockies of western Canada, it feeds principally on the rock chuck, or whistling marmot and these are the eagles which migrate. When the hibernation of the ground squirrel and rock chuck takes place, these eagles move south. These

are the only counts we have of migrating eagles passing south and I would quote Dr. Oliver Scott, if I may for a moment, his article published in 1960, wherein he said:

More golden eagles were seen after we discovered a flyway this fall. A central Wyoming flyway, west of Casper, in which 40 birds were seen in an hour, passing south on November 1, 1959.

This is on the front range of the Rockies, from the Big Horns, to below Laramie, and eventually heads directly into the Big Bend country of Texas. That is presumably the major source of eagles which appear in west Texas. These birds are from the Arctic and sub-Arctic regions of Alaska and northwestern Canada. We have no number of what that actual population is, we have no way of measuring a decline in that area, because we have no field representatives who have made extensive surveys of nesting pairs to determine the territories that are active now as against territories that were active, let's say 10 years ago.

It is clear that although one can see golden eagles in the Mount McKinley range in midwinter, the major part of them, I would say 90 percent of them, disappear by October. The main disappearance of eagles in the high country is in September and shortly after that in October, lower altitude eagles migrate down the range. But a few may be seen right throughout the winter, feeding on occasional carrion, large game, whatever food they can pick up.

Senator KEATING. That is very helpful. You have impressed me with your expert knowledge on this subject.

It would be fair to say, then, certainly that there are fewer golden eagles than there are bald eagles in this country?

Dr. SPOFFORD. Here in the East that is true. In the West, I think, outside of Alaska, the golden eagle is probably more common than the whiteheaded eagle in much of the region. This eagle, one should keep in mind, is a very slow breeding bird. The number of young per pair that is raised, according to studies that have been made, is about 0.25 to 0.40 per year.

In other words, it takes about 4 years' nesting activity of one pair of birds to produce a young eagle. They just don't raise one young per year. These are studies of Adam Watson and Leslie Brown and others who have made detailed studies. It is a slow breeding bird.

In the Adirondacks, a nest I have had under observation for nearly 10 years has produced only one young in those years and two other nests produced no young.

In Maine I had one nest that produced young for 4 years, but other nests have gone unused, have been built up each year, have been decorated with green boughs each year but the eagles do not lay eggs and raise young. It is a slow breeding bird and it has to be, because there is no predator on the golden eagle and his breeding biology is attuned to the fact that there is nothing preying upon it. There is no natural enemy. The only natural enemy you can find is the porcupine because when a golden eagle takes a porcupine in the East, it often dies as a result, because of the quills. That is the only type of predation, and there was not true predation until man came in.

The biology of the eagle cannot be adjusted to lay more eggs and raise more young. When this new factor brought in by man's predation and by man's occupying the wilderness zones, that changed the

eagle's need for breeding, so we now have a grave problem in maintaining an eagle population.

Senator KEATING. Do these nests you have in the Adirondacks continue from year to year?

Dr. SPOFFORD. Yes, each eagle may have three or four nests. In the West, in California, a golden eagle may occupy four cliffs, with 11 or 12 nests. And here in the East, where the cliffs are fewer, he may occupy two cliffs, with three nests, two on one, one on another. They alternate between these nests. The nests I have watched, in our Adirondacks and northern Appalachians of Maine, are decorated but not used in continuous years, except for one nest, which raised young for a series of years.

Senator KEATING. They don't stay all the time, they come back?

Dr. SPOFFORD. Yes, our eagles in the Adirondacks tend to be resident. The further north you go, the more migratory the birds become. That is true everywhere. The northern Swedish and Lapland birds migrate through Sweden and across to Denmark. The same happens here. Our northern populations migrate down through the Appalachians and past Hawk Mountain and go into the mountains of Virginia and into the badlands of central and eastern Tennessee during the winter, where again the sheep ranchers in the badlands of Tennessee state the eagles prey upon the lambs. Actual studies have not been able to substantiate this. However, these eagles are migratory in the north, but they are not migratory where there is a food supply that they can get at. That is true in the Adirondacks. We have dead deer from the hunting season, deer die here and there, are killed, and the eagles feed, of course, on carrion principally in the wintertime.

Senator KEATING. Are there any statistics available as to how many golden eagles are killed each year?

Dr. SPOFFORD. We have some from Texas, of course. To a certain extent they are hearsay, newspaper articles. It is hard to get a true statement on this. We have some from our eastern Appalachians. In Tennessee, as I worked there for 10 years, we had a maximum kill of nine in 1 year, five in others. So it went from five to nine per year and there were a few in western North Carolina, occasionally in Virginia. Just here and there a bird gets killed. There was one killed in New Hampshire this year and another near Albany, N.Y., and those are two to add to the group.

In the West, of course, we have records of up to presumably over a thousand a year, in one case a thousand a year killed by one man. This is the type of depredation which the breeding biology of the eagle is completely unable to cope with. We cannot see how the eagle can survive under those circumstances.

Senator KEATING. Mr. Chairman, it is quite evident to me we have a real expert here and it has been very interesting. I appreciate the opportunity to hear these men.

Senator YARBOROUGH. It certainly has been. Has the Senator any further questions?

Senator KEATING. No, sir.

Senator YARBOROUGH. Dr. Spofford, what is your estimate on the number of golden eagles in the United States, as compared to the bald eagle? Are there more?

Dr. SPOFFORD. I think it is more. The bald eagle is much more conspicuous than the golden eagle. The bald eagle flies high, circles around over the nesting areas and is conspicuous. The golden eagle is a low flyer in general. It follows the contours of the land, flies close above the mountainsides; out West it will work up one side and go back down the other side of a "draw," close above the rocks, waiting for a rabbit and then it drops down, half folds one wing under and picks it up with a foot. It just hunts that way and is not so conspicuous.

Here in our own Adirondack and Appalachian Mountains, it hunts so close over the country, it can be there and goes undetected. We have had these three pair in New York that have been here for probably 75 years and undetected by many naturalists, until we have gone back in and hunted them out.

I might say the last nest in New York was found by Audubon before 1833, until I found one in 1952.

Senator YARBOROUGH. The last nest in New York was found by Audubon before 1833?

Dr. SPOFFORD. Yes, probably in the 1820's.

Senator KEATING. How long were the nests there?

Dr. SPOFFORD. Over 50 years.

Senator KEATING. Not occupied by the same bird?

Dr. SPOFFORD. No, one bird will die and another comes in. We have watched the replacement. We had a bird shot years ago, in the Saranac region of northern New York, a dead deer had been killed before and they set a trap to catch a coyote, and it caught the male bird. Coyotes had been coming there and a trap was set to catch a coyote. They caught an eagle and we had only a female left in the territory until last year when a male came in, a new one. Since then that pair have been building a nest for 2 years on a high peak, which we have examined and watched. They are not yet ready to breed, but in another year or two, the nest will be far enough along and I hope they will breed.

Senator KEATING. How long do these birds live?

Dr. SPOFFORD. At least 40 years and I think longer than that. They only have to breed successfully a few times. That is, if it were not for the killing, they only have to breed a few times. Like a snapping turtle, if it lays 50 eggs, if it is successful once in 50 years in having eggs hatched, the turtle goes on. And most of those times a skunk finds the eggs, as you well know.

Senator KEATING. No; I didn't know.

This is very interesting. I would like to spend more time with Dr. Spofford.

Senator YARBOROUGH. Dr. Spofford, you mentioned a number of nests. Do the eagles rotate, nest in one place 1 year and rotate to another nest the next year?

Dr. SPOFFORD. Yes; they do that. And curiously enough, studies of a territory show that eagles from neighboring territories will come in and use different nests. So when we have cases, as we have in California, apparently of a single nest being in use for 5 years in a row, it turns out two or three different pairs of eagles have been coming in and rotating around and using another nest. So the idea that you used to think eagles breed every year is false; we now know they don't.

Senator YARBOROUGH. They don't build a new nest every year?

Dr. SPOFFORD. No. When I banded the young in a nest in the central Adirondacks, the first one I ever banded east of the Mississippi, the nest was about waist high, and when I climbed down a rope into the nest about a month ago to examine the nest, which has nothing in it and I could not even see into it. I had to reach up above the nest to get into it. It is now about 7 feet high. This nest, of course, will tumble out in a year or two and they will start over again. Every eagle cliff that has been occupied for a long time has old nests below it. You find the pile of brush and frequently it is just a green area on the slope, where the nest falls off, disintegrates, forms a sort of humus in the rock and greenery appears there and you can spot this and then 10 or 12 years later another nest falls on the same place and builds this pile. I have seen that and I can tell whether a cliff has been used before or not. This new cliff in the Saranac area has never been used before. It is a new spot. But there is another one 4 miles away that has been used along but it now has a boys' camp near it so it is not being used.

Senator YARBOROUGH. Do you know whether eagles follow a cycle in this going from one nest to another?

Dr. SPOFFORD. No; they don't. They may have several, but there is no cycle. They just seem to pick whichever one—the male will decorate most of the nest in the spring. When he comes back in February, he brings in green spruce or green pine tips and puts them in each nest and the female comes around, and together they visit as a pair and they will look at each nest and you can't tell which they are going to use. It looks as if they will use one and yet the eggs may be laid in another one. There is no true cycle that I know of.

Senator YARBOROUGH. I believe you said earlier that the eagles that come down into the Big Bend area of Texas, and trans-Pecos, and the Edwards Plateau may have bred north of the Arctic Circle.

Dr. SPOFFORD. Yes, sir; or up near there. I won't say how far north, they bred as high as 69°, Peters Lake for instance, on the eastern end of the Brooks Range. They breed sparingly throughout the Brooks Range and it is hard to get data on the northern section of Canada. The eagles are seen there, a number in the lower Toklat River I think it is in August a few years ago and where they come from nobody knows. The reports of golden eagles nesting in the extreme northern slopes of Alaska may be rough legged buzzards which also breed there. The surveyors don't know the difference between an eagle and large buzzards.

Senator YARBOROUGH. Does the buzzard's size approximate that of an eagle?

Dr. SPOFFORD. He is much smaller but has the same flight pattern and color pattern. The juvenile rough legged buzzard has a white base at the tail and a dark tip, like the younger eagles, so they are often mistaken.

Senator YARBOROUGH. I want to address one question here to these witnesses and the witnesses from the Department of the Interior and everybody that has testified up to now and anyone else who can furnish information on this.

In this area in Texas where these eagles are taken, do Mexican eagles breed there or come into that area? I don't mean golden eagles that breed in Mexico, I mean the eagle we call the Mexican eagle.

Dr. SPOFFORD. That is the golden eagle. The real eagle there is the golden eagle. The Mexican eagle is the golden eagle. But the caracara is found along the lowlands, and that is sometimes called the Mexican eagle. But the real Mexican eagle is the golden eagle.

Senator YARBOROUGH. That is what is called the Mexican eagle in the southwestern part of the United States?

Dr. SPOFFORD. Yes.

Senator YARBOROUGH. Is it found in this area of Texas?

Dr. SPOFFORD. That is the golden eagle. It may move across the river, that is all.

Senator YARBOROUGH. To the people in the Southwest, the caracara is the Mexican eagle.

Dr. SPOFFORD. The caracara does breed in Texas; yes.

Senator YARBOROUGH. Does anyone know whether it is found in this sheep area of Texas, and does it bother the sheep?

Dr. SPOFFORD. I don't believe so.

Dr. ALDRICH. It is common in the Rio Grande Valley, I know.

Senator KEATING. How big is that compared to the golden eagle?

Dr. SPOFFORD. Much smaller. About the size of our eastern red-tail buzzard we have here.

Dr. ALDRICH. Senator, I think it has been explained. Caracara is a bird which breeds in south Texas—oh, size is your question. It is considerably smaller. It is not likely, if anybody knows the bird well, that they would confuse it with an eagle.

Senator YARBOROUGH. If you see it sitting on a post, its configuration, doesn't that more nearly approximate that of a bald eagle than that of some other type of birds?

Dr. ALDRICH. Well, they are all——

Senator YARBOROUGH. Is it a true eagle or not? What is it?

Dr. ALDRICH. No; it is not an eagle at all. It belongs to the same family of birds, but the same general group of predator birds, like hawks, they all belong to the general group and have similar characteristics. But the caracara is even more unlike the eagle than, say, the redtail hawk, or some of your common hawks are. They have general characteristics of course, and at a distance where you can't see the size relationship, conceivably they may be mistaken for an eagle.

Senator YARBOROUGH. If you see them far off even a casual observer would know immediately that it wasn't a hawk?

This bird doesn't look like a hawk when it sits on a post?

Mr. ADLERMAN. I don't think it does, myself. It would depend on a person's experience, maybe. They have a general hawklike appearance, yes.

Senator YARBOROUGH. I am thinking of some of my experiences riding in cars with people and they would see one and get excited and say "There is an eagle." Just a casual observer looking at a caracara thinks it is an eagle.

Mr. ADLERMAN. That is possible.

Senator YARBOROUGH. I will now place in the record at this point a paper prepared by Dr. Spofford on the feeding habits of the golden eagle, and other material that has been forwarded to me by Miss Margaret Louise Hill, of Austin, Tex. She is a leading figure in the Texas Ornithological Society and she asked that it be inserted in the record at this hearing.

(The document is as follows:)

THE FEEDING HABITS OF THE GOLDEN EAGLE (WITH PARTICULAR REFERENCE TO THOSE EAGLES NESTING WITHIN THE BIG GAME AREAS OF WESTERN AMERICA)

The findings reported in the following pages are taken from various identified sources, compiled and annotated by Dr. Walter R. Spofford, State University of New York, Syracuse, N.Y.

"Based on the findings of qualified wildlife technicians in nine Western States, Canada, and Alaska, rabbits and rodents are the dominant food of the golden eagle over its wide range in North America."—ARNOLD, L. W., 1954, "The Golden Eagle and its Economic Status." Circular 27, Fish and Wildlife Service, U.S. Department of the Interior (p. 13).

A study of the stomach contents of the winter golden eagle in Kansas revealed that: 11 had eaten cottontail rabbit, 7 jackrabbit, 9 prairie dog, 1 woodchuck, 1 ground squirrel, 1 opossum, 1 fox squirrel, 1 red-tailed hawk, 1 short-eared owl; 1 percent of the food was rabbit or prairie dog.—GLOYD, H. K., 1925, "Field Studies of Diurnal Raptors of Eastern and Central Kansas." Wilson Bulletin, 37: 133-149.

Among the 51 stomachs of the golden eagle, jackrabbits or cottontails comprised the sole contents of 22 and the partial contents of 10.—WOODGERT, W., 1952, "Food Habits of the Golden Eagle," Journal of Wildlife Management, 16: 457-459.

At a golden eagle nest in Nevada, there were the remains of 36 jackrabbits, 1 cottontail, 1 ground squirrel, and 1 sage grouse.—MURIE, O. J., 1952, "A Price on His Golden Head." Audubon Magazine, 54: 232-236.

A family of golden eagles consumed 540 ground squirrels in 3 months.—FINLEY, W. L., 1906, Condor, 8: 4-11.

In Northern Colorado, the food of nesting golden eagles was found to be principally marmot or woodchuck.—PACKARD, F., 1945, "The Birds of Rocky Mountain National Park," Auk, 62: 371-394.

At a nest of the golden eagle in Wyoming, the chief food was jackrabbits (mainly), cottontails, and ground squirrels.—WILLIAMS, R., 1943, Wyoming Wildlife, VIII (12): 2-8.

At a nest in the Colorado State Antelope Range, there were remains of 60 rabbits and 28 prairie dogs, and, "In the West, where the golden eagle is resident, rabbits and rodents are often considered economic liabilities; consequently, the pressure exerted on their populations by the golden eagle is favorable to livestock, game, and forest management."—ARNOLD, L. W., 1954, "The Golden Eagle and its Economic Status," Circular 27, Fish and Wildlife Service, U.S. Department of the Interior.

It is well attested that golden eagles will eat carrion in preference to killing live prey. "An experiment * * * proved that the carcass of a jackrabbit or of a lamb which had been dead for 2 days or more was preferred even though live lambs of all ages were in the immediate vicinity."—SPERRY, C. C., 1937, "Eagles vs. Lambs in Western Texas," manuscript in files of Fish and Wildlife Service, U.S. Department of the Interior.

At the Bear River Migratory Bird Refuge, on December 28, 1953, there were 82 golden eagles and 12 bald eagles feeding upon dead fish frozen in the ice.—WILSON, V. T., 1954, Audubon Field Notes, 8: 206.

The relation of the golden eagle to big game species will be examined in the following citations.

"The hunting and food habits of the golden eagle in the Tarryall Mountains (Colorado) were observed and studied with great interest because many people consider these birds responsible for considerable predation of bighorn sheep, especially lambs. During the entire period of study not a single eagle was seen to attack or molest the bighorn sheep in any manner."

As many as seven prairie dogs were found in one eagle nest at one time. The sheep were not disturbed when the eagles came close by. "These observations are not conclusive, but they do indicate that, in the Tarryall Mountains, the eagle is a minor factor."—SPENCER, C. C., 1943, "Notes on the Life History of the Rocky Mountain Bighorn Sheep in the Tarryall Mountains of Colorado," Journal of Mammology, 24: 1-11.

"Because so much credence has been placed in the possibility of eagles being responsible for a major part in lamb loss, it was surprising to find that bighorn sheep paid scant attention to them."

"In the spring of 1940 an eagle's nest was watched in the very heart of the lambing grounds. Two eaglets were raised. From June 1 to August 1, the nest was well supplied with food. Jackrabbit and ground squirrels were the most common food items. No remains of lambs or sheep were found."—HONESS, R. F., and N. M. FROST, 1942, "A Wyoming Bighorn Sheep Survey." Wyoming Game and Fish Department Bulletin, 1: 56.

In spite of persistent beliefs that the presence of eagles is inimical to antelope "Competent observers (Williams and Matteson, 1948) believe there is a greater abundance of breeding golden eagles in Wyoming on the basis of comparable area than in any other Western State; yet, through various management practices which place little or no weight on the influence of the golden eagle, a remnant antelope population of fewer than 5,000 in 1900 was increased to a point where more than 41,000 were harvested in 1952."

In 1947 and 1948 a study was made on two tracts of more than 100 square miles on the Colorado State Antelope Refuge. Six nests of golden eagles were watched in this area. The range was extensively used by antelope, deer, cattle, and sheep. At 1 eagle's nest were 26 hind feet of cottontail rabbit and 21 hind feet of jackrabbit. "It would appear that the number of nesting golden eagles had no appreciable effect on the antelope population."

"Under a four-phase utilization program involving sheep, cattle, antelope, and to a lesser extent deer, there was competition for forage. Therefore it is believed that the destruction by the golden eagles of rabbits and prairie dogs which were in direct competition for forage with the four major species, outweighed whatever minor negative influence there might have been."—ARNOLD, L. W., 1954, "The Golden Eagle and Its Economic Status." Circular 27, Fish and Wildlife Service, U.S. Department of the Interior.

"The Idaho Mountain-Sheep Survey (Ellis, 1941), also revealed no reliable evidence of predation by eagles on lambs or mature bighorns during the year-long study."

"In a study of the bighorn in Arizona, cooperatively conducted by the National Association of Audubon Societies, the Arizona Game and Fish Commission, and the University of Arizona in 1937, A. A. Nichol found that three major factors operated to the detriment of this species. Poaching, roads, and drought, and the greatest of these was poaching. No eagle depredations on bighorn sheep were observed during this investigation."—ARNOLD, L. W. (citation above).

It is beyond dispute that upon occasion golden eagles have killed and preyed upon domestic lambs and large game. But these are of unusual occurrence and take place only under extreme conditions. Several of these are cited in the following account. It is to be noted that such cases are sufficiently rare as to warrant a separate documentation of each.

