

## NAIS AND YOUR CONSTITUTIONAL RIGHTS

**FIRST AMENDMENT:** The First Amendment of the Bill of Rights guarantees Americans the right to the free exercise of religion. Many Christians and person of other religious beliefs cannot comply with the NAIS because it violates the free exercise of their religious beliefs. For example, the Old Order Amish believe they are prohibited from registering their farms or animals in the proposed program due to scriptural prohibitions. Other simply hold that NAIS violates their personal beliefs-you do not need to belong to an established religion to exercise your first amendment rights.

**FOURTH AMENDMENT:** The Fourth Amendment guarantees the right to privacy and security against unreasonable searches and seizures. The requirement of households and small farms that own animals to register the premises so that the Department can subject these premises to satellite surveillance is a clear violation of the Fourth Amendment.

**FIFTH AMENDMENT:** The Fifth Amendment guarantees protection against the loss of life, liberty or private property without due process of law. The NAIS allows the Department of Agriculture to seize privately owned animals without due process.

**FOURTEENTH AMENDMENT:** No State shall make or enforce any law which shall abridge the privileges or immunities of US citizens nor deprive them of life, liberty or property without due process of law. Much of the "authority" for NAIS will come through legislation on the state level.

Whether or not the USDA delays the implementation of a national, mandatory system, many states are actively implementing their own mandatory premise and animal identification systems. Wisconsin and North Carolina have passed legislation for mandatory premises registration and Indiana has adopted regulations for mandatory premise registration beginning in September. Legislation is pending in Texas. To check on what is happening in your state, visit <http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625050> .

Clothed in the garb of public safety, NAIS is shaping up to be a very dangerous fox in the backyard henhouse.

## BATTLEGROUND TEXAS

Texas is shaping up to be the first battleground state for NAIS. In Wisconsin and North Carolina, NAIS legislation passed without any public scrutiny.

However, in Texas, in response to proposed regulations from the Texas Animal Health Commission to require every person who owns even one livestock animal to register their premises with the state, Texas farmers, ranchers, companion-animal owners, and consumers rallied in opposition. They sent in almost 700 letters during the Commission's 45-day comment period, and over 200 people showed up to the Commission's public meeting on February 16.

Although the public pressure convinced the Commission to table the regulations until their next meeting in May, the real work has just begun. We still have to gain support in the legislature, or the Commission will move forward with the regulations.

A group of Texans are in the process of establishing a new non-profit lobbying organization on behalf of small farmers in Texas. The first target will be the Texas Legislature but the organization plans to operate on a national level to put a stop to NAIS.

The Texas Organic Farmers and Gardeners Association is serving as an information clearinghouse at this point, so please check their website for progress on the new entity and information on how you can help: <http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625051> or email [txnonais@att.net](mailto:txnonais@att.net)

## RESOURCES FOR OPPOSING NAIS

\* FARM for LIFE TM is a public-interest organization dedicated to supporting the rights of small and subsistence farmers and consumers of organic, natural, and local foods. FARM for LIFE's first project is to stop the USDA plan for mandatory animal ID. The organization will publish a newsletter three times a year (first publication scheduled for November 1, 2005), to inform citizens of developments concerning animal ID and other issues vital to the small farming and natural/organic food communities. Newsletter subscribers will also be sent information at appropriate times on how to contact lawmakers and the USDA to oppose animal ID. In addition, FARM for LIFE will coordinate with other existing interest groups to mount an effective campaign against animal ID. Please help stop animal ID and support FARM for LIFE by subscribing to the newsletter: \$25 individual subscription (1 year), \$40 institutional subscription (1 year). Please help with an additional donation in any amount. Make your check payable to "Farm for Life" and mail to:

Farm for Life, PO Box 501, Canton, New York 13617. For further information email: [mlz@slc.com](mailto:mlz@slc.com).

\* Articles by Mary Zanoni, Ph.D. (Cornell), J.D. (Yale), Executive Director of Farm for LifeTM: "Why You Should Oppose the USDA's Mandatory Property and Animal Surveillance Program" (<http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625052>) and "Comments on NAIS Draft Program Standards and Draft Strategic Plan" (<http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625053>).

\* Stop Animal ID.org: Online grassroots organization created to stop NAIS; their website includes information on what you can do to oppose NAIS (<http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625054>).

\* Organic Consumers Association (OCA) <http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625055>.

\* No NAIS.org: Walter Jeffries, Sugar Mountain Farm, Vermont

([http://en.groundspring.org/EmailNow/pub.php?](http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625056)  
module=URLTracker&cmd=track&j=67791261&u=625056 ).

\* National Property Owners Association:  
[http://en.groundspring.org/EmailNow/pub.php?](http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625057)  
module=URLTracker&cmd=track&j=67791261&u=625057 .

\* American Poultry Association: Preserve Your Rights as a Poultry Fancier (  
[http://en.groundspring.org/EmailNow/pub.php?](http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625058)  
module=URLTracker&cmd=track&j=67791261&u=625058 ).

\* Free Tennessee: [http://en.groundspring.org/EmailNow/pub.php?](http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625059)  
module=URLTracker&cmd=track&j=67791261&u=625059 .

\* The Petition Site.com: Anti-NAIS petition (  
[http://en.groundspring.org/EmailNow/pub.php?](http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625060)  
module=URLTracker&cmd=track&j=67791261&u=625060 ).

\* The "National Animal Identification System": A new threat to rural freedom? in  
[http://en.groundspring.org/EmailNow/pub.php?](http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625061#article4)  
module=URLTracker&cmd=track&j=67791261&u=625061#article4 .

\* National Animal ID Run Amok in [http://en.groundspring.org/EmailNow/pub.php?](http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625062)  
module=URLTracker&cmd=track&j=67791261&u=625062 .

\* The Texas Organic Farmers and Gardeners Association:  
[http://en.groundspring.org/EmailNow/pub.php?](http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=67791261&u=625063)  
module=URLTracker&cmd=track&j=67791261&u=625063 or email  
[txnonais@att.net](mailto:txnonais@att.net)

As more information on the progress of NAIS becomes available, we will keep you informed through the Weston A. Price Foundation e-mail Action Alerts.

Likewise, if you have any information about what is going on in your state, please let us know at [bsanda@westonaprice.org](mailto:bsanda@westonaprice.org).