

National Animal Identification System (NAIS): **Part 4: Welcome to USDA's "National Animal Health Surveillance System"**

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A person's fundamental right to property implies, among other rights, the right to protect one's property. Everyday, we see signs to that effect: "KEEP OUT", "NO TRESPASSING", "NO HUNTING", "DO NOT ENTER", etc. What happens, though, when those signs are being ignored and some other course of action is in order? If the situation gets out of hand, the property owner could resort to some form of "surveillance", such as "PROTECTED BY ...", "MONITORED BY ...", etc.

Therefore, "surveillance" has become a household word and a generally accepted practice that surrounds us wherever we go or travel, every day, 24 x 7. At the supermarket, mall, video parlor, gas pump, City Hall, public library – surveillance cameras are everywhere, passes are being issued and scanned, etc. Whether you agree with such "surveillance" or not, the "owner" of the subject property is exercising the right to "protect" said property for a number of reasons, i.e. against theft, or for public safety. In the event that you don't like such surveillance, you do have the choice not to visit those places.

When it comes to "surveillance", what is important for you to keep in mind that there are two key elements: that you have received proper notice of being watched (by way of posted signs), and that you have given the owner permission for watching you (by way of opting to enter the place, or premises). What happens, though, when the information collected by said "surveillance", i.e. video tapes, gets used "for other purposes" (i.e. a photo collection), or is being "linked" to computerized information that has nothing to do with surveillance (i.e. customer records)? Where does one draw the line between an owner's need-to-watch and your rights to privacy, to be left alone, unobserved, unrecorded?

With regard to the NAIS, you may want to take note of the fact that, by way of "participating", you also give carte-blanche "surveillance permission" to the Federal government, and by extension to your state, tribe or local authorities. Upon your acceptance of a U.S. Premises Identification Number (US-PIN), your land, farm, ranch, and operation become surveillance "subjects". Likewise, upon your acceptance of a U.S. Animal Identification Number (US-AIN), the animal you tag with that US-AIN becomes a surveillance "subject" as well.

According to the terms and conditions attached to the NAIS, you have the duty to handle every-day surveillance chores, i.e. reporting the movement of animals, while governmental authorities have the right to conduct at-will surveillance without your knowledge. Moreover, governmental authorities have the right to link your NAIS-related surveillance information to any other kind of information they have access to, or have collected, such as your farm's licenses or production, your local or regional markets, county, region, state, etc. The list is endless, and you have no say-so whatsoever.

While the public debate about the "National Animal Identification System" is largely focused on the merits of tagging animals (as I have shown before, a secondary purpose of the NAIS), much less attention is being given to the U.S. Premises Identification Number and its attached consequences. Completely unnoticed by both NAIS-advocates and –proponents alike, however, is what the USDA has in store for all of us. Simply put, the Federal registration of premises and animals, via the NAIS, merely serves as the USDA's "door opener" to usher in its so-called "*National Animal Health Surveillance System*" (NAHSS). This fact becomes quite obvious when you study the USDA's "*NAIS Draft Program Standards, PART I.*" (Pp. 3-16).

As I have stated before (see Part 1 of this series of articles), the term “National Animal Identification System” is quite misleading as the stated objective of the NAIS is the “Federal Registration of Farm Land, Farm Property (including but not limited to animals) and Farm Operations (including but not limited to production)”. To further prove my point: in ANY of the program and database specifications published to-date for the NAIS, not a single information item provides for the capture or reporting of “Animal Health” information (i.e. a specific disease, or cause of death).

What this means is that the NAIS will be used as the Federal government’s chosen method to PERMANENTLY capture and archive property- and animal-related “events” (but no “Animal Health” information), and then to “link” that information to any existing or future information collections, systems, or databases that may or may not contain said “Animal Health” information. Here is USDA’s blueprint, and I quote from page 8 of the above-mentioned NAIS draft-standard (my emphasis and comments added):

“These [NAIS] information repositories [National Premises Information Repository and the National Animal Records Repository] would also be integrated with current information systems already established for animal disease control, monitoring, surveillance, and eradication programs (e.g., the Emergency Management Response System, the Generic Data Base, and the National Animal Health Laboratory Network). The NAIS data systems would also need to be well integrated with other systems as they are developed and implemented (e.g., the Interstate Certificate of Veterinary Inspection System).”

As you can see, the NAIS is part of a much larger design, “National Animal Health Surveillance System”, and we can stop speculating about what role the NAIS plays in all this – it serves as the SURVEILLANCE component for the USDA. Since there are many different forms of surveillance, what kind are we talking about? We have some ideas about who the “watched” are, but who are the watchers? Who will oversee the watchers? Who will guard the information? Most importantly, what kind of laws and regulations will be put in place to guarantee that the information collected will be accurate, will be secure from any kind of tampering, and that it will only be used for authorized purposes?

To-date, no specifications for this “National Animal Health Surveillance System” have been published in any fashion, nor offered for public comment, nor approved by the Federal Office Of Management and Budget (OMB). Because publication, public comment, and OMB-approval are mandatory before the USDA can use such a system for a public (non-Federal) purpose, it appears that “voluntary participation” will be USDA’s implementation strategy in much the same way as it applies to the NAIS today. Therefore, we need to take a closer look at the meaning of the terms “voluntary” and “participation”, and where this ultimately leads us: to the contractual arrangement called a “Cooperative Agreement” between the Federal government and states, tribes, and other entities.

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