AN ANALYSIS OF THE COMMUNICATION EFFORTS MADE BY LAW-ABIDING ANIMAL ADVOCACY GROUPS ABOUT THE ANIMAL ENTERPRISE TERRORISM ACT

By

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To my Family
ACKNOWLEDGMENTS

I thank my parents for always being so wonderfully supportive. I thank my baby brother for being so sweet and complimentary for so many years. I thank my Jon for being so much of my life during this period of the big picture. Most of all, I thank my little baby for changing my life entirely. I promise every suffering creature that I will dedicate my life to helping others understand and lessen your plight.
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The Animal Enterprise Terrorism Act (AETA) was signed by President George W. Bush on November 27, 2006 amid claims that the language of the bill featured oversights that could threaten certain civil liberties for those involved specifically with animal advocacy. Seventeen telephone interviews were conducted with representatives of law-abiding animal advocacy groups in order to analyze the communication efforts that were made by these groups regarding AETA. Instead of participating in a telephone interview, one organizational representative provided written answers to a list of sample questions. The responses of the 18 participants revealed that, generally speaking, law-abiding animal advocacy groups’ communication efforts about AETA were not enacted until AETA was close to being passed in both houses of Congress and that the passing of the bill has not hindered their campaign efforts up to the point of this study. This study reveals implications for those involved in the study or practice of law, public relations, or activism.
CHAPTER 1
PURPOSE AND SIGNIFICANCE

Introduction

While most animal rights and animal protection groups condemn the use of violence or intimidation to incite change, like other social movements, the animal advocacy movement has an extremist sect. As stated in its preamble, the Animal Enterprise Terrorism Act (AETA) was written “[t]o provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror” (Appendix A).

According to the bill’s sponsors, AETA was designed to stop terrorism activities employed by “animal rights extremists” (Gantman, 2006, ¶ 1). However, the bill’s opposition, which consisted, among others, of such organizations as the Humane Society of the United States (HSUS), People for the Ethical Treatment of Animals (PETA), the American Society for the Prevention of Cruelty to Animals (ASPCA), the National Lawyers Guild (NLG), New York City Bar Association, and the Natural Resources Defense Council, claims that the language of the act was far-reaching enough to negatively affect law-abiding animal rights and animal protection groups by potentially squelching First Amendment rights including (but not limited to) boycotts, peaceful protests and media campaigns using video footage.

Purpose

The purpose of this study is to analyze the political advocacy communication efforts made by animal advocacy organizations that, according to the Equal Justice Alliance (EJA), oppose AETA (Appendix B). The EJA was created in September 2006 in an effort to prevent AETA’s potentially harmful effects upon law-abiding animal advocacy organizations. In this study, the term “law-abiding” is reserved for organizations whose sole purpose is to advocate on behalf of animals in the United States, and in doing so do not engage in any violent, law-breaking
activities. Particularly, these groups do not utilize the tactics used by what Chapter 2 will describe as being part of an “animal liberation” agenda.

**Significance**

This study will contribute to the body of knowledge available with regard to activism theory by illustrating the significant differences in the ways that distinctive groups within one social movement induce change. Furthermore, a strong case will be made for encouraging outside parties not to define social movements by the acts that fringe groups may take or be assigned responsibility for.

Within the study of public relations, it is understood that the field is in need of a dose of its own reputation management. Although ethically driven practitioners know that a bad reputation for the public relations field is not representative of the discipline, that does not mean that outsiders to the field do not have a negative perception about it. As Rampton and Stauber (1995) claimed, “PR companies have also become adept at ‘manufacturing’ apparent support from ordinary people for the goals of industry” (p. 174). Similarly, the animal advocacy movement has a situation in which outsiders may often bundle the entire movement based on the actions of its unethical practitioners.

The idea that the practice of public relations might have a negative image in American culture is not only an obstacle for those in the field of public relations, but it could be a magnified problem for those conducting public relations for animal advocacy groups. As mentioned above, this study will serve to analyze what communication strategies were put forth by groups that utilized what could be considered a more mainstream-friendly form of activism, yet could be negatively affected by a law that was not officially designed to hinder them. Leaders and communicators of non-animal-focused social movements can benefit from this analysis by analyzing this situation in the way they would a case study. This would allow similar
circumstances to be identified at an early stage and would perhaps even prevent an analogous turn of events.

Communications educators and students can also benefit from evaluating the role that their communications efforts played in responding to and addressing a law that could arguably hinder them. Law educators and students stand to gain an understanding of the type of reaction that a social movement group can have toward a law that is accused of being too vague or poorly written.

Hearing from organizational representatives directly, rather than forming conclusions based on available samples of their communication, can provide far greater assessment of their communication strategies than the sole evaluation of the released written materials (i.e., Web site content on the subject, press releases, direct mailing pieces, letters to the editor, brochures, e-mail blasts, newsletter communications, official statements, etc.). This is a benefit for not only the methodology, but for every one of the above-mentioned individuals who can gain an advantage by familiarizing themselves with this study.
CHAPTER 2
REVIEW OF THE LITERATURE

Activism Theory and Research in Public Relations

Activist groups are entities within social movements that often exist to incite change by informing people about the practices that the groups deem as being in need of modification or abolition. Unfortunately, communication efforts between activist groups and the bodies that they try to change are often unproductive. As declared by Grunig et al. (2002), “many organizations . . . try to ignore activist groups. When they are willing to communicate, they practice either one-way or two-way asymmetrical public relations. This approach rarely works . . . Failure to establish good relationships with these often-belligerent groups may result in crisis situations” (p. 447).

The spreading of information about an activist group’s cause(s) helps to garner support from people who were not previously aware of the issue in question. That support helps to put pressure on, among others, corporate and governmental entities that form the offending party or parties. The essence of public relations is often said to be the practice of managing mutually beneficial relationships between an organization and its publics. Although activist groups can sometimes seem to be a hindrance, as stated above, it is imperative that the public relations field recognizes them among its lists of stakeholders. As Anderson (1992) stated,

activist groups are strategic publics because they constrain an organization’s ability to accomplish its goals and mission. Activists create issues; they appeal to government, the courts, or media for litigation, regulation, or other forms of pressure. As a result, research on activism has become one of the most important domains of public relations research. (p. 1)

In fact, the value of public relations as a practice is often highly attributed to its ability to “deal with” activists. As Grunig et al. (2002) stated, “why is managed communication valued so highly? What, exactly, is it worth? The answer lies primarily with activism” (p. 114).
Negotiations between corporations and activist groups can sometimes seem nearly impossible to attain because the two often have different values or misunderstandings about the other. Murphy and Dee (1996) studied the conflict between environmental activists and corporate policymakers. They concluded that although each side often had similar priorities, “neither side had the accurate information about the other’s position that is needed to negotiate well” (p. 25). However, constructive dialogue with activists can transform a crisis situation into a positive learning experience. In an age in which corporate scandal is not unheard of, this could increase the chances of survival for an organization after a crisis situation. For instance, the labor conditions in its South Asian factories brought international protests to the Nike Corporation. “As part of its response to the crisis, Nike created official policies on corporate responsibility and involved local NGOs in factory monitoring. Nike was clearly in the wrong, and its subsequent decisions were responsible ones” (Li, 2001, p. 13). Furthermore, a corporate and activist interchange can even serve to discover unexpected financial benefits. In describing Hadden’s findings, Tombs and Smith (1995) asserted, “in certain cases, citizen groups have negotiated with companies to reduce emissions following which the latter have then realized considerable cost savings” (p. 144).

Not only can engaging in dialogue with activist groups be a beneficial action for an organization, but it is also important to note that activist groups within the same social movement do not operate in the same way. While one group might be demanding the eradication of a practice, another activist group might be willing to make some compromises as long as they can take steps in the right direction.

Interestingly, the range in the feasibility of activist groups’ goals or demands might actually be responsible for progress within the entire movement. The relationship among
different activist groups within the same movement is remarkable in that the radical and moderate goals sometimes need each other to incite change. For instance, Derville (2005) illustrated this concept within the animal advocacy movement as follows:

By making demands that powerholders are unlikely to accept, radical activist organizations stay faithful to their vision and redefine what people consider moderate by moving the ends of the spectrum. By arguing for much more radical demands than mainstream activist organizations request, they increase the reasonableness of mainstream activist organizations’ demands. (p. 531)

When it comes to engaging in two-way symmetrical communication with corporations, individual animal activist groups are often faced with not only the challenge of being an activist group, but also coping with accusations of irrationality. As Munro (2001) explained, “a movement predominantly female in membership is likely to attract criticism as being ‘emotional’ (stereotypical feminine trait) as opposed to ‘rational’ (the masculine opposite)” (p. 45). Such allegations can often serve as a way to deter the mainstream from paying attention to animal activist groups’ messages. In his framing analysis of the debate on animal experimentation, Kruse (2001) exemplified that notion as follows:

If a social movement is to effect social change, it must promote awareness of the issues it seeks to address. To do this effectively, movements must garner mass media coverage. Unfortunately, such attention is difficult to come by, and individuals are forced to engage in disruptive behavior, which then becomes the focus of attention. (p. 85)

Even though activist groups might have a hard time getting their communication efforts to be validated by the industries that they are acting against, as well as having access to the media that can largely disseminate their message, all is not lost. The American public’s general distrust of governmental agencies and corporations (Forstner and Bales, 1992) sometimes gives activist groups credibility when providing information about a subject.

Although the general suspicions about governmental agencies and corporations have provided leverage for some activist groups, the funding that activist groups receive from their
supporters is significantly smaller by comparison. This means that activist groups are forced to make their funds last as long as possible if they want to gain the sort of attention that will incite the change that they desire. The confidence that activist groups are bestowed today was not available until activists began using media-specific tactics in order to prove their accusations. Rose (1991) illustrated that turning point as follows:

The limited dollars which a fledgling group might once have invested in a mimeograph machine and flyers to post at the supermarket are now more likely to be spent for video production. In a surprising move to many observers in 1988, H.J. Heinz, Van Camps and Bumble Bee announced they would stop buying tuna caught using methods which kill dolphins. The issue was nothing new. Activists had been urging protection for dolphins for more than a decade. What was new was the advocacy tools used to bring pressure for reform. (p. 30)

Activist groups have become more effective over the years by first using video footage and later taking advantage of the power of the Internet. As Li (2001) stated, “[t]he Internet has given rise to a new kind of advocate: the virtual activist” (p. 12). The simplicity of launching e-mail blasts and facilitating the access of fact sheets and streaming video via the Internet has significantly cut down the time, manpower and funding needed to disseminate information to large audiences; this has been essential in facilitating the spread of activist groups’ messages. As Illia (2002) stated, “cyberactivists make excellent use of the web by following online dynamics and logic by utilizing the internet as a relationship medium as well as an information medium” (p. 334).

As they become more effective, activists can cost corporations their reputations and, even worse, their money. Tombs and Smith (1995) suggested that even though corporations increasingly have the right idea about pursuing corporate social responsibility, activist groups also increasingly expose contrary actions by corporations “in the light of local, or increasingly global, problems” (p.135). Kirkland (2002) quoted Nichols in expressing the common, highly defensive corporate sentiment that can develop in response to activist groups:
By giving in, companies are setting themselves up as an easy target for other groups. . . . Challenging tax exemptions is only one way corporate America can fight back against these so-called “attack groups” . . . if you’re in the right and conducting business legally and ethically you ought to defend yourself and not assume they’re going to go away because they’re not going to go away. (¶8-35)

Corporations can become disheartened and resentful when their seemingly good actions are overshadowed or dismissed when activists attack them, which often leads to the above-referenced defense mechanisms from those industries. This is the case in the biomedical industry, which creates life-saving advances for humans but is at the same time criticized and even attacked by animal rights activists for inflicting pain and suffering upon living creatures. Kruse (2001) explained that notion as follows:

Although active, organized opposition to vivisection has existed since the mid-1800s, scientists who performed experiments upon animals could, until relatively recently, look forward to overwhelming approval from the public for providing knowledge that could ease human suffering and improve the human condition. Such opposition as did exist was confined primarily to the fringes. In the last quarter century, all of this has changed as support for the rights of nonhuman animals has increased. Grassroots animal advocacy groups have sprung up in many areas, and membership in national organizations has risen dramatically. (p. 70)

This is also the case for the agricultural industry, which provides large and affordable quantities of food, yet is also criticized and attacked by the animal advocacy movement for inflicting pain and suffering upon sentient animals. Such sentiments were clearly stated in March 2007 by the president of the American Farm Bureau:

Animal agriculture is under fire. I call it “animal warfare.” Special interest groups campaigning around the nation under the banner of animal rights, and using emotion to trump fact-based science, are changing the way the livestock industry has legally and humanely operated for years. While wrapping themselves in a warm and fuzzy flag, these groups employ sophisticated, big-money tactics to misinform the uninformed. The campaign is spreading across the country. Animal activists are rallying throughout the nation behind ballot initiatives, legal action and lobbying to shut down animal agriculture. These groups are going state-by-state campaigning on emotion, leaving many producers concerned with who will be the next target. (Stallman, 2007, ¶ 1-2)
The Animal Activism Spectrum

The animal activism spectrum (Appendix C) is included in this study with the purpose of illustrating the fact that there are different facets within the animal activism movement. It is not meant to be a definitive explanation of the social movement that focuses on alleviating the suffering of animals nor is it a representation of the law-abiding organizations that have been interviewed in this study. Instead, it is the researcher’s way of visually representing the organizations that are popularly associated with the animal advocacy movement. In this study, the terms “animal advocacy” and “animal activism” refer broadly to all groups within the animal-focused social movement.

Most social movements comprise distinctive groups that utilize different approaches to arrive at similar goals. Although different activist groups within one social movement may ultimately have the same concerns, their tactics range from extreme (seeking immediate, radical change) to conservative (realizing that change is a slow and gradual process). Activist groups that carry out violent or illegal actions often do so because they believe that such fundamentalism is the only force that eventually creates room for reform. As Derville (2005) stated,

The first distinction among activist organizations involves the degree of change sought, which determines whether they are more radical or more mainstream on the classification spectrum. Radical activist organizations are more fundamentalist than mainstream activist organizations. They challenge the status quo while trying to prevent it from worsening. (p. 528)

Sometimes, as in the case of the Underground Railroad, that immoderate ideology is responsible for truly contributing to the greater good. On the other hand, actions carried out by extremist groups can oftentimes be detrimental to the mainstream or more conservative, law-abiding groups within the same movement because outsiders often categorize movements in a collective manner.
Animal Liberation Front

At one end of the animal activism spectrum is the underground force known as the Animal Liberation Front (ALF), which is characterized by radical goals and militant tactics. In this study, the two groups that conduct harassment of individuals and employ illegal activities such as property damage in the name of animal rights ideology will be referred to as the “animal liberation” movement. Derville (2005) illustrated the reasoning that some activist groups employ when conducting illegal activities:

Some activist organizations justify highly militant tactics such as vandalizing property and harassing targets because attempts to work through the political system are unlikely to achieve their minimum demands. Aside from attempting to immediately improve the situation, these methods have the more reliable effect of giving members a sense of fulfillment through the reaction they get from the target. (p. 532)

According to the Law Enforcement Agency Resource Network (LEARN), a division of the Anti-Defamation League, ALF began in England during the 1960s (Ecoterrorism, Extremism in the Animal Rights and Environmentalist Movements, ¶ 8). At that time, a group called the Hunt Saboteurs Association (HSA) disrupted fox hunts using road blocks, bullhorns and other troublemaking tactics. Some members of HSA formed the group Band of Mercy (BM) because they felt that more aggressive tactics were needed to help animals. In 1974, Ronnie Lee and Cliff Goodman, two of the original members of BM, were jailed for firebombing a vivisection research center in England. (Merriam-Webster’s dictionary broadly defines vivisection as follows: animal experimentation especially if considered to cause distress to the subject.) ALF was created upon the release of Ronnie Lee, which took place in 1976 (Ecoterrorism, Extremism in the Animal Rights and Environmentalist Movements, ¶ 9). The shift of ALF from England to the United States is not well-documented. However, Kruse (2001) cited Sperling in describing the effect of AFL upon the American biomedical industry during the 1980s:
In 1984 … the Animal Liberation Front (ALF) … raided a research project at the University of Pennsylvania funded by the National Institutes of Health (NIH). On the basis of information gathered in the raid, and subsequent protest to NIH, the secretary of the Department of Health and Human Services suspended funding to the laboratory. For the first time, an administration official had intervened in the allocation of a grant from NIH, the largest source of funding for biomedical research in the United States. (Sperling, 1988, p. 4). (p. 71)

As stated by LEARN, in the United States, ALF has claimed “313 incidents of break-ins, vandalism, arson and thefts committed in the name of animal rights between 1979 and 1993” (Ecoterrorism, Extremism in the Animal Rights and Environmentalist Movements ¶ 11). The 2006 documentary film titled “Behind the Mask” took a deep look into the lives of the people who risk their freedom to engage in activities with the ALF. In it, examples of ALF incidents included break-ins and vandalizations of equipment in research laboratories or fur farms, removal of animals from the facilities, and sometimes arson of the facilities in order to inflict significant economic damage. According to the ALF Web site, ALF’s actions are carried out with the intention of not causing “harm” to people. Within the same statement, there is an allusion to the idea that human harm attributed to extremist animal activists could be partly attributed to infiltration:

One of the fundamental guidelines of the extreme activists is that great care must be taken not to inflict harm in carrying out the acts. This has been borne out in practice. On the very rare occasions when harm has occurred, the mainstream AR [animal rights] groups have condemned the acts. In some cases, the authors of the acts have been suspected to be those allied against the AR movement; their motives would not require deep thought to decipher. The dictionary defines "terrorism" as the systematic use of violence or acts that instill intense fear to achieve an end. Certainly, harassment of fur wearers, or shouting "meat is murder" outside a butcher shop, could not be considered to be terrorism. Even destruction of property would not qualify under the definition if it is done without harming others. Certainly, the Boston Tea Party raiders did not consider themselves terrorists. (Frequently Asked Questions, #89, ¶ 2-3)

In an age when corporate scandals are not unheard of, the notion that a corporation that has been heavily criticized or even harassed by animal activists might be willing to employ unethical tactics to rid themselves of a group that is tarnishing its image is perhaps not likely, but it is
nonetheless conceivable. Kruse (2001) described an event in which an animal activist was probably set up by a biomedical company:

In early November 1988, Fran Stephanie Trutt was arrested in Norwalk, Connecticut, after she placed a pipe bomb outside the headquarters of the U.S. Surgical Corporation. Animal protection advocates had long condemned the firm for its use of dogs to train doctors and company salespeople to use surgical staples. In the weeks after the event information came to light that U.S. Surgical’s president, Leon Hirsch, had been instrumental in orchestrating the event. (p. 81)

On May 18, 2004, John E. Lewis, FBI Deputy Assistant Director, Counterterrorism Division, testified before the Senate Judiciary Committee. His testimony addressed the ALF’s effort to purposely avoid the injury of people as a result of its activities, yet also stated that an increase in “violent rhetoric and tactics, particularly within the animal rights movement” (¶ 8), had been seen.

