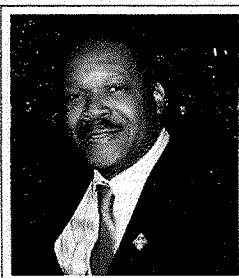


LEGISLATIVE-POLITICAL UPDATE



Urgent Call to Action: Register Your Instrument to Help Avoid Interrupted International Travel

by Alfonso M. Pollard, AFM Legislative-Political Director and Diversity Director

Do you have a passport for your musical instrument? If you don't, here's how one scenario might play out. You book or land a job overseas in "paradise" or you travel abroad to participate in a glorious international student music festival. You leave the US without a hitch, instrument in tow, and in full view. You spend two or three unforgettable weeks performing. Upon return to the US, a customs and border agent notices your instrument and moves you into the inspection line. Your instrument is inspected, and behold, agents identify a CITES or ESA-listed rare wood, endangered species, or plant-related component. Customs and/or agriculture agents ask a series of questions about ownership. You are then asked for your USFWS musical instrument permit or passport. Hmm ... what's that? You don't have one!

Well, so much for paradise because, what comes next may be excruciating and unbearable.

For AFM members who own valuable musical instruments that may contain parts or products of species protected under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and/or the Endangered Species Act (ESA), it is *imperative* that you act *immediately* to obtain a US Fish and Wildlife Service (USFWS) traveling permit for your musical instrument. You should apply as far ahead of your trip as possible because government processing time may be unpredictable. Whether you are planning a one-time trip, or multiple tours outside of the US, you should immediately apply for the appropriate permit to allow you to exit *and* re-enter the US without putting your instrument at risk. Even if you are not currently planning international travel, get a permit anyway! Since the permit has a three-year lifespan, you will be prepared in case you are booked to travel and work at the 11th hour.

If your instrument does *not* contain any of the federally listed materials, consider now whether you plan to purchase an instrument or raw materials that appear on the list. Learning about and observing USFWS guidelines (QR Code #1) *prior to departure from the US* can save you time, trouble, and lots of money.

The AFM Office of Government Relations, in cooperation with the Congressional Arts Group (CAG), have been meeting regularly since May 2013 with USFWS administrators about federal guidelines, as well as new proposed rules and travel certificates for musical instruments containing rare woods and endangered species components. These high-level meetings at USFWS headquarters came about as a result of several cases of musical instruments being denied re-entry into the US. Prior to departure from the US, the instrument owners were not aware of their obligation under the law to obtain a USFWS exit and re-entry permit, which certifies proof of ownership. The current application can be located with QR Code #2. In addition to customs and border security agents, USCIS and Department of Agriculture agents staff international ports of exit and entry with the express responsibility to identify objects that may violate the law or provisions of the CITES treaty.

Protect Your Priceless Musical Instrument from Customs Seizure and Possible Destruction.

The AFM is asking for your help. Please take time to participate in this very important call to action.

USFWS is working on new rules. But, more importantly, the service has now stepped up enforcement of current rules. As a courtesy, the department has been meeting and working with the AFM and CAG about a new musical instrument passport and new administrative rule-making that will allow exit and re-entry into the US. The process is currently in the public comment period and the AFM is reviewing new certificate language and forms connected with the pending Musical Instrument Passport application (QR Code #3).

Note: For those with an interest, it was settled that the recent confiscation and destruction of prized bamboo flutes at JFK Airport was done under the auspices of Department of Agriculture rules that also define prohibited or banned substances. This agency also requires certification prior to departure and for re-entry back into the US (detailed in QR Code #4).

Call to Action on African Ivory

On February 25, 2014, the USFWS, under the auspices of the US Department of the Interior, issued a directive outlining sweeping new administrative actions to strengthen US trade controls for elephant ivory, rhinoceros horn, and parts and products of other species listed under the Endangered Species Act (ESA) (QR Code #5). Many stringed instruments and some brass instruments will be impacted by this new directive. Frequently asked questions relating to this new directive are answered by following QR Code #6.

This recently created federal rule went into effect immediately. The Congressional Arts Group and the AFM have both raised questions as to how these rules actually apply to musical instruments containing minimal portions of this newly banned substance and made prior to February 26, 1976. The AFM Office of Government Relations is working with a group of nationally recognized organizations. We have dovetailed our efforts on this issue with our ongoing USFWS discussions about CITES regulations and the instrument passport.

We Need Your Help

Having informed you about the recent elephant ivory ban, the AFM needs your help spreading the word among our colleagues. We ask that you go to the AFM webpage, click on the Announcement link, take our survey and sign an AFM petition which strongly encourages government leaders to provide a carve-out for musicians whose musical instruments may contain

infinitesimal amounts of elephant ivory. The survey will only be posted for four weeks so act now.

Please log onto the AFM homepage, click on the Survey/Elephant Ivory link under Announcements. When you have completed the process, please ask your colleagues to do the same. We will continue to work with CAG and USFWS. However, AFM President Ray Hair will need to use the results of this survey in a letter to officials at USFWS and to US Department of Agriculture leaders pushing for a possible carve-out. We will post the results of the survey on the AFM homepage with a link to our legislative webpage. The campaign begins immediately and lasts until Wednesday April 25, 2014. Please log on now.

If you have questions, please contact Alfonso M. Pollard in our Office of Government Relations by e-mail: apollard@afm.org or phone: 202-274-4756. Thank you for your help and most importantly for your membership.

Useful Links

1) USFWS Musical Instrument Travel Permit Requirements
<http://tinyurl.com/mk4vjcg>

2) USFWS International Musical Instrument Permit
<http://tinyurl.com/nev9v2e>

3) Federal Register Notice: Proposed New Musical Instrument Passport
<http://tinyurl.com/kbzjrw7>

4) US Department of Agriculture National Organic Banned Substances
<http://tinyurl.com/pjps09q>

5) US Department of the Interior, Elephant Ivory Ban
<http://tinyurl.com/qlhxd96>

6) USFWS Q&A Guidance on Elephant Ivory and Musical Instruments
<http://tinyurl.com/o2t2c8s>