A golden eagle killed a bighorn lamb at the San Andres National Wildlife Refuge in New Mexico. But even in this case, as Arnold, 1954, points out, a search of six nests in this region failed to turn up another case.—KENNEDY, C. A., 1948, "Golden Eagle Kills Bighorn Lamb," *Journal of Mammology*, 29: 68-69.

Murie described the killing of a caribou calf in Alaska by golden eagles, as witnessed by a Mr. A. Brown. In a study of the food habits of the eagles in the Mount McKinley region, however, Murie found that the food was 86 percent ground squirrel, 6 percent marmots, and 3 percent mice. Traces of caribou hair and sheep were found in a remaining several percent, some of which were believed to be carrion. Eagles raid the caches of meat made by wolves.—MURIE, A., 1944, "The Wolves of Mount McKinley," *Fauna of the U.S. National Parks*. Fauna series 5.

Without further citation, it may be pointed out that popular opinion about the golden eagle stems largely from the occasional instances when an eagle attacks a domestic animal. Without further contact and familiarity with the actual habits of the eagle, biased information becomes legendary and prejudice substitutes for knowledge.

Many ranchers with long experience have never found any actual predations by eagles.

Of David Cook, shepherd of the Warren Livestock Co. of southeastern Wyoming:

"All the stories of eagles' killing young domestic sheep he had ever heard of were based upon hearsay. During his years of experience in southeastern Wyoming as a sheepman he has never found a single individual that had ever observed an eagle actually killing a lamb. Eagles, ravens, and vultures prey on lambs dying of other causes, or already carrion."—WILLIAMS, R. B., and C. P. MATTE-SON, 1948, "Wyoming Hawks," Wyoming Game and Fish Department, Bulletin 5, 84 pages.

"W. H. Delvin, foreman for one outfit in the Colorado area, stated that he has never seen nor heard of an eagle's killing a lamb or a sheep in this area during his 20 years of experience."—ARNOLD, L. W., 1954, "The Golden Eagle and Its Economic Status," Circular 27, Fish and Wildlife Service, U.S. Department of the Interior.

DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D.C., February 16, 1962.

MR. CHARLES H. CALLISON,
Assistant to the President,
National Audubon Society, New York, N.Y.

DEAR MR. CALLISON: Thank you for your letter of February 7 inquiring as to the findings of Mr. and Mrs. Ralph Welles on the significance of golden eagle predation on bighorn populations. The findings are summarized in the book, "The Bighorn of Death Valley, Fauna No. 6, Fauna of the National Parks of the United States." This volume is in page proof at present and we hope that it will be off the press by the middle of March.

In answer to your question, during 1,693 hours of observing bighorn no specific interest in bighorn was shown by golden eagles. No anxiety was displayed by bighorn toward golden eagles as such, even though on one occasion (p. 180) "We watched three golden eagles circle slowly in and come to water at Old Spring while a band of five bighorn containing one 6-month-old lamb lay in siesta on a point a hundred yards away * * *. Ewes with 'wet' lambs show anxiety over large flying birds but so do they of almost everything that moves in their vicinity at that time." These are some additional observations regarding ravens and bighorn, but they do not materially change the picture.

In brief the observations of the authors do not rule out the possibility that golden eagles occasionally may try to attack small lambs, but with the added possibility of a successful defense by the mother (as observed in deer). However, no such encounters and no evidence of predation by eagles was observed.

Sincerely,

LOWELL SUMNER, *Principal Biologist.*

THE STATUS OF THE GOLDEN EAGLE IN NORTH AMERICA

(By Walter R. Spofford, Ph.D., associate professor, State University of New York, Syracuse, N.Y.)

Formerly the golden eagle was widely distributed over most of the open and upland country of North America. In eastern America, persistent persecution has reduced it to virtual extinction and it is already a rare bird in most Western States. The major population is confined to arctic and boreal regions, and now these eagles are in great danger.

Although the golden eagle along with other predators has long been the victim of misguided persecution, during the last 25 years a veritable slaughter of these great birds has taken place. Flying light airplanes equipped with machine-mounted shotguns, hired eagle killers hunt down and shoot from the air every eagle reported over large areas of the range country of the Southwest. Drastically effective, as many as 25 eagles in a day, over 1,000 in a single winter and over 12,000 in 20 years are credited to a single bounty hunter in Alpine, Tex.

These winter eagles are not Texas eagles, or Mexican eagles. They are eagles which breed over the far reaches of arctic and boreal America, and migrate south in autumn. Feeding upon prey which hibernates in winter, arctic eagles start south in September when the ground squirrels go underground. Further south, as marmots also hibernate, boreal eagles begin to move and by late October the flight moves across Montana and Wyoming where riflemen shoot them by tens and fifties to sell their feathers to curio shops and the Indian trade. Further south they reach the sheep range country where the yearly kill of staggering proportions takes place. Although doubtless the kill includes many bald eagles, hawks, and vultures there is no doubt that the chief victim is the golden eagle.

Nowhere is there a large eagle congregation. Rather, eagle pairs and singles course far and wide over mountains and valleys. Daily these are shot down and other eagles move in. Each day's shooting creates a vacuum into which other eagles move and are then shot themselves. Just as surely as a single leak drains

a reservoir, so virtual extermination now threatens the whole eagle population of Alaska, Canada, and northern United States.

To realize that this will soon cause the extermination of our remaining golden eagles, one has only to recall that in the memory of man far less drastic persecution has reduced our Appalachian golden eagles to near extinction. Today, each autumn, thousands of people journey hundreds of miles to stand upon a ridge in Pennsylvania to watch the Quebec remnant pass in review.

WASHINGTON STATE UNIVERSITY,
DEPARTMENT OF ZOOLOGY,
Pullman, Wash., February 20, 1962.

Mr. CHARLES H. CALLISON,
Assistant to the President,
National Audubon Society,
New York, N. Y.

DEAR MR. CALLISON: In answer to your letter of the 7th of February, I am enclosing a quotation from my 1950 paper "Life History, Ecology and Range Use of the Pronghorn in Trans-Pecos Texas" (*American Midland Naturalist*, 43:310-315). I doubt that the depredation of golden eagles on domestic sheep is as serious as it is purported to be, but it is difficult to prove this point. I have no data to support my hypothesis. This is something that would have to be researched. On the matter of depredation on pronghorn antelope I can confidently say that the golden eagle is not a significant factor in affecting number. The enclosed reprint "Regulation of Numbers of Pronghorn Antelope in Relation to Land Use" contains a section (pp. 276-277) documenting the fall and rise of the pronghorn population in trans-Pecos, Texas throughout a period of drought. During all of this time golden eagles were being controlled in the trans-Pecos region. It seems that the populations fluctuate with drought and correlated range conditions rather than with controlled eagles.

If I can be of further assistance, please let me know.

Very sincerely yours,

HELMUT K. BUECHNER,
Associate Professor of Zoology.

Senator KEATING. Could I ask another question of Doctor Spofford? Do some of these golden eagles keep the same mate for life?

Dr. SPOFFORD. Oh, yes, the same pair. I can substantiate that by the characteristic of certain of the Appalachian eagles, which have a small white epaulet. This is a recessive genetic characteristic and shows only on the prescapular feathers on each side. I have one pair in Maine in which each member of the pair has a white spot and no other eagle I know of anywhere in the whole Appalachian has this characteristic.

Senator YARBOROUGH. Has a white what?

Dr. SPOFFORD. Spot, here [indicating]. It is a thing that is comparable to the imperial eagle which is the same genus.

Senator KEATING. The male and female each have it?

Dr. SPOFFORD. Yes, and the young bird has it too.

Senator KEATING. They began to look alike living together.

Dr. SPOFFORD. Yes; but in this case it serves to mark those birds. If there was a change in the parenthood of those birds, I would see immediately another bird coming in and it would be unlikely this spot would be present. This is an example of it. It shows a white spot on the bird in this picture. It is found in very few Appalachian eagles.

Senator KEATING. Do they fight over the female?

Dr. SPOFFORD. No, they are congenial birds. I, of course, have raised them and handled them in the nest and it is a very quiet good-natured bird.

Senator KEATING. Do they attack you or are they docile when you enter their nests?

Dr. SPOFFORD. You can handle them easily. Of course you can get hurt by a foot, if you are not careful. But in general a large bird of prey is dependable. You may have trouble handling a small hawk, that is difficult, because they are excitable, like a small dog. But the big birds are gentle, or gentlemen, we might say.

Senator KEATING. Dr. Spofford's reference to the fact that the average breeding is 0.25 per year, one in 4 years, leads me to think perhaps we should send a pair of these birds to some of the underdeveloped and overpopulated areas of the world to set an example over there.

I think it is intensely interesting, this story about the habits of this bird. Do they know that you have got your eye on them?

Dr. SPOFFORD. Oh, yes. I can watch them and when I go to a nest, I have to rappel into the nest on a rope, Alpine style, and when I rappel into the nest, the eagle flies off, circles around and comes up into a tree overhead. She will sit there all the time of the photographing and measuring the young, and will just look down to see when I leave, preening her feathers.

Senator KEATING. They don't bother you if you are dealing with the young?

Dr. SPOFFORD. No, they show no real concern. They just wait until I am gone and then they return to the nest.

Occasionally one will mistake my being there, and I have been in the nest and have the eagle come in and then it shows concern, and leaves quickly. But they pay no other attention.

Senator YARBOROUGH. Dr. Spofford, would you tell us where this white spot is? We have the photograph, but it doesn't show in the record.

Dr. SPOFFORD. It is in the scapular track of feathers, the prescapular area, in the first few feathers of the scapular track.

Senator YARBOROUGH. The upper wing?

Dr. SPOFFORD. Yes, just in front of the wing, really; it covers the wrist of the bird, when it is folded in close.

Senator YARBOROUGH. Is this your photograph here?

Dr. SPOFFORD. No. I wish it were.

Mr. CALLISON. Mr. Chairman, that photograph was made about 18 months ago in the State of Connecticut of an eagle that was captured in Connecticut and is now in a zoo in the State. It was a wild eagle.

Senator YARBOROUGH. There is no law against capturing up there? They are not protected in Connecticut?

Mr. CALLISON. Well, the fact—

Senator YARBOROUGH. I thought that was one of the States in which they were protected.

Mr. CALLISON. It is, but the laws protecting the golden eagle are very laxly enforced in a great many States.

Senator KEATING. How many golden eagles are there in zoos throughout the country?

Dr. SPOFFORD. Easily in the neighborhood of 100. When I say 100, it could be over 50 and less than 500. But I would say in the neighborhood of 100 birds and probably more than that, because a good many private people keep eagles. For instance, I keep an eagle and I work with the moulting pattern. I start with the young eagle in the nest and keep track of every feather dropped and I keep a lot of envelopes with certain feathers and I establish the moulting pattern for not only the major feathers, but all of the small tracks and that establishes the pattern by which these birds moult and it is different from any other bird. The golden eagle is distinctive and resembles that of the vultures of Africa, but no other bird in North America.

Senator KEATING. Are there records of young having been born in captivity?

Dr. SPOFFORD. That was done by Vökle in Germany in the 1880's. Lord Lilleford kept eagles in his great estate in England and his eagles laid eggs in captivity, but they were not fertile. The eagles would sit on them for a long time—and that has been recorded a number of times—but the only ones actually hatched and raised was by Vökle in Germany and that is recorded in his book some years ago.

Senator YARBOROUGH. I would like to ask the Audubon Society officials—you said you would get us a copy of this photograph. Could you also give us a copy of a good representative photograph of a bald eagle, so we can put that in the record too?

Mr. CALLISON. Yes, sir.

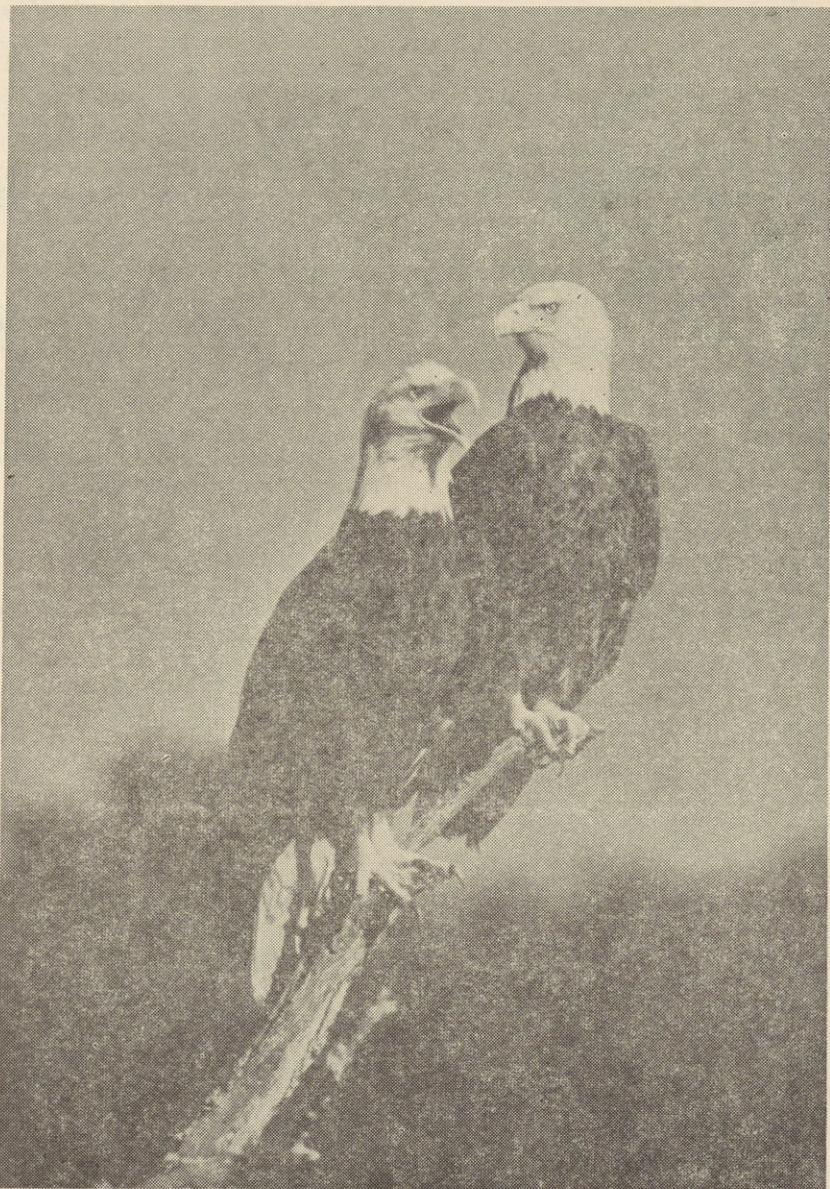
Senator YARBOROUGH. Do you have one of the immature golden eagle that shows the white tail feathers?

Mr. CALLISON. I am not certain we have one that shows that clearly, but we do have a number of photographs.

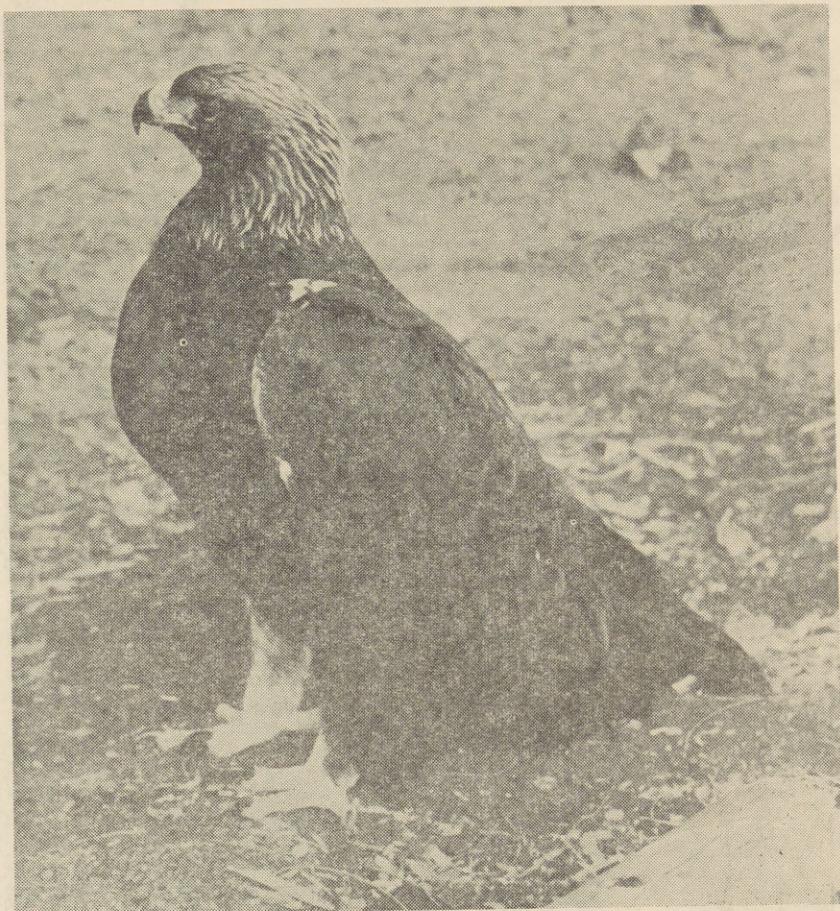
Senator YARBOROUGH. And an immature bald eagle, four photographs that are good that illustrate as these specimens illustrated this color difference in age.

Mr. CALLISON. Yes, sir; we will be glad to supply what we can in the way of pictures.

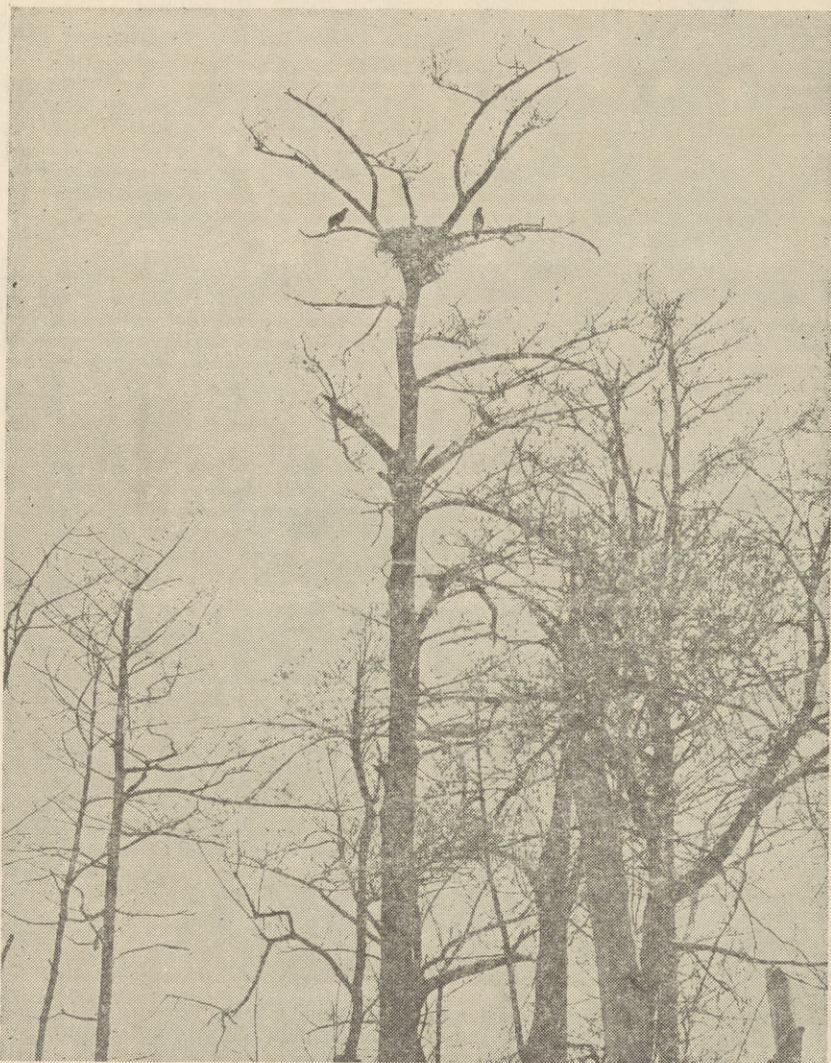




A pair of mature (4 years or older) bald eagles, showing the striking white head and tail that distinguish the species (National Audubon Society photo by Truslow).



