



Policy Brief: America Can Close Ivory Loophole

Loophole: The exact raw tonnage imported into the U.S. is deliberately obscured because the 2016 loopholes specifically protected "antiques" and "de minimis" items. This allows traffickers to smuggle ivory as commercial pieces rather than bulk weight. However, this loophole sustains a massive domestic black market; recent investigations found over \$1.2 million worth of undocumented ivory for sale in just a single U.S. state over a few days.

- **Annual Global Volume:** Poaching produces between 100 to 170 tons of illicit, raw ivory exported and smuggled out of Africa every year.
- **The Security Seaport Gap:** Traditional data severely undercounts this volume; fine-print documentation reveals a massive security gap where an estimated 40-90% of ivory is completely missed and never seized at ports of entry.
- **The Commodity Base Value:** The low-end, baseline value for bulk, commoditized raw ivory is approximately \$3,000 per kilogram.
- **The Elite Multiplier Value:** The true financial threat to national security is the Elite Illicit Market, where singular, bespoke, or ritualistic ivory artifacts command valuations from \$1 Million to well over \$10 Million USD per item. These serve as High-Value Value Storage mechanisms to move untraceable wealth outside the SWIFT banking system.

Core Crisis Facts

Threat Category	Verified Reality
Terror Finance Link	The ivory-linked criminal economy enters billions of dollars annually, serving as a high-value settlement currency for multi-commodity illicit trade, directly funding Al-Shabaab, the LRA, Janjaweed, and Boko Haram.
Population Collapse	In the 1800s, 26 million elephants roamed Africa. Today, due to industrial poaching, less than an estimated 240,000 remain, verified by 2014 Princeton University research. Elephants are currently being killed faster than they are giving birth.
Frontline Human Cost	The illicit ivory trade systematically funds the slaughter of wildlife rangers, indigenous villagers, and civilian populations. Criminal networks now utilize advanced Agentic AI to coordinate poaching, making the trade 4.5 times more profitable.

The Pragmatic Enforcement Framework

1. **Complete Resale Ban:** Applies strictly to all non-functional ivory objects, raw tusks, and purely decorative antiques that serve no active mechanical purpose.
2. **Shifted Burden of Proof:** Instructs federal enforcement agencies to require sellers and importers to provide irrefutable, definitive verification of an item's history.
3. **Narrow Functional Exceptions:** Discretionary carve-outs are permitted strictly for certified, active musical instruments and validated historical artifacts with functional mechanical components, protecting legitimate history while blocking illicit laundering infrastructure.
4. **Stabilization Strategy:** Outlines clear phases for tactical training of African rangers, economic substitution through sustainable ecotourism in nations like Gabon, and technical infrastructure partnerships utilizing satellite telecommunications networks like Starlink to relieve extractive economic pressures.