

January 25, 2018

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## **HHS Secretary Nominee Confirmed by Senate**

Alex Azar, President Trump's nominee for secretary of Human and Health Services (HHS), was [confirmed today by the Senate](#). As former president of the U.S. arm of Eli Lilly & Co., Azar's nomination has been generally well-received by lawmakers, and his confirmation comes as no surprise. Having also served HHS as general counsel under the George W. Bush administration, he brings both executive branch experience and pharmaceutical company experience to the table. Azar is expected to tackle increasing drug prices. Sen. Orrin Hatch (R-Utah) has expressed full confidence in Azar, stating, "Clearly, Mr. Azar has seen both the good and bad at HHS and knows how to manage them. I don't think there is anyone here, even on the other side of the aisle, who would contest that."

## **PETA v. USDA - ACIS Database Lawsuit Dismissed**

*NABR Update* readers will recall that last year, on Feb. 3, 2017, in response to a privacy lawsuit about the Horse Protection Act (HPA), the United States Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) removed from its website the Animal Care Information System (ACIS) database. The ACIS database consisted of documents concerning inspection and licensing of animal research facilities. A coalition

of animal rights groups and activists, including People for the Ethical Treatment of Animals (PETA), Delcianna Winders, Physicians Committee for Responsible Medicine (PCRM), Born Free USA, Massachusetts Society for the Prevention of Cruelty to Animals, and Beagle Freedom Project (BFP) filed a lawsuit alleging the removal of ACIS information violated the Freedom of Information Act (FOIA). As the lawsuit progressed, APHIS continued to review, update, and repost the documents, completing an official review and republishing many of the documents on its website in Sept. 2017. APHIS then filed a motion to dismiss PETA's lawsuit on various grounds. On Jan. 18, 2018 U.S. District Judge Christopher Cooper [dismissed the case](#), finding PETA's claims were moot, considering most of the documents had by this time been reposted by APHIS. Regarding the documents that were not reposted, the judge dismissed without prejudice PETA's complaint, finding those documents could be obtained with a normal FOIA request by PETA, which would allow APHIS to decide whether the documents should be redacted or withheld. [Matthew R. Bailey, FBR President, said exactly that](#) when he spoke to the media last year: "I would certainly agree that protection of personal information is of utmost importance, given the rich history of targeting individuals involved in animal research." Read the 12-page opinion dismissal [here](#).

## European SHAC Animal Rights Extremists Sentenced

Two members of the European-based animal rights group, Stop Huntingdon Animal Cruelty (SHAC), were [sentenced this week for terrorism acts](#). The extremists were directly involved in a series of attacks against employees connected to the Cambridge, UK-based Huntingdon Life Sciences (HLS). These attacks included threatening HLS employees and destroying their vehicles by setting fire bombs. Seven other SHAC members were jailed for similar crimes in 2009, and collectively they will serve a 50-year sentence. The two defendants in this case, Natasha Simpkins and Sven Van Hasselt, were sentenced to two years and five years, respectively. Members of SHAC USA were also convicted in 2006 for similar crimes against

employees of a HLS lab in New Jersey. Among those was Kevin Kjonaas, who served six years for violating the Animal Enterprise Protection Act (AEPA), precursor to the Animal Enterprise Terrorism Act (AETA). Kjonaas is now director of operations at the animal rights group the Beagle Freedom Project (BFP).

## **ILAR Workshop on Lab Animal Oversight Scheduled for Tomorrow**

On Jan. 17, the National Academy of Sciences' Roundtable on Science and Welfare in Laboratory Animal Use of the Institute for Laboratory Animal Research (ILAR) hosted a [webcast](#) with the Animal Law and Policy Program and the Petrie-Flom Center for Health Law Policy, and Biotechnology and Bioethics of the Harvard Law School. The webinar was held in conjunction with their upcoming workshop, "[Future Directions for Laboratory Animal Law in the United States](#)" on Jan. 26. The webcast, "[Laws and Regulations Governing the Care and Use of Laboratory Animals: An Overview](#)," was presented by Professor Margaret Foster Riley, J.D., of the University of Virginia School of Law. It provided an excellent overview of the current oversight of animals for research. NABR encourages all members to view the webcast as a refresher. To register to view the workshop webcast or attend the workshop tomorrow at Harvard University in Boston, click [here](#). View the workshop agenda [here](#).

"Future Directions for Laboratory Animal Law in the United States"

## **APHIS Holding 'Listening Sessions' to Consider Third-Party Inspection Programs**

The USDA released a [Federal Register Notice](#) on Jan. 22 notifying the public that APHIS is hosting public hearings to consider third-party inspection programs. The series of listening sessions will be an opportunity for APHIS to hear public opinion on the development of criteria to recognize

third-party inspection and certification programs when determining APHIS inspection frequencies at research facilities regulated under the Animal Welfare Act. The first hearing was held in Sacramento on Jan. 18. Three more in-person listening sessions will follow, in addition to a virtual listening session; written comments may also be submitted. View the listening session schedule and register to attend [here](#).

## National Primate Research Centers Webinar

The National Primate Research Centers (NPRCs) are hosting a webinar on Feb. 6 titled, “How to advance public acceptance of research with animals.” The NPRCs webinar invitation reads, “A May 2017 Gallup Poll revealed the proportion of people believing it is morally acceptable to conduct ‘Medical testing on animals’ among the American public has fallen to 51% vs. 65% in 2001, with 44% believing it is morally unacceptable. Disapproval was highest among adults younger than 35.” Public acceptance of animal research improves with educational efforts to help people better understand how animal research leads to lifesaving advancements in science and medicine. To this end, the scientific community must “consistently communicate the continuing need for animal research to the public.” The webinar will discuss how research institutions can be more transparent about their use of animals and help to engender broader public support. To register for the webinar, email [Yerkesventrsvp@emory.edu](mailto:Yerkesventrsvp@emory.edu) by Feb. 2 and include your name, title, institutional affiliation, country, email, and phone number.

## Johnson & Johnson Seeking Nominations for Biomedical Research Award

Johnson & Johnson is [seeking nominations](#) for its [Dr. Paul Janssen Award for Biomedical Research](#), which honors scientists and researchers who have made significant contributions to improved public health. The award was created in memory of Dr. Paul Janssen, known throughout the research

community for his scientific breakthroughs in pain management, psychiatry, infectious disease, and gastroenterology, as noted by the the Johnson & Johnson release. Paul Stoffels, Johnson & Johnson chief scientific officer, said, “Behind every discovery that holds the promise for saving and improving lives are the scientists who pursue a vision and work tirelessly for many years to make it all possible.” The award includes a \$200,000 cash prize. Nomination suggestions can be made online at [pauljanssenaward.com](http://pauljanssenaward.com) through Feb. 28.

## Sign Up Today for NABR's Next Webinar!

Time is running out to sign up for NABR’s webinar on Feb. 6, “[The 2017 USDA Inspection Data: Celebrating a New Milestone in Compliance?](#)” Register today to join NABR for the webinar, in which we will look at data from FY 2017 and compare it to analyses from previous years. Our findings will demonstrate how the research community continues to improve its compliance with the letter and spirit of the regulations. As always, [registration](#) is complimentary for dues-paying NABR members and subscribers. Registrants from non-member institutions are welcome to attend, but a fee will be applied.

**Register Today!**

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