A mature golden eagle. The predominant or overall color of this species is brown throughout life (National Audubon Society photo by Al Mathewson).



Two young or "fledgling" bald eagles photographed at the nest, showing how they would appear in silhouette to a hunter. At this distance only an expert ornithologist with binoculars could tell for certain whether these birds were golden eagles or immature bald eagles (National Audubon Society photo by John H. Gerard).



The immature bald eagle is an all-brown or, from a distance, a dark-colored bird, not readily distinguishable from the golden eagle of any age (National Audubon Society photo by Karl H. Maslowski).



An immature golden eagle, approximately 12 weeks of age, or about ready to leave the nest (National Audubon Society photo by Edwin Rosskam).

Senator YARBOROUGH. Any further questions?

Mr. BAYNTON. No questions, Mr. Chairman.

Senator YARBOROUGH. Thank you very much.

The next witness is Mr. Stewart Brandborg, the director of special projects, Wilderness Society, Washington, D.C.

(No answer.)

Senator YARBOROUGH. We have a statement that will be ordered printed in the record at this time, from the National Wildlands News. This is a statement by Mr. Butcher, the editor of the National Wildlands News. He has submitted his written statement. It will be ordered printed in the record.

(The statement follows:)

A STATEMENT FOR THE RECORD BY DEVEREUX BUTCHER, EDITOR, NATIONAL WILDLANDS NEWS, WASHINGTON, D.C.

The editors of National Wildlands News, an independent, monthly newspaper with nationwide circulation, supports Senate Joint Resolution 105 and the several other identical Senate and House joint resolutions to provide protection for the golden eagle and additional protection for the bald eagle.

We consider the killing of the golden eagle, in the name of sport, to be wholly unjustifiable, and believe that the enactment of the proposed legislation is essential to the continued survival of both species.

It has been our pleasure to see the golden eagle both in the West and in the East. Memorable occasions were (1) a nesting pair on an escarpment in the Harney Lake section of Malheur National Wildlife Refuge, Oregon, which gave opportunity to observe the majestic birds, (2) one or more migrating down the Kittatiny Ridge, in Hawk Mountain Sanctuary, near Kempton, Pa., and (3) we made the first sight record of the golden eagle over the salt marshes of Brigantine National Wildlife Refuge, New Jersey. We have seen the bald eagle along the east coast from Maine to Florida, and also in Alaska and the coast of British Columbia.

The killing of the golden eagle is the result principally of ignorance and prejudice that many people have with regard to flesh-eating creatures. It is encouraging to note a growing trend by livestock interests to demand a halt to the destruction of the so-called predators. While this trend is brought about largely because of an increase of rodents resulting from the removal of predator species which control the rodents, nevertheless, there are growing expressions on the part of ranchers indicating that they also recognize the esthetic values of the flesh-eaters.

Enforcement of the legislation, we believe, should be the duty of the U.S. Fish and Wildlife Service, but there should be cooperation between the Federal agency and the wildlife protective divisions of the State governments.

There apparently is considerable commercial use of eagle feathers. The incentive to kill eagles undoubtedly would be reduced if the sale of eagle feathers were made a Federal offense.

Senator YARBOROUGH. The next witness, Mr. Clay Miller, Valentine, Tex.

STATEMENT OF CLAY MILLER, VALENTINE, TEX.

Senator YARBOROUGH. Mr. Miller, do you have a prepared statement?

Mr. MILLER. Senator Yarborough, I have not prepared a statement specifically for this occasion. However, I would like to read excerpts from a letter.

Senator YARBOROUGH. Just go ahead and proceed in your own way. The committee won't limit you as to how you present it, whether it is oral or written.

Mr. MILLER. This will have to be presented orally, because it will be merely excerpts of a letter.

Mrs. L. D. Haynes of Midland wrote to me regarding my opinion of the golden eagle. This is the letter in which I replied to her. It is dated May 19, 1962. This is only excerpts:

In regard to the golden eagle, it is my belief they do kill lambs, kids, and fawns of both deer and antelope. I cannot be sure that they do not kill calves, but in my lifetime, in country where eagles are fairly common, I have never known of a calf being killed by eagles. In this part of the country, I think nearly all landowners and most ranch hands do not confuse the golden eagle with any of the large predators; in my experience their identification has always been correct. Personally I supported the idea of protection of the golden eagle, though I think some leeway must be given to growers of sheep and goats in protecting their flocks. There are large areas of the United States where persecution of the eagle serves no useful purpose, but they are killed simply because they are eagles.

As far as my ranch is concerned, I have a surplus of both deer and bighorns and welcome all of the eagles that will come. Most of the year they prey only on the jackrabbit, which is also too numerous.

I am especially opposed to the practice of shooting eagles from aircraft, over property on which sheep and goats are not raised. Landowners who would not consider trespassing on such property seem to feel no hesitation at sending airplanes to shoot eagles, regardless of the distance from their flocks. Eagles have always been hunted in this area, more or less as a matter of habit, and the law protecting them would be difficult to enforce. But it would be a deterrent to people who are only casual hunters and begin to instill in the minds of the general public that the eagle is by no means as bad as he has been pictured and deserves to occupy all of the land on which his predatory habits and man's interests are not in direct conflict.

Senator YARBOROUGH. You are a rancher in Valentine, Tex.?

Mr. MILLER. I am, sir.

Senator YARBOROUGH. You own a ranch?

Mr. MILLER. Yes, sir.

Senator YARBOROUGH. Have you given anybody—permission to anyone to fly over your ranch to shoot eagles?

Mr. MILLER. No, sir.

Senator YARBOROUGH. Of course they don't have a right under the law to trespass on somebody else's land, to fly over and shoot eagles, unless they get permission.

Mr. MILLER. That is an interesting legal question. I don't know know that this is the place to discuss that question.

Senator YARBOROUGH. You have raised it. I had not thought of it before.

Mr. MILLER. Whether or not it is a matter of trespassing is an interesting legal problem.

Senator YARBOROUGH. I wonder if the hunters get permission generally from the ranchers before they fly over. Do you know?

Mr. MILLER. No, sir; I do not.

Senator YARBOROUGH. I think this hunting centers around Marfa, doesn't it?

Mr. MILLER. Oh, generally over the Edwards Plateau and the Trans-Pecos.

Senator YARBOROUGH. On this map of Texas, your home, Valentine, is in the flats between the Davis Mountains and what is the mountain range to the west?

Mr. MILLER. The Sierra Vieja.

Senator YARBOROUGH. What do they call those flats? Is that Lobo Flats?

Mr. MILLER. That is one name given to them; yes, sir.

Senator YARBOROUGH. Is there another name for that valley there?

Mr. MILLER. Valentine Plain.

Senator YARBOROUGH. Go ahead. You have some more notes there.

Mr. MILLER. I would like to take exception to one statement of Mr. Fisher's. In my experience, which now goes back some 20 years, on which I can rely, I believe that the population of golden eagles in our area has very definitely declined. I haven't any figures as to how much the decline has been, but I certainly think there are fewer now than there were 20 years ago.

In regard to Mr. Fisher's statement that the airplane is practically the only weapon against the golden eagle that the sheep raisers have, I would like to state that 30 years ago, before the airplane was in common use, sheep raising was a profitable business over a considerable portion of the Edwards Plateau.

In regard to your questions about the Mexican eagle, the caracara, I think my statement in there that landowners would not confuse them with the golden eagle will apply to all of the area with which I am familiar.

That is all the statement I have, Mr. Chairman.

Senator YARBOROUGH. Any questions?

(No response.)

Senator YARBOROUGH. It has been suggested by the staff that perhaps Mrs. Miller is with you here.

Is she with you?

Mr. MILLER. She is.

Senator YARBOROUGH. Mrs. Miller, we welcome you to Washington. I have been to Valentine, but rather infrequently, during the years I resided in El Paso, Tex.

Mr. MILLER. Perhaps, Senator, I might state further that it appears to me that almost the entire opposition to this bill comes from the area in which I live and the area immediately east of it, what is generally known as the Trans Pecos and the Edwards Plateau.

I know of no organized opposition, in what is generally regarded as the Rio Grande Plain, the brush country, and the country north of U.S. Highway 80, which includes all of the South Plains, the Panhandle, and the low rolling plains of Texas.

There are very few people in most of these areas. I know that——

Senator YARBOROUGH. Do the sheep raisers herd their sheep in New Mexico as they do in Wyoming?

We have had no objection from New Mexico to this bill.

Mr. MILLER. It is my impression in one of the large sheep growing areas west of Roswell, they are run on the open range, as they are in west Texas, without herders.

Senator YARBOROUGH. I have a question here for Dr. Spofford.

Doctor, did I hear you say an eagle was trapped while someone was trying to trap a coyote in New York State?

Dr. SPOFFORD. Yes, that has happened on a number of occasions. The records of the New York State Department of Conservation show this.

Senator YARBOROUGH. How long have coyotes been in that region?

Dr. SPOFFORD. For something like 15 years now.

Senator YARBOROUGH. How did they get there?

Dr. SPOFFORD. They crossed the St. Lawrence, they came down from Ontario and crossed the St. Lawrence River in the winter and it is now well established, we have a number of specimens that have been taken and there is no question it is a fairly large coyote, coming into New York State during the last years.

Senator YARBOROUGH. They came down from Canada?

Dr. SPOFFORD. Yes.

Senator YARBOROUGH. When did they get into the St. Lawrence River area, do you know? They were not originally indigenous through that area.

Dr. SPOFFORD. No. But they have moved in.

You see, we killed off our large predators in New York State, in earlier years; the panther, or mountain lion, was our normal predator and it has left this tremendous tonnage of deer, which has no predator

and the coyote now has found this food supply and is moving in to exploit the supply.

It would be a wonderful thing if something like the panther could come back to help us control the deer population on a normal basis.

Not many hunters would agree with me, perhaps.

Senator YARBOROUGH. Mr. Miller, you mentioned the large number of deer and the prong horn antelope.

Do the eagles in there catch the deer or the antelope, the young ones?

Mr. MILLER. I presume they do.

Senator YARBOROUGH. Have you ever seen one catch a young deer or antelope?

Mr. MILLER. No, sir. I might state that most of the support for this bill came from east Texas.

Senator YARBOROUGH. I did not know of your support.

I know there is very strong support for this legislation in the area of east of Austin and Waco and Fort Worth.

Mr. MILLER. My expenses to Washington have been borne in part by organizations from the valley, from the Panhandle, from northeast Texas, and north central Texas, as well as from east Texas.

Senator YARBOROUGH. I didn't know the Panhandle area too, was interested in this legislation.

Mr. MILLER. Yes, sir.

Senator YARBOROUGH. Thank you very much.

The next witness is Mr. J. A. Crowder, National Wool Growers Association, Washington, D.C.

Mr. FISHER. Mr. Chairman, Mr. Crowder is unable to be here, and I have been asked to submit for the record this statement of the National Wool Growers Association, in Salt Lake City, Utah, in opposition to these measures.

Senator YARBOROUGH. The statement will be printed in full in the record at this point.

(The statement is as follows:)

STATEMENT OF NATIONAL WOOL GROWERS ASSOCIATION, SALT LAKE CITY, UTAH

The National Wool Growers Association has been the spokesman for the lamb and wool-producing industry of the United States for 98 years. Our present membership consists mainly of affiliated producer organizations in 19 States where over 70 percent of the Nation's lamb and wool are grown.

Our organization is strongly opposed to Senate Joint Resolution 105 which would prohibit taking of golden eagles even in areas where they are known to be predators. Passage of this resolution could effect considerable hardship and financial loss on sheep producers as well as goat raisers, especially in the Southwest. These carnivorous birds which migrate into the Southwest in the winter are known to carry away and devour helpless newborn lambs and kids. Is the rancher to be at the mercy of these predators, prohibited by law from protecting his flock from their vicious depredations?

We urge your committee to consider carefully the damaging effects of this resolution. We feel sure that in your wisdom you will not saddle the sheep and goat raisers with a law that would seriously affect their operations, and which could in some instances force these men to curtail their production.

Senator YARBOROUGH. Mr. Dan Auld, Kerrville, Tex.

**STATEMENT OF MR. DAN AULD, KERRVILLE, TEX., ON BEHALF
OF THE TEXAS SHEEP & GOAT RAISERS' ASSOCIATION AND
THE NATIONAL WOOL GROWERS**

Mr. AULD. Thank you, Senator Yarborough. I have been trying to get up here on this thing for about 3 or 4 months. I tried to appear on the bill before the House, but I never got there.

Senator YARBOROUGH. I am more interested in hearing this, Mr. Auld, than I am in eating lunch, so I plan to stay as long as there are any witnesses to be heard.

Mr. AULD. Thank you. First, I was born and raised in Texas on a ranch on the east side of the Edwards Plateau. I have been a rancher all my life and am still a rancher.

Senator YARBOROUGH. You raise cattle or sheep?

Mr. AULD. Cattle, sheep, and goats; all three. And I have had to deal with eagles more or less all of my life. But up to 30 years ago we weren't bothered too much in our country with eagles. One of the good programs they got out of Washington was a program of eliminating the brush in our country, the scrub, and we started doing that some 25 years ago, and as soon as we started clearing the areas where our game and our sheep and goats were exposed to the eagles, they started to come to see us more often, more and more each year. Some of these boys who have testified here have talked about how they have thinned out instead of increasing, but we have been killing more of them every year. This year we killed 10 more than we did last year, and that includes me and my neighbors over an area of about 200,000 acres of land.

The eagles did not used to bother a deer or a wild turkey very much, because the deer were protected in the brush and so were the wild turkeys.

I will try to read what I have had written here, but I just wanted to give you my background.

If these eagles are left in our country, they won't let us make a living, I will tell you that.

The facts which I will give you I know from my personal experience and observation over the past 50 years. I was born on a ranch in Real County, Tex. I have lived and ranched in this area all of my life. Kerrville is located 65 miles north and west of San Antonio, Tex. It is located more or less on the east side of the sheep and goat range of Texas. From where my ranch and my neighbors' ranches are to the western part of the sheep and goat raisers' ranges it is over 500 miles in length and is over 200 miles in width, being an area larger than all of the New England States. So that covers a great territory. That is starting in western Kerr County and going all the way to Presidio County to the Trans-Pecos, and the Edwards Plateau to the Davis Mountains, all that rough country. You only get eagles in the rough country; that is their home.

This Mr. Miller stated the fellow in south Texas and the Panhandle and over in east Texas wasn't bothered by them. Well, that is true to a great extent, because these eagles migrate into our section of the country along the latter part of October and November, and they don't stop where there are no hillsides and cliffs, which they need to roost on at night, and they more or less concentrate in the rough

country areas. These ranches that are in flat rolling country that is not too far from this rough country, that is where they do the most damage.

Senator YARBOROUGH. The eagles that come in there migrate in in the winter, and you mentioned they roost in the bluffs. Do they tend to roost as individuals, or do they congregate?

Mr. AULD. No; they roost here and yonder, they may roost on a dead stump up on a high hill. Some of these boys think they roost by themselves. An eagle will kill and eat most anything that is small enough to handle. They will kill and eat a skunk, so I figure if one did that, he wouldn't get too close to his brother that night.

The records of the Texas Sheep & Goat Raisers Association for 1961 show that Texas sheep produced 52,225,000 pounds of wool from 6,431,000 sheep and the total wool crop sold for \$22,456,000; and that Texas goats produced 97.3 percent of the total mohair production in the United States. From 3,841,000 goats, there was produced 25,690,000 pounds of mohair which sold for \$22,607,000.

So you can see we are talking about something that is pretty important to our State, certainly pretty important to the State of Texas.

I am just going to try to give the highlights out of my statement. The golden eagle of course as I have stated is predatory and comes into our area in the latter part of October, or the first of November. Well, our wild turkeys in our section of the country nest in that area, they come out of the rough country and nest over in the open country in the summertime, in this high rolling grass country.

Well, by the time these eagles come in in the fall, the latter part of October, these turkeys are pretty well developed. The first day these eagles hit that country they are after Mr. Wild Turkey. And then in a week's time they are gone. I have a large area of that country and I like to shoot a turkey once in a while myself, but before the season even opens, in a week these turkeys have gone back to the rough country and if they do not, if they stay out in this open country, the eagles would kill every one of them, exterminate them all.

Senator YARBOROUGH. How long, Mr. Auld, after the eagles start after them, how long does it take those turkeys to head for the breaks?

Mr. AULD. Some of those hens, the minute they see an eagle, they leave.

Senator YARBOROUGH. The first day?

Mr. AULD. They know what is coming for them if they stay there.

Senator YARBOROUGH. I was asking that question to inquire about the adaptability of wild animals. They don't stay until they lose part of the flock?

Mr. AULD. No. Of course they will get a few of them, and there are a few open places through this rough country where an eagle will pick up one once in a while.

An eagle, his food, of course, is squirrels and what have you, that he carries into the nest and is pretty easy for him, but when he has plenty of that, he doesn't bother to kill a turkey or small deer or a lamb or a kid, and as far as killing the larger ones, he doesn't do that, he has that bill and just starts eating, that is the way he destroys the life. About 3 years ago I was riding along the fence line and an eagle flew up in front of me. I rode up to where the eagle had flown up and he had caught a big turkey gobbler, full grown, a wild turkey, weighing from 18 to 21 pounds, and he paralyzed this old gobbler when he

latched onto him with those claws and he had him on his back and he had eaten one whole side of his breast off and the turkey was still wiggling, raising the dickens, trying to get loose, and him eating on him. He had already eaten half of him up and he was still alive.

This is actual experience from my own observation. I didn't read it out of a book or climb up to a nest to learn about it.

Now I will go to the deer. In a week or 10 days after these turkeys are gone, we don't have marmots, we don't have squirrels, and very few jackrabbits, things they can feed on, but we have thousands of white-tailed deer in that area. This is in the open country now, where they used to not bother us so bad 25 years ago, but we opened the country up, tens of thousands of acres, and these white-tailed deer in the mornings—these eagles will do their feeding just at daylight, and a lot of fellows are not going to see them, because they will come over off the roost and be after the deer or the lamb or kid when you still can't see very good. Your can skylight them before daylight, before they start making their attack. But these white-tailed deer, I have seen this lots of times, and I have seen a lot of carcasses, and I know what happened to them. There will be one or two of these eagles who will select one of these younger deer, a fawn born in May or June weighing 30 to 40 pounds by fall, and they will make a dive on one that they select to have for breakfast. And he will hit him in the rear end with his claws and that scares the dickens out of the deer, and he starts running and about every 50 steps that eagle will hit him again.

After he has run him about 200 yards, the deer is exhausted and they grab them by the head with their claws and sink that claw into the back of the brain and of course that deer will kick half of the feathers off of him, and a lot of scrambling goes on, but he gets his deer anyhow.

And I have seen that happen a number of times. And an educated eagle that has gotten by a year or two, I have seen him grab a fawn by the rear with his feet, like that, and spread his wings out and make that deer pull him. Of course he is not going to pull him very far until he is gone, and the eagle has him. That is the history of the deer and turkey in my area.

I think most anybody around here would rather see deer and turkey on a man's table than to see Mr. Eagle eating on them.

