

## MICHIGAN ASSOCIATION For PURE BRED DOGS Newsletter—August, 2005



Lee Deatrick, President:	734-878-6256	<a href="mailto:74143.1563@compuserv.com">74143.1563@compuserv.com</a>
Al Stinson, VP Legislation:	517-655-5363	<a href="mailto:lsfc2@aol.com">lsfc2@aol.com</a>
Donna Machniak, Membership Sec	517-546-7446	<a href="mailto:Rich_DonnaM@Hotmail.com">Rich_DonnaM@Hotmail.com</a>
Jim Irvine, Dir & Editor:	616-866-0355	<a href="mailto:jimirvinejd@earthlink.net">jimirvinejd@earthlink.net</a>

### Editorial—PAWS, by Jim Irvine

This issue of our newsletter is about the proposed **Pet Animal Welfare Statute (PAWS)**. Based on comments on the internet, it is favored by **Humane Society of the United States (HSUS)**, **PETA**, most if not all the hundreds of animal rights groups, and (surprisingly) the **AKC**. Opposed are **The United Kennel Club**, **The International Cat Association**, **NAIA**, **NAIA Trust**, and scores of dog clubs.

The anti-vivisection movement has been around for at least 100 years. It sought to end the use of animals in medical schools and in medical research. It became the "**Animal Rights**" movement in the mid-20<sup>th</sup> century, and has become extreme in its goals. We characterize some people working in the movement as Activists and Terrorists. There are literally hundreds of animal rights groups in the United States. The largest and richest is the **HSUS**, which had a war chest of about \$100 million, and is richer now due to the merger of **Fund for Animals**, which was worth about \$85 million.

The **Animal Welfare Act (AWF)** has never concerned general animal welfare. It is only about dogs and cats and other animals used in research. All livestock is specifically excluded by the Act itself.

**HSUS** leads the way to continuously push for more laws to diminish and in time to completely ban, our right to own, use or enjoy any animals. A few quotes by its **President, Wayne Pacelle**, are incorporated in **MAPBD's** position paper; they illustrate its long term goal. **HSUS** works incrementally, one step whenever and wherever it can be taken. **Pacelle** brags about **HSUS'** success in using voter initiatives to pass restrictive laws, and winning the vote for nearly all of them. The amendment of the Florida Constitution to outlaw hog farrowing crates did little harm to the hog industry, because there were only two hog farmers in the whole State. The encore use of petitions to add the same ban to the laws of New Jersey was also successful; there were no hog farmers at all in New Jersey. Little was actually accomplished, but beware of the precedent being established.

The reasons I oppose the **PAWS** include the following:

Whether the number of sales or litters needed to become a Dealer will affect only a few hobby breeders is not important. I know to a moral certainty that if **PAWS** becomes law the animal rights crowd will be back for an amendment reducing the number. That is just the way the game is played.

The Constitution gives the Federal Government authority on matters of Interstate Commerce. I don't believe hobby breeders sell an appreciable number of dogs or other pets across state lines. But I remember the decision in Wickard v. Filburn, 317 US 111 (1942), wherein the **Supreme Court** held that a farmer who harvested 239 bushels of wheat more than his allotment under the Agricultural Adjustment Act, most of which was consumed as food for his family and animals, and used as seed for next year's crop. The farmer thought his use was purely local, and thus not within the power of Congress. The United States Supreme Court disagreed. "Even if the farmer's activity be local/ it may still, whatever its nature, be reached by Congress if it exerts a substantial economic effect on interstate commerce." The Court held he was engaged in interstate commerce, because if he had not grown the grain he would have had to buy grain, some portion of which might have originated in another state. Thus he was interfering with interstate commerce. Similarly, unregulated hobby breeders selling only in their own neighborhoods could be determined to be engaged in interstate commerce because the buyers might have bought pets bred in or imported from another state. I am confident the animal rights people would use their great influence on governmental agencies to contend as much.

### **How to Oppose PAWS in the US Senate**

The proposed PAWS legislation is the greatest legislative threat to animal use, enjoyment and ownership that we have ever had to deal with. It threatens our freedom to enjoy dogs and cats today, and, if successful, the future enactments will in due course end our right to own, use and enjoy any pet animals. The time is now to oppose it as vigorously as possible. That means we must all communicate our opposition to our members of Congress.

The preferred and best way to do that is to talk to members of the Congress. Few, if any of us, have ability to do that. Next best is to visit the members' office and discuss the matter with a staff member. Next would be to write a letter, or even a post card or Email. If nothing else, make a phone call.