

# Congress of the United States

Washington, DC 20515

October 23, 2006

## The FACTS on the Animal Enterprise Terrorism Act (AETA) (H.R. 4239/ S. 3880)

Dear Colleague:

On September 30, 2006, the Senate approved S. 3880, the "Animal Enterprise Terrorism Act of 2006," by unanimous consent. S.3880 is the product of meticulous negotiations between the majority and minority members of both the Senate and House Judiciary Committees. However, criticisms of the original bill continue to be circulated by those opposed to the legislation, despite the fact that these criticisms have been addressed. In order for Members to be able to respond to their constituents and remain confident in their continued support of this important bipartisan legislation, we have prepared the following responses to the primary criticisms still being circulated regarding the revised bill.

**Criticism #1 :** AETA poses a threat to First Amendment rights.

**FACT**

First Amendment activity is expressly excluded from the bill's coverage. The legislation includes a Rules of Construction which states: *"nothing in this section shall be construed - to prohibit any expressive conduct (including peaceful picketing or other peaceful demonstrations) protected from legal prohibition by the First Amendment to the Constitution; to create new remedies for interference with activities protected by the free speech or free exercises clauses of the First Amendment to the Constitution, regardless of point of view expressed, or to limit any existing legal remedies for such interference."*

**Criticism #2:** AETA could make it illegal for citizens to boycott or encourage a boycott of a company that uses animals for research.

**FACT**

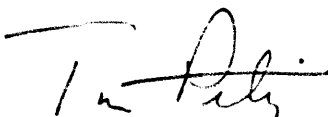
The bill includes penalties based on the amount of "economic damage," which *"does not include any lawful economic disruption (including a lawful boycott) that results from lawful public, governmental, or business reaction to the disclosure of information about an animal enterprise."*

**Criticism #3:** AETA creates a new crime of terrorism designating animal rights protestors as terrorists.

**FACT**

AETA amends the existing "Animal Enterprise Terrorism" statute (18 U.S.C. 43), which has been law since 1992. It extends existing protections for animal enterprises to individuals, businesses and agencies, such as farmers, scientists, biomedical and biotechnology industries, research universities, teaching hospitals, financial institutions and others, who have associations with an animal enterprise. AETA is in response to rising incidences of violence and threats against these entities as a way to adversely impact animal enterprises without directly violating the existing Animal Enterprise Terrorism statute.

If you have any questions about this legislation or need more information, please contact Lindsay Bowers (Rep. Petri) at 5-2476 or Bobby Vassar (Rep. Scott) at 5-6739.



Thomas E. Petri  
Member of Congress



Robert C. "Bobby" Scott  
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