Now the most serious part of it is our goat and sheep business. I have already explained this is a pretty big business. I own quite a lot of country and have a lot of sheep and goats and I get to see a lot of what is going on.

We start lambing in January and February. The first day we have kids or lambs, Mr. Eagle is going to start working on them. This year we had misty, rainy weather and we didn't get over there to get rid of the eagles before we started lambing. About the second day of lambing, I was driving in a jeep and there were three eagles sitting on a hillside and they are always a long ways away when you see them sitting, not very close to you, and two of them flew and I killed one with a high-powered rifle and we had only been lambing for 2 days, and they don't have a craw, you know, they have a crop, a great big crop, that they fill full when they eat. I took my hunting knife and split open his crop and there were pieces of ribs and also pieces of vertebrae and then they like the heart and liver and lungs, and then

they get into the loins and by the time they get through that, there isn't much of a lamb left.

An hour or two later another one of those eagles, I guess from the same bunch, came flying by me and I killed him flying with a rifle and exactly the same thing happened. I didn't know then this bill was going to be up here. I didn't know they were trying to protect this golden eagle. I have made a lot of movies and stills and I would have been tickled to death to make some movies of these things that I found.

Now this is this year. But different times we kill most of these eagles by planes. Some fellow wanted to know how we do this, and we hire these hunters by the hour, and we pay them so much an hour; if they hunt for 10 hours and don't kill any eagles, they get paid just the same. If they kill 10 eagles it is the same. We don't pick up many of these eagles, because they fall where you can't find them. But I have never yet picked up an eagle on a sheep and goat range where they have been lambing for a week or 2 weeks and split his crop open but that he didn't have lamb chops in there. The eagles like the lamb chops pretty good. The kids, it is the same way.

Now I don't think any of us want to kill any eagles just to be killing them. We certainly don't kill them for the feathers. If we pick up one for any reason to examine him, if there is a brush pile close by, we throw him in and burn him up. What we do with the feathers in my country, and that covers a lot of territory, is burn them up.

Two or three years ago we didn't get out and get our eagles killed before lambing season started. You have got to get out before daylight or you don't see these things. In driving in a jeep, I can drive pretty well over my ranch, and there were five different eagles that flew up from different spots on my ranch, and each time I stopped my jeep and walked down to where they flew up, and every one of these was eating a lamb he just freshly killed, babies only 2 or 3 days old.

Senator YARBOROUGH. Mr. Auld, what space of miles would you say that you covered where those five eagles flew up?

Mr. AULD. I would say in a 5,000-acre pasture. They were scattered around different places over the pasture. One of them flew off carrying part of the lambs and I guess the other one, he hadn't had any breakfast, probably, so he didn't want to bother killing a lamb, and he dove on this eagle that was carrying this carcass off or what he had left of it, there wasn't much left, only a pound or two, and he dropped it, and the other eagle caught it, a dead lamb he dropped, and the other one caught it and went off to finish it up for breakfast.

Senator YARBOROUGH. Do you ever see these eagles hunting in pairs?

Mr. AULD. Sometimes. They always kill the lambs by themselves. They will go and kill one and the other eagle will go around the hillside and get one for himself. In hunting deer, often you see them together, when they are hunting deer. But lambs, as a rule, you don't, young lambs. Of course when they get older, and they tell me further west, which I can't speak from experience about, that they will hunt in pairs and will kill lambs that weigh up to 30, 40, or 50 pounds. We don't have them that way because we kill them, get rid of them before the lambs get that big. But if we didn't they would

leave us before the lambs got that big, because they are migratory and they leave and go back the latter part of March and the 1st of April. What few are left, we don't kill, they go back to where they come from.

This fall we killed 35 eagles in my area and I will gamble that we have 35 or more that will be back there again next year.

Senator YARBOROUGH. Do you notice over the years as you have fought them off and killed them, have you noticed any decline in the number of eagles?

Mr. AULD. No; they have increased instead of declining. I wish they would leave us alone. It costs the ranchers in my immediate area about \$2,500 a year to kill eagles, and we are not wanting to spend that \$2,500 for the fun of it.

Senator YARBOROUGH. Mr. Auld, what percent of the lamb crop is lost from all causes in your area?

Mr. AULD. In my section of the ranch country, we don't lose any hardly, unless it is from getting caught in a cold spell.

Another thing we have done that these boys don't agree with here, we have absolutely exterminated coyotes 35 years ago in my country. And they tell you about the rabbits coming back, and the squirrels, and I don't see any rabbits, we never had ground squirrels, or marmots or any of those things they claim are food for eagles. We have a few rock squirrels, that stay on the hillsides, but they are always close to cover, where an eagle doesn't get hold of them very often.

Senator YARBOROUGH. You have noticed no increase in jackrabbits since you eliminated the coyotes?

Mr. AULD. No; we haven't. We never did have many jackrabbits and we don't have many now and we haven't had a coyote in 35 years. We paid \$200 apiece for the last coyotes caught in our country, pretty expensive business, and they sent the man to the penitentiary for bootlegging coyotes. He was going to south Texas where there are hundreds of them, and was catching them and bringing them up to us for \$200 apiece. We had two Texas rangers that tattooed some numbers on them down there, like you register cows, from the fellow that brought them to him, and in a couple of days he told us he had killed a couple of coyotes, he caught a couple more and wanted us to look at them. So the rangers went over and turned the ears back and there were the numbers they had tattooed in the ears a hundred miles from there. So we had pretty good evidence, and we had 12 ranchers sitting on the jury, so you know about how much sympathy he got.

Well, this is something pretty conclusive, Senator, and I guess you must have heard about it: In 1903 our antelope became so depleted in Davis Mountain country, which is the only place we had any left, we closed the hunting season on them. The hunting season was closed on antelope in Texas for 41 years. All of the Davis Mountain country at that time was cow country, principally, and nobody paid any attention to the eagle, he didn't bother the cowmen. He would kill a calf once in a while, but I have never lost a calf by an eagle that I know of. But I am sure they could. But along about 1939 and 1940 sheep and goat men started moving their flocks into the foothills of Davis Mountains, in the Big Bend country. Immediately Mr. Eagle started knocking off their lambs and kids, and the sheep and goat men started doing something about it. They hired this man by the year to hunt eagles. He was supposed to have killed 1,200 eagles that first year.

Mind, the antelope season had been closed for 41 years, and they didn't increase, just about enough raised every year to take care of the old ones. The first year after he killed that many eagles, our antelope doubled in population, and the game department woke up to what was happening, so they started helping and in 3 years we had open season on antelope, we kept the eagles pretty well thinned out, and the first year there were 344 antelopes killed, and last year there were thousands of them killed and we trapped lots of them and transplanted them to other places.

So that looks like it ought to be pretty good evidence: for 41 years antelope didn't increase enough to hunt and then when we killed 1,200 eagles, the antelope doubled in 1 year. That is of record in the Game Department in Austin. That is pretty strong language for defense of our game against the eagle.

I am not only a Texas rancher, which I have been all my life, but I have done a lot of fishing and hunting otherwise. I made 20-odd trips to Alaska and all over the Yukon and the Northwest Provinces of Canada, have been out to the Aleutians, been every place and not loving the eagles too well, I watch them pretty close, and these wild sheep and wild goats, the young are principally born in April. In that country the ice and snow and the high water keeps you from getting into it. The Audubons or nobody else can get up there to check on those nests in that high country. And I have never talked to an outfitter, I have never talked to one of those experienced guides up there that doesn't tell me the spring of the year the eagle is the worst enemy the wild sheep and goat have up there and there is no reason to believe he is not, because if the marmots are not out of hibernation at that time, there is no other food for them and if they knock off our domestic kids and lambs, why aren't they going to knock off the wild ones up there? I have never seen them do it. I have seen them dive, just last year, in northern British Columbia there was an old nanny and a kid on this mountain side and this eagle, he would get off and dive at that kid, but every time he did it, the kid would run under the old nanny for protection, and probably his brother had already been carried off.

That is about what I have to say about it, Senator.

Senator YARBOROUGH. Thank you, Mr. Auld, for giving us this personal testimony based on your personal observations and knowledge.

Mr. AULD. I also have a number of letters with me. You know I have been fighting this thing pretty hard for quite a few months. I have a letter from the Forestry Association of British Columbia, telling me that people who figure that we should let nature take its course in developing a balance in our wild game are just kidding themselves. We say man has to progress, and you certainly can't let predators exterminate our animals.

Senator YARBOROUGH. Do you have those letters with you?

Mr. AULD. Yes, sir.

Senator YARBOROUGH. If you have some other letters you want to add for the record, they will be received.

Mr. AULD. All right. I would like to add these figures about the sheep and goat production.

Incidentally, I am representing the Sheep and Goat Raisers of Texas as well as myself.

I have a letter here from Carl L. DuPuy, of Lufkin, that tells of what the eagles have been doing on a lake in Trinity County, that they had been there most of the winter and had been living on ducks and coots, and that a farmer had seen an eagle eating a young pig that he had killed. That is in your home county, Senator. You probably know this man. He is president of the Texas Wild Game Association.

Senator YARBOROUGH. Yes, the Society of Sportsmens Clubs of Texas I believe it is.

Mr. AULD. Yes. And I have a letter here from an outfitter, a man from Arizona, who tells me he thinks the eagle is the most destructive of the wild sheep there is in Arizona.

Senator YARBOROUGH. All of those letters are ordered printed in the record.

Mr. AULD. All right. And there is a letter from one of the commissioners of our game commission, telling us what he thinks about it.

Here is a letter from the Forestry of British Columbia. I won't take the time to read all of this. And I have a letter here which I wrote to the Secretary of the Interior. I tried to get up here to testify before, and that is published over in the back of this document. Some good men testified in that hearing.

Senator YARBOROUGH. They will all be included in the record. (The letters referred to are as follows:)

CANADIAN FORESTRY ASSOCIATION OF BRITISH COLUMBIA,
Vancouver, B.C., February 27, 1962.

Mr. DAN AULD,
Kerrville, Tex.

DEAR MR. AULD: I wish to thank you for the copy of your letter to Life magazine. I found this most interesting and was unaware that the eagle had migrated into your Texas area. It is to be hoped that Life magazine will undertake to write an article in this regard.

When man utilizes these natural areas certain changes always take place and for these so-called conservationists to say let nature take care of the situation they are only fooling themselves. Man has to step in and control the laws of nature in order that he can continue to reap the benefits.

Thanks again for this information.
Yours very truly,

W. F. MYRING,
Secretary-Manager.

TEXAS SHEEP & GOAT RAISERS' ASSOCIATION,
San Angelo, Tex., June 18, 1962.

Mr. DAN AULD,
Kerrville, Tex.

DEAR DAN: I am enclosing fax copies of the report on Texas wool and mohair income and production in 1961. You will notice that the total value of mohair sold in 1961 was \$22,600,000. The total value of wool sold was \$22,500,000. To this may be added incentive payments of approximately \$10 million, providing a total of \$32,500,000. Of course, the markets have fluctuated in 1962 for both wool and mohair.

I understand that you want to give the committee a general idea of the annual production value of sheep and goats. It would be difficult to decide on an average per head value of sheep and goats; that is, what they would bring if they were sold on the market. I can give you a figure of \$22,431,000, which was reported as the cash receipts from sheep and lamb sales in 1960—this excludes wool. I do not have the figure for goats.

You may state that you represent the National Wool Growers in opposition to the golden eagle bill.

Johnnie Williams of Sanderson recommends Fritz Kahl to go to Washington with you. Fritz just called and plans to contact you.

Sincerely,

TOM WALLACE,
Executive Secretary.

[From the Crop and Livestock Reporting Service, SRS, USDA, Austin, Tex.]

TEXAS WOOL INCOME AND PRODUCTION, 1961

TEXAS WOOL PRODUCTION HIGHEST SINCE 1948

Texas sheep produced 52.2 million pounds of wool during 1961, the highest annual production since 1948, the Texas Crop & Livestock Reporting Service announced today. The 1961 production was 245,000 pounds above 1960 production of almost 52 million pounds.

A total of 6,431,000 head of sheep shorn on Texas ranches averaged 8.1 pounds per fleece compared with 6,358,000 shorn and 8.2 pounds per fleece during 1960. Numbers shorn in 1961 were the highest since 1951 when 6,698,000 head were shorn.

The average price per pound received for wool was 43 cents, 1 cent above a year earlier. Total value of wool sold increased to \$22.5 million in 1961 compared with \$21.8 million in 1960. Wool sales brought Texas sheepmen more income during 1961 than any year since 1954.

U.S. WOOL PRODUCTION DOWN 1 PERCENT

Production of shorn and pulled wool in 1961 totaled 295 million pounds, grease basis, 1 percent below the 1960 production. Shorn wool production at 261 million pounds was 2 percent below the 265 million pounds produced in 1960.

A total of 30.8 million head of sheep and lambs were shorn in 1961 compared with 31.1 million head in 1960, a decrease of 1 percent. During the 1950-59 period, an average of 28.3 million head were shorn. Weight per fleece in 1961 was 8.50 pounds compared with 8.55 pounds in 1960. The 1950-59 average fleece weight was 8.40 pounds.

The average price received by growers for shorn wool from April 1961 through January 1962 was 41.9 cents per pound. The average price per pound of wool produced in 1960 was 42 cents and the 1950-59 average was 54.1 cents per pound. Total value of shorn wool produced in 1961 was about \$110 million, 2 percent less than the value of the 1960 production.

Wool production and income, Texas and United States, 1955-61

Year	Texas					United States				
	Sheep shorn ¹	Weight per fleece ²	Production	Price per pound ³	Value of sales	Sheep shorn ¹	Weight per fleece ²	Produced shorn wool	Price per pound ³	Value of sales
	Thousand head	Pounds	Thousand head	Cents	Thousand dollars	Thousand head	Pounds	Thousand pounds	Cents	Thousand dollars
1955.....	5,677	8.3	47,285	43	20,333	28,149	8.57	241,284	42.7	103,040
1956.....	5,534	8.2	45,428	45	20,443	28,469	8.51	242,177	44.3	107,233
1957.....	5,075	8.2	41,830	56	23,425	28,415	8.41	239,101	53.4	127,764
1958.....	5,214	7.8	40,483	39	15,788	29,403	8.29	243,713	36.4	88,632
1959.....	5,766	8.4	48,231	44	21,222	30,763	8.45	259,939	43.2	112,328
1960.....	6,358	8.2	51,980	42	21,832	31,064	8.55	265,480	42.0	111,496
1961 ⁶	6,431	8.1	52,225	43	22,456	30,751	8.50	261,370	41.9	109,545

¹ Includes shearing at commercial feeding yards.

² For Texas and California the weight per fleece is the amount of wool shorn per sheep and lamb during the year.

³ Average price is for marketing season April through March.

⁴ Weighted average price for wool sold April 1961 through January 1962.

⁵ 1961 production multiplied by April-January average price.

⁶ Preliminary.

TEXAS MOHAIR INCOME AND PRODUCTION 1961

TEXAS MOHAIR PRODUCTION IS HIGHEST OF RECORD

Texas mohair production during 1961 totaled 25,690,000 pounds according to the Texas Crop and Livestock Reporting Service. This is an increase of 8 percent over production during 1960 and the highest production of record in the State. Texas produced 97.3 percent of the U.S. mohair in 1961.

The number of goats and kids clipped during 1961 totaled 3,841,000 head, 4 percent above the number clipped in 1960. The number of goats and kids clipped during 1961 is the largest in 16 years, being exceeded only by 1945 and 1941. Average clip per goat and kid in 1961 was 6.7 pounds; also the highest of record, compared with 6.4 pounds per clip in 1960.

Average price per pound received for mohair was 88 cents during 1961, compared with 90 cents in 1960. Total value of mohair at \$22.6 million is 6 percent above a year earlier.

U.S. MOHAIR PRODUCTION UP 8 PERCENT

Mohair production in the seven leading States totaled 26,392,000 pounds in 1961, 8 percent larger than the 24,464,000 pounds produced in 1960, and 60 percent larger than the 1950-59 average of 16,484,000 pounds.

Texas, the leading mohair State, accounted for most of the increase from 1960. This gain in production resulted from an increase in the number of goats clipped and a heavier average weight of hair per goat clipped.

The number of goats and kids clipped in the seven States in 1961 was 4,016,000, up 3 percent from the 3,889,000 head clipped in 1960. The average weight of hair per goat and kid clipped was at a record level of 6.6 pounds. The previous high was the 1959 average of 6.4 pounds.

Value of mohair produced in 1961 amounted to \$23,116,000, a gain of 5 percent from 1960. The average price received by growers for mohair from April 1961 through January 1962 was 87.6 cents per pound compared with 89.7 cents per pound in 1960 and the 10-year average was 86.9 cents.

Mohair production and value, 1960 and 1961

State	1960					1961				
	Goats clipped ¹	Average clip per goat	Production	Price per pound ²	Value	Goats clipped ¹	Average clip per goat	Production	Price per pound ³	Value
	<i>Thousand head</i>	<i>Pounds</i>	<i>Thousand pounds</i>	<i>Cents</i>	<i>Thousand dollars</i>	<i>Thousand head</i>	<i>Pounds</i>	<i>Thousand pounds</i>	<i>Cents</i>	<i>Thousand dollars</i>
Missouri.....	38	4.0	152	91.0	138	37	3.7	137	70.0	96
Texas.....	3,711	6.4	23,750	90.0	21,375	3,841	6.7	25,690	88.0	22,607
New Mexico.....	48	4.6	221	81.0	179	48	4.9	235	76.0	179
Arizona.....	63	3.6	226	72.0	163	59	3.5	208	72.0	150
Utah.....	4	2.5	10	44.0	4	4	2.8	11	43.0	5
Oregon.....	18	4.2	76	70.0	53	20	4.0	80	70.0	56
California.....	7	4.2	29	75.0	22	7	4.4	31	74.0	23
Total.....	3,889	6.3	24,464	89.7	21,934	4,016	6.6	26,392	87.6	23,116
1950-59 average.....	2,878	5.7	16,484	86.9	14,230					

¹ In States where goats are clipped twice a year the number clipped is the sum of goats and kids clipped in the spring and kids clipped in the fall.

² For each State the average price is a weighted average for all mohair sold during the marketing season April 1960 through March 1961. The U.S. average price is computed by weighting State prices by production of mohair. The U.S. average price weighted by sales in the 1960 marketing year was 89.7 cents.

³ For each State the average price is a weighted average for mohair sold April 1961 through January 1962. The U.S. average price is computed by weighting State prices by production of mohair.

KERRVILLE, TEX., *February 13, 1962.*

HON. STEWART UDALL,
The Secretary of Interior,
 Washington, D.C.

DEAR MR. SECRETARY: This refers to the bills to outlaw the killing of the golden eagle in order to preserve the bald eagle (S.J. Res. 105, H.J. Res. 479, and H.J. Res. 487).

As a rancher in the hill country of southwest Texas, with several thousand sheep on my ranch, I am interested in seeing that this law is not passed. During a lifetime of observing the golden eagle and seeing how destructive he is, I can say with experience and authority that the golden eagle does attack and kill young lambs and kids, as well as antelope and deer fawn. Evidence can be submitted to prove this and I believe such evidence should be considered over that of a scientist who does not look at the economical side of the picture. The golden eagle is the most destructive on young game and livestock of any predatory bird or animal. The only way he can be killed is from an airplane or, once in a while, with a long-range rifle, or catch him in a steel trap when he returns to one of the helpless animals which he has destroyed.

When I saw the special issue of *Life* magazine of December 22, 1961, I wrote the editor and attached is copy of that letter. I mailed a copy of this letter to all of the game commissioners of the Northwestern States, including Alaska and the Canadian Provinces of Alberta, British Columbia and the Yukon Territory. Copies were also sent to my neighbors and the guides with whom I have hunted in Canada and Alaska, all of whom know very well how destructive the golden eagle is on all young animals, both wild and domestic.

