

## **Report of the ACNP Animal Committee**

**By Barbara K. Lipska, Chair**

Animal activists and their lawyers are using increasingly sophisticated legal strategies to change how our laws relate to animals, and many of them believe that research on animals should be prohibited. As these actions may seriously endanger the use of animals in biomedical research, the ACNP Animal Committee was advised by Council to focus in 2005 on the issues related to this topic. We were asked to 1) initiate the steps towards educating the public about the importance of using animals in research; 2) support and monitor legal strategy initiated and led by the National Association of Biomedical Research (NABR); 3) support a legal seminar being organized by NABR; and 4) provide more effective distribution of information from NABR to ACNP members. In order to implement these charges, I and several members of the Animal Committee, collected and developed materials, which will enable us to create a lecture for ACNP members or others to use with their students soon to be posted on the ACNP website. We also met several times, on behalf of the ACNP, with the president of NABR, Frankie Trull, and discussed other strategies. Several initiatives, in which NIH might also be involved, were proposed during these meetings, including funding for legal research on the use of animals in research, support for workshops on legal issues regarding use of animals in research, and perhaps initiation of a report by the Institute of Medicine of the National Academies on the importance of the use of animals in research.

Probably the most important is the Legal Strategy initiative by NABR, in which ACNP is participating. It proposes legal analysis of animal rights lawyer/author Steven Wise's theories, which will be done by a lawyer funded by NABR and affiliated institutions/societies (including SFN, AAA, FASEB, ASPET and AAMC and ACNP). Steven Wise, the person who has received the most press attention following the publication of his book, *Drawing the Line: Science and the Case for Animal Rights*, argues that certain species of animals should be granted basic legal rights based on their mental abilities ("animal personhood"), bodily integrity being the basic minimum legal right. His first goal is to convince a state court that a chimpanzee is so like a human being that it should be given this fundamental right. If he is successful, he believes it would then be easier to convince other state courts to rule similarly. He would then move on to other animal species based upon this precedent. Moreover, the introduction of "guardian" laws, pet trusts, pet custody disputes, and lawsuits alleging veterinary malpractice, loss of companionship, and infliction of emotional distress in cases involving animals contribute to a new and expanding body of law relating to animals, all of which may have potential adverse consequences for biomedical research. The final product of this legal analysis will include publication in the specialty legal journal widely read by trial judges across the country and proprietary advice for combating these efforts.

Finally, we are also passing along a recent ALERT from NABR regarding the APHIS issued stakeholder letter about posting inspection reports on its Website. This is pursuant to E-FOIA (Electronic Freedom of Information Act). Please note the following item.



National Association for  
Biomedical Research

**ALERT**

March 8, 2005

Vol. XXVII, No. 4

### APHIS Issues E-FOIA "Stakeholder" Letter

On March 8, 2005 APHIS issued its long-anticipated "Stakeholder" update on its plan for re-implementing the posting of "regularly requested" inspection reports to its Web site pursuant to E-FOIA (Electronic Freedom of Information Act).

The letter is short on the details that many have been seeking regarding the specifics of the implementation of this policy. It is NABR's understanding that much of the inspection reporting process will remain the same as it was in 2001. The USDA Secretary's office and APHIS are sensitive to the threats posed by animal extremists and have assured NABR that every effort will be made to redact identifying information including the names and addresses of investigators, room numbers of labs, etc. NABR will continue to work closely with APHIS to insure that this will, in fact, be the case while still fulfilling the mandate of the E-FOIA law.

The stakeholder letter does furnish the following details:

- Beginning March 15, 2005, APHIS Animal Care will be making regularly requested inspection reports available on its Web site.
- Initially only regularly requested reports will be accessible with the goal of eventually making all inspection reports available.
- This effort is a work in progress due to the need to analyze every inspection report to ensure personal and confidential information is removed.
- A new database is being developed that will contain all information related to inspection reports. This database will enable APHIS FOIA staff to review and redact information electronically. The database is not expected to be fully operational until FY 2006.
- Upon completion of the new database, the focus of the FOIA office will be on posting inspection reports of facilities in full compliance. Following that, all inspection reports where "non-compliant" have been identified will be reviewed.

As noted, NABR is currently seeking further clarification on the details of the implementation. We will communicate those details as soon as they become available. Please do not hesitate to contact the NABR staff regarding this issue at (202) 857-0540 or

[info@nabr.org](mailto:info@nabr.org).

### **Travel Award Announcement**

The deadline for the ACNP Travel Awards is **April 30, 2005**. You may call the ACNP Executive Office at 615-324-2360 or email Kay White at [acnp@acnp.org](mailto:acnp@acnp.org) if you have questions. Nominate someone today!

### **Call For Proposals**

The ACNP Program Committee is now accepting proposals for panels and study groups at the 44<sup>th</sup> ACNP Annual Meeting, December 11 – 15, 2005. Details are available at <http://acnp.abstractcentral.com>. Instructions can also be found at the annual meeting link at [www.acnp.org](http://www.acnp.org).

### **Honorific Awards**

The Honorific Awards Committee encourages you to nominate candidates for the following awards: a) Efron Research Award b) Elkes Research Award c) Hoch Distinguished Service Award d) Axelrod Mentorship Award and e) Media Award. Details regarding each of these awards are available online at [www.acnp.org](http://www.acnp.org) or click on the links listed below. Please send in your nomination by **May 20, 2005**.

*[Daniel H. Efron Research Award](#)*

*[Joel Elkes Research Award](#)*

*[Paul Hoch Distinguished Service Award](#)*

*[Julius Axelrod Mentorship Award](#)*

*[Media Award](#)*

### **ACNP Annual Dues**

Please be reminded you can pay your annual membership dues online at <http://members.acnp.org/>

### **Membership Nominations**

ACNP member nomination material will be posted on the ACNP website on Monday, April 4, 2005.

## **Upcoming Meetings**

CCNP 28th Annual Meeting

July 2-5, 2005

St. John's, Newfoundland, CANADA

For meeting and award information, go to [www.ccnp.ca](http://www.ccnp.ca).

ACNP 44th Annual Meeting

December 11-15, 2005

Waikoloa, HI

## **Upcoming Deadlines**

**Panel Proposal**

**April 26, 2005**

**Travel Award**

**April 30, 2005**

**Honorific Awards**

**May 20, 2005**

**Membership Nominations**

**August 1, 2005**