The ALF is at one extreme end of the animal activism spectrum and it is not representative of the animal advocacy movement as a whole. O’Neill (2001) illustrated the separation between ALF and other pro-animal groups by stating that members of the ALF are “criminal fanatics” and that “[t]heir relentless international campaign of vandalism, arson and bombing has marginalized them even among hardcore animal-rights crusaders” (¶ 1).

Although the minority status of extremists within the animal advocacy movement has been discussed above, the number of incidents perpetrated by these extremists has apparently risen enough to garner attention from certain members of Congress. On May 18, 2005, Sen. James Inhofe (R-Okla.), then Chairman of the Environment and Public Works Committee, held an oversight hearing on eco-terrorism specifically investigating the ALF and the Earth Liberation Front (ELF). By merging the two underground cells under the label of “Eco-Terrorism” in his opening statement for the above-mentioned hearing, Senator Inhofe (2005) essentially explained why he considered the ALF and the ELF to be a single threat:
Today the Committee on Environment and Public Works will highlight the findings of the Committee’s ongoing investigation into the issue of Eco-terrorism. The Patriot Act defines terrorism as “the unlawful use of force and violence against people or property to intimidate or coerce government or civilian population in furtherance of a political or social objective.” The Department of Justice and the Department of Homeland Security agree that eco-terrorism is a severe problem naming the most serious domestic terrorist threat in the Untied States today as the Earth Liberation Front (“ELF”) and the Animal Liberation Front (“ALF”), which by all accounts, is a converging movement with similar ideologies and common personnel. (¶ 1)

Although the FBI’s congressional testimony in the above-mentioned Senate Judiciary Committee (2004) and Senate Committee on Environment and Public Works (2005) hearings made an obvious effort to refer to “animal rights extremists” and “eco-terrorists” as similar but separate entities, the incidents caused by each were merged when summarizing the damage that they have caused, elevating the impact that each group would have if it were to be evaluated separately. According to John E. Lewis, FBI Deputy Assistant Director, Counterterrorism Division, “[f]rom January 1990 to June 2004, animal and environmental rights extremists have claimed credit for more than 1,200 criminal incidents, resulting in millions of dollars in damage and monetary loss” (Senate Committee on Environment and Public Works, 2005). Also noteworthy is the observation that extremist right-wing attacks upon abortion clinics—which have caused human injuries and death—are not classified as domestic terrorism. The Seattle Times’s listing of the FBI’s chronological summary of terrorist incidents from 1980 to 2004 included the following statement:

Among domestic terrorists, the Animal Liberation Front, the Earth Liberation Front and other militant animal-rights and environmental groups—categorized as Special interest domestic terrorists—have been involved in the greatest number of incidents in the past decade. But none of their actions have resulted in injuries or death. The FBI does not classify the vast majority of attacks on abortion clinics as acts of domestic terrorism. Thus, almost all of these attacks—tallied at more than 4,200 since 1979 by the National Abortion Federation [italics added]—are not included in the data base. One notable exception is the Eric Rudolph attacks on abortion clinics. (2006, ¶ 3-4)
Senator Inhofe’s (2005) opening statement at the U.S. Senate Committee on Environment & Public Works Oversight on Eco-terrorism specifically examining ELF and ALF sheds some light on a possible reason for the divergence in attention from the extremist anti-abortion movement to the eco-terrorism movement:

Today we will hear from federal law enforcement agencies, the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco, Firearms, and Explosives, who will discuss the problem of ELF and ALF and law enforcement’s reaction to their dangerous and destructive tactics. It is these tactics, particularly the widespread use of arson, which make ELF and ALF the #1 domestic terror concern over the likes of white supremacists.[sic] militias, or anti-abortion groups. (¶ 3)

Stop Huntingdon Animal Cruelty

The second “animal liberation” group to be discussed in this study is Stop Huntingdon Animal Cruelty (SHAC). In response to the 1998 BBC broadcast of a graphic documentary showing alleged mistreatment of research animals by Huntingdon Life Sciences (HLS), animal rights activists began to pressure financial institutions connected with HLS to sever their ties to the research firm by utilizing philosophy and strategies borrowed from ALF. An article in Satya Magazine described the above-mentioned documentary:

In 1997, animal rights organizations in the U.S. and England infiltrated HLS and emerged with shocking video coverage that would change the public’s view of HLS forever. Extensive footage from both locations showed laboratory workers taunting and abusing animals as they were subjected to invasive procedures and chemical tests. In the UK, HLS workers were caught on video punching beagle puppies in the face. Clandestine video footage from the NJ facility showed workers shoving and throwing monkeys into cages, jeering at them while performing procedures and in one gruesome scene, a supposedly “post-mortem” dissection was performed on a monkey who was still alive. These video clips are only a small segment of months of documentation proving callous abuse and torture of defenseless animals at HLS. (Stagno, 2000, ¶ 3)

As illustrated by LEARN, the campaign against HLS garnered widespread momentum:

SHAC quickly become a transatlantic cause among radical animal rights activists, with chapters in Germany, Italy, Portugal and the United States. To date, its activists have claimed responsibility for several bombings and dozens of acts of vandalism and harassment in both the U.S. and Europe. (Ecoterrorism, Extremism in the Animal Rights and Environmentalist Movements, ¶ 40)
Although SHAC’s aim is to cause economic rather than physical damage, in one instance two men who belonged to a non-U.S. chapter of SHAC beat HLS’s managing director with baseball bats. SHAC condemned the act of violence, yet other occurrences characterized by intimidation, destruction of property and firebombing gave the group notoriety. The following is the FBI’s description of the findings revealed by its scrutiny of SHAC:

Investigation of SHAC-related criminal activity has revealed a pattern of vandalism, arsons, animal releases, harassing telephone calls, threats and attempts to disrupt business activities of not only HLS, but of all companies doing business with HLS. Among others, these companies include Bank of America, Marsh USA, Deloitte and Touche, and HLS investors, such as Stephens, Inc., which completely terminated their business relationships with HLS as a result of SHAC activities. Examples of SHAC activities include publishing on its website as a regular feature “Targets of the Week” for followers to target with harassing telephone calls and e-mails in order to discourage that company or individual from doing business with HLS. (Lewis, 2004, ¶ 7)

According to LEARN, Kevin Kjonaas became involved with animal rights while studying political science at the University of Minnesota, and he briefly served as the spokesman for ALF in 1999 (Ecoterrorism, Extremism in the Animal Rights and Environmentalist Movements, ¶ 42). Kevin Kjonaas established the U.S. headquarters for SHAC two years later. In an article about Kjonaas and SHAC, magazine journalist Chris Maag (2006) wrote the following:

When you picture a dangerous terrorist, Kevin Kjonaas may not immediately spring to mind. The 28-year-old Catholic-school graduate stands 5 feet 10 inches, weighs 120 pounds, and speaks in a mezzo-soprano voice. He uses the word "cute" a lot. Kjonaas pays his rent by working at a doggy daycare; before that he went door to door for John Kerry’s presidential campaign but quit when he realized that his strained relationship with the law could be a liability for his employer. Kjonaas is both a vegan and a preppy. He owns almost 40 vegetarian cookbooks but is quick to point out that “I don't cook sprouted wheat germ. It sounds so hippie-ish.” His closet is filled with J. Crew hand-me-downs, and for his birthday this year, he got a dress shirt with light pink and light blue stripes. “I really like it,” he says. “It goes really well with this sweater vest I have.” (¶ 1)

A Toronto Star reporter explained that SHAC USA specifically used what it considered to be legal tactics that were protected by the First Amendment. To SHAC, “a legal home protest might involve a vanload of demonstrators arriving outside an employee's residence to scream
insults and pass out leaflets accusing the target of killing puppies” (Walkom, 2006, ¶ 42). Kjonaas and five others ranging in age from 27 to 31 at the time (known as the SHAC 7) were arrested in May 2004 for encouraging harassment and coercion of HLS employees. The term SHAC 7 comprises the six activists and Stop Huntingdon Animal Cruelty USA Inc. Walkom (2006) also described what some call SHAC’s biggest success: In 2005, “at the last minute and without explanation, the New York Stock Exchange refused to list Huntingdon on its big board” (¶ 37).

There is one significant difference between ALF and SHAC. While ALF is an entirely underground group, the SHAC USA group exercised what it considered its freedom of speech rights to find and release the names and contact information of people who did business with HLS along with describing effective intimidation tactics. So, the SHAC 7 did not believe they had the need to conceal their identities because they were not engaging in any activity that was not protected by the Constitution. Although the animal liberation movement exists primarily in opposition to cruelty toward helpless non-human animals, the animal liberation movement has been linked to terrorism through its use of harassment and intimidation tactics upon not only people not directly responsible for vivisection at HLS, but also those engaged in business with that entity. Therefore, SHAC USA is largely responsible for the creation of AETA.

**People for the Ethical Treatment of Animals**

The only “animal rights” group in this study’s animal activism spectrum is People for the Ethical Treatment of Animals (PETA), which is, to the mainstream, largely synonymous with radical animal rights. As an organization, PETA has radical goals and pursues them by using sometimes scandalous, yet mostly legal, tactics. Unlike ALF and SHAC, PETA did not form in the United Kingdom and develop chapters in the United States. According to the organization’s Web site, www.peta.org, PETA was created in 1980 and is “dedicated to establishing and
protecting the rights of all animals. PETA operates under the simple principle that animals are not ours to eat, wear, experiment on, or use for entertainment” (about us, ¶ 1). The organization’s methods rely on “public education, cruelty investigations, research, animal rescue, legislation, special events, celebrity involvement, and protest campaigns” (about us, ¶ 3). PETA’s publicity stunts often try to invoke disturbing images, humor or sexuality in order to capture the attention of the media. In today’s Western society, animal rights activists are often associated with radicalism; thus, accusations of inhumane practices against major corporations may often not be sufficient to warrant belief from the public. That is why PETA’s use of vivid images ostensibly proving its claims, although unpleasant, speak clearly.

To outsiders, PETA’s promotion of radical change is often confused with irrationality or attack on human values. While PETA’s tactics often get media coverage, the messages behind those campaigns often get lost in the hype. For instance, a story in *The Sunday Herald* of Scotland included the following: “Ingrid Newkirk, head [of PETA], provoked anger by pointing out that although ‘six million Jews died in concentration camps, six billion broiler chickens will die this year in slaughterhouses’” (Allan, 2006, ¶ 25). Although one FBI official said that PETA, as of 2005, was not considered to be a terrorist organization by the FBI, government records have shown that the FBI launched a terrorism investigation of PETA for its alleged support of ALF (Bridis, 2005).

**The Humane Society of the United States**

On the right side of the animal activism spectrum are two groups whose own organizational descriptions are disassociated with the term “animal rights.” The first of these two groups is the Humane Society of the United States (HSUS). Although the name “humane society” is often associated with local cat and dog shelters, HSUS was founded in 1954 and, as conveyed by its current slogan, its focus is on “[p]romoting the protection of all animals” (HSUS
home page, 2006). According to the “about us” section of the HSUS Web site, the organization works heavily within the legal system to carry out its mission of defending all animals:

We work to reduce suffering and to create meaningful social change for animals by advocating for public policies to protect animals, investigating cruelty and working to enforce existing laws, educating the public about the issues, and conducting hands-on programs, such as assisting animals when disasters strike. Our major campaigns target four primary issues: 1) factory farming, 2) animal fighting and other forms of animal cruelty, 3) the fur trade, and 4) inhumane sport hunting practices. Our other campaigns take on puppy mills, the private ownership of exotic animals as pets, greyhound racing, and particularly unacceptable animal research and testing practices, such as the use of great apes in research. (¶ 2-3)

The HSUS openly “opposes violence and condemns groups and individuals who resort to harassment, threats, and illegal activity” (Query, 2006, ¶ 10). However, O’Rourke (2004) summarized a speech by Wesley Jamison, Ph.D., an animal agriculture industry advisor, in which it was indicated that animal enterprises must also scrutinize the actions of law-abiding animal advocacy groups:

Animal use groups must also remain vigilant in monitoring groups that are working toward their goals using legitimate means. In the late 1990s, a switch from protest to process occurred—many animal rights groups started using legislative, regulatory, and judicial processes to work toward their goals. When animal use groups organize, they are usually unable to succeed on a federal level, and this has shunted their efforts to state and local levels. “That is where (animal rights groups) are having a quiet and very significant impact on the way people use and view animals,” Dr. Jamison said. “They have advantages. They have better organization, they have intense activism, and they have local civic support.” (¶ 13-14)

In recent years, through their spearheading of ballot initiatives, HSUS has been successful in promoting the ban on gestation crates for breeding sows, in 2002 in Florida and then in November 2006 in Arizona. In January 2007, Smithfield Foods Inc., the largest producer of pork in the United States, announced that it would phase out gestation crates within the next decade.

In response to the announcement, the CEO of the National Pork Producers Council (NPCC) stated that the decision made by Smithfield Foods was “a market-based decision” and that the association’s policy on gestation stalls, which is recognized by the American Veterinary Medical
Association (AVMA), was not changed (Statement of NPPC CEO, 2007, ¶ 1–2). The HSUS’s factory farming campaign, which is “[w]orking to reduce the suffering of animals raised for meat, egg and milk,” explained what a gestation crate is.

Gestation crates are 2-foot by 7-foot metal cages that house breeding pigs. The sows have a gestation period of four months, and are in the crates for nearly their entire pregnancy. After giving birth, they are re-impregnated and placed back in the crates, enduring perhaps eight or 10 successive pregnancies in the crates before the animals are reproductively "spent." The crates are so restrictive that the animals can't even turn around for months on end. Pigs confined in gestation crates suffer both leg and joint problems along with psychosis resulting from extreme boredom and frustration. Confinement in gestation crates is so abusive that the entire European Union is phasing out the practice, with a total ban taking effect in 2013. (Nation’s Largest Pig Producer Moves to Phase Out Confinement of Pigs in Gestation Crates, ¶ 5–6)

The HSUS also succeeded in banning veal crates within the same Arizona ballot initiative that prohibited the use of gestation crates for breeding pigs. In February 2007, two large producers of veal both announced the phasing out of veal crates:

Strauss Veal, the leading U.S. veal producer, and Marcho Farms both pledged in January to convert their operations to crate-free group housing systems within two to three years. In these operations, while the calves most likely won't be able to go outside, they will be able to turn around, walk and socialize with other calves—all behaviors permanently denied to crated calves. Strauss Veal has also expressed interest in moving to free-range systems after it converts its crate operations to group housing. (Strauss Veal and Marcho Farms Eliminating Confinement by Crate, ¶ 2)

HSUS’s effort to boost the demand for cage-free eggs is arguably the most rapidly growing shift within the egg industry with companies like Wild Oats, Whole Foods, Trader Joe’s, Ben & Jerry’s, AOL and Google all demanding that their suppliers provide them with eggs from hens that did not live in battery cages. The HSUS’s Web page on battery cages states the following about the practice:

Arguably the most abused animals in all agribusiness, about 95% of the nearly 300 million laying hens in the United States are confined in barren, wire “battery cages” so restrictive the birds can't even spread their wings. With no opportunity to engage in many of their natural behaviors, including nesting, dust bathing, perching, and foraging, these birds endure lives wrought with suffering. Due to animal welfare concerns, countries such as
Germany, Switzerland, Sweden, and Austria have banned battery cages. The entire European Union is phasing out conventional cages by 2012. (No Battery Eggs, ¶ 2)

These changes (phasing out of veal crates, gestation crates and battery cages) are not what the American industry standards prescribe. Furthermore, making changes above the industry standards is a costly effort. By requiring these changes in states in which those industries have a small presence, the HSUS has succeeded in setting a priority on what it deems more humane practices. Because these industries have standards that—regardless of how humane they are considered to be—are agreed upon, the move of these producers of breaking away from the industry standards serves as a marketing advantage for those companies. At least one of the companies that has opted to adopt the HSUS’s advocated modifications openly agrees with the notion that there is a level of inhumaneness present in the veal industry standards: “In a written statement, Randy Strauss, co-president and CEO of Strauss Veal, said veal crates are ‘inhumane and archaic’ and ‘do nothing more than subject a calf to stress, fear, physical harm and pain’” (Strauss Veal and Marcho Farms Eliminating Confinement by Crate, 2007, ¶ 4).

The American Society for the Prevention of Cruelty to Animals

The only animal welfare group included in this study’s animal activism spectrum is the American Society for the Prevention of Cruelty to Animals (ASPCA). The organization’s section on policies and positions available on its Web site describes the ASPCA’s guiding principles, which although focus on providing animals with humane treatment, vehemently condemn the use of violence to reach those goals:

The ASPCA is guided today by the same belief on which it was founded in 1866, that animals are entitled to kind and respectful treatment at the hands of humans, and that this is not to be left to the compassionate impulses of humans, but is an entitlement that must be protected under the law. Many things have changed in the 140 years since the ASPCA was chartered, but the ASPCA believes that society’s obligation toward animals remains. The ASPCA continues its traditional role of preventing cruelty by direct action of law enforcement. In addition, however, the ASPCA recognizes that achieving its vision of humane communities across the United States will require education, advocacy and other
forms of intervention that support the beneficial relationship between people and animals. The ASPCA has been and continues to be wholly committed to effecting change through nonviolent approaches. The ASPCA does not believe that threats, destruction of property or violence appropriately express the nature of a movement that endorses kindness and respect. (¶ 1–2)

**About AETA**

AETA was created to amend the Animal Enterprise Protection Act of 1992 (AEPA), which is the law that first addressed attacks specifically against animal enterprises. In 2002, by way of the Animal Enterprise Terrorism statute described in 18 U.S.C. § 43, “Congress increased maximum penalties under the Animal Enterprise Protection Act” (Potter, 2006). As mentioned in the previous section’s description of ALF, Senator James Inhofe, then Chairman of the Environment & Public Works Committee, held an oversight hearing on May 18, 2005. The hearing focused on eco-terrorism, specifically investigating the effects of ALF and ELF. The hearing (Full Committee Oversight on Eco-terrorism, May 2005) included testimonies from the following witnesses:

- John Lewis, Deputy Assistant Director, Federal Bureau of Investigation
- Carson Carroll, Deputy Assistant Director, Bureau of Alcohol, Tobacco, Firearms and Explosives
- David Martosko, Director of Research, the Center for Consumer Freedom
- Bradley Campbell, Commissioner, New Jersey Department of Environmental Protection
- Dr. David Skorton, President, University of Iowa
- Monty McIntyre, Esq., Garden Communities

The FBI’s testimony as provided by Mr. Lewis (2005, May 18) included a statement bringing attention to the need to separate law-abiding animal or environmental advocacy groups from those employing criminal action. “The distinctions between constitutionally protected advocacy and violent, criminal activity are extremely important to recognize, and law
enforcement officials should be solely concerned with those individuals who pursue animal rights or environmental protection through force, violence, or criminal activity” (¶ 4). The testimony by the director of research for the Center for Consumer Freedom (CCF) included an assertion regarding some mainstream animal advocacy groups’ apparent link to the animal liberation extremists (Martosko, 2005). However, the motives of CCF do not lack disapproval: “CCF doesn’t represent consumers. It’s just the new name for lobbyist Rick Berman’s latest front group” (Rampton and Stauber, 2002, ¶ 3). Also noteworthy is Senator Inhofe’s (2005) declaration of the need for tightening freedom of speech parameters for individuals and organizations that do not engage in crimes of violence, as well as the hearing’s purpose of addressing the mainstream’s connection to the extremists:

As with any other criminal enterprise, we can not allow individuals and organizations to, in effect, aide [sic] and abet criminal behavior or provide comfort and support to them after the fact. Just as we can not allow individuals and organizations to surf in between the laws of permissible free speech and speech that incites violence when we know the goal is to inspire people to commit crimes of violence. This hearing will begin the process of scrutinizing criminally based activism as well as call into question the essential support received from mainstream individuals and organizations. (¶ 9)

In addition to opening statements from Senator Inhofe, the hearing (Full Committee Oversight on Eco-terrorism, May 2005) included opening statements from the following senators:

- Sen. John W. Warner, of Virginia
- Sen. David Vitter, of Louisiana.
- Sen. James M. Jeffords, of Vermont.
- Sen. Frank Lautenberg, of New Jersey.

