american physiological society

November 18, 2020

The Honorable Roy Blunt
Chair, Senate Appropriations
Subcommittee on L-HHS-
Education and Related Agencies
Washington, DC 20510

The Honorable Rosa DeLauro
Chair, House Appropriations
Subcommittee on L-HHS-
Education and Related Agencies
Washington, DC 20515

The Honorable Patty Murray
Ranking Member, Senate Appropriations
Subcommittee on L-HHS-Education
and Related Agencies
Washington, DC 20510

The Honorable Tom Cole
Ranking Member, House Appropriations
Subcommittee on L-HHS-Education
and Related Agencies
Washington, DC 20515

Dear Chairman Blunt, Chairwoman DeLauro, Ranking Member Murray, and Ranking Member Cole:

The American Physiological Society (APS) greatly appreciates your continued support for biomedical research at the National Institutes of Health (NIH). As you finalize FY 2021 appropriations, we urge you to ensure that NIH receives the highest possible funding level so the agency can address the prevention and treatment of COVID-19 while investing in research on health challenges that preceded the pandemic and remain critical even now. We also urge you to act as soon as possible to provide supplemental funding relief to grantees whose work has been delayed by pandemic closings and restrictions.

APS supports the Senate report language urging the Director of NIH to work towards increasing the participation of underrepresented minority researchers and continuing to support underrepresented junior faculty. Efforts such as these are essential to ensure that our nation benefits from the talents and contributions of these individuals.

APS also urges the House to concur with the Senate report language concerning research with nonhuman primates (NHPs); caring for NIH-owned or supported chimpanzees; and post-research adoptions:

- **Nonhuman primates:** The Senate report language affirms the importance of NHPs in biomedical research to the development of vaccines and treatments for public health threats such as COVID-19, Zika, and HIV-AIDS. NHPs are also an important research model for numerous other diseases and conditions. As evidence for this, we noted in our earlier

letter that the 2020 Nobel Prize in Physiology or Medicine recognized the discovery of the Hepatitis C virus. This work required research with NHPs because of their immune systems' unique similarity to that of humans.[1] The House language incongruously urged NIH to reduce research with nonhuman primate models while simultaneously calling upon it to make progress in treating and curing diseases for which NHPs remain a critical model. Current law requires researchers to use valid alternatives to animals when available. The reality is that we do not yet have adequate alternatives for most of the complex research involving NHPs. Finally, APS appreciates the Senate's expression of Congressional interest in steps NIH can take to ensure that adequate numbers of NHPs are available to meet future research needs.

- **Chimpanzee care:** The Senate language correctly recognizes that NIH's foremost obligation is to ensure the health and welfare of the chimpanzees it owns or supports. This stems from requirements of both the Animal Welfare Act (AWA) and the PHS Policy on Humane Care and Use of Laboratory Animals. In an October 26, 2020 statement, Pat Brown, the Director of NIH's Office of Laboratory Animal Welfare (OLAW), said that OLAW has "determined that transporting chimpanzees assessed by the facility veterinarian and the NIH Veterinary Panel to be significantly compromised by disease or exhibiting difficulty maintaining quality of life would be a violation of the AWA regulations, and therefore the PHS Policy." This duty to protect the health and welfare of frail chimpanzees supersedes the legislative mandate to transfer them to the national sanctuary system.

- **Post-research adoptions:** APS supports the Senate report language encouraging NIH to develop non-binding guidelines for the post-research adoption of research animals along the lines of the American Veterinary Medical Association's Research Dogs and Cats Adoption Policy. A large number of research facilities already have post-research adoption policies in place. However, since NIH prohibits using federal funds to cover costs related to getting animals ready for adoption, the Senate Committee was rightly concerned that a prescriptive policy would create regulatory and financial burdens.

- **Humane research alternatives:** APS is concerned about House report language asserting that "humane, cost-effective, and scientifically suitable non-animal [research] methods are available but underutilized" and calling upon NIH to encourage greater reliance on such methods. The House language instructs NIH to assemble a panel of experts who are familiar with these technologies or have previously critiqued particular animal models. The Senate report was silent on this topic. Since the selection of a research models depends upon the nature of the scientific question being asked, APS recommends that this panel also include individuals with expertise in modeling specific research questions.

In conclusion, APS urges the conferees to include the highest possible program level for NIH funding and to provide relief for grantees who have been unable to complete their research in a timely fashion

[1]The discovery of Hepatitis C virus. [https://www.nobelprize.org/prizes/medicine/2020/advanced-information/]

due to pandemic disruptions. We commend your support of NIH's efforts to increase the participation of underrepresented minorities in the research enterprise. Finally, we urge you to adopt the Senate report language concerning research with NHPs, chimpanzee maintenance, and post-research adoption of animals, and to modify the composition of the panel on humane alternatives to include experts in modeling specific research questions.

Sincerely,

Dennis Brown, PhD
Chief Science Officer

cc:

The Honorable Richard C. Shelby
The Honorable Patrick J. Leahy
The Honorable Nita N. Lowey
The Honorable Kay Granger

Physiology is a broad area of scientific inquiry that focuses on how molecules, cells, tissues and organs function in health and disease. The American Physiological Society connects a global, multidisciplinary community of more than 10,000 biomedical scientists and educators as part of its mission to advance scientific discovery, understand life and improve health. The Society drives collaboration and spotlights scientific discoveries through its 16 scholarly journals and programming that support researchers and educators in their work.