

CALL TO ACTION

STOP THE ASPCA, AND IN SO DOING, YOU WILL SET THE STAGE FOR STOPPING THE HSUS!!!!

Unwittingly, and with unbridled arrogance, the ASPCA has "*stepped across the line*" and undertaken a course of action that goes beyond the bounds of "*Freedom of Speech.*" In so doing, I believe the ASPCA is violating the **Animal Enterprise Terrorism Act** in such a blatant fashion that the Justice Department and the FBI will not be able to ignore the "**In Your Face**" actions of the ASPCA. That is why it is imperative that every USDA Licensed Breeder; every Hobby Breeder; every Internet Seller of Puppies; every pet store that sells puppies; every pig or chicken, or egg or cattle "farmer;" every owner or trainer of horses; every hunter; and every other person who is being attacked by either the ASPCA or the HSUS respond to this Call to Action. And if thousands of concerned citizens contact the Justice Department by E-Mail, Letter or by Phone, it sets the stage for Members of Congress to intervene if the Attorney General, who is coming under increasing attacks by Members of Congress, fails to respond, and **fails to enforce a Federal Domestic Terrorism Statute!**

The ASPCA "**stepping across the line**" occurred on June 12, 2013 when the ASPCA posted on its Website an Article entitled: "*ASPCA Launches Consumer Tool Linking Puppies Sold in Pet Stores with Licensed Inhumane Breeders*" in support of its "*launch of a new tool on its No Pet Store Puppies website that allows consumers to link pet stores that sell puppies with U.S. Department of Agriculture (USDA) licensed commercial dog breeders that supply puppies to pet stores around the country.*" (See <http://www.asPCA.org/Pressroom/press-releases/061213>.)

For starters, every USDA Licensed Breeder eventually will have photos of their homes and kennels, personal names and addresses revealed on the **ASPCA Website Link that already has created access to 10,000 photos of kennels.** And those numbers will increase when APHIS publishes its "Final Regulation" that will result in many Hobby Breeders and all who sell over the Internet to be subject to "inspections" and enforcement under the Animal Welfare Act. When the HSUS stated that the AKC is "*joined at the hip*" with the "*PMs,*" can there be any doubt that the Hobby Breeders and their "homes" will be the next group to come under attack by the HSUS?!? And this "**encroachment**" will occur even if the PUPS Bill is not enacted. That is why it is imperative that every Hobby Breeder respond to Step 1 in this Call to Action. Likewise, all who are the subject of the attacks of the ASPCA and the HSUS should also respond to Step 1 - - **it takes less than 2 minutes.** And if the Justice Department is flooded with thousands of E-Mails and Phone Calls, more and more Members of Congress will be pressing the Attorney General to Act on the Complaints that the ASPCA is violating the AETA! And if the ASPCA becomes caught up in the "net" of a Nationwide Justice Department Investigation, the Investigation will suck the HSUS into the Investigation because of its "**conspiratorial**" "**Puppy Friendly Pet Store Pledge**" Campaign.

Even if you are not a breeder, if you are involved in any animal enterprise activity that has come under the attack of the HSUS, you too should respond to Step 1, **and use the** "script" that is set out in Step 1 Below. Flooding the Justice Department with Calls will make a difference. That is what the HSUS does!

STEP 1

CALL THE "OFFICE OF THE ATTORNEY GENERAL PUBLIC COMMENT LINE (202-353-1555)," AND LEAVE THE FOLLOWING VOICE MAIL MESSAGE:

I AM CALLING TO ASK THAT YOU SUPPORT THE REQUESTS OF THE THOUSANDS OF CITIZENS WHO HAVE ASKED THAT THE JUSTICE DEPARTMENT ENFORCE THE ANIMAL ENTERPRISE TERRORISM ACT AGAINST THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, WHICH HAS LAUNCHED A NATIONWIDE CAMPAIGN THAT UNLAWFULLY, AND WITH PREMEDITATION, INTERFERES WITH THE OPERATION OF AN "ANIMAL ENTERPRISE." SUCH ENFORCEMENT ACTION WILL BE CONSISTENT WITH THE CONGRESSIONAL TESTIMONY ON MAY 18, 2004 BY MR. JOHN LEWIS, DEPUTY ASSISTANT DIRECTOR, COUNTERTERRORISM DIVISION, FBI, WHO URGED CONGRESS TO EXPAND THE COVERAGE OF THE AETA, WHICH CONGRESS DID, AND THE PRESIDENT SIGNED THE AMENDED AETA ON NOVEMBER 26, 2006.