A prepared opening statement for Senator Warner was not available on the Web site for U.S. Senate Committee on Environment & Public Works. However, from his prepared opening
statement, it is evident that Senator Jeffords (May 2005) had reservations about the reasoning behind the hearing:

I am puzzled why the Senate Environment and Public Works Committee is examining the issue of animal rights and eco-terrorism since the Committee lacks jurisdiction over criminal law enforcement issues. Such matters are more appropriately addressed by the Judiciary or Homeland Security Committees. Nevertheless, I look forward to learning what the Environment Committee can do to address the problems posed by domestic terrorism. (¶ 7)

Senator Lautenberg (2005) stated that “[t]o date, not a single incident of so-called environmental terrorism has killed anyone” (¶ 7) and he cautioned about proclaiming guilt by association:

The National Right to Life Committee is opposed to legal abortion. Eric Rudolph bombed a Birmingham abortion clinic, and he was involved with several anti-abortion groups. That doesn’t mean that the members of the National Right to Life Committee are terrorists. Terror is a tactic. We must condemn that tactic whenever it raises its ugly head – regardless of the ideology of those who would employ it. But we must take care not to lump legitimate groups with terrorists. To do so would only minimize the very real threats against our society. (¶ 10–11)

Finally, it is also valuable to examine the statement made by Senator Obama (2005), in which he declared that Americans were more vulnerable to other threats that required more attention:

The FBI has indicated a downward trend in the number of crimes committed by these groups – approximately 60 in 2004. While I want these crimes stopped, I do not want people to think that the threat from these organizations is equivalent to other crimes faced by Americans every day. According to the FBI, there were over 7,400 hate crimes committed in 2003 – half of which [were] racially motivated. More directly relevant to this committee, the FBI reports 450 pending environmental crimes cases involving worker endangerment or threats to public health or the environment. So, while I appreciate the Chairman’s interest in these fringe groups, I urge the Committee to focus its attention on larger environmental threats, such as the dangerously high blood lead levels in hundreds of thousands of children. (¶ 4–5)

On October 26, 2005, the U.S. Senate Committee on Environment & Public Works had a second hearing to discuss its investigation into eco-terrorism, but this time it focused on SHAC rather than ALF or ELF (Full Committee Hearing on Eco-Terrorism, October 2005). This second hearing included testimonies from the following witnesses:

- John Lewis, Deputy Assistant Director, Federal Bureau of Investigation
In his opening statement, Senator Inhofe (October 2005) stated that the hearing’s focal point was SHAC, defining it as “a radical animal rights organization that relies on crimes of violence and a campaign of fear to convey their message of animal liberation” (¶ 1).

Furthermore, he added that “testing [by HLS] may, some day, provide us the cure for cancer, AIDS, blindness – the possibilities are endless and we, as the Congress, have determined that this testing is necessary to ensure the safety of our consumers” (¶ 1). In his submitted statement, Mr. Lewis (October 2005) declared that the organizers of SHAC had been successfully charged:

In one example of a recent success, last May the FBI helped secure criminal indictments in New Jersey against the SHAC organization and seven of its national leaders, charging them with Animal Enterprise Terrorism, Conspiracy, and Interstate Stalking. They are known among animal rights activists as the “SHAC 7.” Last September, a federal grand jury returned a superseding indictment against the SHAC 7, charging them with Harassing Interstate Communications because of the posting of “target” information on the SHAC website, which continues to result in vandalism, harassment and intimidation of victim companies and their employees. (¶ 18)

However, Mr. Lewis’s (October 2005) statement also claimed that the state of the law at that time was not sufficient to prosecute SHAC:

First, we examined the idea of using the existing Animal Enterprise Terrorism statute, as set forth in 18 U.S.C. § 43, which provides a framework for prosecuting individuals involved in animal rights extremism. In practice, however, the statute does not cover many of the criminal activities SHAC routinely engages in on its mission to shut down HLS. The current version of the section 43 only applies when there is “physical disruption” to the functioning of an animal enterprise that results in damage or loss of property. But, as you have heard me describe, HLS has been economically harmed by threats and coercion that did not ultimately cause property damage. (¶ 19)
Although Senator Jeffords (October 2005) was unable to attend the hearing focusing on SHAC due to a scheduling conflict, he did submit an opening statement that included the following declaration regarding the separation of mainstream animal or environmental groups from the extremists within those movements:

These extremists do not represent the mainstream environmental or animal rights community. Mainstream groups have been very effective in using lawful means to advance their agenda. Educational outreach, shareholder resolutions and dedicated volunteers have significantly improved the treatment of animals in the United States. Groups such as the Humane Society of the United States, the People for the Ethical Treatment of Animals (PETA), the Doris Day League and the American Society for the Prevention of Cruelty to Animals have all submitted letters to the Committee denouncing violence in the name of animal protection. I’d like to enter these letters into the official record of today’s hearing.

As listed above, one of the witnesses of the oversight hearing specific to SHAC was Dr. Jerry Vlasak, a spokesman for ALF. During this hearing, Dr. Vlasak stated that he believed that the homicide of researchers who conduct animal research would be “morally justifiable” within the context of a liberation struggle (Appendix D). On the following day, October 27, 2005, Senator Inhofe introduced S. 1926, the first version of AETA (Appendix E). As stated in the Congressional records, the bill had four co-sponsors and was “read twice and referred to the Committee on the Judiciary” (S. 1926 Summary of All Congressional Actions). Senator Inhofe issued a press release on the following day, in which he included this statement:

The chilling testimony embracing assassination and destruction that we heard from the “spokesman” of the Stop Huntingdon Animal Cruelty eco-terror group only points to the need for a tightening of current law for authorities to be to able to prevent future activities, and to better investigate and prosecute eco-terror cases….S. 1926 specifically addresses the “tertiary targeting” tactic employed by eco-terrorists by prohibiting intentional damage of property belonging to a person or organization with ties to an animal enterprise. Currently, only the animal enterprise itself is covered by law. The bill also increases penalties for intentional economic disruption or damage, and for intentionally causing bodily harm or placing a person in reasonable fear of death or bodily harm. (Holbrook, 2005, ¶ 2)
In the House of Representatives, H.R. 4239 (Appendix F), also known as AETA, consisted of the same text as S.1926 and was introduced on November 4, 2005. It was sponsored by Representative Thomas Petri (R-WI), along with 44 co-sponsors. The House bill was referred to the House Committee on the Judiciary on the day that it was introduced and referred to the Subcommittee on Crime, Terrorism, and Homeland Security on February 6, 2006 (H.R. 4239 Summary of All Congressional Actions).

On March 6, 2006, the American Civil Liberties Union (ACLU) sent a letter to all members of Congress, in which it urged opposition to the first version of AETA. The first paragraph of the letter declared the following:

On behalf of the American Civil Liberties Union, a non-partisan organization with hundreds of thousands of activists and members and 53 affiliates nation-wide, we write today to explain our opposition to the Animal Enterprise Terrorism Act, S. 1926 and H.R. 4239 (AETA), a bill that amends the Animal Enterprise Protection Act (AEPA), now 18 U.S.C. § 43. The AETA criminalizes First Amendment activities such as demonstrations, leafleting, undercover investigations, and boycotts. The bill is overly broad, vague, and unnecessary because federal criminal laws already provide a wide range of punishments for unlawful activities targeting animal enterprises. (Frederickson and Graves, 2006, ¶ 1)

On May 23, 2006, the Committee on the Judiciary in the House of Representatives held a hearing on H.R. 4239 before the Subcommittee on Crime, Terrorism, and Homeland Security. This hearing included testimonies from the following witnesses:

- Brent McIntosh, Deputy Assistant Attorney General, United States Department of Justice
- Michele Basso, Ph.D., Assistant Professor, Department of Physiology, University of Wisconsin
- William Trundley, Vice President, Global Corporate Security and Investigations, GlaxoSmithKline
- William Potter, Journalist

In the above-mentioned hearing, the first three witnesses provided their personal and professional accounts as support for the passing of AETA. Although Mr. Potter’s testimony
addressed what he had uncovered through his experience as a journalist, a certain level of irreverence was evident in the way in which Representative Tom Feeney (R-FL) addressed Mr. Potter: “Mr. Potter, I appreciate that you don’t have a legal background…. I want to assure you and advise you to go talk to an attorney before you come and testify before the United States Congress about what bills do when, in fact, they do not do” (H.R. 4239 hearing transcript, 2006, p. 26). According to Mr. Potter, he was contacted by the staff of the judiciary committee and offered the opportunity to testify, but he did not know if other people, particularly any lawyers, were given the opportunity to testify in opposition to AETA (personal communication, February 2007).

According to an e-mail communication from the ACLU to the Equal Justice Alliance (EJA), after its March 6, 2006 letter, “the ACLU Washington Legislative Office worked to gain several important improvements to the bill, which was…reintroduced as S. 3880” (ACLU E-mail Response to EJA, 2006). The changes were explained as follows:

The wiretapping provision was removed entirely from the Senate version. Under the Senate bill, the “economic damage” that could trigger liability “does not include any lawful economic disruption (including a lawful boycott) that results from lawful public, governmental, or business reaction to the disclosure of information about an animal enterprise.” The original bill did not address lawful boycotts, which are clearly protected First Amendment activity. Another revision was aimed at protecting advocacy. The Senate bill makes clear that only damage to “real or personal” property is the kind of economic damage that triggers liability. The original bill used the term “any property,” leaving open the possibility of even claiming damage to intellectual property (trademark dilution and tarnishment, for example). (¶ 5–6)

On September 8, 2006, Senators James Inhofe and Dianne Feinstein (D-CA) introduced Senate bill S. 3880 (Appendix A). This bill was also called AETA. The bill was passed with an amendment by unanimous consent in the Senate on September 30, 2006. According to the U.S. Senate glossary, “[a] Senator may request unanimous consent on the floor to set aside a specified rule of procedure so as to expedite proceedings. If no Senator objects, the Senate permits the
action, but if any one Senator objects, the request is rejected.” The amendment made to S. 3880 is of particular interest because, as mentioned above, it addressed some concerns regarding the first bill’s potential infringement on freedom of speech. However, the amendment made was sufficient for the ACLU to drop its official opposition of AETA, but it was not enough for the ACLU to support it. On October 30, 2006, the ACLU sent a letter to Representatives F. James Sensenbrenner (R-WI), then Chairman of the House Judiciary Committee, and John Conyers (D-MI), then Ranking Member of the same committee. This second letter regarding AETA did “not oppose the bill,” but was seeking “minor changes” that were “necessary to make the bill less likely to chill or threaten freedom of speech” (Fredrickson and Johnson, 2006, ¶ 1). In contrast, the HSUS fact sheet on AETA stated that the changes that had been made to AETA were a step in the right direction, but they were not enough to protect law-abiding animal rights and animal protection groups from being silenced by this law: “Even with changes that have been incorporated into the current version of the legislation, it is still seriously flawed” (HSUS Fact Sheet on AETA, 2006, ¶ 1).

After S. 3880 was introduced in the Senate, the offices of Senators Inhofe and Feinstein issued a joint press release (Gantman, 2006). The press release included statements from each of the two senators. In it, the following statement was featured by Senator Inhofe:

Our bi-partisan legislation will provide law enforcement the tools they need to adequately combat radical animal rights extremists’ [sic] who commit violent acts against innocent people because they work with animals. This is terrorism and must not be tolerated. As a result of my committee hearings on this topic, I became aware of the need for legislation to combat this growing violent phenomenon. With eco-terrorist attacks in Oklahoma and California, Senator Feinstein and I share a commitment to passing legislation that will help end these terrorist attacks. (¶ 3)

Senator Feinstein included the following statement in the press release:

The tactics used by animal rights extremists have evolved in the face of our current laws, and consequently, the scope of their terror is widening . . . . We need the Animal Enterprise Terrorism Act to fight these tactics, including the latest trend of targeting any business and
associate working with animal research facilities . . . Just three months ago, extremist activists acting in the name of animal rights attempted to firebomb the home of a UCLA primate researcher. The home where they placed their bomb actually belonged to a 70-year-old neighbor of the scientist. Thankfully, the device did not ignite. But it did lead another prominent UCLA researcher to quit in fear. We must recognize that scientific research is not only a legitimate career, but also an invaluable facet of medical advancement, conducted by respectable professionals deserving our support. The deplorable actions of these eco-terrorists threaten to impede important medical progress in California and across the country. (¶ 4–5)

On November 13, 2006, the House of Representatives had a “motion to suspend the rules” and passed the same bill that was approved by the Senate (S. 3880) by a voice vote. The original vote for this bill had been scheduled for 6:30 p.m. However, the voice vote took place earlier in the day, with six members of the House of Representatives present (AETA Report, 2006). According to the Library of Congress, the above-mentioned practice is reserved for measures that lack controversy: “Because the rules may be suspended and the bill passed only by affirmative vote of two-thirds of the Members voting, a quorum being present, this procedure is usually used only for expedited consideration of relatively noncontroversial public measures” (How Our Laws Are Made, N.D.). On November 14, 2006, the National Pork Producers Council issued a press release in which it applauded congressional passage of AETA by “[c]alling it a victory for animal agriculture and businesses that legally use animals” (Warner, ¶ 1). AETA was signed by President George W. Bush on November 27, 2006. In response, the HSUS included the following remarks on its AETA position statement:

Even with the changes that were incorporated into the Senate-passed version of the legislation, it is still seriously flawed. Unfortunately, there was a rush to pass this by voice vote in both the House and Senate, without any meaningful opportunity for committee action to correct the problems in the bill and it was signed into law on Nov. 27. (¶ 1)

In its action alert flyer titled “Mission Accomplished! AETA Passes Both Houses!,” Fur Commission USA stated that AETA “sailed through the House of Representatives, after passing the Senate unanimously on Sept. 30” (¶ 1). The above-mentioned flyer also contained a listing of
“[a]n unprecedented coalition of more than 170 organizations” that “formally pledged support for the AETA” (Mission Accomplished, 2006, ¶ 2). These AETA-supporting organizations included, among others, the National Pork Producers Council, the American Association for Laboratory Animal Science, the American Mink Council, and the American Veal Association.

As seen in Appendix B, as of November 21, 2006, the Equal Justice Alliance’s AETA Opposition list included “180+ opposing groups.” One of those groups, the National Lawyers Guild (NLG), issued a letter in response to the November 13, 2006 passing of AETA in the House of Representatives. In the letter, NLG’s concerns about AETA’s constitutionality were raised:

We believe that the AETA deals a severe blow both to First Amendment protections of free speech and assembly and the Fourteenth Amendment guarantee that all people be treated equally under the law. AETA would punish some activities more harshly than others solely on the basis of the beliefs that motivate them. (Boghosian, 2006, ¶ 4)

In their communication efforts in support of AETA, a number of individuals and organizations cited AETA in dismissing the opposition’s concern about AETA’s potential infringement of First Amendment rights. For instance, in its analysis of AETA, the National Association for Biomedical Research included the following statement:

The bill includes penalties based on the amount of economic damage which “does not include any lawful economic disruption (including lawful boycott) that results from lawful public, governmental, or business reaction to the disclosure of information about an animal enterprise.” (¶ 7)

In response to the above-mentioned assertion, however, Hoch and Wilkens (2007) avowed that including that exemption in AETA was not sufficient protection:

“[T]he seeming exemptions for First Amendment rights are illusory, because the Act's language emphatically restricts the very rights it later alleges to protect. Stating that lawful boycotts are protected does not make it so. One person’s boycott is another person’s interference, which, under AETA, spells terrorism.” (¶ 8)
In the article titled “Response to Andrew Kohn: THE Animal Enterprise Terrorism Act is Invidiously Detrimental to the Animal Rights Movement (and Unconstitutional as Well),” Hoch and Wilkens (2007) summarized some of the concerns that fostered opposition toward AETA. For instance, activities that might seem harmless could be interpreted as being the opposite:

Under AETA, merely intending to engage in acts that cause no harm or damage, but interfere with an animal enterprise, may result in fine and imprisonment. For example, if two people living in different states exchange e-mails evidencing a clear intention to cause “economic damage” to an animal enterprise, by persuading customers to purchase less veal at a supermarket, their conduct may constitute both legal “attempt” and “conspiracy” under AETA, subjecting the e-mailers to electronic surveillance [18 USC Section 2516(1)(c)] and a fine and up to a year in prison. (¶ 16)

Next, the text of the act is, according to Hoch and Wilkens, insufficiently developed:

The language in AETA is unconstitutionally void for vagueness. The term “animal enterprise” is subject to countless interpretations, and the word “interfere,” which suffers from similarly obfuscatory imprecision, could be used to chill and proscribe undercover investigations and whistle-blowing activities that expose illegal animal enterprises. It may also bar acts of civil disobedience. Under the provisions of this Act, Martin Luther King, Jr. might have been convicted of animal enterprise terrorism if a lunch-counter he sat at lost profits that day. The penalties for nonviolent acts of civil disobedience, such as sitting in front of an office door, are “…a fine or imprisonment for not more than one year, or both.” (¶ 18)

Finally, a line of reasoning that seems unique to Hoch and Wilkens’ analysis is AETA’s potential to cause harm to individuals who might be incorrectly castigated by it:

Glaringly absent from the Act are provisions for restitution for wrongful arrest or prosecution, loss of reputation, lost wages, attorneys’ fees, etc., although anyone wrongfully arrested under the Act risks being humiliated, disgraced, and permanently branded as a terrorist in the court of public opinion. The Act also serves as a predicate for wiretapping animal rights advocates [18 USC Section 2516(1)(c)], as intent to interfere with an animal enterprise appears to be sufficient cause to justify surveillance. (¶ 19)

The letter issued by the executive director of the NLG summarized what might be considered AETA’s overall problem:

Animal industry groups, corporations and the politicians that represent them pushed hard for the passage of the Animal Enterprise Terrorism Act (AETA), ostensibly to crack down on violent animal and environmental rights extremists. But in fact, this bill may lead to a
crackdown on legal, constitutionally-protected [sic] political expression. (Boghosian, 2006, ¶ 3)

This overall problem could have apparently been corrected before it was voted on in the House of Representatives. As mentioned above, on October 30, 2006, the ACLU sent a letter to the then Chairman and Ranking Member of the House Judiciary Committee. The letter’s reference line stated that the ACLU urged “Needed Minor Changes to AETA,” but it did not oppose the bill (Fredrickson and Johnson, 2006). Moreover, in the document titled “Major Flaws in S. 3880 (as amended and passed by Senate), and Corrective Amendments,” the HSUS suggested that the same changes be made to AETA (Appendix G).