Should a law be passed prohibiting the killing of the golden eagle, it would practically ruin some of the sheepmen in the Western States, or we will have to become law violators. This golden eagle migrates into our section every winter where there are hundreds of thousands of sheep and goat. As soon as the lambs and kids start coming they start catching them. If there are a thousand eagles in southwest Texas they will kill off a thousand lambs or kids a day. You can see what this could do to the sheep or goat rancher. Naturally we must protect our flocks.

Apparently the people advocating this law on the golden eagle are thinking of the protection of the birds only and know nothing about how destructive they are to the sheep and goat rancher's flocks.

May I suggest that you send one of your field experts into the Western States to make a careful and definite survey before further consideration of this law to prohibit the killing of the golden eagle?

Every sheep or goat man who knows about such a pending bill will write to his Congressman and Senator to ask them to vote against the passing of this bill into law.

Yours very truly,

DAN AULD.

KERRVILLE, TEX., *February 2, 1962.*

LIFE MAGAZINE,
 New York, N.Y.

GENTLEMEN: Although I am a bit late in writing you, I wish to commend you on your very fine special issue of December 22, 1961. The colored pictures are magnificent.

This is the first time in my life I have written a magazine or any publication about anything, but when a publication gives information to the layman which is incorrect, I cannot help but write to give some facts from actual experience.

I am a Texas rancher. I was born on a ranch, have ranched all of my life and am also in other lines of business. I have tramped, fished, and hunted over most all of the Northwestern States, the Northwest Provinces of Canada, and have made many trips into Alaska, besides being well acquainted with my own State's many fine hunting and fishing grounds. I have had a lifetime of observing nature. I have taken wonderful trophies in all of the big game on the North American Continent. I do not shoot anymore, except with a camera, unless I find a real outstanding trophy.

The picture of the eagle with the marmot in your special issue is quite remarkable. It shows very vividly what these destructive birds can do. Of course, if the eagle just kept the marmot and other rodents under control that would be

wonderful, but your writer more or less ridiculed the sheep and goat men for having to combat these killers.

In my section of the Southwest, which is known as the Edwards Plateau region of Texas, there are hundreds of thousands of sheep and goats. Until the past 20 years this section was too brushy for these birds of prey to do us very much damage. Through Government programs and otherwise we have cleared the brush in great areas and since this clearing off of the brush, the eagles started taking over. As your ecologists will tell you, the eagles are migratory and come from the Rocky Mountains and northern parts of the States to our country to spend the winter. They arrive in our area the latter part of October and November and immediately start their destructive work. If a wild turkey in the area gets out of the brush it is too bad for him, and we certainly do not have too many wild turkeys.

Also, the golden eagles seem to have been taught when to start killing our 6-month-old wild whitetail deer. I have seen them in action. They locate a bunch of deer out in the open and one will dive on a spring fawn, which will weigh from 35 to 40 pounds, hitting him near the rear with their talons and wings which excites the fawn and it starts to run, then the eagle hits him another time or two during the first 200 to 300 yards, and then latches onto the head of the fawn and sinks his big talons into the skull. Of course, there is a great struggle but Mr. Eagle has venison for several days.

It is bad enough for the eagles to kill the fawn but, when the sheep start lambing and the angora goats start kidding in about January, February, and March, these eagles do not have to be told that the baby lambs and kids are good eating, and we who are sheep and goat ranchers have to do something to control these birds of prey. Every eagle in the area will kill a lamb or kid every day and they will pick on the ones which are only a day or two old and completely helpless. If you have 20 eagles in a general area they will kill 20 lambs or kids every day. Each eagle has to have one of its own to eat. Consequently, the sheep and goat ranchers in our area are forced to try to eliminate these destructive birds. We hunt them from airplanes or any other way we can trap or kill them. I have not yet picked up a dead eagle and split open its craw that the craw was not full of lamb or kid meat. They even eat the whole carcass—backbone and all.

I have had some of the scientists to want some pictures of these kind of operations, but it is impossible to catch them close enough to photograph as the eagle is very wild. I can furnish pictures of dead lambs and kids or pictures of the eagle's craw showing its contents.

I do not think there is anyone who wants to see any of the species of our birds eliminated from the face of the earth, but so long as the golden eagles make their yearly trip from the Rockies into our section, they will continue to be destructive and will have to be eliminated.

As you are business people, you can see that 10 eagles killing off 10 lambs or kids a day, can take the profit out of a sheep or goat rancher's operation.

The ornithologist and ecologist may tell you that the eagle only balances off the weak. Well, a 2- or 3-day old lamb or kid is certainly weak. They also tell you that eagles are not scavengers and catch everything they eat. It is not true either. I shot a grizzly bear one time near the timberline in British Columbia. I took his pelt and he would have weighed from 600 to 700 pounds. I returned the same way a few days later and there were eagles everywhere. All that was left of the bear was the dry bones. They had picked him clean.

During the many hunts which I have made into the northwest country, I have visited with and hunted with the Indians and guides over a large area of the wild sheep country of Alaska, Alberta, British Columbia, and the Yukon Territory. These Indians, guides and trappers people who have had an opportunity to really observe wild animal life, tell me that the worst enemy the wild sheep and goat have is the eagle. The eagle kills a large percentage of all lambs throughout this great wild game territory. There again the ecologists will tell you that the eagle only controls the surplus. If there are any surplus sheep in either the United States, Canada, or Alaska I do not know where they are. The wolf takes his toll and the eagle takes its toll of lambs and kids in the Rocky Mountains. I had a guide to tell me that he saw an eagle pick up a young bear cub, carry him far enough to drop him over a cliff, let him fall several hundred feet and then dive down to dine on bear meat.

It is too bad that Alaska, British Columbia, and the Yukon Territory do not have the funds and equipment to control these predatory birds and animals more than they do, for certainly their wild sheep and goat population would increase, and there would be more for the sportsman to hunt and observe in their native habitat.

Your writers emphasize leaving the predatory animals and birds alone and let them control the wild animal life. Of course, this might be all right in many instances, but in many places this is certainly the wrong thing to do.

For examples: Years ago in McKinley Park of Alaska there were many thousands of beautiful Dall sheep, but up to about 15 years ago they had been almost eliminated by the control animals and birds of prey—mainly, the big grey wolf and the eagle. Then the game department and government of Alaska had foresight and money enough to start controlling the wolves. Now the sheep have made a wonderful comeback in McKinley Park.

Also, the wolves had practically eliminated the caribou in certain parts of Alaska. I was told that in one area they had decreased from about 35,000 to 5,000 head. Since the control program on the wolf, the caribou has increased to about where it was some 15 years ago.

In some parts of British Columbia and the Yukon Territory the moose was practically exterminated. With Alaska and British Columbia working on the wolves, the moose has bred back to about where it was years ago. It is too bad that the Yukon Territory has not followed this same plan to control the wolves in their vast and beautiful country.

In conclusion I want to tell you about the pronghorn or antelope in Texas. This animal was found only in extreme west Texas, near Alpine, in the Davis Mountains. There were not enough of them to hunt and for 30 years the game department closed the season on them, but they did not increase; for each one which survived, an old one died. This area was stocked only by the cowman, and the eagle did not bother him too much. Then about 25 years ago, ranchers with sheep and goats started moving flocks into this section of Texas. Immediately the eagles started killing the lambs and kids, and the ranchers started doing something about it. They hired a man by the name of Casparas on a yearly basis to hunt predatory animals and eagles—principally eagles. It is reported that he killed 1,300 eagles the first year. The pronghorn or antelope population doubled in number the following year. The game department recognized what was happening and joined in to help eliminate the eagle. In a few years we had so many antelope that the season was opened on them. From then until now we have had open season on the antelope with sportsmen taking hundreds of antelope each year. Also, the game department has trapped and moved many of them to other parts of Texas. Here again, I guess the eagles were only catching the weak. They were, and they were practically eliminating the fawn crop.

If you would send someone to Alpine, Tex., to investigate the history and background of the pronghorn or antelope in this section, you would get a good story. This would include the story of the thrilling work done by a game warden, Ray Williams, and a photographer named W. D. Smithers who has photographed the game life of the Davis Mountains and the Big Bend country.

This is written in the hope that it will give you some valuable information on the eagle. Should you like anything further which I might be able to contribute, you may call on me.

DAN AULD.

LUFKIN, TEX., February 28, 1962.

Mr. DAN AULD,
Kerrville, Tex.

DEAR MR. AULD: I was glad to have your letters to the Honorable Stewart Udall with reference to the golden eagle and its destruction to young herds in the hill country. A farmer in this county reported that he had killed one recently when he came upon him while hunting. The eagle had killed and was eating a young pig.

Last week I observed two of these eagles on a small lake of the Southern Pine Lumber Co., in Trinity County, and the ranch foreman told me they had been there most of the winter and had been living on ducks and coots, that he thought they were bald eagles and had refrained from shooting them. Since receiving your correspondence to Mr. Udall, I have notified him to be sure and kill them if possible, that they would soon be catching young fawns.

I have mailed the file sent me on to Washington to our Congressman, the Honorable John Dowdy, and asked that he review the letters and be prepared to vote against protection of these deadly killers.

I have also advised Mr. Dowdy to contact you regarding the above if it met with his favor.

We will miss Hal Peterson on our board.

With kind regards, I beg to remain,

Very truly yours,

CARL L. DU PUY.

AMADO, ARIZ., February 19, 1962.

DEAR DAN: That was a mighty fine letter that you wrote and a timely one too. I am sending this letter on to my good friend Col. Charles Askins who might also do some writing on the subject that you have covered so well.

I have two rancher friends who have seen two different instances of a big eagle chasing a full-grown whitetail buck. Every rancher in this country has lost a calf or two from eagles and a calf is a lot bigger than a young goat or sheep.

I know that we would have a lot more desert sheep if it weren't for the eagles. In my opinion they are the worst enemy of mountain sheep of all species.

Managed to take a 44-inch bighorn this last fall in Alberta. This puts me twice around on all the sheep. Need a big stone now to give me all of them over 40 inches.

Best regards,

GEORGE PARKER.

GAME AND FISH COMMISSION,
Austin, Tex., February 22, 1962.

Mr. DAN AULD,
Kerrville, Tex.

DEAR MR. AULD: I appreciate receiving a copy of your letter to the Honorable Stewart Udall, Washington, D.C. I concur wholeheartedly with your thoughts concerning the golden eagle and feel that the ranchers of Texas should be protected against this bird of prey.

It is my understanding that in times past the Texas Game and Fish Commission has assisted financially in destroying eagles. It would be my position that the commission should again assist in this program if their financial help is needed.

If there is any way I can assist in this matter, please feel free to contact me.

Yours very truly,

J. F. CORLEY, Member.

Mr. AULD. That is my story, and I came all the way up here and paid my own expenses, nobody paid me anything to come up here.

Senator YARBOROUGH. We are glad to have you here, Mr. Auld.

Mr. AULD. I know our ranch people down there, they figure if this bill is passed and made into law, where we can't protect our sheep and goats, that this eagle will put us out of business in a lot of places.

Senator YARBOROUGH. Mr. Auld, if legislation were passed having a clause allowing the taking of these golden eagles to protect the livestock in these livestock areas where they are suffering, would that answer the problem?

Mr. AULD. No. It would if they would let us get the job done. But we know you don't wait around, you have to have that permit before the sheep start lambing. If they give us a permit in plenty of time to kill the eagles before we start lambing, yes.

Senator YARBOROUGH. If we have what we call an escape clause—now the bill as drafted by the House recognized the difference between a bald eagle and a golden eagle, and it took a permit to get a bald eagle—

Mr. AULD. Excuse me. I have never seen but two bald eagles in my life, in my country. Of course I could have been mistaken. But over a period of 50 years I have never seen but two bald eagles. There is no water in our area anywhere, no fish for them to feed on.

And they more or less are not much better than a buzzard, when it comes to feeding. They live off the dead fish, principally, along the coastline. Out in the Aleutians I have seen them eating on anything that has been dead a long time. Of course that is not what this law is trying to do. But why don't they let the fish and game commission of our State down there govern it? They know what these things do. They would give us permission to kill them. And we are not killing these because we want to kill them. We are not spending \$2,500 a year to kill them just for the fun of it. We kill them because we have to.

Now I will say you get farther away from the rough country, and the ranchers are not bothered too much by the eagles. They stay close to the rough country at night and then when they get out in the country, they get the first lamb they get a chance at.

Senator YARBOROUGH. You come from very interesting country, Mr. Auld, where we probably have the heaviest concentration of wild turkeys and deer in the South.

Mr. AULD. Yes; and too many deer, but we don't want to feed them to eagles. We would rather give them to orphans homes or crippled children's homes, rather than feed them to eagles.

Senator YARBOROUGH. Thank you very much for this presentation.

As you know, Mr. Auld, there are many areas of Texas that want this legislation as well as many areas of the country, that don't face your problem, and our problem here is to try to work something out so that eagles will be protected in the areas where they are becoming scarce, but legislation which will also give protection to the ranchmen who have a great stake in the economy.

Mr. AULD. That is right. We don't want to make it—you can pass a law to make it illegal to sell eagle feathers, if you want to, because we don't do that.

(The complete statement of Mr. Auld follows:)

STATEMENT BY DAN AULD, OF KERRVILLE, TEX.

Gentlemen, I appreciate the opportunity of appearing at this hearing to give the reasons why the ranchers of west Texas oppose the pending legislation to protect the golden eagle. I come as an individual and as a representative of the Texas Sheep & Goat Raisers' Association and of the National Wool Growers. These organizations represent thousands of sheep and goat ranchers.

The facts which I will give you are what I know from my personal observations and experience over the past 50 years. I was born on a ranch in Real County, adjoining Kerr County to the west. I have lived and ranched in this area all of my life. Kerrville is located 65 miles north and west of San Antonio, Tex. It is located more or less on the east side of the sheep and goat ranges of Texas. From where my ranch and my neighbors' ranches are to the western part of the sheep and goat raisers' ranges it is over 500 miles in length and is over 200 miles in width, being an area larger than all of the New England States. This vast area is composed of large ranches and the owners and employees total some 25,000 persons.

The records of the Texas Sheep & Goat Raisers Association for 1961 show that Texas sheep produced 52,225,000 pounds of wool from 6,431,000 sheep and the total wool crop sold for \$22,456,000; and that Texas goats produced 97.3 percent of the total mohair production in the United States. From 3,841,000 goats there was produced 25,690,000 pounds of mohair which sold for \$22,607,000. To the copy of this report which I am filing with your committee I am attaching fax copies of the report on Texas wool and mohair income and production in 1961. From these figures it is plan to see that the Texas sheep and goat industry is a large business and important to both Texas and the Nation.

As stated, I am here to speak against the bills to protect the golden eagle—House Joint Resolution 479, 487, 489, and 541.

The golden eagle is migratory. They nest principally in the mountains of Northwestern United States, Canada, and Alaska. They migrate into our part of the country during the latter part of October and November. They like a rough country and prefer a hillside with rocky ledges, or side of a cliff, on which to roost at night. There are different spots in our vast sheep and goat country where they more or less concentrate in the winter; that is, where it is rough and rugged. Most of the ranches near these areas of concentration are open and rolling with not too much brush. In such country our wild turkey make their nests, and the first day the eagles show up each fall from the north, they are after our wild turkey.

Within a week's time after the eagles arrive, every wild turkey, which had been spending the summer nesting in the rolling open country, goes back to the cedar brakes and rough country for protection from the eagles. If the turkeys stayed in the open country, it is my belief, the eagles would absolutely exterminate them. I believe the golden eagle to be the No. 1 enemy of our Texas wild turkey.

In this same ranching area there are thousands of whitetail deer. When the turkeys take to the cedar brakes, the eagles go after the whitetail deer. Many times I have seen an eagle take a half-grown deer, a fawn born in May or June, which will weigh from 30 to 45 pounds. An eagle will locate a bunch of deer, select one of the smaller ones to dive on, hit it in the rear and grab onto it with his huge claws. Naturally, the deer is frightened and starts to run. The eagle will dive and hit him a few more times, about every 50 steps, until the deer can run no further, at which time the eagle sinks his rear claw into the back of the deer's head. Of course, there is a great struggle and a lot of feathers are kicked out but this does not scare off the eagle. Also, I have seen an eagle grab a deer with its claws and spread its wings out so that the deer would have to pull it in that position, which winds the deer more quickly. This is an experienced eagle.

I believe that any of you gentlemen would rather see wild turkey and venison on your fellowman's table than to feed them to the golden eagles.

Now to the most serious part about our lambs and kids which start coming in January and February. If the golden eagles are around they start working on them the first day they are born. Eagles do not have to be taught to like lamb chops. If there are 30 golden eagles in an area they will kill 30 lambs or kids a day. Of course, this is scattered over quite a large ranch area. These lambs or kids are worth from \$10 to \$20 per head. So you can see what these golden eagles can do financially to our ranchers in a very short time. We try to kill or eliminate the golden eagles before the lambs and kids start coming, otherwise, we take a big loss before we get the golden eagles killed. I am sorry I do not have photographs of these golden eagles doing their dirty work, but they come off of their roost just at the crack of dawn, before a person can see too well, and they kill the lambs and kids on the bedding ground while it is too dark to take pictures. The eagles have wonderful eyesight, possibly better than the wild turkey or wild goose, and they are very shy. During the day you do not get close enough to one to obtain action pictures. In fact an eagle is so wild that if you see one sitting, possibly a quarter of a mile away, and you stop it will immediately fly away. I have managed to kill a few with a long-range rifle with a scope. During the early morning I have ridden in my pasture and have seen as many as five different golden eagles fly up from five different spots. If you go to the place they flew from you find a lamb or kid on which they had been eating at each place.

I have picked up a number of golden eagles which we have killed and split open the gullet of each and found it always to be full of the meat of young lambs or kids. When lambs and kids are born their bones are soft and the eagles eat the ribs and even the vertebra. Had I known about these bills in time, I would have had a number of still pictures to present, or I could have made movies of the contents of the golden eagles' gullets as they were split open.

There are many thousands of sheep and goat ranchers from where I ranch to the western edge of the sheep and goat country in Texas, who have had experience in the spring of the year with the golden eagle, and if you would take testimony from any one of them they would tell you exactly what I am reporting to you.

If these bills to protect the golden eagle are passed and the ranchers cannot protect their flocks of sheep and goats many will have to quit the ranching business or go broke.

More convincing evidence as to the predatory habits of the golden eagle is what happened to our antelope or pronghorn in west Texas. The pronghorns range in the highland ranch country of the Davis Mountains in west Texas and which covers a large area of good grazing land. The antelope or pronghorn

became so depleted in 1903 that the Game Department of Texas closed the season on them, but they did not increase.

It seems that the young antelope which survived just about balanced off the old ones which died.

For many years this Davis Mountain country was ranched altogether by cowmen and the eagles did not give them too much trouble. Then in about 1940 the sheep and goat men started moving their flocks into this area. Immediately the eagles started killing their lambs and kids, and the ranchers started doing something about it. They hired a man to hunt golden eagles by plane. He is supposed to have killed some 1,300 golden eagles the first year. The very next year the antelope doubled its population. This proved to the Game Department of Texas what was happening to the antelope and they started helping the ranchers to kill off the golden eagles. In 3 years the hunting season on antelope was opened after having been closed for 41 years because there had not been enough antelope to hunt. In 1944, the first year the hunting season was open, the hunters killed 344 antelope and last year they took over 2,000. Many more antelope were trapped to replant in other parts of Texas.

It seems these facts alone should be conclusive enough to kill these bills to protect the golden eagle.