STEP 2

IF YOU ARE A USDA LICENSED BREEDER, OR A "HOBBY BREEDER" OR A BREEDER WHO SELLS OVER THE INTERNET, USE THE TEXT SET OUT BELOW FOR AN E-MAIL THAT IS ADDRESSED TO:

AskDOJ@usdoj.gov

(Add as a BCC my E-Mail so that I may have a Running Count: franklosey@twc.com)

Dear Attorney General Eric Holder:

I respectfully request that the Justice Department carry out the Will of Congress that amended the **Animal Enterprise Terrorism Act (AETA)**. The Amended AETA was signed into Law by the President of the U.S. on November 27, 2006. Most significantly, the Preamble of the Act reads as follows: "**An Act to provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terrorism.**" This wording was based upon the testimony of **Mr. John Lewis, Deputy Assistant Director, Counterterrorism Division, FBI**, who testified in support of amending the AETA during a Congressional Hearing that was chaired by **Senator Orrin Hatch** on May 18, 2004.

My request is based upon the fact that the **American Society for the Prevention of Cruelty to Animals (ASPCA)** has launched a Nationwide Campaign that is intended to interfere with the operation of every breeder who is currently, or who may be required to become a USDA Federally Licensed Breeder, as well as every pet store in the U.S. that sells puppies bred by USDA Licensed and Inspected Breeders. The **ASPCA Campaign**, and its actions in support of its Campaign, are violating the **Animal Enterprise Terrorism Act (AETA)**. Accordingly, I respectfully request that the **Federal Bureau of Investigations (FBI)** open a Criminal Investigation that will ultimately seek criminal prosecutions of not only the ASPCA, but all who are aiding, abetting and conspiring in the effort to harass and interfere with an "**animal**

enterprise," as defined by the **Animal Enterprise Terrorism Act (AETA)**. That definition, as set out in Subsection (d) of 18 U.S.C. 43, includes **"breeder" and "pet store"** in the definition of an **"Animal Enterprise."**

As part of the **Unlawful Campaign of the ASPCA**, it posted on its Website on June 12, 2013 an Article entitled: **"ASPCA Launches Consumer Tool Linking Puppies Sold in Pet Stores with Licensed Inhumane Breeders"** in support of its **"launch of a new tool on its "No Pet Store Puppies" website that allows consumers to link pet stores that sell puppies with U.S. Department of Agriculture (USDA) licensed commercial dog breeders that supply puppies to pet stores around the country."** (See <http://www.asPCA.org/Pressroom/press-releases/061213>.)

The posting further states that: **"The database contains more than ten thousand photos of commercial dog breeding facilities and links some of them to specific pet stores throughout the country that have sold puppies from them within the last year. Consumers are able to search the database by pet store name, USDA license number, or name of the breeding facility, or by zip code and specific breeds. The photos were taken by USDA inspectors during routine inspections of the facilities."** In this regard, USDA routinely takes photos of all USDA Licensed Kennels that it inspects, even if no violations are found during the inspections. Consequently, a photo of every USDA Licensed Breeder eventually will be able to be accessed on the ASPCA Tool Website. And the ASPCA has distorted the truth in its message to the general public by stating that the **"photos show . . . conditions that are legal, but that the ASPCA . . . consider inhumane."** Thus, if a Kennel photo is listed on its Website Tool, the USDA Licensed Breeder is "Bad," and no puppy should be bought that comes from that Kennel. Compounding this criminal misuse of USDA photos is the fact that the ASPCA **"No Puppy Store Puppies" Campaign** is designed not only to interfere with the activities of Pet Stores, but also all USDA Licensed Breeders. In short, breeders and pet stores - - animal enterprises - - are being indiscriminately targeted by the ASPCA for its stated purpose of stopping all sales of puppies, which purpose is an expressly prohibited **"attempt"** to interfere with the operation of my **"animal enterprise."**

Since the ASPCA is using the Internet as part of its **"No Pet Store Puppies" Campaign**, the interstate element of the **AETA** is met. And since this Campaign is designed for the purpose of **"interfering with the operations of an animal enterprise,"** or **"attempting to do so,"** that criminal element of the **AETA** is also met. Consequently, I am faced with the threat of having my private and personal information being misused by the ASPCA and all others who "conspire" to assist the ASPCA in its unlawful Campaign to interfere with the animal enterprise of breeding puppies. And since I am a Breeder whose kennel or home is shown on the 10,000 photos that are already on the ASPCA Tool, or may soon be, I am faced with the real, existing or potential **"THREAT" of becoming a victim of the Criminal Actions of the ASPCA that are in direct violation of the AETA.**