The first change addressed the assertion that in AETA’s current form, it “threatens to sweep up – criminalizing as ‘terrorism’ or otherwise chilling – a broad range of lawful, constitutionally protected, and valuable activity undertaken by citizens and organizations seeking change” (HSUS Fact Sheet on AETA, 2006, ¶ 1). The ACLU suggested that “‘Real or Personal Property’ be defined as ‘Tangible’ Property to Avoid Lost Profits or Good Will Forming the Basis for the Offense” (Fredrickson and Johnson, 2006, ¶ 3). As such, both the ACLU and the HSUS suggested that section 43(d) be amended by inserting the following new section and have current subsection (3)(B) removed, with appropriate renumbering:

• (3) the term ‘intentionally damages or causes the loss of any real or personal property’ –

• (A) means intentionally damaging or causing the loss of any tangible property; but

• (B) does not include damage or loss resulting from a boycott, protest, demonstration, investigation, whistleblowing, reporting of animal mistreatment, or any public, governmental, or business reaction to the disclosure of information concerning animal enterprises

The ACLU and the HSUS both addressed the fact that in referring to “Animal Enterprises,” AETA did not define such entities as being protected only as long as they engage in lawful behavior. However, while the ACLU’s letter suggested that “Animal Enterprise” be
defined to only include lawful activities, The HSUS suggested the following correction to section 43(d)(1):

- (1) the term ‘animal enterprise’ means —
  - (A) a lawful commercial or academic enterprise that uses or sells animals or animal products for profit, food or fiber production, agriculture, education, research, or testing;
  - (B) a lawful zoo, aquarium, animal shelter, pet store, breeder, furrier, circus, rodeo or other lawful competitive animal event; or
  - (C) any lawful fair or similar event intended to advance agricultural arts and sciences.

The third change would have remedied the declaration largely made by the AETA opposition that, under AETA, a chilling effect could be imposed upon “those individuals considering actions that would cause no harm, either physical or economic, nor instill any fear of harm…” (Fredrickson and Johnson, 2006, ¶ 10). Once again, the ACLU and the HSUS both suggested that section 43(b)(1)(A) be changed so that it could be clarified that penalties only apply to conspiracies or attempts:

- (A) an offense under subsection (a)(2)(C) results in no economic damage or bodily injury

As mentioned above, the changes that AETA could have undergone in order to significantly lower the concerns of much of the bill’s opposition, as suggested by the ACLU and The HSUS, did not occur. There are two main questions that cannot be adequately addressed by analyzing the existing literature. First, the communication efforts put forth by an organization in response to an issue are a crucial basis of the public relations discipline and a potentially significant measurement of the organization’s exerted force. The ultimate question here is the following: What communication efforts did law-abiding animal advocacy organizations put forth in response to AETA? Also, the notion that AETA could wrongfully affect law-abiding animal advocacy groups is considerable contention evidenced within the AETA opposition. Therefore,
another subject that has yet to be addressed is as follows: Has the passing of AETA affected the efforts of law-abiding groups dedicated to advocating for animals?
CHAPTER 3
METHODOLOGY

In analyzing the communication strategies that law-abiding animal advocacy groups enacted about and in response to AETA, studying the messages that were released on the organizations’ Web sites and printed materials solely would have led to results of a speculative nature at best. Some of the organizations may have chosen to enact communications efforts that seemed muted; yet, the best way to know whether there was a strategy involved in communicating (or not communicating) about AETA would be by speaking with representatives from the organizations directly. As Wimmer and Dominick asserted, “[w]hen compared to more traditional survey methods, interviewing provides more accurate responses on sensitive issues” (p. 135). Therefore, the communication efforts based on the delicate issue of law-abiding organizations potentially being stigmatized based on the topic of their advocacy efforts were best studied through in-depth telephone interviews.

As stated in Chapter 1, this study was conceived with the intention of analyzing the politically motivated communication efforts made by law-abiding animal advocacy organizations that opposed AETA prior to and after its passing. The researcher contacted a total of 22 entities that advocated for animals to request that they participate in this study. Of those, 17 organizations agreed to participate in telephone interviews. Rather than agreeing to participate in telephone interviews, two of the 22 organizations participated by submitting written answers to the question guide, but one of the written answer sets was discarded due to lack of relevance. The opportunity for probing during the interview was eliminated for the organization whose written answers were e-mailed. However, the answers that were provided were appropriate and relevant to the study. Based on each participant’s expertise about AETA as well as varied organizational structures, representatives from the legal departments, media relations
departments, and high-ranking officials agreed to be interviewed. Only one representative from each of the 18 participating organizations was interviewed. Telephone interviews were conducted between March 5, 2007 and March 21, 2007.

The process of determining which organizations would be contacted to participate in this study began with the analysis of the AETA Opposition List compiled by the Equal Justice Alliance. Animal advocacy organizations with an undisputed national presence were selected for their ability to gain media coverage on the various issues that their campaigns might focus on. Meanwhile, the remaining organizations were selected by visiting the organizations’ Web sites and following a two-step process: 1. organizations were automatically included when their Web sites featured information on AETA; and 2. organizations were added when their Web site communicated the organization’s advocacy efforts on behalf of animals with what Reber and Kim (2006) defined as high frequencies of media relation elements (i.e. organization history, mission statement, press releases, etc.), dialogic features (i.e. general and expert contact information, frequently asked questions, etc.), and involvement factors (i.e. calendar of events, downloadable graphics, products for sale, etc.). The second phase in determining which organizations would be contacted with study-specific interview requests followed the ideology that, “by not taking advantage of the characteristics of Internet communication, activist organizations are not advocating for their organizations at their maximum capacity” (Reber and Kim, 2006, p. 330). Therefore, well-developed and well-maintained animal advocacy organization Web sites served to identify groups that may have been more likely to have the ability to effectively communicate about AETA over a medium as far-reaching as the Internet. Also consulted in creating the list of organizations to be contacted for this study were a
representative of the Equal Justice Alliance, the journalist who testified against H.R. 4239, and two animal rights advocates who have been involved with the movement for several years.

Selected organizations were reached primarily by calling the media relations or legal departments’ telephone numbers when such detailed information was available on the organizations’ Web sites. Otherwise, the organizations’ main telephone numbers were called and the appropriate staff member was contacted. If a telephone number was unavailable, an e-mail was sent to either the media relations coordinator or general mailbox. After the organizational representatives agreed to be a part of the study, telephone interviews were scheduled according to the interviewees’ availability. Several of the interviewees requested to see a sample of the questions to be addressed during the interviews, with the understanding that such a sample would outline the general themes to be addressed, while the interview itself would be more fluid.

Prior to each interview, the participants received an informed consent statement via e-mail. The informed consent statement informed participants about the study’s purpose and their right to not answer any question that they did not feel comfortable with. Interviewees were granted anonymity in order to encourage the greatest degree of frankness. Each interview was recorded in order to facilitate transcription, thereby heightening interpretive validity.

Although the Equal Justice Alliance’s list of the AETA opposition contained close to 200 organizations, the organizations that were not considered for this study consisted of those that focused on civil rights rather than animal advocacy, as well as those organizations that focused their efforts on promoting a vegetarian lifestyle rather than directly addressing animal issues. In addition, organizations that did not have Web sites or whose Web sites did not fit the above-mentioned criteria were also not approached. The AETA-opposing organizations that were
interviewed encompassed several well-established organizations within the animal advocacy movement.

In essence, the question guide addressed what law-abiding animal advocacy groups said and did regarding AETA. The questions posed pertained to each organization's position on AETA, its communication efforts about AETA, its perception of AETA’s intended effects, and AETA’s impact upon the organization’s campaigns (Appendix H). A pre-test was conducted with two long-time animal advocates who represented local organizations in order to assess timing and question appropriateness. As stated by Babbie (2001):

A qualitative interview is essentially a conversation in which the interviewer establishes a general direction for the conversation and pursues specific topics raised by the respondent. Ideally, the respondent does most of the talking. If you’re talking more than 5 percent of the time, that’s probably too much. (p. 292)

Data analysis was conducted by identifying emerging themes or categories based on participants’ responses to questions about AETA.

The researcher, a vegetarian and participant in the animal advocacy movement, believes that the use of violence upon people is inexcusable. This analysis is not intended to provide any degree of sympathy for anybody who is devoted to their cause deeply enough to opine that hurting, harassing, threatening or any such action toward another is acceptable in the name of their cause.
<table>
<thead>
<tr>
<th>General Organizational Description</th>
<th>Interviewee Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>International animal protection organization focused on ending the exploitation and abuse of animals</td>
<td>Staff</td>
</tr>
<tr>
<td></td>
<td>Writer</td>
</tr>
<tr>
<td>Animal protection organization specialized in video documentation and investigations</td>
<td>President</td>
</tr>
<tr>
<td>Animal protection organization focusing on animal abuse in agriculture</td>
<td>General Counsel</td>
</tr>
<tr>
<td>Animal rights organization whose mission is to generate letter campaigns for animal issues</td>
<td>President</td>
</tr>
<tr>
<td>Grassroots organization devoted to reducing cruelty towards fur-bearing animals and to the abolition of the fur trade</td>
<td>Spokesperson</td>
</tr>
<tr>
<td>Animal advocacy organization that works to end animal abuse through public education and advertisement campaigns, research and investigations, rescues, working with news media, and grassroots activism</td>
<td>Executive Director</td>
</tr>
<tr>
<td>National organization dedicated to fighting animal cruelty by conducting in-depth undercover investigations and reporting abuses to authorities for prosecution.</td>
<td>Founder and President</td>
</tr>
<tr>
<td>National animal rights organization advocating plant-based diets for animal protection and organizer of a large animal rights conference</td>
<td>President</td>
</tr>
<tr>
<td>National animal advocacy organization dedicated to abolishing vivisection</td>
<td>Executive Director</td>
</tr>
<tr>
<td>Organization</td>
<td>Position</td>
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<tr>
<td>International animal advocacy organization that works toward the goal of freeing animals from cruelty and institutionalized exploitation around the world</td>
<td>Legal Director</td>
</tr>
<tr>
<td>Nonprofit organization dedicated to ending the chaining of dogs</td>
<td>Founder</td>
</tr>
<tr>
<td>Large animal protection organization in the U.S.</td>
<td>Executive Vice President for External Affairs</td>
</tr>
<tr>
<td>Organization dedicated to ending the use of nonhuman primates in biomedical and harmful behavioral experimentation</td>
<td>Director</td>
</tr>
<tr>
<td>Oldest animal welfare organization in the U.S.</td>
<td>Senior Director of Program Counsel</td>
</tr>
<tr>
<td>National provider of emergency animal sheltering and disaster relief services</td>
<td>President and CEO</td>
</tr>
<tr>
<td>Charitable organization dedicated to reducing the the negative inflictions that humans have upon animals</td>
<td>Legal Associate</td>
</tr>
<tr>
<td>National farm animal protection organization</td>
<td>President and Co-Founder</td>
</tr>
<tr>
<td>National animal advocacy organization whose primary campaign areas currently include animals used in entertainment, captive exotic animals, companion animals, compassionate consumerism, farmed animals, and wildlife protection.</td>
<td>Director of Legal and Government Affairs &amp; General Council</td>
</tr>
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CHAPTER 4
FINDINGS

Communication Efforts About AETA

The results detailed in this chapter were gathered through the participation of representatives of 18 law-abiding animal advocacy organizations.

The Shunning of Extremism

The tragedy of 9/11 and the subsequent “War on Terror” have unquestionably impacted America. More than what could have once been considered paranoid theory, today, as revealed in Chapter 2, the confluence of the terms “animal rights extremism” and “terrorism” is a reality. Therefore, all interviewees were asked whether their organizations make an effort to separate themselves from animal liberation groups that employ violence, harassment or other illegal tactics. Six participants responded with vehement affirmation and proceeded to explain their organizations’ opposition to and criticism of violence. Of those, the vice president of external affairs for the largest animal protection organization in the United States said that peaceful civil disobedience is not something to which the organization objects. Six other organizational representatives stated that their organizations engage in and promote only nonviolent activities. For example, the executive director of an animal advocacy organization that works to end animal abuse through public education and advertisement campaigns, research and investigations, rescues, working with news media, and grassroots activism elaborated as follows:

We focus on the tactics that we find effective. We don’t spend time publicly bashing or publicly criticizing organizations who use such tactics, but it is not something that we publicly will support either. We sort of focus on work that we feel is effective in opening the hearts and minds of consumers and we think that certain acts of vandalism or certain acts of intimidation do more harm to the movement than good. So those aren’t actions that we choose to participate in or that we even chose or actions that we encourage our members to participate in.
The president and co-founder of the nation’s leading farm animal protection organization was the only respondent to state that they neither actively associate nor dissociate with any other animal activist group. Along with two of the above-mentioned organizations that solely promote nonviolent activities, the same interviewee expressed the notion that the organization is more concerned with focusing on its own actions rather than paying attention to what other animal advocacy groups do.

The president of an animal rights organization dedicated to generating letter campaigns for animal issues described the meticulous attention that is exerted in making it clear that the organization does not endorse in any violence, harassment or threats in any of its campaigns. However, the same participant explained that she inherited the role of SHAC spokesperson since the SHAC 7 were sentenced to prison. This is because the president of this organization believes that the SHAC 7 “did nothing more than design and implement a Web site” and “they themselves are not in jail for committing vandalism or any of the crimes described on their Web site.”

Four organizations stated that they do not make an effort to separate themselves from animal liberation groups. Three of those four explained the distinction between being associated with those who commit illegal activities and actually committing acts of violence upon people. For example, the director of an organization dedicated to ending the use of nonhuman primates in biomedical and harmful behavioral experimentation stated that the organization does not engage in any illegal activities. However, on multiple occasions the respondent compared the unlawful act of breaking into a laboratory and stealing animals used for experimentation with the once-prohibited liberation of Jewish people during World War II: “If you had gone in and opened the gates to Auschwitz and let the Jews out, that would have been illegal. And you would have probably been shot. You would not have made it to trial.”
Similarly, the president of a national animal rights organization dedicated to advocating plant-based diets and organizing a large animal rights conference stated that the organization does not engage in any illegal acts with the exception of civil disobedience. However, the interviewee also expressed that the organization understands what could drive certain animal extremists. Therefore, the organization does not dictate to nor make judgments on others “because it is such a personal thing…just imagine, never mind your son or daughter, but if your family dog was being vivisected or slaughtered you probably would not react very rationally.”

The founder and president of a national organization dedicated to conducting in-depth undercover investigations and reporting abuses to authorities for prosecution was one of the four organizations to state that a separation effort from animal liberation groups was not pursued. This respondent declared the following:

I am not opposed to liberation of animals as I would not be opposed [to] liberation of slaves during the 1800s. I am opposed to just random bombings or arson or anything where people or animals could be hurt because it would set the whole movement back decades….I am very much for the liberation of oppressed animals—animals being exploited, animals being tortured or used for whatever reason.

Also, this interviewee was the only one who questioned the veracity of the notion that animal activists rather than opposition infiltrators are responsible for the apparent rise in extremely violent tactics that have the potential to harm people.

Of notable mention is the fact that a spokesperson for a grassroots organization devoted to reducing cruelty toward fur-bearing animals and to the abolition of the fur trade was one of the above-mentioned organizations that separate themselves from extremists by only engaging in and promoting only nonviolent activities. This is because that spokesperson was the only one within that group who made a distinction between illegal and immoral acts by saying that immoral acts, which include all kinds of violence, are different from such actions as liberating
animals. The participant explained that although the group does not engage in nor endorse the illegal removal of animals from animal enterprises, a line is drawn between stealing property and actually harming people.

**Lack of Awareness**

An essential factor in evaluating the communication efforts employed in any situation in which the actions of some could negatively affect an entire movement is the level of awareness maintained by the group as a whole. Of the 18 interviewed organizations, only two were aware of AETA when it was in its original form, S. 1926. Sixteen organizations became aware of AETA after it was amended and reintroduced in the Senate as S. 3880. Of those, two organizations admitted that they learned about AETA after September 30, 2006, the date on which AETA passed with unanimous support in the Senate.

The two organizations that knew of AETA’s existence before the amendment was passed carried out individual efforts to oppose it. For instance, the interviewee representing the nation’s largest animal protection organization stated that the organization learned that Congress had an interest in animal enterprise terrorism issues when the Senate committee hearings on eco-terrorism were held. In response, the organization communicated with committee staff and committee members on the issues that were raised during the hearings.

The other organization that knew of the S. 1926 version of AETA was a national animal advocacy organization dedicated to abolishing vivisection. That organization’s executive director explained that S. 1926 was so blatantly unconstitutional that the organization was confident that it would not pass. The participant also stated that in the event that it did pass, “it would be struck down immediately when somebody tried to apply it.” In response to the reintroduction of AETA as S. 3880, this organization drafted a general letter of opposition to the Senate Judiciary Committee before it held the vote on S. 3880.
One idea that emerged in relation to the level-of-knowledge aspect of the overall issue of AETA is that small groups were relying on large groups with more resources and a national presence to play the role of watchdog on behalf of the smaller animal advocacy groups. This notion was put forth by two participants representing groups that did not learn about AETA before it was reintroduced in the Senate as S. 3880. One of those two participants, a spokesperson for an anti-fur grassroots organization explained the concept as follows:

Well, I know we were taken really off guard by how quickly [AETA] passed. I can’t remember exactly the chronology but I know when it first came up, we started trying to organize our members to oppose the bill just like all these other big groups were, and I think the small groups like ours, we were really counting on some of the bigger organizations that have lobbyists and that have dedicated staff to deal with legislation. I think we were really hoping they would put up the big resistance, and so before anybody knew it, it was passed.

