

**Committee on Resources
Subcommittee on Forests & Forest Health**

Witness Testimony

**TESTIMONY OF
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GROUP
BEFORE THE
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Introduction

Mr. Chairman and Members of the Subcommittee, my name is Nick Nichols. I am the Chairman and Chief Executive Officer of Nichols • Dezenhall Communications Management Group, headquartered in Washington, D.C. Thank you for giving me the opportunity to submit testimony to the Subcommittee. I speak in two capacities: as an author of a recently published book dealing with attacks by eco-terrorists, animal rights terrorists, and others on America's free enterprise system and American corporations; and as the chairman of a crisis management firm that has helped corporations and individuals respond to attacks, including violent terrorist acts.

My testimony today is designed to deliver one central message: Congress and the Executive branch should investigate and prosecute eco- and animal rights terrorism with the same vigor and intensity as directed against foreign terrorists. This is a matter of homeland security. I hope I can be helpful to the Subcommittee in casting light on the seriousness of these attacks by domestic terrorists, and on the need for action by our government to protect the safety, the jobs and the way of life of the American people.

I have spent years studying environmental and animal rights terrorists because I came to the conclusion, long before September 11, that these domestic terrorists posed a serious and growing danger to our nation. September 11 only strengthened my belief that if we don't act to stop our home-grown terrorists they will follow in the footsteps of their more deadly counterparts from abroad, escalating their activities and moving beyond crimes that destroy property to crimes that destroy human lives.

Terrorism Is Not Free Speech

We can all agree that the First Amendment to the Constitution is the foundation of our freedom and democracy, and is the basis of our long and proud tradition of peaceful protest, free speech and a free press. If someone wants to advocate, raise funds, and campaign peacefully to demand that we never cut down a single tree, never kill a single animal and never drill for a drop of oil, I will tell you that the person is advocating nonsense – but I’ll defend his or her right to do so. But when extremists use the First Amendment as a cloak to break the law, commit violent acts and terrorize others – no matter how noble their justification – they become criminals and terrorists. Breaking into university research labs to release animals being used for medical research, burning down buildings, vandalizing a facility for sick children and their families, driving spikes into trees and injuring loggers, and setting bombs in truck dealerships are not protest actions protected by the First Amendment – they are terrorist acts.

The Patriot Act of 2001 defines terrorism in great detail. More broadly, the FBI defines terrorism as “the unlawful use of force and violence against persons or property to intimidate or coerce” the government or civilian population. I use the same definitions. I don’t use the term “terrorist” lightly, or as some kind of broad brush attack on the majority of environmentalists or advocates of animal rights. Millions of people – myself among them – are sincere advocates of protecting our environment, and differ peacefully on what actions are needed and how much governmental regulation is required to accomplish that goal. People can have an honest and non-violent debate over whether we should halt medical research on animals that is being conducted to find cures for cancer, heart disease, AIDS, and many other illnesses. But when someone goes beyond words and advocacy and moves on to violence and threats of violence, that person becomes a terrorist. These terrorists are a small minority of people concerned with the environment and with the welfare of animals, just as the terrorists of al Qaeda are a small minority of the world’s Muslims. But ignoring these dangerous people can be a fatal mistake. As we saw on September 11, a small group of terrorists can cause an enormous amount of death and destruction.

For too long, eco- and animals rights terrorists have been portrayed in the media as warm-hearted, well-meaning folks who are dedicated to good causes like preserving and cleaning up the environment, protecting public health, preventing cruelty to animals, and ensuring that corporations and the government operate in a responsible manner that benefits society. The prevailing wisdom has gone like this: perhaps a few of these sincere people – motivated only by the public interest – get a bit overenthusiastic at times. But they mean well, and the best way to deal with them is to give in to as many of their demands as possible – even when the demands have no basis in sound science, economics or social policy. But that prevailing wisdom is about as accurate as the view that Osama bin Laden is a sweet and loving man of God, and the al Qaeda and the Taliban are peaceful religious scholars seeking to establish a utopian society.

Eco- and animal rights terrorists, along with the foreign terrorists of al Qaeda, have a lot in common. All are certain that they are morally superior to their opponents and are fighting for virtuous goals that justify criminal conduct. All are disdainful of fundamental American values, including the rule of law, private property rights, free enterprise and democracy. All operate in cells or “sleeper” groups, which makes detection very difficult. All operate globally. And many receive encouragement, support and funding from groups that are perceived to be legitimate charities.

