

I am writing to express my concerns about activist efforts to ban the possession, sale, or purchase of any and all ivory or ivory products. My concern is that there will be unintended consequences of such a state ban that the activists and many members of the legislature have not yet realized or been informed of.

The intent of activists is to protect the elephant population, which is a worthy cause, but the U.S. Fish and Wildlife Service (U.S.F.W.S.) has reported that current U.S. laws and bans enacted in 1973, and the requirements of the international C.I.T.E.S. agreement (that the U.S. is a signatory to) have been absolutely effective in stopping the illegal importation of elephant ivory into the U.S. According to the U.S.F.W.S.' own reports, the U.S. does not present any significant problem to the elephant population. According to U.S.F.W.S. studies, it is China, Japan, and the Philippines that the world needs to put pressure on.

Equally important to know is that elephant ivory is not the only ivory in the world and a total ivory ban would create an enforcement nightmare. Many feral hogs that are devastating the farmlands of Texas and Florida have ivory tusks and their populations are out of control. These hogs cause an estimated 1.5 billion dollars in damages each year. A total ivory ban would essentially make those animals protected from hunting control. Also, the American elk has ivory teeth. A total ivory ban means that elk hunting would absolutely become illegal, as the hunter is essentially buying ivory when purchasing a hunting license and then is in possession of ivory once they shoot an animal. Also, ancient ivory from the extinct mammoth would also be illegal. Gold and mineral miners dig up ancient broken tusks and pieces of mammoth ivory all the time in their mining operations and museums don't even want what the miners are finding. This is ivory from an extinct creature that endangers no living animal at all and it, too, would become illegal to possess or sell.

This is just a small example of the many animals around the world that have ivory and are not endangered in any way that a total ivory ban would unintentionally impact and create problems over. Ivory is a tooth and many, many animals in the world have ivory teeth. Elephant ivory is just one type of ivory from only one animal in the larger world of ivory.

Also, there are several tons of ivory already in the U.S. that was legally imported prior to the 1973 U.S. ban. This ivory is currently legal to own or sell within the borders of the U.S. but this ivory would suddenly become illegal under a total ban. There are also many legal collections of ivory art that are generations old that would suddenly make the families that own them criminals. The same law would also make any musical instrument that has ivory in its construction illegal to own and musicians as well as instrument collectors would also become criminals.

Such a law would also outlaw a cherished American art form: scrimshaw. The art of etching or engraving on ivory is one of the very few art forms that originated here in the U.S. Most art forms were brought here from settlers throughout the world, but scrimshaw originated in America and is well over 200 years old.

There are artists and artisans who make their entire living creating scrimshaw artworks which sell for hundreds to thousands of dollars each on ancient or completely legal ivory from non-endangered animals like mammoth, fossil walrus, hog, and even elk. Most scrimshanders are

well known and their work is avidly collected. Even President John F. Kennedy was a scrimshaw collector. Many of these artists depend upon the sale of their art to make their living and much of the art they create is done on recycled ivory from things like old piano keys, ancient Inuit fishing weights and sled runners, and even old billiard balls. If an ivory ban passes, artists will not even be able to recycle old ivory. This is just another example of what I mean when I say unintended consequences.

A more considered approach to ivory is what is needed. Protect the elephant but don't enact laws without regard to the reality of ivory and what it is and where it comes from.

Consider that elephants are not the only animals with ivory. Ivory also comes from many, many other living as well as extinct creatures that are not now nor ever will be endangered. Also, ivory art is generations old, restoration of collectible and ivory museum pieces would become impossible, and even hunting laws would have to be rewritten under a total ivory ban.

Activists want to protect the elephant but they do not consider nor inform legislators about the reality of the real world of ivory and how well the elephant has been protected by and within the U.S. with our existing laws and treaties. They also claim elephant ivory cannot be distinguished from mammoth ivory but this is not true as the U.S. Customs Service and even informed individuals have been able to separate the two for more than forty years. They also use the threat and problems caused by other countries in half-truths as if those things were also a problem here in the U.S. and then they claim that only a total ivory ban is the solution. This is neither true, necessary, nor the common sense reality of the real world of ivory.

I encourage you to continue to protect any animal that needs it, but to do so with an informed vote and not be swayed by half-truths and the very loud but uninformed voice of most legislative activists. A total ban on all ivory within the state or within the U.S. is not the solution to elephant protection and would adversely impact families, business, and create any number of unintended legal challenges.

Best wishes,
Jim
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