**Enacted Communication Efforts**

As discussed above, within the interviewed organizations, the large-scale communication efforts that were enacted in response to AETA took place after S. 1926 was re-introduced as S. 3880. Representatives of 12 organizations stated that their organizations sent action alerts to their members, and four organizations posted information about AETA on their Web sites. Both organizations that admittedly learned about AETA after S. 3880 had passed in the Senate sent memoranda to members of the House of Representatives in which they expressed their opposition to H.R. 4239: The nation’s oldest animal welfare organization sent two memoranda prior to the November 13 vote in the House of Representatives and a charitable organization dedicated to reducing the negative inflictions of humans upon animals launched a fax blast on the day that AETA passed in the House.

Among participants, conventional media relations efforts were not abundant. Thirteen organizational representatives stated that their organizations did not enact any mass media campaigns. A staff writer for an international animal protection organization dedicated to ending
the exploitation and abuse of animals stated that he was uncertain about whether the organization had sent out any press releases. The interviewee representing a national organization dedicated conducting in-depth undercover animal cruelty investigations asserted that the organization sent out national media releases, but it did not receive any inquiries from journalists. By contrast, the largest animal protection organization in the United States did not enact a media campaign about AETA, but it responded to media inquiries. Similarly, the senior director of program counsel for the oldest animal welfare organization in the United States was the guest of a local call-in radio show. Finally, the legal director for an international animal advocacy organization that works toward the goal of freeing animals from cruelty and institutionalized exploitation around the world wrote an article for a monthly publication focusing on vegetarianism, environmentalism, animal advocacy, and social justice, as well as for an online newsletter focusing on civil rights.

**Perceptions of AETA**

The communication strategies enacted by an organization are, more often than not, related directly to the organization’s insight about an issue. All participants were asked to provide an opinion about what could have been AETA’s intended effects from the point of view of the Act’s sponsors. In addition, all interviewees were asked to describe their organizations’ reactions to the manner in which AETA passed. Rather than introducing speculation to the study, the value of such queries was in abetting the effort to uncover some of the many factors that could have been involved within each organization’s choice of communications about AETA.

**AETA’s intended effects**

Eight interviewees asserted that AETA’s sponsors were probably focused on responding to the lobbyists for the animal use industries that have been threatened by animal liberation extremists by providing those industries with federal protection. Four participants stated that AETA was written in a certain way to specifically intimidate animal activists in general.
Similarly, the founder of a nonprofit organization dedicated to ending the chaining of dogs acknowledged that AETA was ostensibly reasonable, but also stated that there seem to be hidden negative intentions.

On the other hand, two respondents said that they understood that AETA was written to specifically halt the operations of SHAC. The president and CEO of the nation’s leading provider of emergency animal sheltering and disaster relief services declared that AETA’s intended effects were not to take away First Amendment rights, but mentioned that the wording of the act was so vague that it is possible to interpret the law in that way. Two organizational representatives chose not to answer that question because they felt that they could not speak for the intention of others.

AETA’s overreaching effects were discussed by two of the participants who stated that AETA’s purpose seems to have been to protect the interests of the animal use industries. The interviewee representing the oldest animal welfare organization in the nation said that, as it was introduced and even as it was passed, AETA “did a lot more than it intended to do.” Similarly, the representative of a national organization that organizes a large animal rights conference expressed the feeling that because the organization’s staff has such strong faith in the American justice system, they thought that the Patriot Act was the limit to any violation to constitutionally protected freedoms:

We had no idea. We just did not believe, we did not allow our consciousness to accept that our government, our Congress could pass something so hideous as the Animal Enterprise Terrorism Act. So I guess we were kind of in a state of blissful ignorance in which we will not be in the future.

Aside from the inquiry discussed above, nine interviewees were specifically asked if they thought that AETA was written with the intention of affecting law-abiding animal advocacy organizations. Of those, four stated that they thought that hindering animal advocacy
organizations in general rather than only affecting extremists was a deliberate action. The remaining five respondents answered that they did not think that the writers of AETA were intentionally affecting law-abiding animal activists. Those same participants alluded to the notion that some might think that hindering law-abiding groups was a deliberate action because there was not a substantial amount of care throughout the legislative process focused on protecting activists’ rights. Of these five interviewees, the one speaking on behalf of the largest animal protection organization in the United States declared that the legislators involved in facilitating the passing of AETA stated that affecting law-abiding animal advocacy groups was not their intention. Therefore, as an organization they chose to “take [the legislators’] word” so that the organization can continue to work with the legislators on other issues.

The notion that AETA could serve in an effort to bundle the animal activism movement with the term “terrorism” is an overarching theme in this study. Three organizational representatives referred to the above-mentioned concept as essentially a “public relations campaign” enacted by those putting forth that effort. One of those three participants was a staff writer for an international animal protection organization. The interviewee supported that notion by referring to an allegedly leaked pamphlet from the National Rifle Association in which animal rights activists were portrayed as terrorists. Similarly, the founder and president of a national organization dedicated to investigating animal cruelty explained that animal advocacy in general has become combined with the destructive actions of the ALF and the ELF, yet AETA solely targets animal groups. Another interviewee stated that the current state of AETA is reminiscent of the Racketeer Influenced and Corrupt Organizations (RICO) act of 1970, which was enacted to target organized crime in the United States.
A theme that emerged in two of the interviews is the idea that AETA sets a precedent for taking away the rights of protesters in general. The participant representing an animal rights organization dedicated to generating letter campaigns for animal issues avowed the following: “Anyone who values First Amendment rights should be worried; what people feared could happen with the Patriot Act is happening with animal rights activists.” A staff writer for an international animal protection organization echoed those thoughts by saying, “[w]e deserve better from our leaders and our country.”

A related theme was voiced by three of the interviewees when they each declared that there is no need for AETA. That notion was illustrated by the interviewee from an animal rights organization dedicated to enacting letter-writing campaigns:

Disciplinary measures already exist. Laws are in the books for vandalism, property loss, criminal trespass, harassment, assault, and bodily injury. We have laws for those at Federal and State levels. So if a person who happens to be an animal advocate breaks one of these laws, then they should be arrested for vandalism, not terrorism.

**AETA’s passing**

As discussed in Chapter 2, AETA was passed in a stealthy manner. When asked about what they would attribute to the quick passing of AETA, 14 participants cited a concerted effort to characterize AETA as being reasonable and uncontroversial in order to fast-track the bill so that it would undergo minimal debate. A legal associate for a charitable organization dedicated to reducing the negative inflictions that humans have upon animals asserted the following:

Well, sometimes that will happen with legislation and in terms of AETA there [was] heavy influence by big money industry groups and their lobby, so just by way of trying to push it through without debate, that’s the reason why it was passed. There was no significant notice, very limited debate at least on the House level. I know that there was maybe fifteen minutes of debate. So there really wasn’t full scale hearing or debate on the issues. And it was essentially just pushed through by the sponsors. And most likely that was the only way they were going to get it through because the legislation itself was extremely controversial. Then we believe that if there had been a full scale debate, the legislation would not have passed through like it did.
Three participants ascribed the event to being a part of the terrorism bandwagon effect. More specifically, one interviewee elaborated in this fashion: “AETA is packaged in a very sexy way and it basically says, ‘we are going to crack down on these domestic terrorists.’ You put the word ‘terrorist’ on anything and anyone is afraid to oppose it.” As a further illustration, a spokesperson for an anti-fur grassroots organization pointed out that for politicians pursuing reelection, opposing what is “dubbed an anti-terrorism act, even though it has nothing to do with terrorism” is an unpopular move.

The vice president for external affairs for the largest animal protection organization in the United States illustrated what the organization determined to be “misplaced priorities” in Congress. This explanation began with the description of a “very popular bipartisan bill distracting the penalties for illegal dog fighting and cockfighting,” which, like AETA, had been assigned to the House Judiciary Committee. The animal fighting bill had 324 co-sponsors in the House of Representatives and a hearing was held on the issue, but the then Chairman of the committee, James Sensenbrenner, “refused to move the bill past this committee.” According to the interviewee, the animal fighting bill was supported by 400 law enforcement groups, the National Chicken Counsel, USDA and every animal welfare group because it was a “very modest, bipartisan, popular effort.” The participant summarized the organization’s arrival at the conclusion that Congress had “misplaced priorities” by questioning why one would actively block a very popular bill while simultaneously making a clear effort to facilitate the passing of AETA, a bill that had less support and was “much more controversial and generating discussion about civil liberties and appropriate tactics.”

An additional emerging theme from the participants’ statements regarding AETA’s quick passing was that the turn of events reflected the misuse of the American legislative system,
particularly in the House of Representatives. Five interviewees addressed the claim that there were only about six people on the floor at the time AETA was passed by a voice vote in the House of Representatives and four of those brought up the fact that only Rep. Dennis Kucinich (D-OH) spoke in opposition to AETA. The executive director of a national animal advocacy organization against vivisection detailed the experience from the point of view of a private citizen:

I called my representative’s office after I heard what the vote was and what had happened, and I said, “why weren’t you there?” I was told right out that it was scheduled for the evening—that there was no reason to think that there were any votes being called in the middle of the day.

Similarly, the interviewee representing an animal cruelty investigation organization uttered the following phrase: “Shame on America.”

Along the same lines, the organizer of a large animal rights conference actually disputed the statement that AETA was passed by unanimous consent, “because that phrase implies awareness,” and there was probably no awareness of the bill or its language in the Senate, and the House was misled about when the vote would take place. The participant concluded that statement by mentioning what other bills were passed by voice vote in the House of Representatives during the session in which AETA passed. This included items such as “enlarging, adding a few acres to a national park or transferring some fishing rights to an Indian tribe, you know the things that do not deserve prolonged debate.”

In Retrospect

When asked if in retrospect they thought that their organization should have or could have communicated differently regarding their positions on AETA, 10 participants said “no.” Of those, the one interviewee representing an organization dedicated to investigating animal cruelty elaborated by stating that the organization did everything that it could have done. Furthermore,
the person speaking on behalf of an international animal protection organization asserted that AETA was just too big an undertaking for the organization. In contrast, four organizational representatives declared that they should or could have enacted different communication efforts. In particular, the spokesperson for an anti-fur organization said that the group could have organized a demonstration and alerted the media in order to attract attention to the topic. Likewise, the president of a letter-writing-focused animal rights organization declared that AETA did not come to the media’s attention because the animal advocacy movement was not sufficiently persistent.

Four interviewees declared that their organizations’ communication efforts regarding AETA could only have been different under dissimilar circumstances. Specifically, three participants stated that their efforts could have been expanded if they had known about AETA for a longer period of time than they did. Also, the president and CEO of an emergency response organization for animal issues asserted that the organization might have heightened its direct lobbying effort without involving its members if it had known how quickly AETA was going to move through the legislative process.

Impact of AETA

Uncertainty

As detailed in Chapter 2 and discussed in earlier portions of this chapter, whether AETA’s broad language will hinder the activities of non-extremist animal activists is unclear. All participants were asked if the passing of AETA had affected their organization up to the point of the interview. The unanimous answer was “no.” Nevertheless, when asked if they thought that any future campaigns could be affected, seven interviewees asserted that it would depend on how the law will be implemented.
When asked if they thought that law-abiding animal rights and animal protection groups in general understood the potential effects that AETA could have on their organizations, ten interviewees responded by saying “no” as well as asserting the belief that, even though AETA has been signed into law, most animal activists still did not know how AETA could affect them. Three participants stated that animal advocacy groups in general understood how AETA could affect them. Meanwhile, one interviewee opined that the level of understanding an animal activism group has about AETA depends on how much the group knows about AETA’s background. Along similar lines, another interviewee said that animal advocacy groups may have initially thought that AETA was ineffective (and thereby worth ignoring), but the same groups probably became worried as it progressed through the system.

In response to the above-discussed inquiry, the president of an animal protection organization specializing in video documentation and investigation stated that whether they understood it or not, AETA was definitely designed to affect law-abiding animal rights and animal protection groups. However, the participant also explained that there are only two reasons to be intimidated by AETA: fear that the law will be misused and intention to commit a criminal act. Unfortunately, the above-mentioned concept was inadvertently not discussed with one of the organizational representatives.

Hysteria

Another emerging theme throughout the interview process was the idea that AETA has had a somewhat chilling effect among individual animal activists because people do not want to be arrested. For instance, a legal associate for an animal-focused charitable organization explained that the organization’s members have voiced their worry and one undercover investigator in particular is “extremely concerned about the effects of this legislation.” Similarly, the executive director of an animal advocacy organization focused on ending animal abuse said that the
organization has been doing “damage control” to assure activists that they do not have as much to worry about as they might believe.

Another participant echoed the above-mentioned sentiment as follows: “…let’s say I put out a letter campaign and so many people send letters that a CEO’s e-mail system breaks or shuts down. Is that a new form of harassment under AETA that’s going to send me to jail?”

Wait and See

All interviewees were asked about their organizations’ intentions to continue communicating their positions on AETA. Fifteen participants affirmed that their organizations would continue to communicate about AETA. The participant representing an animal emergency services organization stated that they would acknowledge their position on AETA if they were approached, but also said that they would not take any action related to AETA because at the point of the interview they were going to “wait and see what actually happens.” On the other hand, two participants stated that their organizations would not continue to communicate about AETA because they did not want to fuel the hysteria that has developed around AETA.

One of the 15 organizational representatives who avowed their organizations’ continuing communication efforts about AETA, the senior director of program counsel for the nation’s oldest animal welfare organization, said that a legal firm had been hired to determine the exact level of threat that AETA presented to the organization. This means that the organization might become involved with litigation once the full implications of the law are determined.

There is Hope

Regardless of AETA’s past, two interviewees expressed the idea that the outlook for animal advocacy groups as a result of AETA is not filled with doom. The president and CEO of a national provider of emergency services for animal said that the United States was founded with the pursuit of the rights that were eventually granted within the First Amendment and
expressed the belief that AETA’s true test will be “how it will hold up in court.” On a similar note, the executive vice president for external affairs at the nation’s largest animal protection organization asserted the belief that AETA can be amended to “correct the flaws in the language” because “the leadership of Congress has changed hands and the committee chairmen are much friendlier to animal issues, also to other social issues.”
Two-way Communication between Activists and Corporations

In her case study, Anderson (1992) assessed that two-way symmetrical public relations, instead of press agentry, would have been the best way to prevent a corporate crisis situation from developing as a result of activist communication efforts. Dozier and Lauzen (2000) emphasized that, because of their many linkages to the public relations profession, as well as the corporations that fund the research, scholars in public relations have developed an “intellectual myopia” (p. 7) when studying activist publics. This is because scholars study activism from the point of view of the organization being affected by the social movement rather than from the activist perspective (Dozier & Lauzen, 2000). The same theoretical study also addresses the notion that activist publics cannot be compared to normative publics:

Unlike corporations that essentially buy the loyalty of their employees, activist organizations have little to force the compliance of their members to the win-win solutions they negotiate. Savvy activist leaders know this. Members of activist organizations are primarily loyal to a larger social movement or “cause,” not the transitory organization that serves as a vehicle for their passion. (Dozier and Lauzen, 2000, p. 14)

That assertion is preceded by the example of one group of activists pursuing immediate, radical goals (Greenpeace) and unfortunately did not mention the clout that can become developed by activist groups that purposely align themselves with measures that are reasonable to the mainstream public. These activist groups are often successful in reaching and garnering significant support for win-win solutions.

For instance, HSUS worked with two well-known food chains to modify the corporations’ animal welfare demands from their suppliers. On March 22, 2007, celebrity chef Wolfgang Puck announced that his companies would be enacting strict animal welfare standards. An article in The New York Times summarized the modifications:
He [Wolfgang Puck] has directed his three companies, which together fed more than 10 million people in 2006, to buy eggs only from chickens not confined to small cages. Veal and pork will come from farms where animals are not confined in crates, and poultry meat will be bought from farmers using animal welfare standards higher than those put forth by the nation’s largest chicken and turkey producers. Mr. Puck has also vowed to use only seafood whose harvest does not endanger the environment or deplete stocks. (Severson, 2007, ¶ 3)

The following week, on March 27, 2007, Burger King (BK) announced that it would begin buying some eggs and pork from suppliers that did not confine their animals in cages and crates, as well as, when available, choosing suppliers of chicken that use “‘controlled-atmospheric stunning,’ rather than electric shocks to knock birds unconscious before slaughter” (Martin, 2007, ¶ 2). It is important to note that PETA had a high-profile campaign against BK named “Murder King,” which ended in 2001 after the corporation agreed to demand that its suppliers adhere to some of the activist group’s proposed animal welfare modifications. The campaign’s communication efforts featured several telephone conversations among PETA staff, press releases, provocative advertisements, celebrity support and “more than 800 protests at Burger King restaurants worldwide” (Murder King Campaign, 2007, ¶ 1). PETA continued dialogue with BK after the campaign officially ended and praised the corporation for its 2007 announcement of changes.

According to a featured article in The New York Times about BK’s 2007 modifications, HSUS “began its own efforts to encourage Burger King to improve its farm animal standards” (Martin, 2007, ¶ 20) about one year prior to the announcement. The same article addressed the evidently increasing strength of, and support for, the efforts of law-abiding animal advocacy groups: “Burger King’s announcement is the latest success for animal welfare advocates, who were once dismissed as fringe groups, but are increasingly gaining mainstream victories” (Martin, 2007, ¶ 8).
On March 29, 2007, the Animal Agriculture Alliance (AAA) issued a press release titled “Puck Falls Prey to Misdirection from Activist Groups” in response to the announcement made by Wolfgang Puck a week earlier. In it, AAA referred to HSUS as having misled the celebrity chef in an inappropriate manner:

He also announced that he had teamed with the vegan-driven Humane Society of the United States (HSUS) to adopt its proposed farm animal care agenda. This change will stop his company from serving meat, eggs and other products from animals that aren’t raised to standards approved by animal rights groups—groups that believe we shouldn’t eat any animal products at all. (¶ 1)

This is one possible example of the defensive sentiment that can be developed by corporate entities and industries when they are negatively affected by activist groups. Similarly, AAA featured Ricardo Solano Jr. as the keynote speaker at its stakeholders’ summit, which was held March 19-21, 2007, in Arlington, Virginia. Mr. Solano “successfully tried [emphasis added] one of the first prosecutions under the Animal Enterprise Protection Act, which charged…[SHAC] with terrorizing an [HLS] as well as several pharmaceutical, financial, and insurance companies that did business with it” (AETA Sends a Clear Signal Says Leading Prosecutor, 2007, ¶ 2).