Every year since 1940 the ranchers in the Davis Mountains area have killed golden eagles, otherwise they would have them back in such numbers that they could not profitably operate their ranches.

In addition to my experience as a rancher in Texas, I have made some 20 hunting trips into the Northwest Provinces and territories of Canada, and into Alaska. During these trips to the Northwest I have observed the golden eagle and the bald eagle along the coastline of Alaska, and the Aleutian Islands, and believe that I have had above average experience in that area. I have never talked with an outfitter or experienced guide who did not tell me that the golden eagle is the greatest enemy of the lambs of the wild sheep and the kids of the wild goats. These wild lambs and kids are born during the month of April and the Audubon scouts cannot climb into the mountains at that time of the year because of the ice, snow, and high water. Therefore, they do not have the opportunity to observe this wildlife during the lambing and kidding season.

Gentlemen, it is my belief, based on the conclusive evidence above presented, which is from actual experience, that these bills to protect the golden eagle should be put on "cold storage" and not passed now or ever. However, if they should be passed in any manner, I recommend that the control of the golden eagle be given to the game department of each State. Otherwise another State's right is taken away by the Federal Government. I do not believe any man or any group of men should have the authority to deny any person the right to protect their animals in order to make a legitimate living.

Senator YARBOROUGH. The next witness is Mr. Fritz Kahl, of Fort Davis, Tex.

STATEMENT OF FRITZ KAHL, OF FORT DAVIS, TEX., ON BEHALF OF THE TEXAS SHEEP & GOAT RAISERS' ASSOCIATION

Mr. KAHL. Senator Yarborough, I intend to represent the 6,000 members of the Texas Sheep & Goat Raisers' Association, regarding the menace of the eagle.

A majority, if not all, of our members suffer the loss of kid goats and young lambs to this predator during each lambing season.

May I relate my own experiences on my own ranch operation.

My ranch operation lies 16 miles southwest of Fort Davis, Tex., and 16 miles northwest of Marfa, Tex., in Jeff Davis County on the lower slopes of the Davis Mountains.

It is an exposed rolling hill country to mountainous country. The operation does not have sufficient brush cover to protect the young lambs from the eagle in four of my pastures.

Keeping accurate records as to lamb losses in each pasture, known dead lambs from whatever cause, losses due to various things is a must with me. This year's 1962 records show in 4 of the 6 pastures

in which lambing was done, the lamb loss totaled 167 lambs. Of course I must state in all fairness that we had a most severe winter. In our area it got to 10 below zero and colder, which of course was not good for our lambing operation.

I attribute this year in 6 of my lambing pastures 122 lambs lost to eagles. The method of kill and scavenging was evidenced in all cases. Talon marks on the back and neck, rib cage opened and lung and heart and liver gone.

I have personally observed this marauder descend and perform his kill; I have heard lambs bleat in defense which was useless.

My experience is multiplied I am sure many times in most all sheep and goat operations in Texas. Should any ornithologist, bird watcher, or bird conservationist wish to refute this testimony, he or she is invited to go with me to my ranch and observe the eagle.

If expert testimony says the eagle lives off carrion it is only half true. The eagle creates his own carrion. It is common for those of us in Texas to help one another at roundup time. My neighbor's ranch to the south and east of my own ranch is predominantly a flat country. On one particular drive to spray cattle I noticed a doe antelope with two fawn grazing 200 yards from me. I passed by without molesting these animals. No more than 1 hour later, returning to the same locality, with a small bunch of cattle, I noticed the same antelope with only one fawn, and the second was being eaten by an eagle, and the other was being chased by another eagle. I left the cattle and ran the eagle off and observed the carcass of the small animal, the manner of injury, and the body parts taken were the same as is done on lambs. These were not weak antelope, this was not an overgrazed ranch, these were not buzzards or hawks, they were golden eagles.

Figures regarding the pronghorn antelope Mr. Auld has already given you. We employ an aerial eagle hunter for each year. I hesitate to classify him as a bounty hunter. He is merely in our own interests trying to protect our own livestock, but no amount of vigilance or skill on this pilot's part as well as no amount of trapping, poisoning, or shooting on our part can ever rid the ranch country of this menace.

This bird is clever, wise, strong, not subject to drought since they roam at will. We will always have eagles as a part of our operations, but to have them protected by any enactment threatens the very existence of the sheep and goat men of Texas and the Southwest.

For any person or group to state that the eagle kills only rabbits and small rodents is a falsehood. No eagle passes up a small lamb. To say that we are falsely accusing the eagle of being a predator is to insult the intelligence of reasonable men. Every game warden in Texas will readily admit and game biologist as well that the eagle is a predator of the worst kind, doing damage in a greater amount than bobcat, the panther, and the lynx. It has been my experience to have employees on my ranch rope eagles from horseback. These eagles have made a kill and were eating the lambs at the time they were roped. Other ranch men in my area have had similar experiences.

It has been my personal experience to beat an eagle to the ground with a rope while on horseback in my pastures. I am not a roper. It is amazing to me that people have to expertly state the eagle is not a predator, when it is common knowledge among all people in our area that they are killer birds.

I would be testifying falsely if I were to say that an eagle can ordinarily capture and kill lambs in excess of 30 pounds. Such is not the case in question. It is true that an eagle can permanently injure a lamb of that size though, but his prey is upon the small, 2-to-3-week-old lambs, or younger.

Each year we mark our lambs, we see and handle lambs having talon injuries on their backs. These lambs at shipping time are placed with the cull sheep, because of the injury to their back. They are a worthless product.

It has never been my experience to sell or give feathers to any person. I have been approached on one occasion by a scoutmaster, for wing and tail feathers. I did not oblige him.

That is my statement, Senator. In representing these people, I think that we have actual evidence, and I hope I have presented some, that proves conclusively that the eagle in our area is a killer bird.

Senator YARBOROUGH. Mr. Kahl, that 167 lambs, is what percentage of your lamb crop?

Mr. KAHL. Ten percent, in reference is what I marked, Senator. I think possibly you were reading something and didn't hear me qualify that by saying some of that loss was due to cold weather. However, in all 6 of my pastures, I lost 122 lambs to eagles. We keep accurate records, in an effort to improve the efficiency of our ranch.

Senator YARBOROUGH. Under your figures, would you have lost more to eagles than to the cold weather?

Mr. KAHL. Oh, definitely.

Senator YARBOROUGH. Then all together, from the eagles, the cold weather, and other causes, what percentage of the lamb crop did you lose that year?

Mr. KAHL. About 8 percent.

Senator YARBOROUGH. And that is open range. You don't herd or guard the sheep, do you?

Mr. KAHL. No, sir.

Senator YARBOROUGH. Due to the cold weather and all, was that 8 percent higher than the usual loss?

Mr. KAHL. Figuring I lost some over 8 percent to the eagles and the additional loss was to other causes, cold weather, premature birth—

Senator YARBOROUGH. The total loss percentagewise was what?

Mr. KAHL. About 12 percent.

Senator YARBOROUGH. Any questions from the staff?

Mr. BAYNTON. No, sir.

Mr. KAHL. I would like to say this, Senator: The possibility of exterminating the eagle in our section of the country is very remote. We fight the eagle, yes, but it is beyond the realm of reason that we can ever exterminate the bird. Very possibly we are figuring 10, 12, 15, 20 percent of lamb crops are a normal loss due to eagles. Naturally if we can cut this loss down, we would. But we have not been able to as yet.

Senator YARBOROUGH. Mr. Kahl, do you think that legislation similar to that in the House, or if that House language is not adequate, legislation that would have what we call an escape clause, to let the areas suffering losses from eagles be able to protect themselves by killing eagles, do you think that would satisfy the economy of your country? And also give some protection in the eastern part of the

country where they are very much concerned about the eagles reaching a dangerous point in numbers?

Mr. KAHL. Senator Yarborough, I think an escape clause as you suggest would have to be very clearly defined in this sense, that we would be allowed to secure permits or any other method which you might devise which would allow us previous to our lambing season to secure such permits of permission to combat the eagle on the range.

Senator YARBOROUGH. Thank you. For example, California is a sheep-raising country too and Senator Engle was saying that California is one of the States that has State legislation protecting eagles.

Mr. KAHL. I am sorry the Senator from California is not here. I share his opinion, that to hunt eagles is a very dangerous occupation. I am a holder of a commercial pilot rating, with over 5,000 hours, and I want no part of it. I don't think anybody who hunts eagles is a thrill seeker, because I think in the first 8 hours of hunting in the Davis Mountains, the thrill is over and then it becomes a very serious business and very hard work.

My ranch is located 5 miles south and east of Mount Livermore, which as you know yourself is about the most rugged country in the Davis Mountains, and consequently it is a very hard job to hunt eagles from an airplane in that area.

Senator YARBOROUGH. Are there any further questions?

Mr. BAYNTON. No, sir.

Senator YARBOROUGH. Congressman Fisher, do you have any questions of this witness, or would you care to add anything?

Mr. FISHER. I don't believe so, Mr. Chairman. I think they have developed their testimony very thoroughly.

I, of course, don't need to point out that both of these gentlemen are basing their testimony on actual experience, and they are highly reliable and respected spokesmen for the people they speak for, and they are telling you exactly what the truth is.

Mr. KAHL. Mr. Chairman, may I make this statement: My father-in-law, Mr. Frank Jones, served on the Texas Fish and Game Commission, was appointed by Governor Stevenson and served into the term of Governor Shivers, and he was one of those who helped try to cut eagle numbers down, to protect the antelope. He has been very active in this, he is very concerned about this bill. He worked with Mr. Howard Dodgson on this, Capt. Ray Williams of the Texas Fish and Game Commission, Mr. Casperis who flew airplanes privately, trying to rid the range of the eagle, and he too is very concerned about the passage of this bill, without a clause to protect the livestock raisers.

Senator YARBOROUGH. Thank you very much. Do you have any letters or any statements you wish to submit?

Mr. KAHL. No, sir.

Senator YARBOROUGH. Are there any other witnesses present who wish to be heard?

Mr. KAHL. Senator, may I admit one thing? I have seen one bald eagle, I caught him in a trap. I offered to give him to a zoo, but the Federal Government told me to turn him loose, which I did.

Senator YARBOROUGH. Is that the only bald eagle that you have seen?

Mr. KAHL. Yes, sir.

Senator YARBOROUGH. I believe there is another witness here. Will you come forward, please.

STATEMENT OF JOHN A. ALDERMAN, FOREST HILLS, N.Y.

Mr. ALDERMAN. Senator Yarborough, I am John A. Alderman, a native of south Texas and most recently a resident of Long Island, N.Y.

Mr. Chairman, I want to thank you for giving me this opportunity to appear before you and your distinguished subcommittee. I consider the congressional hearing to be an important part of our democratic form of government and I am honored to be here.

Having been raised on the farm and ranch country of the Rio Grande Valley of Texas I feel that my experience with domestic animals and predator's entitles me to speak with some authority. I have hunted game birds and animals from the salt flats of LaGuna Madre to the rugged country of the Trans-Pecos Mountains. Many years ago I put up my guns to study the wildlife of Texas through binoculars and camera lens. These many years in the field have led me to a close association with the wild creatures of this great State. During my years in Texas, living close to the land, I have formed one firm conclusion: That the wholesale slaughter of any creature which seems to come in conflict with man's interest is not the proper solution to any problem.

We are here today to give testimony which will decide the fate of the golden eagle. However, it is not the fate of the golden eagle alone which hangs in balance here but the fate of all wild creatures in this wonderful country of ours. This committee will decide whether or not selfish and biologically ignorant persons have the right to exterminate an entire species for the sake of sport and personal economic gain.

A number of scientific studies have been made on the feeding habits of the golden eagle. I would like to submit a copy of the results of a study made on the feeding habits of the golden eagle.

Senator YARBOROUGH. That will be received and filed.

Mr. ALDERMAN. Thank you, sir. These studies prove without doubt that the golden eagle is beneficial to man. Despite this fact there has been for the past 21 years a concentrated effort to eliminate this species from the western half of our country.

The eagle killing seems to fall into any one or combination of three categories: (1) Pleasure; (2) profit; and (3) biological ignorance. In the pleasure category we find the misguided, so-called sportsmen who snipe eagles with high-power rifles equipped with telescopic sights. This activity has been aptly described in the June 1959 issue of Guns magazine. The article, titled "Guns for the Killer Eagle" stated "You need bench-test aim, a red hot rifle, and the stalking skill of a plains Indian to bag the wily golden eagle." The pleasure hunters take a great toll of eagles but this kill is insignificant compared to the profit hunters.

The profit hunters are the aerial eagle hunters with their light planes and cockpit mounted shotguns. They are the most deadly efficient of all the eagle hunters. The slaughter has reached such proportions that it is reminiscent of the market hunters of bygone days. I would like to quote a few figures which are from magazine articles written by and about the aerial eagle hunters in the following publications: Life magazine dated June 1956; Sports Afield, November 1961; Cavalier magazine, datelined March 1954; True magazine, May 1957; and a news article, Marfa, Tex., February 9, 1961. John

Casparis, of Alpine, Tex., killed 1,008 eagles in 1 year and his total kill is over 12,000.

Senator YARBOROUGH. What year was that?

Mr. ALDERMAN. 1953.

Senator YARBOROUGH. And his total kill was what?

Mr. ALDERMAN. Over 12,000. Now I am quoting the figures given by the men who killed the eagles.

Alvin Miller, of San Angelo, claims a kill of over 1,000. Up to 1954, F. W. McMichael, of Del Rio, killed 512; Ray Baumgartner and W. W. Hardough, of Fort Stockton, killed 149 during January 1961. Considering that figures are not available for some of the more recent years I think it is safe to estimate that over 20,000 eagles have been killed by the aerial eagle hunters. These men collect twice for these misdeeds. First they collect an eagle control fee from sheep ranchers, then they collect again when they sell eagle feathers to feather dealers, curio shops, and Indian tribes. Even the eagle claws are sold as they are used as horns on miniature carvings of bulls.

In the third category of eagle killers we find the biologically ignorant. These people actually believe the eagle to be detrimental to their economic interests.

I might bring out the statement submitted by Senator Gruening, of Alaska, in which he was instrumental in having the bounty removed in Alaska, I remember that case quite well, and at that time there was a hearing in Alaska, and the salmon fishermen showed up at the hearing just as the sheep ranchers are here today, and said if the bounty was removed, the salmon industry would go bankrupt in 5 years. The bounty is no longer in effect and the salmon industry is still going strong.

Speaking of the biologically ignorant, they kill eagles and they pay the aerial eagle hunters to kill eagles. One leading eagle critic, of Kerrville, Tex., stated in a letter to the Secretary of the Interior that it cost more than \$50 for every eagle killed. Since over 20,000 eagles have been killed, this would represent an expenditure of over \$1 million for the past 21 years or an average annual expenditure of over \$47,614. Yet, with this tremendous output of money for eagle control, sheepmen still claim losses of up to 80 percent of an annual lamb crop. And this they have published. In fact, Congressman Fisher stated a case here where one rancher said he was only able to market 40 percent of his lamb crop, in other words, a loss of 60 percent. And we assume by implication this was all due to eagle loss.

If we are to assume that the figures quoted by the sheepmen and the eagle shooters are correct, then it would seem quite obvious to me that the eagle slaughter has been entirely ineffective. Something other than eagles is killing their lambs. Could it be that positive action, not negative action, is the answer to the sheepman's problems? One Texas rancher states:

Our ranches are entirely fenced with sheep- and goat-proof fencing so that we run our sheep loose on the range. Where, in Western States—

Like Montana, Colorado, California—

a lot of ranchers herd their flocks and they are more or less protected from the eagles.

I might add that the sheep ranchers of the more Western States say that the eagle is of no problem and their sheep are protected also from

the various causes of death such as starvation, drought, disease, and so forth. These facts lead us to believe that Texas sheepmen could not only save a lot of money, but could also increase their lamb markup by adopting the herding practices of western sheepmen. At the same time the eagle could be used as an effective tool for rodent control.

In summary may I say that scientific studies by trained biologists have proven beyond doubt that the golden eagle, on the whole, is not a threat to domestic animals. The figures offered by the very men who condemn the eagle show that the eagle slaughter over the past 21 years has been quite ineffective, thereby supporting the findings of the biologists.

In fact, I was looking in the Texas Almanac not too long ago, and I noticed before the eagle slaughter started a few years before 1941, the population of sheep in Texas stood at 10 million. Following the beginning of eagle slaughter, the population of sheep in Texas dropped to 6 million.

Thus it would seem that protection of the golden eagle would be a service to the sheepmen by preserving an important means of rodent control. This service is amplified by the fact that rodents are in direct competition with domestic and game animals for valued grasslands. The golden eagle is truly a magnificent creature. It seems that some people only look at the golden eagle in terms of destroying something they can put in their stomach or on their back or in their pocket. But actually the golden eagle has stirred the imagination of men from the beginning of time. It has been adopted as the symbol of freedom, power, and bravery. To many men the sight of a golden eagle quickens the pulse and replenishes the soul. This esthetic value to the human race cannot be measured in dollars and cents. No man has the right to bring about the extermination of one of God's creatures no matter what his motif may be. In the final analysis, I say to you, gentlemen, "Save the golden eagle."

Thank you, sir.

Senator YARBOROUGH. Thank you, Mr. Alderman.

Any questions from the staff?

Mr. BAYNTON. No, Sir.

Senator YARBOROUGH. Thank you.

We have another witness. Will you come forward, please.

STATEMENT OF MR. ROBERT A. COMPTON, SECRETARY, HAWK MOUNTAIN SANCTUARY ASSOCIATION OF PENNSYLVANIA

Mr. COMPTON. Mr. Chairman, I am Robert A. Compton, secretary of the Hawk Mountain Sanctuary Association, which is located as you previously heard in east central Pennsylvania.

I am thankful for the opportunity to say something on behalf of Senate Joint Resolution 105.

Our unique location at the Hawk Mountain Sanctuary affords us an unusual opportunity to observe all northeastern birds of prey.

Since 1934 bald and golden eagles have been seen regularly each year from the rocks at Hawk Mountain. Both species have been seen in alarmingly decreasing numbers in recent years, and the professional and lay membership of Hawk Mountain Sanctuary unanimously recommend complete protection to save both the bald and golden eagle from extinction.

I thank you.

Senator YARBOROUGH. Are there any questions by the staff?

Mr. BAYNTON. No, sir.

Senator YARBOROUGH. How long have you been connected with the sanctuary?

Mr. COMPTON. I have only been connected with it for 2 years. I might say that Dr. Braun, our curator, who has been with the sanctuary from its inception in 1934 has previously submitted a statement to be read into the record. He was unfortunately unable to be here, in fact I would not be here except that I took time from my vacation to drop down.

Senator YARBOROUGH. Thank you very much for coming. Are these eagles resident in that area, or do you see them migrating?

Mr. COMPTON. No; they are seen only migrating and only in the fall months.

Senator YARBOROUGH. You see both bald and golden eagles?

Mr. COMPTON. Yes.

Senator YARBOROUGH. Do you keep statistics on the sightings, as to how many?

Mr. COMPTON. We do; we keep statistics by the number of individuals of various species.

I might add, for purposes of comparison, that while the order of magnitude of birds of prey seen which includes 14 different species of predatory birds is frequently around 14,000 or 15,000 birds in a 3-month migration period, only 70 of these, as Dr. Spofford mentioned previously, would be golden eagles; 70 out of 14,000 or 15,000 birds.

Senator YARBOROUGH. How many would be bald eagles?

Mr. COMPTON. I think roughly half, or less than half of that number would be bald eagles. You will probably find the number exactly in Dr. Braun's statement.

Senator YARBOROUGH. You see approximately 70 in one fall, 70 golden eagles, and about half of that many bald eagles?

Mr. COMPTON. That is a rough estimate; yes, sir.

