SAM FARR
20TH DISTRICT, CALIFORNIA

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEES:
AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES
MILITARY CONSTRUCTION, VETERANS' AFFAIRS, AND RELATED AGENCIES
CO-CHAIR, CONGRESSIONAL ORGANIC CAUCUS
CO-CHAIR, CONGRESSIONAL TRAVEL AND TOURISM CAUCUS
CO-CHAIR, HOUSE OCEANS CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515–0520

1126 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–0520
(202) 225–2861

100 WEST ALISAL
SALINAS, CA 93901
(831) 424–2229

701 OCEAN STREET
ROOM 318
SANTA CRUZ, CA 95060
(831) 429–1976

www.farr.house.gov

November 20, 2015

The Hon. Francis Collins, M.D., Ph.D.
Director, National Institutes of Health
9000 Rockville Pike
Bethesda, Maryland 20892

Dear Director Collins,

We were pleased to see your decision to retire *all* federally-owned chimpanzees to sanctuaries, however, we expect the National Institute of Health to exercise greater efficiency, timeliness, and transparency in completing this task. We are concerned that there has been little progress to send chimpanzees to sanctuaries since your 2013 announcement. We want to make sure that for the sake of taxpayers and these much-abused chimpanzees, these delays are overcome immediately.

The Road to Retirement

In 2010, at Congress's request, you commissioned the Institute of Medicine (IOM) to conduct a landmark study on the scientific necessity of using chimpanzees in experiments. In 2011, the IOM report was completed and its authors determined that the use of chimpanzees in biomedical experiments was "unnecessary."

NIH accepted this expert finding and began a series of reforms that culminated in a June 2013 announcement that NIH would, *"retire the majority of the NIH-owned chimpanzees deemed unnecessary for biomedical research to the Federal Sanctuary System contingent upon resources and space availability in the sanctuary system."*[1]

NIH officials then identified several changes to then-current law that Congress would need to make in order to enable the chimpanzee retirements. In response, Congress passed legislation in November 2013 to make the changes NIH requested. You stated:

> *"With an immense sense of gratitude, I applaud today's action by President Barack Obama that will enable the National Institutes of Health (NIH) to retire most of our research chimpanzees....By signing into law Senate Bill 252 (S. 252), the President has provided us with the means to fund the care of all NIH-owned*

[1] NIH, "NIH to reduce significantly the use of chimpanzees in research (Internet site), http://www.nih.gov/news-events/news-releases/nih-reduce-significantly-use-chimpanzees-research (Accessed 11/6/15)

and supported chimpanzees — including those that are retired — over the next five years."[2]

So, we were surprised to see comments you and your colleagues have made to the media as recently as this week, suggesting that NIH does not have or is not willing to dedicate sufficient resources to retire all federally-owned chimpanzees to sanctuaries as it promised. We believe it is incumbent on the NIH immediately to make the financial arrangements to fulfill the retirement promise, including adjusting any FY2017 budget request if necessary to accommodate shifting these chimps into retirement.

Lack of Progress

Earlier this year, observers began noting a lack of progress with regards to NIH actually following through on retiring the chimpanzees to sanctuaries. As CNN reported, *"only six of the 310 research chimps have been allowed to leave government research facilities, and the agency has no timetable for when it will retire the rest to sanctuaries."*[3] NIH admitted in February 2015 that 24 chimpanzees had already died waiting to be transferred. By now, we are worried that there have been more who have perished waiting for the peace and freedom they deserve because of NIH's delays.

Pressure from Opponents of Progress

It is well-known that there continues to be a fringe element of researchers that defends experimentation on chimpanzees. It is clear from media reports this week that with chimpanzee use being completely ended this fringe element desperately wants to maintain the federal funding attached to the hundreds of chimpanzees they currently confine in laboratories and that they are fighting to keep the chimpanzees permanently. It is not in chimpanzees' best interest to be forced to spend the remainder of their lives at the site of their trauma and abuse and this is not the *retirement to sanctuary* that NIH has promised.

Accountability and Swiftness

The retirement of all federally-owned chimpanzees to the federal sanctuary system must be a transparent and expeditious process with a clear strategy and timeline for the transition. Any further delay to these retirements will only result in more chimpanzees dying before they get rescued. When fully executed, this move will ultimately fulfill promises made by NIH to Congress and taxpayers, save federal funds, and provide chimpanzees with the relief they deserve.

We look forward monitoring the NIH's expedited progress in transferring these chimpanzees to sanctuaries as they promised. We request that the NIH provide our offices and the House Appropriations' Committee with a detailed plan of action and include, at a minimum, a thorough response to the following issues.

1. When and how does the NIH plan on humanly transporting these chimpanzees to sanctuaries?

---

[2] NIH, "Statement on President's Signing of Bill that Enables NIH to Retire Research Chimps" (Internet site), www.nih.gov/about-nih/who-we-are/nih-director/statements/statement-presidents-signing-bill-enables-nih-retire-research-chimps (Accessed 11/6/2015)

[3] John Bonifield, Elizabeth Cohen, CNN. "Chimps still stuck in research labs despite promise of retirement labs", (Internet site)www.cnn.com/2015/02/06/health/research-chimps-stuck-in-labs/ (Accessed 11/6/15)

2. How does the NIH plan on effectively managing their resources to accommodate the retirement of all chimpanzees within their designated timeline?

3. How does the NIH plan on keeping Congress informed of their continuous and expedited progress?

Thank you for your attention to this urgent matter. We are looking forward to your prompt response.

Sincerely,

SAM FARR
Member of Congress

LUCILLE ROYBAL-ALLARD
Member of Congress