A press release issued on March 23, 2007, by meatingplace.com, an online community for red meat and poultry processors in North America, publicized Solano’s talk at the AAA summit. Although the headline for the press release used the term “animal rights extremists,” the first paragraph did not explicitly make that distinction:

Federal prosecutor Richard [sic] Solano, who once served in the Terrorism Unit at the U.S. attorney’s office, served notice to animal rights activists that recent passage of the Animal Enterprise Terrorism Act means the federal government has every intention of prosecuting activists who intimidate, stalk and harass with the intention of shuttering farms, ranches, research labs and other facilities that use and care for animals. (Gregerson, 2007)

This is noteworthy because, as addressed in Chapter 2, AETA’s use of the phrase “interfere with” lacks specificity to the point that the precise actions mentioned in the quote above (intimidating, stalking and harassing) can, depending on interpretation, occur through
constitutionally protected events such as demonstrations in front of executives’ homes or even e-mail campaigns that disable company servers.

**Mainstream vs. Extremists in the Animal Advocacy Movement**

The fact that social movements have different groups pursuing goals ranging from extremely radical to overly moderate can be a benefit to the mainstream-focused groups within any given movement because their objectives are comparatively more reasonable to those pursued by the radical groups (Derville, 2005). However, such is apparently not the case with AETA because the actions of a few extremists could potentially become a heavy hit for the entire cause. This study’s results shed light on one of the many possible explanations by revealing that, while all are opposed to violent activities that could potentially harm people, only six out of the 18 interviewed organizations make an overtly forceful attempt to shun the animal liberation groups that employ and support violence aimed at property destruction, but can also harm people under the wrong circumstances.

The concept that the incidents caused by animal liberation extremists may serve to link the animal rights movement with terrorism did not begin with AETA. For example, in his study about the framing of the debate over animal experimentation, Kruse (2001) found that news magazines and news television programming from 1984 to 1993 mostly presented opponents of vivisection negatively, with the terrorist/criminal frame being presented most often.

**SHAC’s Professed Legality**

As revealed by the statements of Senator Inhofe (outlined in the section titled “About AETA” in Chapter 2) and confirmed by some participants, there is an understanding (albeit scattered) that AETA was principally created in response to SHAC USA. In his study about terrorism, interest group politics and public policy, Congleton (2002) avowed that there is a
largely lucid difference between those who are considered to be terrorists and the groups that convey terrorist messages:

[T]he distinction between terrorist networks and ordinary interest group politics is generally clear. Although both types of groups send political messages and in some cases may advocate similar public policies or forms of governance, ordinary interest groups make their case with words rather than with violence. As a consequence, the losses generated by ordinary interest-group politics tend to be much smaller than those associated with terrorism. Because of the extreme costs of terrorist acts, those acts, in spite of their political motivation, are and should be treated as crimes. Consequently, even in the U.S. context, where an absolute right of political speech is affirmed by the First Amendment, some methods [emphasis in original] of transmitting political sentiments are illegal, although the messages themselves are not. (p. 65)

As stated in Chapter 2 and addressed by one interviewee, SHAC USA specifically employed what it considered to be its First Amendment rights to inform the world about which people worked for companies that were associated with HLS in business and what events had taken place in attempting to “Stop Huntington Animal Cruelty.” On October 3, 2006, the day that his sentence was to begin, the daily radio and television news program “Democracy Now!” interviewed Andrew Stepanian, one of the SHAC 7. When the interviewer (Goodman, 2006) asked Stepanian about the claim that SHAC had crossed the line between constitutionally protected rights and violence, the interviewee stated the following:

[W]hen it comes down to it, at the end of the day, no one was hurt. SHAC USA, on their website, never advocated for anyone to be hurt. SHAC USA, at the bottom of every page, when you load up the html, always had a disclaimer that said that we do not advocate any form of violent activity, and in fact, we urge people that when they write letters or they send emails, that they’re polite, they’re to the point, they’re not threatening in nature. And, obviously, all that happened on the SHAC USA website was a legal form of reporting. It wasn't, “You go and go do this or go annoy these people or go harass these people,” but rather, “These are the people that are supporting this laboratory. This is how they put bread on the table. And this is how this company exists . . . .” Whether or not people took that information and did less than savory things or things that even made myself feel uncomfortable, well, that wasn’t necessarily the business of SHAC USA to be responsible for. The only business that they had was reporting on the facts. And all that, no matter how uncomfortable you might say it is, is protected underneath the First Amendment. (¶ 20)
Stepanian’s lawyer, Andrew Erba, was also part of the above-referenced interview. In it, Erba avowed that many activist groups are affected by an issue that has arisen with the popularity of the Internet because several Web sites “say things which may be somewhat rhetorical, may be somewhat passionate….” Erba continued to ask, “as a result of posting that, if someone should act on that, should that website, should that activist group be held responsible? I think not, under the First Amendment” (Goodman, 2006, ¶ 24).

The earlier-referenced press release issued by AAA after Solano’s keynote speech featured AAA’s account of the prosecutor’s explanation of America’s necessity of AETA: “Solano explained that the recent amendments to the Animal Enterprise Protection Act of 1992 explicitly include acts like intimidation, stalking and harassment designed to put an end to farms, ranches, researchers and others who use and care for animals” (AETA Sends a Clear Signal Says Leading Prosecutor, 2007, ¶ 2). In contrast, EJA claims that there are laws that “already exist to protect industries against illegal actions, regardless of who commits the acts” (AETA Talking Points, N.D.) and that AETA’s penalties are remarkably severe, considering what the U.S. Sentencing Commission revealed to be the 2005 median sentences in federal courts for the following illegal activities:

- larceny = 4 months
- embezzlement = 4 months
- sexual abuse = 4.5 years
- manslaughter = 3 years

As avowed by EJA, “AETA proposes one year for an offense involving no threatened or actual economic damage or bodily harm, and up to 20 years for economic damage! [boldface in original]” (AETA Talking Points, N.D.)
The Legislative Process for AETA

Regardless of its moral implications, it is no secret that lobbying efforts play a large role in America’s Congressional operations. Therefore, it is only logical for a corporation or even an entire industry to exert a great amount of support for a piece of legislation that can positively affect its situation. For this reason, it is understandable that AETA could have been a heavily lobbied effort on the part of animal use industries that might feel threatened by animal liberation extremists. Nevertheless, allowing AETA to undergo serious congressional debate could have ensured that the bill only affected extremists.

Inviting Dr. Jerry Vlasak to speak on behalf of SHAC during the second hearing of the U.S. Senate Committee on Environment and Public Works’ investigation into eco-terrorism could be considered inappropriate for a number of reasons. In particular, Dr. Vlasak’s ideology was too extreme to accurately represent not only the animal activist movement, but arguably even SHAC, which, as claimed in the previous section by one of the SHAC 7 members, did not advocate the use of violence upon people on its Web site. Dr. Vlasak’s remarks could have understandably horrified members of Congress to the point that the passage of AETA, even in its early form, could have seemed urgent enough to pass without detailed inspection to ensure that civil liberties were fully protected.

Next, as first mentioned in Chapter 2, the Committee on the Judiciary in the House of Representatives held a hearing on H.R. 4239 before the Subcommittee on Crime, Terrorism, and Homeland Security on May 23, 2006. Inviting Will Potter, a journalist who is neither a First Amendment scholar nor a lawyer, to testify against AETA’s potential unconstitutionality was an ineffective way to make certain that H.R. 4239’s flaws were equitably discussed. This in no way questions Mr. Potter’s merit or ability; however, it addresses the point that a lawyer would have been a more effective witness in addressing concerns about AETA’s constitutionality.
The changes that were made to AETA (from S. 1926 to S. 3880) were largely accomplished through the collaborative efforts of the ACLU and the staff members of the Senate Judiciary Committee. According to Marvin Johnson (personal communication, April 6, 2007), a legislative counsel for the ACLU, the second letter issued to members of Congress by the ACLU (Fredrickson and Johnson, 2006) featured a more agreeable tone than the first letter of opposition in an effort to not harm a mutually beneficial relationship among the two parties. Mr. Johnson also explained that Dr. Vlasak’s testimony hindered the ACLU’s ability to press for the additional changes that were suggested by the ACLU and HSUS because the testimony had been disturbing to members of Congress.

Several interviewees summarized the order of events in which AETA passed in the House of Representatives as being a salient example of a questionable aura in relation to AETA’s sponsors. The chairman of the House Judiciary Committee, Rep. Sensenbrenner, enacted a “motion to suspend the rules” to pass S. 3880 by a voice vote. As avowed by the EJA, AETA was placed on the suspension calendar late on Friday, November 10, 2006, and scheduled for 6:30 p.m. on Monday, November 13 (AETA Report, 2006). However, while AETA-opposing groups enacted their lobbying efforts on that Monday, the voice vote took place, as evidenced in the Congressional Record, from about 2:46 to 3:16 p.m. During the short debate, Rep. Dennis Kucinich articulated his concern for debating the bill under suspension:

This bill has an inherent flaw that I am pointing out. In addition, when that flaw is held up against the constitutional mandate to protect freedom of speech, what we have done here is we have crippled free expression. I am not and never have been in favor of anyone using a cloak of free speech to commit violence . . . . On the other hand, the chairman's recitation of the statements of animal rights activists, statements that I, myself, would disagree with, those statements, in and of themselves, are constitutionally protected speech. Yet under this bill they suddenly find themselves shifting into an area of doubt, which goes back to my initial claim that this bill was written to have a chilling effect upon a specific type of protest. (Cong. Rec., p. H8594)
In response to Rep. Kucinich’s claim about AETA’s defective status, Rep. Sensenbrenner cited the ACLU’s second letter about AETA in stating that the organization did not oppose the bill and, while minor amendments were requested, “they did not express one concern about constitutionally protected first amendment rights being infringed upon or jeopardized in any way by this bill” (Cong. Rec., p. H8594). It is important to note that, while the ACLU’s second letter about AETA stated that the ACLU did not oppose the bill, it did not state that the ACLU supported the bill either. Moreover, the letter specified that the suggested changes were “necessary to make the bill less likely to chill or threaten freedom of speech” (Fredrickson and Johnson, 2006, ¶ 1).

As revealed in Chapter 4, the concept that AETA is not only an animal rights issue, but a civil liberties problem, was one of the emerging themes of this study. AETA’s sponsors had the opportunity to ameliorate the concerns of the AETA opposition by simply allowing the bill to undergo markup so that the changes suggested by the ACLU and HSUS (listed in Chapter 2) were enacted before it was voted on. Had that happened, AETA’s questionable language could have been corrected at least to the point that the HSUS, a large organization known for its mainstream-oriented approach, would have dropped its opposition of the bill.

Amending AETA to make it certain that constitutionally protected rights (such as boycotts, protests and whistleblowing) would not qualify as offenses, to abstain protection from unlawful animal enterprises (such as dog-fighting rings or puppy mills), and to clarify that penalties only apply to conspiracies would not have stopped extremists from being brought to justice, yet would have closed the contention that the activities of law-abiding activists can be unjustly harmed.

The problem of using the suspension calendar to pass controversial legislation has been contended since at least the 108th Congress. For instance, on June 25, 2003, the Committee on
Rules voted to have House Resolution 297 adopted. This resolution focused on “providing for consideration of motions to suspend the rules” (H. Rep. No. 108–179, 2003). The statement by James P. McGovern, the House Ranking Member, addressed a “serious concern about not only the suspension process, but about the way [the] House [was] being managed” (¶ 3).

Additionally, AETA was not the first bill in the 109th Congress to be intended for the House of Representatives’ suspension calendar amid questioning of the appropriateness of such action. H.R. 4975 was a House bill that raised objections of a similar nature to those brought up by the AETA opposition. On April 13, 2006, Dennis Hastert, the Speaker of the House at the time, and David Dreier, the then-Chairman for the Committee on Rules, were sent a letter by a coalition of organizations consisting of the Campaign Legal Center, Common Cause, Democracy 21, the League of Women Voters, Public Citizen, and the federation of state Public Interest Research Groups (U.S. PIRG) (Various Organizations, 2006). In essence, the groups opined that the bill in question “fail[ed] to effectively address the lobbying, ethics and corruption scandals in Congress” (¶ 1) and had “been considered and reported by a number of House Committees without making the necessary changes to strengthen the bill and effectively address the existing problems” (¶ 3).

This alliance had previously expressed its strong opposition to H.R. 4975 to all members of the House of Representatives via a letter dated March 26, 2006. However, this second letter specifically stated that there had been “reports that consideration [was] being given to bringing up this legislation, or portions of it, on the suspension calendar” (¶ 14). In that regard, the letter continued to state the following: “There is no conceivable justification for placing these controversial issues on the suspension calendar, which, as you know, is reserved for non-controversial proposals” (¶ 14). According to the Congressional Record, several amendments
were made to H.R. 4975 on April 25, 2006, and, unlike AETA, the bill passed by a *recorded* vote of 217 – 213 (H.R. 4975 Major Congressional Actions, 2006).

**Information Dissemination by Animal Advocacy Groups**

As summarized by one of this study’s participants, the communication efforts that law-abiding animal advocacy groups enacted in order to inform stakeholders about AETA’s potentially damaging language can be interpreted as being “too little too late.” In particular, one could also wonder if enacting aggressive news media campaigns addressing the potential First and Fourteenth Amendment violations within AETA could have exerted enough pressure on legislators to halt the passing of the bill until the corrections were made. The fact that AETA’s language was vague enough to make the prosecuting of constitutionally protected activities contingent upon interpretation instead of impossible played a likely part in delaying the reaction time for law-abiding animal advocacy groups because a considerable amount of time was probably spent deciphering the meaning of the bill. However, considering the timing with which most interviewees learned about AETA, it is evident that an effort was made in order to disseminate information about AETA’s potential effects upon animal activists.

It is important to note, however, that because most of the organizational representatives participating in this study learned of AETA’s existence after it was reintroduced as S. 3880, the 15 business days in between the dates of reintroduction and vote by unanimous consent in the Senate could have conceivably been consumed by interpreting the bill. This notion was confirmed by several participants. Consequently, in asking their members and constituents to lobby in opposition to AETA’s vague language at the grassroots level, many of the enacted action alerts focused on stopping AETA from passing in the House of Representatives. This created another possible roadblock in the effort to ensure that law-abiding animal advocacy groups were not negatively affected by AETA because the House version of AETA, H.R. 4239,
contained more obvious unconstitutionalities. Therefore, without knowing that the motion to suspend the rules in the House of Representatives was going to utilize the version that was approved in the Senate, a number of action alerts directed people to speak in opposition to AETA, but also featured bill number H.R. 4239. This may not have been a heavy blow to the effort, but coupled with not only the fact that the House vote for AETA was held on the Monday after Veterans Day weekend (a day on which numerous representatives were likely absent on account of the long weekend), but also the earlier-than-scheduled voice vote, it is certainly understandable that, to say the very least, this effort had many barriers.

**A Chilling of Animal Activism Has Occurred**

AETA is now public law number 109–374. The concern that AETA could wrongfully deny constitutionally protected rights to law-abiding animal activists has been a contention addressed throughout this study. As revealed in Chapter 4, the passing of AETA has not significantly affected the efforts of law-abiding animal advocate groups that participated in this analysis. However, it is also apparent that the lack of clarity surrounding AETA has brought about a level of fear that has been sufficient to encourage non-extremist animal activist groups and individuals to re-evaluate their connection to the cause itself.

**Practical Implications**

This analysis of the communication efforts enacted by law-abiding animal advocacy groups in response to AETA has brought about several implications for not only those involved in animal activism, but those involved in the study and practice of law, public relations, and activism in America. The notion that scholars and students of law are relied upon to look out for, uphold, and defend civil liberties so that such indeterminate legislation as AETA is not created has been reinforced. This study has provided a detailed explanation of how, under the right
circumstances, ambiguous legislation can have an unnecessary effect of worry upon a social movement.

In analyzing activist relations, scholars and practitioners of public relations must be aware of the defensive sentiment that can emerge from corporate entities and industries when they consider themselves negatively affected by activist groups. This mindset can become so strong that a willingness to actually engage in dialogue with an activist public can be replaced with a focus on offensive strategies. One possible example of this additional barrier to activist relations can be seen in the unfavorable response that AAA had toward Wolfgang Puck’s collaboration with HSUS.

This study also suggests the important responsibility that all activist groups have of remaining vigilant about not only their cause, but about all legislation that can affect those advocating on behalf of the cause—even if a bill seems too broad to be of concern. In the event that a piece of legislation that can negatively affect the constitutionally protected rights of a social movement is successfully introduced and carried through the legislative process, activist groups within that movement must make sure to enact effective methods of communication available to ensure that the greatest force has been applied to correcting the faults associated with the proposed law.

The very core of animal liberation extremism, as avowed by the ALF, is based on compassion toward helpless living creatures. That their frustrations or emotions have led animal liberation extremists to take part in actions that should be brought to justice is unquestionable. Yet, it is imperative that the animal liberation extremist sect keeps a clean track record in the United States related to human injury. Even if just one zealot or a successful sabotage effort were to so much as injure a person in the United States in the name of animal liberation, the entire
animal activist movement (regardless of ideology related to the terms “rights,” “welfare,” “protection,” etc.) could be negatively affected by more than one arguably vague law.

**Limitations**

One limitation of this analysis is that the list of participants did not include every single animal advocacy group listed in the AETA opposition list gathered by the EJA. Similarly, this study’s results were gathered from assessments based on organizational experiences with AETA. This means that, although guarded against, a minimal level of speculation is inevitable. Another limitation is that this study focused on the point of view of the AETA opposition.

**Areas for Future Research**

Several areas for future research have emerged through the development of this study. First, the first interview was conducted exactly 13 weeks after AETA became law. It is also notable that the holiday season fell during this period. Consequently, a follow-up study conducted after the one-year mark of AETA’s signing can either provide confirmation for or disprove the notion that AETA has not affected the operations of law-abiding animal advocacy groups.

Next, as alluded to in the above section on limitations, a cross-examination is in order in which AETA supporters are interviewed about why they believe AETA was necessary, questioned about their level of awareness about AETA’s potentially damaging language, asked about their communication efforts in response to AETA, and quizzed on the impact that AETA has had upon their operations. Also, a valuable addition to the literature on this topic would be a language study focusing on the framing of animal activism with relation to AETA specifically looking at how often the terms extremism, radicalism or militant are included in referring to the social movement.
Finally, the advent of the Internet has unquestionably affected American society. Another worthwhile analysis would examine if, excluding the RICO act, any other social movements have undergone experiences similar to AETA, particularly if the statements made on a Web site rather than actions have led to the creation of federal legislation or convictions.