In the United States, charitable groups classified as 501 (c)(3) groups under the tax code benefit from taxpayer subsidies, government grants and foundation philanthropy. This classification can bring enormous financial benefit to extremist groups. For example, Mike Roselle, the co-founder of the radical group Earth First!, which has been linked to and has taken credit for many acts of violence, has served on the boards of Greenpeace and the Rainforest Action Network. He also founded the Ruckus Society, which has organized so-called boot camps that have trained protesters to engage in “direct action” demonstrations at events that have turned violent, including the World Trade Organization meeting in Seattle. The Ruckus Society is a tax-exempt, 501 (c)(3), organization that has received funding from the Turner Foundation and is, in effect, subsidized by U.S. taxpayers.

Examples of Domestic Terrorism

No one has compiled a complete list of eco- and animal rights terrorist attacks, since these incidents are usually handled by local law enforcement authorities. But to illustrate the seriousness of this problem, let me give you a few examples:

- One of the most active eco-terrorist groups – the Earth Liberation Front (ELF) – boasts on its website – www.earthliberationfront.com – that “in North America alone since 1997, the ELF has caused over \$40 million in damages” in its attacks. ELF says proudly that it is responsible for a \$12 million arson at a Vail, Colorado ski resort; a \$1 million arson at the Boise Cascade lumber company in Monmouth, Oregon; a \$5.4 million fire last year at the University of Washington’s Center for Urban Horticulture in Seattle; a fire that destroyed a U.S. Forest Service Ranger Station in Eugene, Oregon; a \$700,000 arson at a cotton gin in Visalia, California; a fire at a federally owned wild horse barn in Susanville, California; a \$1 million fire at a meat-packing plant in Redmond, Oregon; a fire in January at a University of Minnesota greenhouse in St. Paul; a \$1.5 million fire at a U.S. Department of Agriculture facility in Olympia, Washington; plus the burning of homes, sport utility vehicles, logging trucks and many buildings around the country. ELF’s website even carries a “helpful” instructional manual for terrorists titled: “Setting Fires With Electrical Timers – an Earth Liberation Front Guide.” The FBI considers ELF one of the nation’s leading domestic terrorist threats.
- A Year-End Direct Action Report for 2001 issued by the Animal Liberation Front (ALF) states that ALF, ELF and their sympathizers committed at least “137 illegal direct actions in North America in 2001.” ALF claims responsibility for attacking

10 fur stores, seven bank offices, 13 fast food restaurants, five research labs, four animal breeders, four meat stores, and numerous other targets. ALF is classified by the FBI as a terrorist organization. The group even took credit on September 11 for torching a McDonald's restaurant in Tucson, Arizona, causing about \$500,000 damage. The attackers announced: "This action is meant to serve as a warning to corporations worldwide: You will never be safe from the people you oppress." Less than two weeks later, attackers spray-painted swastikas, obscenities, and the initials ALF and ELF on a Ronald McDonald House in Tucson. Ronald McDonald Houses are charitable facilities that provide over 3,000 rooms in 19 countries to house families of children hospitalized nearby with serious illnesses.

- Animal rights terrorists have "liberated" thousands of animals from fur farms and medical research labs, including university facilities, in recent years. Encouraging these efforts, Ingrid Newkirk, President of People for the Ethical Treatment of Animals, said at the National Animal Rights Convention in 1997: "I wish we all would get up and go into the labs and take the animals out or burn them down." Most of the "liberated" animals have wound up as road kill or have died of starvation. People will die as well, because the terrorists have set back medical research designed to find life-saving cures for deadly diseases.

Thankfully, nothing these domestic terrorists have done even comes close to the terrible toll of death and destruction caused by the hijackers who flew airliners into the World Trade Center, the Pentagon and rural Pennsylvania. But home-grown terrorism has caused plenty of harm. Authorities fear it is only a matter of time before fires set by these terrorists destroy lives as well as property – either as accidental "collateral damage," or in a deliberate escalation of violence.

Firebombs don't check for innocent bystanders before going off, and it's a wonder that more injuries and even deaths have not taken place in eco- and animal rights terrorist attacks. In one incident, unidentified animal rights terrorists mailed razor-rigged letters, designed to cut fingers, to fur industry officials and scientists conducting experiments with animals in 1999 – hardly a non-violent action. In another, law enforcement officials in Houghton, Michigan disarmed two bombs at Michigan Tech University last November – and said students walking nearby could have been maimed or killed if the bombs had gone off. Injuries were also averted when eco-terrorists attacked a car dealership in Eugene, Oregon and set up jugs of camp fuel and gasoline around a fuel truck belonging to an oil company. Fortunately, the effort to start a massive and potentially deadly explosion failed. Arsonists later destroyed 30 sport-utility vehicles in a blaze at the dealership.