Compounding the pre-meditated, intrusive and disruptive interference with my lawful enterprise is the fact that the ASPCA gained access to the USDA photos and information on the USDA Networking System by agreeing, in accordance with the **Freedom of Information Act (FOIA)**, not to use the information for **"improper use" - - Violating the AETA is an "improper use!"** And the **"improper use"** is further

compounded by the ASPCA which is divulging private, personal information that should have been excluded from release under the FOIA. Such release constitutes a **Civil Rights Violation** as well!

To put my concerns in perspective as to the **“Dark” and ulterior motives of the ASPCA**, this is the same **ASPCA** that literally **“bought” its way out of a Lawsuit** in which it was a named defendant that was accused of violating the **Racketeer Influenced and Corrupt Organization (RICO) Act**. In this regard, the **ASPCA paid the Feld Corporation \$9.3 Million in December of 2012 in order for it to be dismissed as a Defendant**. Unfortunately, breeders like me do not have “deep pockets” to sue the **ASPCA**, as did the **Feld Corporation**. That is why I am asking that you **act on behalf of the thousands of breeders and pet stores that are targeted “victims” of the ASPCA**.

The **Mission Statement of the Department of Justice** reads as follows: ***“To promote and establish justice and the appearance of justice by vigorously and fairly representing the United States and its citizens in all matters, civil or criminal, within our jurisdiction.”*** In light of your **“Mission Statement,”** I trust that you will ensure that the illegal activities of the ASPCA are stopped and that appropriate actions are initiated against ASPCA for its criminal violations of the AETA.

I look forward to your timely response to my request.

STEP 3

COPY AND PASTE THE ABOVE TEXT OF YOUR E-MAIL TO ATTORNEY GENERAL HOLDER UNDER THE FOLLOWING TEXT IN E-MAILS THAT YOU SEND TO YOUR TWO U.S. SENATORS AND YOUR U.S. REPRESENTATIVE

TEXT FOR E-MAILS TO YOUR MEMBERS OF CONGRESS

Subject: Violation of the Animal Enterprise Terrorism Act

Dear Senator/ Representative

I am a Breeder whose Statutory Rights are being violated, or potentially will be violated, by the American Society for the Prevention of Cruelty to Animals (ASPCA), which is ignoring the statutory prohibitions as set out in the Animal Enterprise Terrorism Act. (18 U.S. C. 43).

I have sent an E-Mail to Attorney General Eric Holder which asked that the Justice Department investigate the illegal activities of the ASPCA which is violating the Animal Enterprise Terrorism Act. I understand that thousands of other concerned citizens are doing the same. The text of my E-Mail is set out below:

(COPY AND PASTE THE TEXT OF YOUR E-MAIL TO ATTORNEY GENERAL HOLDER)

As a law abiding constituent, I ask that you follow up with Attorney General Holder, and request, on my behalf, that he ensure that the ASPCA is appropriately investigated for its alleged violations of the Animal Enterprise Terrorism Act - - a Federal Domestic Terrorism Act that was enacted by Congress.

Please advise me of his response.

Respectfully,

GUIDANCE FOR SENDING E-MAILS TO MEMBERS OF CONGRESS

- 1. To send an E-Mail to your U.S. Representative, Log onto www.house.gov/writerep/**
- 2. Fill in your state and ZIP Code on the prompt that appears.**
- 3. Click onto the Name of Your Representative which is by his or her picture.**
- 4. Go to "Contact" (E-Mail) Page.**
- 5. Add your name, address and E-Mail address on E-Mail Form for your U.S. Representative; and on the Subject Line Click onto "CRIME." Then copy and paste the exact text - - no changes - - as set out above.**
- 6. To send an E-Mail to your Two Senators, Log onto: www.senate.gov/general/contact_information/senators_cfm.cfm**
- 7. Click onto your State Link.**
- 8. Click onto the Contact (E-Mail) Link for the first Senator Listed.**
- 9. Add your name, address and E-Mail address on E-Mail Form for the first U.S. Senator listed; and on the Subject Line Click onto "CRIME." Then copy and paste the exact text - - no changes - - as set out above.**
- 10. Repeat Steps 6 and 7 above to reach the Contact Page for the second Senator.**