Conclusion

Even before AETA was introduced, animal protection and animal welfare groups made an effort to become disassociated with the term animal rights. This effort could likely be based on differences in ideology. However, there are numerous significant differences between radicals and moderates within one social movement (Derville, 2005). Unfortunately, AETA has been partly successful in grouping those involved with animal rights advocacy into one category, and associating it with terrorism. Continually analyzing one’s relationship to a movement could be considered a not-so-detrimental occurrence as long as it is done with an air of self-protection, which is, after all, human nature. Nevertheless, doing so in direct fear of governmental prosecution should not happen in the United States, a country in which the very definition of being American is based on civil liberties.
APPENDIX A
ANIMAL ENTERPRISE TERRORISM ACT (S. 3880)

S. 3880
S. 3880

One Hundred Ninth Congress
of the
United States of America
AT THE SECOND SESSION

Begun and held at the City of Washington on Tuesday,
the third day of January, two thousand and six
An Act
To provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing
animal enterprise terror.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the 'Animal Enterprise Terrorism Act'.

SEC. 2. INCLUSION OF ECONOMIC DAMAGE TO ANIMAL ENTERPRISES
AND THREATS OF DEATH AND SERIOUS BODILY INJURY TO
ASSOCIATED PERSONS.
(a) In General- Section 43 of title 18, United States Code, is amended to read as follows:

'Sec. 43. Force, violence, and threats involving animal enterprises

'(a) Offense- Whoever travels in interstate or foreign commerce, or uses or causes to be used the mail or any facility of
interstate or foreign commerce--

'(1) for the purpose of damaging or interfering with the operations of an animal enterprise; and

'(2) in connection with such purpose--

'(A) intentionally damages or causes the loss of any real or personal property (including animals or
records) used by an animal enterprise, or any real or personal property of a person or entity having a
connection to, relationship with, or transactions with an animal enterprise;

'(B) intentionally places a person in reasonable fear of the death of, or serious bodily injury to that
person, a member of the immediate family (as defined in section 115) of that person, or a spouse or
intimate partner of that person by a course of conduct involving threats, acts of vandalism, property
damage, criminal trespass, harassment, or intimidation; or

'(C) conspires or attempts to do so;

shall be punished as provided for in subsection (b)

'(b) Penalties- The punishment for a violation of section (a) or an attempt or conspiracy to violate subsection (a) shall be--

'(1) a fine under this title or imprisonment not more than 1 year, or both, if the offense does not instill in
another the reasonable fear of serious bodily injury or death and--

'(A) the offense results in no economic damage or bodily injury; or

'(B) the offense results in economic damage that does not exceed $10,000;

'(2) a fine under this title or imprisonment for not more than 5 years, or both, if no bodily injury occurs and--

'(A) the offense results in economic damage exceeding $10,000 but not exceeding $100,000; or

'(B) the offense instills in another the reasonable fear of serious bodily injury or death;

'(3) a fine under this title or imprisonment for not more than 10 years, or both, if--

'(A) the offense results in serious bodily injury to another individual;

'(4) a fine under this title or imprisonment for not more than 20 years, or both, if--

'(A) the offense results in serious bodily injury to another individual; or

'(B) the offense results in economic damage exceeding $1,000,000; and

'(5) imprisonment for life or for any terms of years, a fine under this title, or both, if the offense results in
death of another individual.
(c) Restitution- An order of restitution under section 3663 or 3663A of this title with respect to a violation of this section may also include restitution--

'(1) for the reasonable cost of repeating any experimentation that was interrupted or invalidated as a result of the offense;
'(2) for the loss of food production or farm income reasonably attributable to the offense; and
'(3) for any other economic damage, including any losses or costs caused by economic disruption, resulting from the offense.

(d) Definitions- As used in this section--

'(1) the term 'animal enterprise' means--

(A) a commercial or academic enterprise that uses or sells animals or animal products for profit, food or fiber production, agriculture, education, research, or testing;  
' (B) a zoo, aquarium, animal shelter, pet store, breeder, furrier, circus, or rodeo, or other lawful competitive animal event, or
' (C) any fair or similar event intended to advance agricultural arts and sciences;

'(2) the term 'course of conduct' means a pattern of conduct composed of 2 or more acts, evidencing a continuity of purpose;

'(3) the term 'economic damage' means--

(A) means the replacement costs of lost or damaged property or records, the costs of repeating an interrupted or invalidated experiment, the loss of profits, or increased costs, including losses and increased costs resulting from threats, acts or vandalism, property damage, trespass, harassment, or intimidation taken against a person or entity on account of that person's or entity's connection to, relationship with, or transactions with the animal enterprise, but
' (B) does not include any lawful economic disruption (including a lawful boycott) that results from lawful public, governmental, or business reaction to the disclosure of information about an animal enterprise;

'(4) the term 'serious bodily injury' means--

(A) injury posing a substantial risk of death;
' (B) extreme physical pain;
' (C) protracted and obvious disfigurement; or
' (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty; and

'(5) the term 'substantial bodily injury' means--

(A) deep cuts and serious burns or abrasions;
' (B) short-term or nonobvious disfigurement;
' (C) fractured or dislocated bones, or torn members of the body;
' (D) significant physical pain;
' (E) illness;
' (F) short-term loss or impairment of the function of a bodily member, organ, or mental faculty; or
' (G) any other significant injury to the body.

(e) Rules of Construction- Nothing in this section shall be construed--

'(1) to prohibit any expressive conduct (including peaceful picketing or other peaceful demonstration) protected from legal prohibition by the First Amendment to the Constitution;
'(2) to create new remedies for interference with activities protected by the free speech or free exercise clauses of the First Amendment to the Constitution, regardless of the point of view expressed, or to limit any existing legal remedies for such interference; or
'(3) to provide exclusive criminal penalties or civil remedies with respect to the conduct prohibited by this section, or to preempt State or local laws that may provide such penalties or remedies.'

(b) Clerical Amendment- The item relating to section 43 in the table of sections at the beginning of chapter 3 of title 18, United States Code, is amended to read as follows:

'43. Force, violence, and threats involving animal enterprises.'

Speaker of the House of Representatives.
Vice President of the United States and
President of the Senate.

END
# APPENDIX B

## ANIMAL ENTERPRISE TERRORISM ACT OPPOSITION LIST

**Animal Enterprise Terrorism Act (AETA) Opposition List**

| Action for Animals - Austin | Animal Enterprise Terrorism Act of 2008
| Action for Animals - Oakland | Animal Rights Coalition
| All Creatures | Animal Rights Coalition
| Alley Cat Allies | Animal Rights Coalition (MN)
| Alley Cat Rescue | Animal Rights Hawaii
| Alliance for Animals Milwaukee | Animal Rights International
| American Anti-Vivisection Society | Animal Sanctuary Foundation
| Am. Society Prot. Animals (ASPCA) | Animal Switchboard
| Animal Acres | Animal Welfare Advocacy
| Animal Advocates of Inland NW | Animal Welfare Federation of CT
| Animal Concerns | Animal Welfare Institute
| Animal Control Welfare Commission (SF) | Animals Voice
| Animal Defense League Arizona | Animals Naturals Arizona
| Animal Friendly NYC | Anti-Fur Society
| Animal Law Coalition | APES (Abolish Primate Experiments, )
| Animal Protection Institute | Association of Sanctuaries
| Animal Rights Alliance | Assn. of Veterinarians for Animal...
| Animal Rights Coalition (IN) | Avian Welfare Coalition
| Animal Rights Hawaii | AZVegan.com
| Animal Rights International | Baltimore Animal Rights Coalition
| Animal Sanctuary Foundation | Bay Area Vegetarians
| Animal Switchboard | BEAR League
| animalrights Reality | Big Cat Rescue
| Animal Welfare Advocacy | Break the Chains
| Animal Welfare Federation of CT | Cats Meow Animal Shelter
| Animal Welfare Institute | Catcalls Animal Sanctuary
| Animals Voice | Coalition for Animal Rights Education
| Animals Naturals Arizona | Christian Vegetarian Association
| Anti-Fur Society | Coal. for Action in the Interest of Animals
| APES (Abolish Primate Experiments, ) | Coal. for Action in the Interest of Animals
| Arizona State Univ. Animal Welfare Asstn. | Compassion over Camden
| Association of Sanctuaries | Compassion Over Killing
| Assn. of Veterinarians for Animal... | Compassionate Carnivores
| Avian Welfare Coalition | Compassionate Consumers
| AZVegan.com | Compassionate Cooks
| Baltimore Animal Rights Coalition | Compassionate Living Project
| Bay Area Vegetarians | Break the Chains
| BEAR League | Cats Meow Animal Shelter
| Big Cat Rescue | Catcalls Animal Sanctuary
| Break the Chains | Coalition for Animal Rights Education
| Christian Vegetarian Association | Coal. for Action in the Interest of Animals
| Coal. for Action in the Interest of Animals | Compassion over Camden
| Compassion over Camden | Compassion Over Killing
| Compassionate Carnivores | Compassionate Consumers
| Compassionate Consumers | Compassionate Cooks
| Compassionate Living Project | Compassionate Living Project
| DawnWatch | Defenders of the Wild
| Defenders of the Wild | Dogs Deserve Better
| Dogs Deserve Better | East Coast Animal Advocates
| East Coast Animal Advocates | Eastern Shore Sanctuary and Ed Center
| Eastern Shore Sanctuary and Ed Center | Equal Justice Alliance
| Equal Justice Alliance | FARM (Farm Animal Reform Movement)
| FARM (Farm Animal Reform Movement) | Farm Sanctuary
| Farm Sanctuary | Farmed Animal Net
| Farmed Animal Net | Friends of Animals and Their Environment
| Friends of Animals and Their Environment | Faunavision
| Faunavision | Feathers Foundation
| Feathers Foundation | Florida Voices of Animals
| Florida Voices of Animals | Foster Pardons
| Foster Pardons | Friends of Animals
| Friends of Animals | Go Vegan Texas! Radio Collective
| Go Vegan Texas! Radio Collective | Great Lakes Rabbit Sanctuary
| Great Lakes Rabbit Sanctuary | Green Bloggers
| Green Bloggers | Herbivore Magazine
| Herbivore Magazine | Humane Society of the US
| Humane Society of the US | In Defense of Animals
| In Defense of Animals | In Solidarity with Animals
| In Solidarity with Animals | Indy Media
| Indy Media | International Anti-Fur Coalition
| International Anti-Fur Coalition | International Fund for Animal Welfare
| International Fund for Animal Welfare | Jewish Vegetarians of North America
| Jewish Vegetarians of North America | K9 Magazine
| K9 Magazine | Kinship Circle
| Kinship Circle | Kitty Liberation Front
| Kitty Liberation Front | LA Lawyers for Animals
| LA Lawyers for Animals | Last Chance for Animals
| Last Chance for Animals | League of Humane Voters (USA)
| League of Humane Voters (USA) | League of Humane Voters - CA
| League of Humane Voters - CA | League of Humane Voters - NY
| League of Humane Voters - NY | Little Cats Rescue
| Little Cats Rescue | Maryland Animal Advocates
| Maryland Animal Advocates | Massachusetts Animal Rights Coalition
| Massachusetts Animal Rights Coalition | Memphis Area Animal Rights Activists
| Memphis Area Animal Rights Activists | Mercy for Animals
| Mercy for Animals | Mi Soc. Prevention Cruelty to Animals
| Mi Soc. Prevention Cruelty to Animals | Mid-Hudson Vegetarian Society
| Mid-Hudson Vegetarian Society | Midwest Animal Adoption & Rescue Serv.
| Midwest Animal Adoption & Rescue Serv. | Mobilization for Animals Pennsylvania
| Mobilization for Animals Pennsylvania | Music United for Animals
| Music United for Animals | National Anti-Vivisection Society
| National Anti-Vivisection Society | National Lawyers Guild
| National Resource Defense Council | NE Ohio Vegetarian Advocates
| NE Ohio Vegetarian Advocates | New England Anti-Vivisection Society
| New England Anti-Vivisection Society | New Jersey Animal Rights Alliance
| New Jersey Animal Rights Alliance | Northwest Animal Rights Network
| Northwest Animal Rights Network | NY Champion Bird Club
| NY Champion Bird Club | NY State Humane Association
| NY State Humane Association | NYC Indymedia
| NYC Indymedia | Peace River Refuge and Ranch
| Peace River Refuge and Ranch | People for the Ethical Treatment of Animals
| People for the Ethical Treatment of Animals | Pet Finder
| Pet Finder | PetStoreCruelty.org
| PetStoreCruelty.org | Physicists for Animal Rights
| Physicists for Animal Rights | Primate Freedom Project
| Primate Freedom Project | Public Eye: Artists for Animals
| Public Eye: Artists for Animals | Puppy Mill Awareness Day
| Puppy Mill Awareness Day | Queer Ministries
| Queer Ministries | Rabbit Wise
| Rabbit Wise | Rainforest Action Network
| Rainforest Action Network | Reasonable Animal Protection Society
| Reasonable Animal Protection Society | Rochester Animal Advocates
| Rochester Animal Advocates | San Diego Animal Advocates
| San Diego Animal Advocates | Sasha Farm Animal Sanctuary
| Sasha Farm Animal Sanctuary | Satya Magazine
| Satya Magazine | Senior Citizens for Humane Legislation
| Senior Citizens for Humane Legislation | Showing Animals Respect and Kindness
| Showing Animals Respect and Kindness | Simply Enough
| Simply Enough | Society for Animal Protective Legislation
| Society for Animal Protective Legislation | Sonoma People for Animal Rights
| Sonoma People for Animal Rights | Stop Animal Exploitation NOW!
| Stop Animal Exploitation NOW! | StopAEAT.org
| StopAEAT.org | Students for Education on Animal Lib
| Students for Education on Animal Lib | SuperVegan.com
| SuperVegan.com | United Animal Nations
| United Fed. Teachers Humane Ed. | United Family Concerns
| United Family Concerns | Unitarian Universalists for Ethical...
| Unitarian Universalists for Ethical...
| Valley Vegan Society | VeganFreak.com
| VeganFreak.com | Vegans
| Vegans | Vegan Outreach
| Vegan Outreach | Vegan Radio
| Vegan Radio | Vegetarian Advocates
| Vegetarian Advocates | Vegetarian Information Group - Rochester
| Vegetarian Information Group - Rochester | Vegetarian Society of El Paso
| Vegetarian Society of El Paso | Veggie Jews
| Veggie Jews | Vegnews Network
| Vegnews Network | VegNews Magazine
| VegNews Magazine | Viva!USA
| Viva!USA | VivaVeggie Society
| VivaVeggie Society | Voice for the Viable Future
| Voice for the Viable Future | Wildlife Watch
| Wildlife Watch | Woodstock Animal Rights Movement
| Woodstock Animal Rights Movement | Woodstock Farm Animal Sanctuary
| Woodstock Farm Animal Sanctuary | World Animal Net
| World Animal Net | World Orchard Project
| World Orchard Project | World Society for Protection of Animals
| World Society for Protection of Animals | The Equal Justice Alliance is a national coalition of social advocacy organizations preserving free speech and equal treatment under the law.

List compiled from multiple sources, including but not limited to: Animals Voice. EJA is the New Red, Kinship Circle, Satya, and StopAEAT.org. Last updated 11-12-06 – Call 800-632-8988 or 292-488-4834 for more info.
Animal Activism Spectrum

Radical Goals

ALF  SHAC
Animal Liberation  Animal Liberation

Militant Tactics

Moderate Goals

PETA  HSUS  ASPCA
Animal Rights  Animal Protection  Animal Welfare

Legal Tactics
APPENDIX D
PARTIAL TRANSCRIPT OF DR. VLASAK’S STATEMENTS

The following partial transcript was retrieved from Fur Commission USA’s Web site containing resources about AETA (Transcript of the Full Committee Hearing on Eco-terrorism, 2005). A multimedia file of the entire hearing is available on the Web site for the U.S. Senate Committee on Environment & Public Works (SHAC Hearing Multimedia, 2005).

Senator Inhofe. Okay. Dr. Vlasak, do your fellow animal rights activists understand that animal testing is required by law and therefore the people who are performing this testing are merely following the law. Do they understand that, and do you understand that?

Dr. Vlasak. I understand that they are merely following the law, and the law in this case is wrong, just like the law that allowed slavery was wrong at one time.

Senator Inhofe. Well, you mentioned slavery, you also mentioned slavery in several of the comments that you made, as well as your testimony. You analogized the plight of animals to that of the African-American slaves of early American history, asserting that the animal rights movement is similar to that of the Underground Railroad. You even at one time or several times have talked about the Jews in Nazi Germany.

It sounds to me, in looking at this, like you’re evaluating the lives of human beings in a similar way that you are animals. Do you think animals’ lives are as precious as human life?

Dr. Vlasak. Non-human lives, non-human animal lives, are as precious as animal lives. At one time, racism and sexism and homophobia were prominent in our society. Today speciesism is prominent in our society. It is just as wrong as racism.

Senator Inhofe. So you do put them in the same category, the animals of non-human and human lives? Is that correct?

Dr. Vlasak. They are morally equal.

Senator Inhofe. They are morally equal?

Dr. Vlasak. They are.

Senator Inhofe. One of the statements you made at the animal rights convention when you were defending assassinating people, murdering people, you said, let me put it up here to make sure I’m not misquoting you, “I don’t think you’d have to kill, assassinate too many. I think for five lives, ten lives, fifteen human lives, we could save a million, two million, or ten million nonhuman lives.’’ You’re advocating the murder of individuals, isn’t that correct?

Dr. Vlasak. I made that statement, and I stand by that statement. That statement is made in the context that the struggle for animal liberation is no different than struggles for liberation elsewhere, whether the struggle for liberation in South Africa against the apartheid regime,
whether the liberation against the communists, whether it was the liberation struggles in Algeria, Viet Nam or Iraq today, liberation struggles occasionally or usually, I should say, usually end up in violence. There is plenty of violence being used on the other side of the equation. These animals are being terrorized, murdered and killed by the millions every day. The animal rights movement has been notoriously non-violent up to this point.

But I don’t believe that__I believe as my statement says__

**Senator Inhofe.** Let me interrupt. You said it has been notoriously non-violent up to this time?

**Dr. Vlasak.** That is correct.

**Senator Inhofe.** You don’t think there is violence in the testimony you’ve heard?

**Dr. Vlasak.** I think when you compare the 500 animals being murdered every single day at Huntingdon Life Sciences, which is just one company, I think when you look at the amount of violence that goes on at Mr. Boruchin’s house, getting a little spray paint on the wall, I think if you look at the amount of violence that went on at this yacht club in New York, where again some spray paint was slapped up on a wall, I don’t think you can compare that kind of vandalism with the murder of millions of animals.