Imagine what would have happened if – on September 10 – someone had testified before Congress that Osama bin Laden was on the verge of murdering thousands of Americans, causing billions of dollars in property damage, plunging the United States into war, and forcing our country to spend billions of dollars in extra funds on homeland security. Most people would have called this person an alarmist at best – or just plain crazy at worst. A lot of people probably have the same reaction to warnings like those I am giving you today about eco-terrorists and animal rights terrorists. But my warnings aren't based on

alarmism or hysteria. They are based on the record of domestic terrorism that these groups have built up so far, and the fact that many of these groups are promising to escalate their activities in the future.

Surrender Is Not a Winning Strategy

Capitulation counselors have been telling us for years to pursue surrender to terrorist groups as a winning strategy, just as Neville Chamberlain told the world in 1938 that appeasement was a winning strategy to deal with Adolf Hitler. In our own country, we have been advised to give in to nonsensical radical demands by eco- and animal rights fanatics that would cost families and government huge sums of money, would condemn millions of people to death by interfering with vital medical research on animals, and would prevent advances in agriculture that could save millions of people from starvation. On the foreign front, we have been advised to understand the “root causes” of terrorism, and work to “tell our story better” and empathize with poor and oppressed people struggling for dignity, self-determination and the right to follow their religious beliefs. Like flight attendants before September 11, we have been told that by being passive and cooperative with our attackers at home and abroad, we could persuade them to put down their weapons and do us no harm.

Unfortunately for thousands of innocent people, the well-meaning strategy of passivity made September 11 their last day on earth. And just as this strategy failed on September 11 with al Qaeda terrorists, it is a failure when dealing with eco- and animal rights terrorists. A much better strategy is to acknowledge the threat we face and say “let’s roll.”

Winston Churchill, who succeeded Chamberlain as Prime Minister and fought Hitler ferociously, was right when he said: “An appeaser is one who feeds a crocodile, hoping it will eat him last.” The fact is that when criminals and terrorists enjoy success and go unchallenged they grow stronger, become even more contemptuous of the rule of law, and commit ever more damaging crimes and acts of terror. Appeasement encouraged Hitler to become more aggressive and dangerous, and led to World War II and the Holocaust. In the same way, toleration of previous terror attacks only strengthened Osama bin Laden and his followers, emboldening them to carry out the atrocities of September 11. And now appeasement of eco- and animal rights terrorists is only encouraging them to become more violent and more dangerous.

President Bush Has Shown Us How To Deal With Terrorists

The vast majority of Americans and the vast majority of Members of Congress, regardless of political party, stand solidly behind President Bush in his tough, principled and effective response to terrorism from abroad. Like millions of other Americans, I’m grateful to see the bipartisan unity and patriotism sweeping across our nation and strengthening our homeland security. Unfortunately, even as our nation is at war with al Qaeda and other foreign terror groups, eco- and animal rights terrorists in our country continue to wage their own war against America.

Former ELF spokesman Craig Rosebraugh, who was subpoenaed to appear at today's hearing by this Subcommittee, issued a statement November 1 saying he would not cooperate with Congress in its "attempts ... to stop the work of the brave, heroic, individuals in the ELF who are trying to end the destruction of life." Mr. Rosebraugh said in the statement: "In light of the events of September 11, my country has told me that I should not cooperate with terrorists. I therefore am refusing to cooperate with members of Congress who are some of the most extreme terrorists in history. Currently they are responsible for allowing the slaughter of now over an estimated 1,500 Afghanistan civilians. They are responsible for the Sept. 11 attacks due to horrendous U.S. foreign policies of imperialism and they are responsible for the current ongoing genocide against the innocent people of Afghanistan."

ALF said in its 2001 annual report: "Since Sept. 11 there has been no ceasing of animal abuse, animal torture, and animal killing. The destruction of our natural environment in the name of progress or development and greed hasn't stopped. In the face of this continuous onslaught it would be irresponsible for animal and earth warriors to abandon their campaigns and actions at this time. In fact, it is imperative that direct action activists continue, and indeed step up their actions in this late hour on our planet."

