

April 4, 2014

The Honorable Daniel Ashe
Director
United States Fish and Wildlife Service
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Director Ashe:

Our organizations, which represent millions of Americans, are writing to express our opposition to the Obama Administration's and U.S. Fish and Wildlife's (FWS) proposed ban on the domestic sale and trade of legally owned, pre-ban ivory.

During the February 26, 2014, hearing of the U.S. House Committee on Foreign Affairs, you made clear that the FWS would soon make illegal the sale of domestic, pre-ban ivory that is less than 100 years old. More recently, the Administration's Federal Advisory Council on Wildlife Trafficking reaffirmed that FWS is moving ahead with the ban. Like you, we agree that the United States should not be contributing to poaching and the illegal trade in ivory. However, the Administration and the FWS have not explained how shutting down the domestic sale and trade of pre-ban ivory would discourage poaching or stop the illegal ivory trade.

The proposed ban would go against the FWS's longstanding position that most ivory in the U.S. has been legally imported and that its sale in the U.S. would not increase poaching. Domestically, ivory has been widely and legally used for a variety of purposes, including: fine furniture, jewelry, sculptures, toys, musical instruments, knife handles, firearms, watches, clocks, and a myriad of other objects. If implemented, the ban would make American owners of legal, pre-ban ivory potential criminals overnight, as well as strip their pieces of commercial value, adversely impacting the finances of millions of Americans.

Although you have proposed an antique exemption for items at least 100 years old, FWS has indicated that the onus would be on the owner to prove that the ivory is old enough—a nearly impossible burden in many, if not most, cases. Pre-ban ivory pieces generally lack documentation that prove provenance, in addition to the fact that antiques are often restored with newer ivory parts. Furthermore, meeting the FWS's standards of proof would be extremely challenging and expensive, unaffordable to most American ivory owners, as FWS would require evidence such as scientific testing, a “qualified appraisal,” or other “detailed history” information ranging from family photos to “ethnographic fieldwork.”

Moreover, implementing and enforcing a ban on domestic sale of ivory would be a gross diversion of scarce resources. Instead, these resources should be directed towards the real problem—poaching and the illegal ivory trade.

For these reasons, the undersigned organizations respectfully request that you continue to work on a reasonable solution to end poaching and the illegal ivory trade without hurting innocent, law-abiding Americans who own pre-ban ivory. Thank you for your consideration, and we stand ready to work with this Administration to combat poaching and the illegal ivory trade.

Sincerely,

**American Cuemakers Association
American Knife & Tool Institute
Antiques & Collectibles National Association
Associated Pipe Organ Builders of America
Chess Collectors International
Colt Collectors Association
CueSports International
Custom Knife Collectors Association
Dallas Arms Collectors Association
Firearms Engravers Guild of America
International Match Safe Association
International Cuemakers Association
International Netsuke Society
International Premium Cigar & Pipe Retailers Association
International Society of Cane Collectors
Knife Rights
National Auctioneers Association
National Knife Collectors Association
National Rifle Association
National Shooting Sports Foundation
Professional Knifemakers Association
Safari Club International
Smith & Wesson Collectors Association
Smith & Wesson Historical Foundation
Society of American Silversmiths
Stein Collectors International
Texas Gun Collectors Association
The International Ivory Society
The Knifemakers Guild
The Piano Technicians Guild, Inc.
Winchester Arms Collectors Association**