Senator YARBOROUGH. Do you know how far south they migrate?

Mr. COMPTON. No. This we have no way of measuring, because we are only watching the birds go by from a midpoint, or almost a midpoint in their migration. Studies by men like Dr. Spofford, who are actually banding the birds, will some day reveal exactly the northernmost and southernmost points of migration.

Senator YARBOROUGH. You say you see them only in the fall. In their northward migration, do they follow other routes back north?

Mr. COMPTON. That is correct. They are gathered together by a combination of wind and geography that causes and encourages the bird to follow a ridge, on which we are a part, in coming south. The winds hitting the side of the ridge are deflected upward, creating an updraft, that gives an edge to the bird in his flight southward, so he detours from a north-south route and follows the ridges, because he is able to fly farther with less expenditure of effort.

Senator YARBOROUGH. In flying back, do they fly east or west of your location?

Mr. COMPTON. In flying back, not having the benefit of the updrafts along the ridges, the birds would spread out in order that they might hunt on their way to keep up their strength.

Senator YARBOROUGH. I see. You see a concentration of them, then, in the southward migration?

Mr. COMPTON. We do.

Senator YARBOROUGH. Do you have any estimate of how far north they come?

Mr. COMPTON. Having only estimates, which are not founded on scientific observations, I would rather not make any estimate.

Senator YARBOROUGH. I am speaking of the entire staff there.

Dr. SPOFFORD. Would you care to estimate what percentage of the eagles that migrate southward through this area, New York-Pennsylvania, west Ohio, in the winter, and the percentage that come by that ridge?

Dr. SPOFFORD. I think that is over 50 percent, because over a 25-year period, the number going past has varied between 35 and 70. That is a remarkable thing. We have never seen more than 70 and yet we came close to 70 several years; we have never seen less than 30 in that area. Year after year it has been that, which indicates a constant factor. It is a sort of a guess, as to what actual proportion that is. I should say the eastern population of the golden eagle might be between 100 to 150 birds. I know of five nests in eastern Quebec, one on the Finger Lake just south of Hudson Strait, going into Hudson Bay, and another at the inlet, and I can spot three or four more over that area of Quebec between the Hudson Bay and the Labrador coast.

I suspect there are probably 25 pair of birds in that area. So we have a population somewhere in the neighborhood of 100.

Senator YARBOROUGH. Doctor, when you have visited these eagle nests, have you noted any reluctance of the adult eagles to come back to their young?

Dr. SPOFFORD. No; it is well known they are reluctant to come back to the eggs if they are disturbed, but if they have young they come back. What happens is with an egg they may leave the egg for an hour or so, and very often a day, out West the western jay and even the blue jay, will come in and peck a hole in the egg and that is it.

Senator YARBOROUGH. If they stay away an hour they are liable to lose the egg?

Dr. SPOFFORD. Yes, but after the young have hatched, there is no danger. They are settled.

Mr. COMPTON. I notice, Senator, you have been asking about the northernmost and southernmost limits of the eagle penetration, but if we wait long enough to find out what those limits are, the time when the birds are going to be extinct is going to pass before we learn that.

Senator YARBOROUGH. Yes; I didn't think the legislation would be dependent upon that, but I was just curious.

The record will be left open for 5 days for any additional statements, letters, maps, or photographs, which are illustrative of those range limits or any other factors about the migration. We will be very glad to have maps or statements.

I thank all of you for your patience. The meeting is adjourned.

(Thereupon, at 1:40 p.m. the hearing was adjourned.)

(The following letters and statements were received for the record.)

STATEMENT OF J. B. LOVE OF LLANO, TEX., ON THE GOLDEN EAGLE

If I may make the following statements for the record, it is my desire to do so. I reside upon and operate in this county a ranch consisting of about 10,000 acres. The Llano River runs through our country for some 7 miles. Every year the golden eagle and some bald eagles come in here in the late fall and spend the winter, and more particularly using the big trees on the river banks. At those times when we have ewes and lambs, we are about as uneasy as we are when wild dogs get into our pastures. I have never actually seen an eagle catch a kid goat or a baby lamb. Upon one occasion, while riding through the pasture, an eagle flew up from the ground with something in its talons and after it had gotten above the treetops, the object fell to the ground and, upon examining the situation, I found a kid goat which had been dropped by the eagle. Of course, it was dead and partly eaten. I have observed eagles hovering nearby and sitting in trees very near ewes and lambs, in a comparable situation to the way the buzzard habitually does around a dead animal. It is the consensus of the opinion of longtime professional ranchers in this country that these eagles will catch and eat kid goats and baby lambs. Very few people ever see a hawk catch a chicken, yet we know that they will do it.

I love birds and often stop and watch the big eagles fly, as they have a graceful slow motion that rapidly takes them through the sky. I do not believe that we should protect the golden eagle as they deplete upon the people, more especially those owning big pastures, where the human population is very few, yet these few people usually pay their share and more, too, of the tax bill, and therefore are entitled to some protection. At this time, I have a ranch in Brewster County, consisting of some 40,000 acres situated 36 miles from the nearest small town of 600 people. To protect these eagles would mean that we will not be able to have our lambs scattered throughout the pastures, but will feel that we are penalized for the benefit of some bird fancier who may never pay a dime's worth of taxes.

STATEMENT OF E. G. SIEKER, DIRECTOR, TEXAS SHEEP & GOAT RAISERS' ASSOCIATION, AND RANCHER IN MENARD, TEX.

I am sorry that a previous engagement will prevent me from attending this meeting, as I would like to be there, as I am vitally interested in seeing this bill defeated.

As I told you in my previous letter, the ranchmen are not killers at heart and want to kill all the animals and birds we see just for the sake of killing and we certainly would not be hiring a plane pilot and paying him \$15 per hour to hunt them if they were not doing us a lot of damage.

I have a ranch in South Dakota and had 24 ewes and lambs there, the balance were grown sheep, and there were two eagles that stayed on a high hill about 3 miles from my pasture and they killed 12 of these lambs before they were a month old and as I had shot at them several times flying with a rifle they got so wild I couldn't get in shooting range and had to sell the other 12 to keep from losing them. There are several that stay around in this country every summer and the ranchmen are after them all the time and get started on you they kill a lamb or kid goat every day. We know they do it because we see them do it.

This law would only make law violaters of the ranchmen as you surely know that no ranchman—or anyone else—is going to sit around and see his property destroyed by an eagle, wolf, bear or a man, for that matter, without doing something about it. And we don't have time to write to Washington and wait for 4 months for a permit to kill it.

STATEMENT OF MRS. PAUL M. TWYNE, PRESIDENT, DEFENDERS OF WILDLIFE, WASHINGTON, D.C.

Mr. Chairman, as president of Defenders of Wildlife, a national organization interested in the preservation and protection of all wildlife species of North America, I wish to present this statement.

We urge this committee to favorably consider Senate Joint Resolution 105 and House Joint Resolution 489 to protect the golden eagle.

The golden eagle has become an endangered specie because of persecution and slaughter by ranchers, stockmen, and paid bounty hunters, who accuse it of heavy predation on young calves and lambs. Scientific or concrete evidence to support these claims has not been produced.

The golden eagle is being killed for commercial purposes also. The feathers are sold for ornamental dress purposes.

The golden eagle is killed both deliberately and oftentimes through ignorance, since it is confused with the immature bald eagle. Protection of the golden eagle will afford greater protection for the bald eagle.

The golden eagle has suffered the loss of habitat through the alteration of environment and has declined rapidly throughout the United States. Few birds have been more unjustly maligned or persecuted and this particular bird is in urgent need of protection. The common prejudice against predators, especially raptorial birds is now being overcome. We have scientific and factual evidence of the value and beneficial character of these birds of prey. It has been scientifically proven that eagles are carrion eaters as well as predators. They even show a strong preference for carrion even though live prey is in abundance. Therefore, they are an asset to nature's disposal system.

The golden eagle also preys upon rodents and rabbits which multiply excessively and do extensive damage in the absence of their natural predators.

It has been found that eagles usually take the weakened, starved, and snow-bound mammals which are doomed by the forces of nature anyway. Reports of damage to major wildlife species by eagles have very little if any foundation.

Defenders of Wildlife respectfully request that all the beneficial aspects of these magnificent and beautiful birds be carefully considered. Golden eagles are a natural part of nature's predator system and are beneficial to ecology.

At the recent world conference of the International Council for Bird Preservation held in New York City, it was reported that at least a dozen species of birds are in danger of extermination in the United States. In view of such authoritative reports made by the world's leading ornithologists, we sincerely hope this Congress will see the importance of putting an end to the exploitation and killing of the golden eagle.

We urge you to give this bird full protection.

Thank you for permitting us to give our views on these important resolutions.

NATIONAL AUDUBON SOCIETY,
New York, June 27, 1962.

Senator RALPH YARBOROUGH,
Chairman, Special Subcommittee on Golden Eagle Legislation,
Senate Committee on Commerce, Washington, D.C.

DEAR SENATOR YARBOROUGH: We are submitting herewith some additional material pertinent to the testimony presented by us and other witnesses at the hearing yesterday on Senate Joint Resolution 105 and House Joint Resolution 489, legislation to protect the golden eagle.

As requested we are enclosing four photographs that illustrate the close similarity in appearance of the immature bald eagle and the golden eagle at all ages, and the contrasting appearance of the bald eagle after it has developed (in its fourth year) the white head and white tail feathers that characterize the adult birds of the species that serves as our national emblem.

Also enclosed for the record are copies of a bill of sale and other correspondence in connection with an assortment of eagle feathers, eagle wings, and imitation eagle feathers which were purchased by mail order from Pawnee Bill's Indian Trading Post in Pawnee, Okla. The money for this purchase was supplied by the National Audubon Society, although the order was placed in the name of Mrs. Ellen C. Thompson, of New York City, who is the mother of my secretary. Upon delivery, which was quite prompt, we mailed the feathers to Dr. Walter Spofford at the State University of New York, Syracuse, for identification. His reply, dated July 24, 1961, in which he stated that all of the golden eagle feathers were truly golden eagle feathers as represented, also is attached.

Another enclosure, this one from the publication called *The American Indian Hobbyist*, illustrates how dealers in eagle feathers advertise their wares in such publication.

Another enclosure submitted for the record is a Thermo-fax reproduction of a United Press International news story which appeared June 25, 1962, in an Albuquerque, N. Mex. newspaper. This UPI story relates the arrest by a Federal game management agent of two men in Oklahoma accused of the illegal possession of the feathers of bald eagles and other protected birds. Note that the Federal game management agent, Mr. L. J. Dugger, stated that the feathers confiscated in this case came from sources in Texas and Oklahoma.

One of the witnesses at the hearing yesterday—I believe it was Mr. Auld—stated that it was his belief that the pronghorn antelope in southwestern Texas had increased its numbers only after and as a result of action taken by the ranchers and others in controlling or reducing the numbers of golden eagles. Dr. Helmut K. Buechner, of Washington State University at Pullman, Wash., who personally conducted a reasearch study of the antelope in the trans-Pecos country of Texas has stated his conclusion that the golden eagle is not a significant factor in affecting antelope numbers and that antelope populations fluctuate with drought and correlated range conditions rather than with controlled eagles. This was stated in the letter from Dr. Buechner dated February 20, 1962, which we submitted for the record yesterday in connection with Mr. Buchheister's statement. Dr. Buechner's letter referred to a reprint and two of its pages, 276-277, "documenting the fall and rise of the pronghorn population in trans-Pecos Texas throughout a period of drought." We failed to include that reprint with the other material submitted yesterday. The reprint is enclosed and your attention is respectfully called to the two pages cited, Nos. 276 and 277.

Sincerely yours,

CHARLES H. CALLISON,
Assistant to the President.

JUNE 8, 1961.

PAWNEE BILL'S INDIAN TRADING POST,
Pawnee, Okla.

GENTLEMEN: Please send me the following items:

Imitation eagle feathers, 10 for.....	\$2. 00
1 dozen small eagle plumes.....	1. 20
1 dozen medium eagle plumes.....	1. 80
1 dozen large eagle plumes.....	3. 00
2 brown eagle tail feathers.....	2. 00
2 white, black-tipped tail feathers.....	3. 00
1 complete pair eagle wings.....	5. 00
1 complete pair eagle wings with white.....	7. 50
 Total.....	 25. 50

Many thanks.

Sincerely,

ELLEN C. THOMPSON.

JULY 21, 1961.

Dr. WALTER SPOFFORD,
*State University of New York,
Syracuse, N.Y.*

DEAR DR. SPOFFORD: We are sending you by parcel post, insured, the eagle feathers we ordered from Pawnee Bill's Indian Trading Post in Pawnee, Okla. Enclosed is a copy of our order which, according to their receipted statement was filled in every detail.

They advertise both genuine eagle feathers and imitation eagle feathers.

We ordered 10 of the imitation eagle feathers. Perhaps you can tell what kind of bird they are from.

I think a display of these feathers and others which we may purchase later as evidence of the commercialization of the golden eagle would be a valuable exhibit when we get a hearing on Senate Joint Resolution 105. We shall need the assistance at that time, of course, of someone like you who can qualify as an expert in identifying the feathers as genuine golden eagle plumage.

Should we be able to encounter any bald eagle feathers on the market, our case would be even stronger.

These feathers were ordered in the name of Mrs. Ellen C. Thompson, who is the mother of my secretary. This was done in order to avoid arousing any suspicions on the part of Pawnee Bill & Co.

As soon as you have a chance to examine these feathers, please let me know your conclusions and just hold them until further word from us.

Thanks much for your assistance.

Cordially yours,

CHARLES H. CALLISON,
Assistant to the President.

STATE UNIVERSITY OF NEW YORK,
Syracuse, N.Y., July 24, 1961.

Mr. CHARLES CALLISON,
National Audubon Society,
New York, N.Y.

DEAR CHARLIE: The feathers arrived and they are exactly as indicated; all the eagle feathers are golden eagle, no question about it, with the exception of course of the false eagle feathers.

I do not recognize the false feathers—they are not stiff enough for the Galliformes I know, but seem more like some swans but not long enough—they could be tracked down to family or subfamily if not closer with some work in the museum no doubt.

There are no white-headed eagle feathers in this shipment.

The "large plumes" are undertail coverts of juvenile eagles (golden) and the lesser plumes are partly the more exterior undertail coverts and some from the ventral tract between legs, etc.

Tail feathers with white are "first generation" feathers from a young eagle, since some such tail feathers do not molt until the third year, the eagle may have been an immature more than a year old, still retaining a few juvenile feathers.

Of the "wings with white", one is of a juvenile eagle which has not started its molt. The other is an older eagle with at least one year of molt and perhaps two, doubt it—this has mostly white-based juvenile feathers but a few second generation feathers without white bases.

I don't know anything about legality of sale—what about mailing feathers of bird unprotected in one State across into a protected status State—I recall Richard Pough discussing this quite a few years ago.

Well I will be glad to help in any way I can, will hold the feathers until I hear to the contrary—in fact, the several eagle wings can give me some data on molt for my as yet unpublished work on molting, mostly by watching live eagles through the molts—this gives a wing picture which I can now interpret in terms of my other studies, so glad to see them. But the sale, etc., is a sickening business, and sure is a stimulus to get going on this legislation and get it through.

With best regards,

WALTER SPOFFORD.

[From the American Indian Hobbyist, Denver, Colo., November-December 1959 issue, vol. VI, Nos. 3 and 4]

— EAGLES —

Specializing Exclusively In supplying
GENUINE GOLDEN EAGLE
UN-PULLED WINGS—UN-PULLED TAILS—FEET
— At Lowest Possible Prices —

Write Now For
NEW FREE ILLUSTRATED BROCHURE
BOB J. VOELKER
Box 1438, Parcel Post Station
EAST ST. LOUIS, ILLINOIS

TWO OKLAHOMANS FACE CHARGES

OKLAHOMA CITY, June 25, 1962.—Two Oklahomans have been charged with illegal possession of feathers and Indian ceremonial fans.

Irma R. Tingley of Anadarko and Clifford Merl McVay of Ponca are accused of having feathers from bald eagles, scissortailed flycatchers, and other birds protected by Federal law.

L. J. Dugger of Albuquerque, enforcement officer for the U.S. Bureau of Sports Fisheries and Wildlife, signed the complaint.

The feathers and 30 Indian ceremonial fans were seized last Wednesday at retail stores owned by the two persons.

Dugger estimated the value of the confiscated merchandise at \$2,000.

He said agents had been working on the case since March. The feathers came from sources in Texas and Oklahoma, he said.

[Pp. 276 and 277, from Regulation of Numbers of Pronghorn Antelope in Relation to Land Use, Helmut K. Buechner, Department of Zoology, Washington State University, Pullman, Wash.]

Populations in New Mexico and Texas show ratios similar to those in Arizona. The influence of severe drought is well illustrated by data from the trans-Pecos region in Texas. Here the population was approximately 7,300 in 1946 (Buechner, op. cit., p. 263) following 3 or 4 years of favorable moisture and improved range conditions. The population remained relatively unchanged until the winter of 1951-52 when heavy mortality resulted from severe drought conditions. The animals died in large numbers from January through May; for the first time recorded, pronghorn antelope foraged on ornamental shrubs within the city limits of Marfa and Alpine. Counts on 12 of the major ranches producing pronghorn antelope showed a decrease of 36 percent of the adult population from after the harvest in the fall of 1951 (2,111) to the spring of 1952 (1,353). Counts on 9 ranches showed little change from 1952 (1,177) to 1953 (1,239), but counts on 26 ranches showed a decrease of 24 percent from the fall of 1953 to the spring of 1954. In 1955, the population for the entire region was estimated at 4,600 (3,400 counted and 1,200 estimated from previous counts). The counts showed 53-percent increase in yearlings and adults from 1953 to 1955. In 1956, the population was estimated at 5,500 (3,370 counted and 2,130 estimated from previous counts), indicating 16-percent increase from 1955 to 1956. In 1957, 4,561 adults were counted and 906 adults were estimated from previous counts; 1,835 fawns were computed from a midsummer ratio of 60:100 (fawns:adults), except on the extremely dry ranges in Hulspeeth County where the ratio was 18:100, making a total of 7,302. In 1958 the population was 8,963, and in 1959 it was 9,176. These data illustrate that drought can cause fluctuations of 50 to 60 percent in numbers of pronghorn antelope in the trans-Pecos region. Within this region of 31,392 square miles, local variations in drought were obvious during the period 1950-55; in addition, each ranch showed a difference in production and survival of pronghorn antelope, depending upon the degree of utilization of the vegetation by livestock. No harvests were taken in the years 1949, 1952, and 1954. Thus, it seems possible to manage populations of pronghorn antelope that fluctuate violently with drought conditions. In fact, larger harvests, integrated with the best practices for managing livestock on desert grasslands, would improve the basic resources of soil and vegetation and result in greater benefits to society over the years.

SINTON, TEX., June 27, 1962.

HON. RALPH W. YARBOROUGH,
Senate Office Building, Washington, D.C.

MY DEAR SENATOR: In response to your telephone request I am pleased to express my personal views regarding the American golden eagle. I have had official and personal interest in this bird for many years. For more than 25 years I was an official of the U.S. Fish and Wildlife Service, or its predecessor. During that time considerable field and laboratory study was made of the golden eagle. The published report, a splendid Government booklet written by Mr. Lee Arnold, was prepared and published under my general direction as Chief of the Division of Wildlife Research or as Assistant Director of the Fish and Wildlife Service.

In my opinion, the public benefits of this bird far transcend the local damage it occasionally inflicts. The area west of the Pecos River in Texas is perhaps

the only section of the country where seasonal depredations of this raptor are at times fairly widespread and where damage may be locally serious at times. The conflict of interest even here is not insurmountable. The damage inflicted is largely on sheep and goats at lambing time.