I have nothing against reasonable compromise with reasonable people. But the conduct and statements of ELF, ALF, and similar extremist groups shows they are unwilling to make reasonable compromises. Trying to negotiate and compromise with them today would make as much sense as negotiating and compromising with Osama bin Laden.

After September 11, President Bush didn't call for dialogue, sympathy and empathy with the butchers of al Qaeda and the Taliban. And he didn't call for surrender to bin Laden's wild demands. Instead, President Bush made some sensible and non-negotiable demands of his own. When those demands were rejected, the United States responded with military action. Of course, I don't advocate – and don't know of anyone who advocates – sending bombers and Special Forces after the eco- and animal rights terrorists in our midst. But we should send police and prosecutors. Our laws must be enforced and action must be taken to protect America against a domestic terrorist assault that has already caused tens of millions of dollars in property damages, forced institutions to spend precious funds on increased security, and threatens to cause more injuries and even deaths in the future.

Suggestions For Congress And The Executive Branch

I respectfully submit the following suggestions for Subcommittee consideration to protect our nation against eco- and animal rights terrorists:

- 1) Create a clearinghouse within the FBI for the collection of information about eco-terrorist and animal rights terrorist events. Historically, many of these terrorist incidents have been investigated by local law enforcement. There's nothing inappropriate about that, but there has been no centralization of information about these incidents. This may have compromised law enforcement's ability to follow the trail of these extremists. Terrorists move

around, frequently crossing state and municipal lines. Authorities in one jurisdiction need to know about suspects and activities in other jurisdictions.

- 2) Review and consider tightening the criteria for the distribution of government grants to non-profit organizations. New criteria could require grant recipients to be completely transparent about their operations, policies and financial transactions. This would enable donors, the public and the authorities to know if money contributed for ostensibly good causes was really being used for crime and terrorism.
- 3) Review and consider tightening and clarifying the criteria for granting tax-exempt status [501 (c)(3)] to organizations seeking that privilege. New criteria could require the recipients of 501 (c)(3) status to be completely transparent about their operations, policies, financial transactions, advocacy and lobbying activity. It is perfectly reasonable to require more public disclosure before granting the valuable privilege of a tax exemption.
- 4) Review and consider further clarifying the statutory definition of terrorism to include actions designed to intimidate individuals through the explicit or implicit threat of violence and/or property destruction. Historically, animal rights and eco-terrorist organizations have published the names, photos, home addresses and telephone numbers of targeted individuals, such as corporate executives, researchers and scientists. The groups have encouraged their followers to harass, intimidate, and attack these individuals, their family members and/or their property. Unabomber Theodore Kaczynski testified in court that he targeted and subsequently killed one of his victims because the individual's name appeared on a hit list put out by the group Earth First!

Conclusion

Our home-grown terrorists detest America's businesses, our free enterprise system, our environmental policies, our use of animals for food and medical research, our judicial system, our elected officials, and many other American institutions and values. They use arson and other weapons to wage war against our economy and our freedom. They think they are heroes and crusaders for justice, just as the September 11 hijackers thought of themselves in this way.

But terrorism is terrorism, not heroism, no matter how noble the cause in the terrorist's fanatical mind. Just as President Bush has responded to Osama bin Laden by saying his brand of murderous terrorism is intolerable, our government must tell law-breaking eco-terrorists and animal rights terrorists that their brand of fiery terrorism is intolerable as well. Our laws need to be enforced fairly and without prejudice against anyone who breaks them, regardless of the cause the lawbreakers espouse. These include local laws against crimes like trespassing, vandalism and malicious mischief. Too often, law enforcement ignores these infractions – encouraging violators to escalate their activities. When someone commits such violations, or moves on to burning down buildings and more

serious crime, he or she should be punished whether the burning was in support of ELF, ALF, the Nazi Party, al Qaeda, the Boy Scouts, the Red Cross, the American Cancer Society or any religious group. The worthiness of the cause in the mind of the criminal should be irrelevant.

For too many years, the United States failed to devote the necessary attention and dedicate the necessary resources to fighting terrorism originating abroad. We shouldn't make the same mistake when fighting the home-grown variety. We can't afford to let our inaction today give American terrorists the green light to escalate their terror tactics to horrifying proportions tomorrow.

Once again, Mr. Chairman and Members of the Subcommittee, I thank you for giving me this opportunity to submit this testimony.

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