**Senator Inhofe.** And so you call for the murders of researchers and human life?

**Dr. Vlasak.** I said in that statement and I meant in that statement that people who are hurting animals and who will not stop when told to stop, one option would be to stop them using any means necessary and that was the context in which that statement was made.

**Senator Inhofe.** Including murdering them, is that correct?

**Dr. Vlasak.** Pardon?

**Senator Inhofe.** Including murdering them?

**Dr. Vlasak.** I said that would be a morally justifiable solution to the problem.

**Senator Inhofe.** Senator Lautenberg.

**Senator Lautenberg.** Dr. Vlasak, you approve of these dastardly acts in the name of liberation, of a liberation movement. Do you have any children?

**Dr. Vlasak.** I have no children. And just to be clear, I don’t approve of any unnecessary suffering. And I wish these things didn’t have to happen.

**Senator Lautenberg.** Fine. You do. And what you have said confirms it. So I just want to go there. I want to know who you are, what makes you tick. Because it is so revolting to hear what you say about the murder. These aren’t extermination camps. What’s being done, whether you like it or not, is to try and improve the quality of life for human beings. This isn’t Germany.
How do you feel about people, you said you think people who have a cause have a right to violence. How about the guys who kill our soldiers and who killed the people in the Trade Towers? They have a cause. Is that okay with you?

**Dr. Vlasak.** No. Unnecessary loss of life is never okay with me. I extend that loss of life to animal life, non-human animal life as well.
APPENDIX E
S. 1926, 109TH CONGRESS

To provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror.

IN THE SENATE OF THE UNITED STATES

OCTOBER 27, 2005

Mr. INHOFE introduced the following bill, which was read twice and referred to the Committee on the Judiciary

A BILL

To provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Animal Enterprise Terrorism Act”.

88
SEC. 2. INCLUSION OF ECONOMIC DISRUPTION TO ANIMAL ENTERPRISES AND THREATS OF DEATH AND SERIOUS BODILY INJURY TO ASSOCIATED PERSONS.

(a) IN GENERAL.—Section 43 of title 18, United States Code, is amended to read as follows:

“§ 43. Force, violence, and threats involving animal enterprises

“(a) OFFENSE.—Whoever travels in interstate or foreign commerce, or uses or causes to be used the mail or any facility of interstate or foreign commerce—

“(1) for the purpose of damaging or disrupting an animal enterprise; and

“(2) in connection with such purpose—

“(A) intentionally damages, disrupts, or causes the loss of any property (including animals or records) used by the animal enterprise, or any property of a person or entity having a connection to, relationship with, or transactions with the animal enterprise;

“(B) intentionally places a person in reasonable fear of the death of, or serious bodily injury to that person, a member of the immediate family (as defined in section 115) of that person, or a spouse or intimate partner of that person by a course of conduct involving threats,
acts of vandalism, property damage, trespass, 

harassment, or intimidation; or 

“(C) conspires or attempts to do so; 

shall be punished as provided for in subsection (b). 

“(b) PENALTIES.— 

“(1) ECONOMIC DAMAGE.—Any person who, in 

the course of a violation of subsection (a) causes 

economic damage not exceeding $10,000 shall be 

fined under this title or imprisoned not more than 

1 year, or both. 

“(2) SIGNIFICANT ECONOMIC DAMAGE OR ECO- 

NOMIC DISRUPTION.—Any person who, in the course 

of a violation of subsection (a), causes economic 

damage or economic disruption exceeding $10,000 

but not exceeding $100,000 shall be fined under this 

title or imprisoned not more than 5 years, or both. 

“(3) MAJOR ECONOMIC DAMAGE OR ECONOMIC 

DISRUPTION.—Any person who, in the course of a 

violation of subsection (a), causes economic damage 

or economic disruption exceeding $100,000 shall be 

fined under this title or imprisoned not more than 

10 years, or both. 

“(4) SIGNIFICANT BODILY INJURY OR 

THREATS.—Any person who, in the course of a vi- 

lation of subsection (a), causes significant bodily in-
jury to another individual or intentionally instills in
another the reasonable fear of death or serious bod-
ily injury shall be fined under this title or impris-
oned not more than 5 years, or both.

“(5) SERIOUS BODILY INJURY.—Any person
who, in the course of a violation of subsection (a),
causes serious bodily injury to another individual
shall be fined under this title or imprisoned not
more than 20 years, or both.

“(6) DEATH.—Any person who, in the course of
a violation of subsection (a), causes the death of an
individual shall be fined under this title and shall be
punished by death or imprisoned for life or for any
term of years.

“(7) CONSPIRACY AND ATTEMPT.—Any person
who conspires or attempts to commit an offense
under subsection (a) shall be subject to the same
penalties as those prescribed for the substantive of-
fense.

“(c) RESTITUTION.—An order of restitution under
section 3663 or 3663A of this title with respect to a viola-
tion of this section may also include restitution—

“(1) for the reasonable cost of repeating any
experimentation that was interrupted or invalidated
as a result of the offense;
“(2) the loss of food production or farm income reasonably attributable to the offense; and
“(3) for any other economic damage, including any losses or costs caused by economic disruption, resulting from the offense.
“(d) DEFINITIONS.—As used in this section—
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“(B) a zoo, aquarium, animal shelter, pet store, breeder, furrier, circus, or rodeo, or other lawful competitive animal event; or
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“(2) the term ‘course of conduct’ means a pattern of conduct composed of 2 or more acts, evidencing a continuity of purpose;
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“(A) means losses and increased costs that individually or collectively exceed $10,000, including losses and increased costs resulting from threats, acts of vandalism, property damage, trespass, harassment or intimidation taken against a person or entity on account of that person’s or entity’s connection to, relationship with, or transactions with the animal enterprise; and

“(B) does not include any lawful economic disruption that results from lawful public, governmental, or business reaction to the disclosure of information about an animal enterprise;

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“(A) injury posing a substantial risk of death;

“(B) extreme physical pain;

“(C) protracted and obvious disfigurement;

or

“(D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty; and

“(6) the term ‘significant bodily injury’ means—
“(A) deep cuts and serious burns or abrasions;

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“(C) fractured or dislocated bones, or torn members of the body;

“(D) significant physical pain;

“(E) illness;

“(F) short-term loss or impairment of the function of a bodily member, organ, or mental faculty; or

“(G) any other significant injury to the body.

“(e) NON-PREEMPTION.—Nothing in this section preempts any State law.”.

(b) CONFORMING AMENDMENT.—Section 2516(1)(c) of title 18, United States Code, is amended by inserting “section 43 (force, violence and threats involving animal enterprises),” before “section 201 (bribery of public officials and witnesses)”.

⊙
APPENDIX F
H.R. 4239, 109TH CONGRESS

109TH CONGRESS
1ST SESSION

H. R. 4239

To provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 2005

Mr. PETRI (for himself, Mr. ISSA, Mr. MCCOTTER, Mr. CANNON, Mr. BONILLA, Mr. CUNNINGHAM, Mr. CALVETT, Mr. OTTER, Mr. BOREN, Mrs. BLACKBURN, Mr. DOOLITTLE, and Mr. SENSENBRUNNER) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror.

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2 tives of the United States of America in Congress assembled,
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95
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"(B) intentionally places a person in reasonable fear of the death of, or serious bodily injury to that person, a member of the immediate family (as defined in section 115) of that person, or a spouse or intimate partner of that person by a course of conduct involving threats,
acts of vandalism, property damage, trespass,
harassment, or intimidation; or
“(C) conspires or attempts to do so;
shall be punished as provided for in subsection (b).
“(b) PENALTIES.—
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the course of a violation of subsection (a) causes
economic damage not exceeding $10,000 shall be
fined under this title or imprisoned not more than
1 year, or both.
“(2) SIGNIFICANT ECONOMIC DAMAGE OR ECO-
NOMIC DISRUPTION.—Any person who, in the course
of a violation of subsection (a), causes economic
damage or economic disruption exceeding $10,000
but not exceeding $100,000 shall be fined under this
title or imprisoned not more than 5 years, or both.
“(3) MAJOR ECONOMIC DAMAGE OR ECONOMIC
DISRUPTION.—Any person who, in the course of a
violation of subsection (a), causes economic damage
or economic disruption exceeding $100,000 shall be
fined under this title or imprisoned not more than
10 years, or both.
“(4) SIGNIFICANT BODILY INJURY OR
THREATS.—Any person who, in the course of a vi-
lotion of subsection (a), causes significant bodily in-
jury to another individual or intentionally instills in
another the reasonable fear of death or serious bod-
ily injury shall be fined under this title or impris-
oned not more than 5 years, or both.

“(5) SERIOUS BODILY INJURY.—Any person
who, in the course of a violation of subsection (a),
causes serious bodily injury to another individual
shall be fined under this title or imprisoned not
more than 20 years, or both.

“(6) DEATH.—Any person who, in the course of
a violation of subsection (a), causes the death of an
individual shall be fined under this title and shall be
imprisoned for life or for any term of years.

“(7) CONSPIRACY AND ATTEMPT.—Any person
who conspires or attempts to commit an offense
under subsection (a) shall be subject to the same
penalties as those prescribed for the substantive of-
fense.

“(c) RESTITUTION.—An order of restitution under
section 3663 or 3663A of this title with respect to a viola-
tion of this section may also include restitution—

“(1) for the reasonable cost of repeating any
experimentation that was interrupted or invalidated
as a result of the offense;
“(2) the loss of food production or farm income reasonably attributable to the offense; and
“(3) for any other economic damage, including any losses or costs caused by economic disruption, resulting from the offense.
“(d) DEFINITIONS.—As used in this section—
“(1) the term ‘animal enterprise’ means—
“(A) a commercial or academic enterprise that uses or sells animals or animal products for profit, food or fiber production, agriculture, research, or testing;
“(B) a zoo, aquarium, animal shelter, pet store, breeder, furrier, circus, or rodeo, or other lawful competitive animal event; or
“(C) any fair or similar event intended to advance agricultural arts and sciences;
“(2) the term ‘course of conduct’ means a pattern of conduct composed of 2 or more acts, evidencing a continuity of purpose;
“(3) the term ‘economic damage’ means the replacement costs of lost or damaged property or records, the costs of repeating an interrupted or invalidated experiment, or the loss of profits;
“(4) the term ‘economic disruption’—
“(A) means losses and increased costs that individually or collectively exceed $10,000, including losses and increased costs resulting from threats, acts or vandalism, property damage, trespass, harassment or intimidation taken against a person or entity on account of that person’s or entity’s connection to, relationship with, or transactions with the animal enterprise; and

“(B) does not include any lawful economic disruption that results from lawful public, governmental, or business reaction to the disclosure of information about an animal enterprise;

“(5) the term ‘serious bodily injury’ means—

“(A) injury posing a substantial risk of death;

“(B) extreme physical pain;

“(C) protracted and obvious disfigurement;

or

“(D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty; and

“(6) the term ‘significant bodily injury’ means—
“(A) deep cuts and serious burns or abrasions;

“(B) short-term or nonobvious disfigurement;

“(C) fractured or dislocated bones, or torn members of the body;

“(D) significant physical pain;

“(E) illness;

“(F) short-term loss or impairment of the function of a bodily member, organ, or mental faculty; or

“(G) any other significant injury to the body.

“(e) NON-PREEMPTION.—Nothing in this section preempts any State law.”.

(b) CONFORMING AMENDMENT.—Section 2516(1)(e) of title 18, United States Code, is amended by inserting “section 43 (force, violence and threats involving animal enterprises),” before “section 201 (bribery of public officials and witnesses)”.\end{document}
APPENDIX G
CHANGES SUGGESTED BY THE HUMANE SOCIETY OF THE UNITED STATES

Major Flaws in S. 3880 (as amended and passed by Senate), and Corrective Amendments

The Animal Enterprise Terrorism Act (AETA) was intended to protect people from violence, threatening behavior, and vandalism by imposing harsh penalties, and providing a strong tool for federal prosecutors. But it should not make it a federal crime to engage in peaceful acts such as to participate in a boycott, investigate animal cruelty, or for employees to blow the whistle on criminal activities. As currently written the bill does just that, criminalizing and chilling a broad range of activities engaged in by millions of law-abiding Americans every day, including the actions of local law enforcement and humane officers.

We believe that most of the flaws in the bill are a result of careless drafting, as the measure was rushed through the Senate without a markup, without a committee vote, and without floor debate. As a result, the bill contains such obvious errors as using terms that are unconstitutionally vague and failing to define them, and even including language that could be used as a shield by criminal animal enterprises.

At minimum, the following drafting errors need to be resolved:

1) The Bill Lacks a Clear Prohibition, and Relies on Vague and Confusing Exemptions

The bill revises the existing AETA to criminalize any conduct that “intentionally damages or causes the loss of any real or personal property.” However, the bill does not provide any definition of the terms “real or personal property,” leaving open the question of whether this vague language requires the actual loss of tangible property, or would criminalize legitimate advocacy that causes an enterprise to lose intangible property like future profits, business good will, etc. The sponsors could not have intended to criminalize any speech or action that might affect sales or business good will.1

Moreover, although the bill exempts from the definition of “economic damage” “any lawful economic disruption (including a lawful boycott) that results from lawful public, governmental, or business reaction to the disclosure of information about an animal enterprise,” no such exemption exists from the undefined term “real or personal property.” Since the phrase “economic damage” appears only in the penalty provisions of the bill, the exemption for “lawful economic disruption” may not function as an exemption from the bill’s broad prohibition on “the loss of any real or personal property.”

The would-be exemption for “lawful economic disruption” is also too narrow. There are many circumstances where legitimate advocates use information that is not necessarily “about” an enterprise to try and convince the public not to patronize certain industries, and thereby cause those industries to suffer “the loss of any real or personal property.” (For example, someone may advocate against puppy mills by talking about overpopulation, which is a consequence of puppy mills but not “about” a particular puppy mill enterprise). The exemption is also dependent on whether a public, governmental, or business audience reacts in a “lawful” way, something out of the activist’s control.

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1 The bill’s exemption for “expressive conduct (including peaceful picketing or other peaceful demonstration) protected from legal prohibition by the First Amendment” is also insufficient, since it is expressly limited to “expressive” conduct, and many local humane society investigations and other important law enforcement actions, as well as employee whistleblowing, may not be considered “expressive” conduct within the protections of the First Amendment. This ambiguity regarding First Amendment protection will result in a significant chilling effect.
Proposed Revision: Amend section 43(d) to insert the following new section and remove current subsection (3)(B), with appropriate renumbering:

(3) the term ‘intentionally damages or causes the loss of any real or personal property’ –

(A) means intentionally damaging or causing the loss of any tangible property; but

(B) does not include damage or loss resulting from a boycott, protest, demonstration, investigation, whistleblowing, reporting of animal mistreatment, or any public, governmental, or business reaction to the disclosure of information concerning animal enterprises.

2) The Bill’s Penalty Provisions Are Unclear, and Will Chill Legitimate Advocacy

The bill’s first penalty provision applies to offenses that cause no reasonable fear of bodily harm, no actual bodily harm or any economic damage. Presumably, this is meant to address conspiracies or attempts, but the bill fails to explicitly make that connection, creating a chilling effect on ordinary citizens considering actions that will cause no harm (physical or economic) nor instill any fear of harm.

Proposed Revision:

Amend section 43(b)(1)(A), as follows:

A offense under subsection (a)(2)(C) results in no economic damage or bodily injury.

3) The Bill Could Protect Criminal Animal Enterprises

The bill is so over-broad that it could be used to shield those using animals unlawfully – e.g., criminal dog fighting and cockfighting syndicates – from enforcement efforts. Local humane societies or other law enforcement officials considering investigating illegal abuse might well be deterred from doing so by the threat of being charged as terrorists. Moreover, employees, regular citizens, and legitimate animal activists will be afraid to cooperate or provide information to law enforcement agencies for fear of prosecution under the sweeping terms of this bill.

Proposed Revision:

Amend section 43(d)(1), as follows:

The term ‘animal enterprise’ means —

(A) a lawful commercial or academic enterprise that uses or sells animals or animal products for profit, food or fiber production, agriculture, education, research, or testing;

(B) a lawful zoo, aquarium, animal shelter, pet store, breeder, furrier, circus, rodeo or other lawful competitive animal event; or

(C) any lawful fair or similar event intended to advance agricultural arts and sciences.
APPENDIX H
QUESTION GUIDE

Pre-AETA Strategies

- What was your organization's position on AETA before it passed?
  - Oppose: Has your position changed since then?
  - Support: Did you oppose it at any time in the process or did you always have the same position?
- Did your organization put forth a communications effort to advocate the rejection of AETA by members of Congress? If so, what were the key messages conveyed in that effort?
- Did you organization enact a media campaign regarding its position on AETA? If so, what was the response of journalists and your membership to your position?
- If you opposed AETA, did you enlist the support of non-animal activist groups? If so, what was their reaction towards AETA?
- Does your organization make an effort to separate itself from animal liberation groups that employ violence, harassment or other illegal tactics? In what way?

Perceptions of AETA

- What do you think were the intended effects of AETA from the sponsors’ points of view?
- Why do you think that AETA passed with unanimous consent in the Senate? Why do you think that AETA passed with nearly unanimous support in the House of Representatives?
- AETA seemed to have passed quickly through Congress. Why do you think that is?
- Do you think that AETA was written with the intention of affecting law-abiding animal rights and animal protection groups?
- Do you think that law-abiding animal rights and animal protection groups understood how this act would affect them?

AETA’s Effects

- Has the passing of AETA affected the way in which your organization advocates for animals? If so, how? If not, do you think that your organization’s future campaigns could be affected by AETA?
- In retrospect, do you think that your organization should have or could have communicated differently regarding its position on AETA? If so, in what way?
- Will your organization continue to communicate its position on AETA? Try to repeal? If so, how?
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BIOGRAPHICAL SKETCH

Nadya Michelle Vera was born in Santurce, Puerto Rico on November 30, 1981. She grew up mostly in Miami, Florida. She graduated from Miami Sunset Senior High School and earned her bachelor’s degree in Theatre from Florida International University (FIU). While attending FIU, Nadya worked at Complete Conference Management, Inc. (CCM) as a part-time marketing assistant and later as a marketing coordinator. After earning her bachelor’s degree, Nadya continued to work at CCM, but on a full-time basis.

Nadya began her master’s studies in mass communications with an emphasis in public relations in August 2005. During the months of June through August 2006, Nadya worked as an intern in the public relations department of the Humane Society of the United States in Gaithersburg, MD.