This depredation can be greatly minimized, I believe, through better husbandry and land management practices and by: (1) cessation of overstocking of the range which has long been overgrazed; (2) better herding at lambing time; (3) concentration of females about ready to give birth, in small pastures for better protection at lambing time.

More research is needed on the prevention of depredation and on the economic relations of the eagle in the trans-Pecos area of Texas. I don't believe the problem here has been sufficiently studied.

It should be remembered that the American golden eagle represents a national and international resource of great interest and value. Consequently, the security, protection, and sound management of this majestic bird should be recognized as a public responsibility.

This bird is America's largest raptor (hawk) and is, indeed, a great attraction to an ever-increasing population of our people. Because of its attractiveness the bird adds significantly to the tourist trade wherever it occurs. It is an attractive part of our national heritage which deserves protection. It must be saved from extinction.

In its food habits the bird subsists predominantly on jack and cottontail rabbits, large rodents, other small mammals, carrion, and occasionally on larger birds.

Population estimates show an alarming decrease both in numbers and in ratio of young to adults. Studies over a 30-year period in Colorado show a 90-percent decline, and it is probable a similar alarming decline has occurred in most other Western States. The winter population in the trans-Pecos area of Texas represents a concentration, particularly on those ranches which are overstocked with sheep and goats and where range forage is in short supply. These giant hawks are wide-ranging and tend to concentrate where food is most readily available.

These eagles feed commonly on dead and dying young of sheep and goats. Consequently, losses of these ranch animals to eagle depredation are often and, I believe, usually exaggerated. Lambs lost through desertion, disease, screw worms, overstocking, or lack of water and feed in a drought period are often unjustly charged to eagle depredations.

A study at the Welder Wildlife Refuge in south Texas last year revealed that about one-third of the deer born soon developed screw worms and all of these would have succumbed within a week had we not been there to doctor them. The dead and dying young are, of course, readily consumed by all kinds of predators but such consumption means nothing biologically or economically.

Certainly it is just that the rancher receive protection, but he, too, must do something to protect himself besides killing eagles. This great resource, which belongs to the people, must receive protection and be perpetuated for those who come after us.

Respectfully submitted.

CLARENCE COTTAM.

STATE UNIVERSITY OF NEW YORK,
Syracuse, N. Y., June 29, 1962.

Senator RALPH YARBOROUGH,
Chairman, Special Subcommittee on Golden Eagle Legislation, Senate Committee on Commerce, New Senate Office Building, Washington, D. C.

DEAR SENATOR YARBOROUGH: I would like to submit the following additional comments and observations upon the golden eagle, pertinent to the hearing on Senate Joint Resolution 105 on June 26, 1962.

In regard to the traffic in eagle feathers, statements were made by one witness, Mr. Dan Auld, I believe, that the eagle shooting in Texas was not concerned with "50 cents worth of feathers." I would like to point out that there is much evidence of a great deal of traffic in eagle feathers.

At Pawnee Bill's Indian Trading Post, Pawnee, Okla., we purchased eagle feathers at prices up to \$1.50 per feather. The tail feathers of a juvenile golden eagle retail at \$18 for 1 complete set of 12 feathers. Those of the adult eagle are less, at \$12 for the set of 12.

The feathers of one juvenile eagle retail at more than \$25 but less than \$50. In spite of the disclaimer of Mr. Auld, if I heard him correctly, eagle shooters in Texas have stated that they did sell eagle feathers.

Furthermore, it is to be noted that Federal game management officials have taken action against feather dealers in both New Mexico and Oklahoma in recent weeks, in each case finding possession for sale of bald eagle feathers as well as golden eagle. In the Oklahoma case the feathers are stated to have come from Texas and Oklahoma.

Dr. Frances Hammerstrom, of the University of Wisconsin, furnished me with information that hunters and former Government trappers in Montana regularly shoot up to 50 eagles each winter with the purpose of selling the feathers to feather dealers. The eagle shooter gets \$6 or \$7 for a set of two wings and one tail.

In addition, I would like to comment upon the testimony concerning the alleged predation upon lambs by the golden eagle in southwest Texas. There never has been any doubt that the golden eagle has and does prey upon domestic animals to some degree. It is difficult to get accurate information upon the extent of this predation, and at present there is no satisfactory study of this in the area in question.

To my knowledge there is no other case in the Northern Hemisphere where the golden eagle is accused of other than minor predation. In Australia, the allied wedge-tailed eagle was widely believed to be a serious predator upon lambs but it is now recognized that this predation is of minor importance, and involving only the occasional eagle which develops a particular propensity for lamb predation.

The testimony of the witnesses for the west Texas ranchers is provocative and certainly calls for a detailed study of the conditions which they describe.

I could not find in their statements any "breakdown" of losses in lambs to particular agencies, all losses being laid directly to eagles. It is well known that newborn and older lambs die from many causes. Dr. Clarence Cottam, of the Welder Wildlife Foundation, Texas, recently told me of lamb losses as high as two out of three dying from screw-worm. Immediately after birth of the lamb, the large fly lays its eggs in the umbilical "wound" and the 200 eggs hatch in 12 to 24 hours. According to the yearbook of the Department of Agriculture for 1956, "Animal Diseases," the larvae complete their growth in about 5 to 7 days and the pupae drop to the ground. The destruction of the lamb's tissues soon causes its death. Accounts of the screw-worm are to be found on pages 37 and 172-175 of the above yearbook. Upon page 173 is the statement: "In the Southwest, the flies migrate out of Texas into Oklahoma, Kansas, Missouri, Arkansas, and occasionally Mississippi." Livestock losses are estimated at \$20 million per year (p. 173).

While I do not know that the eagles are feeding upon infected lambs, it is certainly true that the eagle would feed preferentially upon such partly incapacitated animals. I believe no sweeping indictment of the eagle can be made until a careful study is made of the actual feeding habits of the eagle in west Texas. It is certainly true that open-range sheep management is highly favorable to screw-worm infestation.

Further, the accounts given of the damage done by eagles are not documented with factual and photographic detail, a lack which makes it difficult to evaluate claims in comparison with the detailed studies made by wildlife biologists which show that livestock and game are an insignificant small minority of food species. I do not question the lamb loss, but I do question the details and causes of the losses. The situation certainly does need a definitive study.

In regard to game animals, testimony was presented, by Mr. Auld as I recall, suggesting that the destruction of eagles favored an increase in the pronghorn antelope.

Extensive studies upon this mammal and upon the golden eagle have failed to bring out any evidence for this, and there is a great deal of evidence to the contrary. As a case in point, Arnold (1954, "The Golden Eagle and Its Economic Status," Circular 27, Fish and Wildlife Service, p. 16), notes that in Wyoming, which has a greater abundance of breeding golden eagle than in any other Western State, a remnant antelope population of fewer than 5,000 in 1900 increased to a point where more than 41,000 were harvested in 1952. This point has been made in studies in various States, and needs no further study.

In view of the fact that the destruction of eagles in west Texas concerns eagles from more northern regions which migrate to Texas in winter, it is clear that great caution should be exercised in constructing golden eagle legislative protection with a view to allowing regional destruction of the eagles. I believe that permits to shoot eagles should be issued only after careful study.

Sincerely yours,

WALTER R. SPOFFORD, Ph. D.

Probably no man in the history of American conservation and wildlife management can speak with so much authority and with such deservedly worldwide respect and admiration as the late Aldo Leopold, professor of wildlife management at the University of Wisconsin.

In 1942, when the slaughter of eagles in Texas had hardly begun, when only hundreds were being killed each year, instead of the thousands, Dr. Leopold called this warning and alarm:

"From Texas came officially sponsored news stories advocating control of golden eagles by use of the shotgun from airplanes. An official kill of 1,338 eagles since 1930 is reported.

"The control of eagles at particular spots where new plantings of antelope have been made, or where some remnant of mountain sheep is slipping, might well be a practical necessity for a temporary period. To urge the flying public to pursue and shoot eagles is quite another matter, and might readily extirpate the species from the western ranges. Texas has been doing admirable work in wildlife conservation, but this eagle campaign seems quite out of harmony with the solid, tolerant commonsense characteristic of other undertakings of the Texas Commission."—Aldo Leopold. (Leopold, A., 1942, *Wilson Bull.*, 54(3):218: "Control of the Golden Eagle in Texas.")

NEW YORK, N.Y., *June 29, 1962.*

Senator RALPH YARBOROUGH,
Senate Commerce Committee,
Senate Office Building, Washington, D.C.

DEAR SENATOR YARBOROUGH: I would like to take this opportunity to thank you for the privilege of appearing before you and your distinguished subcommittee to testify in support of the resolutions to save the golden eagle.

With your kind permission there are a few more comments which I would like to have included as part of my testimony.

It was brought out by the opponents of the golden eagle that the antelope season was closed for 40 years in Texas and that the antelope population suddenly doubled when the shooting of eagles began. I have made a check with the chief game biologists of the Texas Game and Fish Department and found that the antelope population was drastically low throughout its range; even in the areas where there are no eagles. The increase in population was brought about by improved range conditions after a prolonged drought and by sound game management practices. Shooting of the golden eagle had nothing to do with the increase in the antelopes in Texas.

We have heard many claims of what a terrible predator the golden eagle is on domestic sheep. In published reports we have read of ranchers losing up to 81 percent of their lamb crop to eagles. Even Congressman Fisher told of one rancher who was only able to market 40 percent of his lamb crop because of eagles. This would indicate a 60 percent loss. However, when two Texas ranchers appeared before your subcommittee to testify, one said that the eagle is of no problem and the other admitted that his loss was only 8 percent of his total lamb crop, and I venture to say that this was somewhat exaggerated due to the fact that the eagle feeds on carrion. Many times an eagle will be found feeding on an animal which died of some other cause and the eagle will be blamed for killing the animal.

In addition to the comments above, I would like to have added to the testimony in support of the golden eagle, the attached excerpts of letters from throughout the Nation in support of golden eagle legislation. This will help to show the widespread interest in saving our venerated golden eagles.

Thank you, Senator Yarborough, for all your kindnesses. I am confident that you and your subcommittee will give this matter close study and will then recommend passage of the bills.

JOHN A. ALDERMAN

ELIMINATION OF THE GOLDEN EAGLE A NATIONAL SCANDAL

The excerpts on the following pages are from letters written by individuals and organizations from across the country. The purpose of this document is to exhibit the wide-spread interest in gaining protection for our remaining golden eagles. All excerpts are quoted from original pieces of correspondence contained in the files of Mr. John A. Alderman, 220 Church Street, Mail Station 144, New York, N.Y.

CHICAGO.

DEAR MR. ALDERMAN: I am in favor of Federal protection for our bald and golden eagles. How can I make my voice count in getting such protection for them?

NINA F. SYMONS.

TEXAS PANHANDLE AUDUBON SOCIETY,
Amarillo, Tex.

Hon. WALTER ROGERS,
U.S. House of Representatives.

We wish to add our voices to the many which are being raised in protest against the mass extermination of the golden eagle.

FRANCES DOLCATOR, *Secretary*.

EMERGENCY CONSERVATION COMMITTEE,
New York City.

SENATOR KENNETH B. KEATING: The slaughter of the golden eagles from airplanes in Texas and in California has been a national scandal; and utterly stupid in view of the fact that research of the food habits of the golden eagle indicate that the preferred food of this species consists largely of small mammals (rodents).

Mrs. C. N. EDGE, *President*.

BROOKLYN, N.Y.

SENATOR KENNETH B. KEATING: Federal legislation is needed to protect the golden eagle from extermination.

Miss MARY PALMER.

UNION, MAINE.

DEAR MR. ALDERMAN: Some people will kill most anything, even eagles. Can't we stop this slaughter? Can't something be done?

Mr. FRANCES PARNELL.

MIAMI, FLA.

DEAR MR. ALDERMAN: As a member of the Tropical Audubon Society, of Miami, Fla., I appeal to you wholeheartedly to do everything within your power to help preserve our great golden and bald eagles from annihilation.

VIOLETTE MARLEY.

NEW BRUNSWICK, N.J.

DEAR MR. ALDERMAN: The Boy Scouts of America has been teaching the conservation of the eagles in connection with our conservation program at Philmont, N. Mex.

J. A. BRUNTON, *Chief Scout Executive*.

EVERETT, WASH.

DEAR MR. ALDERMAN: Recently in a man's magazine it told of a Texas rancher using his plane in regular hunting trips to exterminate the golden eagle and having shot down several thousand of the magnificent birds. Who gave this individual the right to this wanton killing?

KATHARINE P. SNOW.

GREENWOOD LAKE, N.J.

DEAR MR. ALDERMAN: Please do all you can to save the golden eagle from thoughtless, bloody, unsporting hunters who like to kill.

JEAN COUTURIER.

TENAFLY, N.Y.

DEAR MR. ALDERMAN: We are very much in favor of the protection of wildlife particularly the great eagles.

CHRISTIANA BERTROM.

MIAMI, FLA.

DEAR MR. ALDERMAN: Enclosed is a petition signed by 70 citizens of Miami, Fla., requesting Federal protection for the golden eagle.

VIRGINIA GILLAS.

MASSACHUSETTS AUDUBON SOCIETY,
South Lincoln, Mass.

DEAR MR. ALDERMAN: Of course, I say without reservation that the Massachusetts Audubon Society wholeheartedly shares your concern for the future of the golden eagle.

RICHARD BORDEN, *President.*

BEATRICE, NEBR.

DEAR MR. ALDERMAN: This is just to tell you of my sincere interest in helping you in your campaign to save the eagles.

MRS. HERBERT WESTON.

THE ANIMAL CRUSADERS,
Everett, Wash.

DEAR MR. ALDERMAN: Will you kindly send information re: the golden eagle. This organization is concerned with the preservation of wildlife.

MRS. CONSTANCE M. BARTON,
Secretary.

MIAMI, FLA.

DEAR MR. ALDERMAN: I feel very bad to think all our beautiful eagles are being shot down. Won't you please do something for their protection?

MISS FRANCES STERNFELD.

ST. AUGUSTINE, FLA.

DEAR MR. ALDERMAN: I am wholeheartedly in sympathy with your brave battle to protect the few survivors we have left of that noble king of the skies: Our golden eagle.

LILLIAN BRACH.

TORONTO, CANADA.

DEAR MR. ALDERMAN: Thanks for your letter. I will do all I can on behalf of protection of the golden eagle.

JOHN CAMERON.

FLORIDA LEAGUE FOR HUMANE PROGRESS,
Miami Beach, Fla.

Hon. GEORGE A. SMATHERS,
U.S. Senate.

Hon. SPESSARD HOLLAND,
U.S. Senate.

All nature lovers know that the persecution of the eagles is detrimental to the interests of mankind and all real Americans have a very high regard for this bird.

C. B. CORNWELL, *President.*

TEXAS ORNITHOLOGICAL SOCIETY,
Palestine, Tex.

Hon. RALPH YARBOROUGH,
U.S. Senate.

We shall deeply appreciate any assistance you can render the golden eagle and the people who are concerned about its status.

Miss CARRIE HOLCOMB, *President.*

TYLER AUDUBON SOCIETY,
Tyler, Tex.

Hon. RALPH YARBOROUGH,
U.S. Senate.

The board of directors of the Tyler Audubon Society, a branch of the National Audubon Society, has directed me to write you urging that you do everything possible to aid in passage of legislative protection for our magnificent golden eagle, which is rapidly being catapulted to extinction."

Mrs. MARIE TAYLOR, *Secretary.*

DEAR MR. ALDERMAN: It is very helpful to me to have the benefit of your views and advice on the important subject of the golden eagle. You may rest assured that I am giving this subject my careful attention.

RALPH YARBOROUGH, *U.S. Senate.*

[Press item from the Eagle Pass Texas News Guide, July 21, 1960]

For the increasing number who do care about the preservation of our wildlife and have come to see the wisdom of God's balance of nature, it is encouraging to know that Senator Yarborough may be persuaded to introduce a bill into Congress for the Federal protection of the golden eagle.

WELDER WILDLIFE FOUNDATION,
Sinton, Tex.

DEAR MR. ALDERMAN: I share your feeling that Federal legislation is needed for protection of the golden eagle.

DR. CLARENCE COTTAM.

MAVERICK COUNTY WILDLIFE CLUB,
Eagle Pass, Tex.

Senator YARBOROUGH,
U.S. Senate:

Since Texans have probably worked harder to exterminate this wonderful bird than any other group of Americans, we feel it entirely fitting and right that a Texan should introduce such a bill and we urge you to do so.

DOROTHY WORRELL, *Secretary.*

NATIONAL AUDUBON SOCIETY,
New York, N. Y.

DEAR MR. ALDERMAN: Your letter re the golden eagle serves as a emphatic reminder to me that here is an area requiring the continued vigilance and best efforts of the National Audubon Society. Our staff has been discussing this and we shall continue to explore and apply measures—research, educational, and legal, when and as we can to eliminate this senseless slaughter of an important bird.

CARL W. BUCHHEISTER, *President.*

KERRVILLE, TEX., *June 29, 1962.*

HON. RALPH YARBOROUGH,
U.S. Senate, Committee on Commerce,
Washington, D.C.

DEAR RALPH: Appearing before your committee was a real pleasure and I appreciate having had the opportunity to do so. I am sorry that I had no previous experience in appearing before such a body. I was a little nervous and did not think of all the things I would have liked to bring out in my testimony.

The scientists keep reiterating that eagles live principally on carrion. I grant that they do eat on carrion—most of which they kill for themselves. As stated in my testimony, I have seen them time after time, after killing a deer, return to it and eat on it until it is all gone. However, usually something else cleans it up before too long, such as buzzards, etc., and the eagles kill another animal.

If a rancher is fortunate enough to find a deer on the same day it has been killed and sets a bunch of steel traps around it, it is a simple matter to catch the eagles in the traps.

Should a law be passed prohibiting us from destroying these birds of prey, the steel traps will be our answer. None of us want to become a game violator but none of us want to be deprived of the right to protect our investments in order to make an honest living. Every eagle in our area can be caught in steel traps if everyone works at it hard enough and uses deer for bait—I mean a dead deer which an eagle has killed and which the Audubon gentlemen call carrion.

Once the lambing and kidding season starts each eagle will kill a lamb or kid a day. Lambs and kids are very small for the first 2 or 3 weeks of their lives. An eagle will eat most of a lamb or kid when it is first killed and will not bother to return to this carrion, but will kill another the next day.

As you will remember, the Audubon gentlemen said that the only thing which killed an eagle outside of man was the porcupine. If an eagle will attack a porcupine, it will attack anything. I know they will kill any kind of small animal including coons, foxes, opossums, ringtails, and skunks.

As I stated on the witness stand, I have caught skunks in steel traps and I know that an eagle will come along and kill a skunk and eat it. If eagles will eat skunks and attack porcupines they will eat anything small enough for them to handle, and it does not have to be a marmot or ground squirrel.

In our area there are no marmots or ground squirrel. So, the eagles kill our wild turkey, deer, lambs, kids, and other small animals. The only reason that marmots and ground squirrels are the eagles' chief food in Canada and Alaska is because they are so plentiful and such easy prey.

Again, I reiterate that I know eagles kill wild kids and lambs when they are small and helpless. Why should they not do so? They are easy prey and if eagles kill our domesticated kids and lambs as they do, they will kill the wild lambs and kids.

I hope your committee takes a long serious look at this bill to protect the golden eagle, before it is made into a law affecting west Texas ranchers. We cannot have anything but open season on the golden eagles, because we have to kill them before lambing and kidding seasons start.

If it is not too late for you to do so, perhaps you can add this letter to the information to be considered by your committee.

Ralph, again my sincere thanks for all the courtesies and consideration shown by you and O. C. Fisher while I was in Washington. It was a great experience and one I shall long remember.

Yours very truly,

DAN AULD.

