

**Comments to the Advisory Council on Wildlife Trafficking
March 20, 2014**

The League of American Orchestras is the national arts service organization of approximately 800 orchestras across the United States – all 501(c)(3) nonprofit charitable organizations – representing thousands of administrators and musicians working daily to deliver orchestral music to audiences worldwide. The League is also an active participant in the wider international cultural exchange community and is regarded as a leader in providing technical assistance to support international artistry. Our partners in that effort include the American Federation of Musicians, The Recording Academy, Chamber Music America, the American Federation of Violin and Bowmakers, and NAMM, the National Association of Music Merchants.

We are fully committed to the goals of wildlife conservation and combatting illegal trade in ivory and other protected species. We are grateful for the substantial support provided by the staff of the U.S. Fish and Wildlife Service, who have generously offered their time and knowledge as our community seeks to understand the content of the February 25, 2014 Director's Order and the immediate process for being in compliance with rules and regulations related to African elephant ivory.

Orchestras, in partnership with the broader music community, will be engaged in ongoing opportunities for public comment and will participate in the rule-making process to address concerns related to the Order's limitation on the use and re-sale of legally purchased instruments crafted decades ago. We believe that the Order's immediate and specific limitation on travel with instruments legally purchased after 1976 will seriously impair the ability of musicians to engage in international cultural activity. Most of the musical instruments containing ivory that are currently in use, while legally manufactured and acquired, have been purchased after 1976 and will now be prohibited from entering or re-entering the U.S. under the Order.

Orchestras often invite international artists to perform for U.S. audiences, U.S. orchestras tour internationally to perform for audiences across the globe, and musicians frequently travel abroad to perform as soloists and smaller ensemble members. A great many professional musicians, particularly string players, perform with instruments that contain small amounts of elephant ivory, most frequently found in the tips of bows. Ivory may also be found in an array of string instruments, wind instruments, and certain percussion instruments.

These instruments were legally crafted decades ago. They were not purchased for their ivory content, but rather for their impeccable overall quality and attributes that enable their owners to perform to their very best abilities. In most cases, the ivory material is not easily replaced without risk of irreparable damage to the instruments, and most musicians do not have suitable substitute instruments for use in international travel.

The Council has mentioned today that it is seeking clarity on a number of matters, and we share that pursuit. We are asking for time that is needed to achieve clarity as it pertains to the international use of musicians' tools of their trade. We look forward to partnering in further conversations and comment opportunities, and we hope to find a near-term solution that meets conservation goals while supporting international cultural activity.