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About the National Animal Identification System (NAIS)

### Part 15: “No NAIS” in Washington State?

By Bruno Schmidt

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For several years running, farmers and ranchers across the country have increasingly expressed their doubts and concerns about the NAIS. They did their due diligence. They discovered information about the NAIS that reaffirmed those very doubts and concerns. Officials involved in implementing the NAIS were asked some tough, honest questions, but no answers were forthcoming. It comes as no surprise that opposition to the NAIS, and the States’ involvement therein, has now taken hold – and is rapidly growing – in every state.

Regrettably, it appears that neither the USDA nor the states’ agencies have been listening to that opposition. Instead, with 14.4 Million Dollars of additional Federal funding recently offered by the USDA, they have now embarked on an aggressive campaign to complete implementation of the NAIS a.s.a.p. As each state, or tribe, is contractually bound to the USDA to devise and carry out its own plans to get that job done, non-participating farmers and ranchers find themselves defenseless against the collateral issues that come with the NAIS (for example being unable to sell animals).

This situation may soon change, however, at least for Washington’s farmers and livestock owners. Five representatives of the Washington State Assembly noticed the growing, state-wide opposition to the NAIS and began to inquire into the doubts and concerns expressed by many farmers and livestock associations. On January 11, 2007, after conducting their due diligence, Representative Kirk Pearson and four co-sponsors, Representatives Joel Kretz, Hans Dunshee, Brian Sullivan, and Dan Kristiansen introduced new legislation, effectively a “No-NAIS” Bill, that is designed to protect the property rights of the State’s farmers and livestock owners. Later that day, Representatives Judy Warnick and Larry Haler joined the other co-sponsors of House Bill 1151 ...

*“AN ACT Relating to animal identification programs; and adding a new chapter to Title 16 RCW”*

(Note: The original text of this bill, including links to the bill’s related documents on Washington State’s website, can be found at <http://www.FreeToFarm.com/legislation.html>)

Boiled to its essence, this Bill reaffirms that the State’s existing programs for controlling and eradicating animal diseases are effective, that the State’s established methods of livestock identification are sufficient, and that the State’s Department of Agriculture (WSDA) shall no longer participate in any voluntary or mandatory animal identification system. Moreover, this Bill protects farmers and ranchers from any discrimination, or repercussions, arising from their non-participation in any such system. Section 1 of this Bill sets forth the legislature’s “findings of fact”, findings that accurately reflect the public sentiment among many of Washington’s farmers and livestock owners, and I quote:

*“ ... The legislature finds that existing means for identifying and tracking animals have been sufficient to trace outbreaks of animal diseases, and that there is no scientific evidence that mass, uniform tagging and tracking of animals will improve this state's or nation's ability to prevent, control, or respond to an outbreak of animal disease, whether natural or intentionally introduced. ...”*

Clearly, these Representatives have LISTENED to what we have been saying and maintained all along: that there is absolutely no supportive evidence offered to date – of any kind – that would justify the

“mass, uniform tagging and tracking of animals” that is being mandated by the NAIS. But there is more, and I quote:

*“ ... The legislature finds that the fostering of livestock ownership and farming is in the best interests of this state and its citizens, and that the establishment of a national or state animal identification system is detrimental to individual ownership and raising of livestock. ... ”*

If you have read my book, or my earlier essays in this series, the foregoing quote will be a familiar theme to you by now: that the NAIS, or any state-level equivalent system, is found to be detrimental to “individual ownership” (read: farmers’ property rights) and the “raising of livestock” (read: farmers’ production and practices). While these findings present nothing new to those who have examined the NAIS closely, the closing sentence of Section 1 is rather telling, and I quote:

*“ ... The legislature therefore directs that this state shall not participate in or establish a mandatory or voluntary animal identification system.”*

While this statement clearly exposes WSDA’s active involvement in the NAIS to-date, it terminates that involvement. In addition, it bars the agency permanently from establishing any such system whether voluntary or mandatory. This Bill’s Section 3 specifically addresses, and prohibits, what the agency has been doing for a long time (mostly without the Assembly’s oversight and out of the public’s view):

*“(1) This state shall not establish nor participate in the national animal identification system or any other source verification program.”*

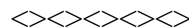
*“(2) The prohibition in this section also applies to the components of a source verification program including premises registration and data bases, animal identification and data bases, and animal movement tracing and data bases.”*

*“(3) All cooperative agreements between the federal government and this state, or between this state and other states, established before the effective date of this section and related to the establishment of animal tracking, tagging, registration, or information data bases, premises registration, or information data bases, use of microchips for animal tagging purposes, and other matters related to the national animal identification system are hereby terminated and null and void as to this state's participation.”*

In other words, the agency would no longer have the authority to do any of what it has been doing all along (in regards to the NAIS) under contract with the Federal government! Undoubtedly, this Bill is going to draw intense opposition from those special interests that stand to reap the largest benefits/profits, at the least cost to them, from a system such as the NAIS: those factory-type, multi-state / multi-national corporations that represent (per the USDA’s own statistics) less than 1% of America’s farming operations.

Last but not the least, will the USDA agree to being sidelined by this bill? Because the above provisions of this Bill would result in terminating the contractual Federal-State entanglement, we can expect that the USDA will not be giving up without a fight. Therefore, we must all be proactive, set aside our differences, and provide strong bi-partisan support. House Bill 1151 needs to stop the NAIS-juggernaut in this State.

Please join me in applauding our Representatives Kirk Pearson, Joel Kretz, Hans Dunshee, Brian Sullivan, Dan Kristiansen, Judy Warnick and Larry Haler for introducing this Bill, which clearly defines and limits the future role of the WSDA in regards to its participation in ANY animal identification system.



*Bruno Schmidt is co-author of the self-published “Farmer’s Field Guide to the NAIS”. He has spent in excess of 1000 hours over the past three years researching the National Animal Identification System. For more information and latest updates, please visit [www.FarmersFieldGuide.com](http://www.FarmersFieldGuide.com)*