



August 21, 2015

Regulatory Analysis and Development
Program Planning and Development
Animal and Plant Health Inspection Service (APHIS)
U.S. Department of Agriculture (USDA)
Station 3A-03.8
4700 River Road Unit 118
Riverdale, MD 20737-1238

RE: Docket No. APHIS-2015-0033
Petition to Amend the Reporting Requirements for Research Facilities under the
Animal Welfare Act Regulations

Submitted online at <http://www.regulations.gov/#!docketDetail;D=APHIS-2015-0033>.

The American Psychological Association (APA) appreciates the opportunity to comment on the petition to amend reporting requirements for research facilities under the Animal Welfare Act regulations (Docket No. APHIS-2015-0033). The APA Committee on Animal Research and Ethics (CARE) has reviewed the petition and assessed the impact of the proposed amendments to the animal welfare regulations (AWRs) on psychological research, particularly in the academic community. CARE is a governance committee of the APA, representing a membership of more than 122,500 researchers, educators, clinicians, consultants, and students. CARE takes the lead in developing and regularly updating APA's guidelines for the humane care and treatment of nonhuman animals in research. APA considers humanely conducted research with nonhuman animals to be an integral component of the science of behavior.

APA appreciates the United States Department of Agriculture Animal and Plant Health Inspection Service's (APHIS) continued efforts to ensure the humane care and treatment of nonhuman animals in research. The *Notice of Petition* indicates that based on the assertion that the APHIS annual reports provide an insufficient level of detail about animals used for research, the petitioner—the National Anti-Vivisection Society (NAVS)—has requested that the AWRs be amended to require research facilities to provide information about the numbers, types of animals, and specific research, testing, and educational purposes for which animals are being used. While APA is a staunch advocate of transparency in research, especially publically funded research, we believe that the petitioner has not provided a valid rationale for the proposed amendments to the AWRs. Furthermore, APA is confused as to why the APHIS solicited

comments in response to the petition, given that, according to the Animal Welfare Act (AWA), the agency does not have the statutory authority to make the proposed amendments to the reporting requirements for research facilities (7 USC § 2140). And finally, after closely reviewing the supporting documents, APA questions the veracity of the stated intent of the proposed amendments. The petitioner states, “Maintaining timely and accurate records is ... a necessity to organizations, such as NAVS that rely on this information in order to fulfill their mission” which as clearly stated on its website is “ending the exploitation of animals used in science.”(<http://www.navs.org/about/our-mission>). In addition, language in the supporting documents unequivocally acknowledges that the petitioner’s goal is to use the additional information to target and harass researchers and research facilities. For the abovementioned reasons and because we believe that the amendments would have little if any impact on improving the welfare of research animals, APA strongly recommends that the USDA **not** initiate rulemaking, as requested by the petitioners.

Responses to the Questions Posed by the Notice of Petition

1. Should APHIS amend the regulations to require research facilities that use animals for teaching, testing, and experimentation to provide specific information about how regulated animals are used (for example, for safety testing, teaching purposes, or disease research)? Would reporting this information improve animal welfare? If so, how?

As explained above, APHIS should not amend the AWRs to require research facilities to provide, in their annual reports, additional information about how regulated animals are used. Not only does the specific information requested by the petitioner exceed the statutory authority of the agency, as specified by the AWA, but the additional information would not, contrary to the petitioner’s claim, improve animal welfare or promote the 3 R’s. In fact, the costs associated with collecting this information, would detract from both the institutions’ and the USDA’s animal welfare oversight activities. The additional information will only serve to enable groups opposed to research with nonhuman animals to target and harass researchers and research facilities.

2. If research facilities were required to report the purposes of their animal research activities, what types of information should be provided, and why?

Research facilities should not be required to report the purposes of their animal research activities. The annual reports already require facilities to report the necessary information to ensure compliance with standards. Additional information would not improve animal welfare.

3. What might be the effects, if any, on research facilities if they are required to collect and report this additional information?

If required to collect additional information, research facilities would be diverting valuable resources that would be better spent on efforts that would ensure animal welfare.

The costs associated with collecting the additional information and increased documentation for the annual reports would negatively impact both research facilities and APHIS USDA. Additionally, as mentioned above, groups opposed to research with nonhuman animals might use the additional information to target facilities or individual researchers.

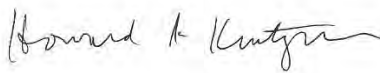
4. Does the annual reporting form currently required to be used by research facilities capture sufficient information? If not, what information is missing?

The current form captures all the information that is relevant to ensure animal welfare. No additional information is necessary.

In conclusion, APA strongly recommends that the USDA not amend the AWRs to require additional information be submitted about the purposes for which animals are used in research facilities, as proposed by the petitioners. APA wholly supports the need for transparency and public access to information regarding nonhuman animals in research. However, we are concerned that the proposed additional reporting requirements would (1) impose a significant regulatory and administrative burden on the research enterprise; (2) divert scarce resources from activities that actually impact the welfare of research animals; and (3) contrary to the petitioner's claim, not have any effect on promoting the 3 R's. The additional information would, however, serve to support the agenda of the petitioner as well other groups with a similar mission and result in the targeting and harassment of researchers and research facilities, thereby hindering the advancement of knowledge and the improvement of both human and animal welfare. Thus, APA strongly recommends that USDA **not** amend the reporting requirements for research facilities under the AWA.

If you have any questions, or if APA can provide any further information, please feel free to contact me at 202-336-6000 or by email at researchethics@apa.org.

Sincerely,



Howard S. Kurtzman, Ph.D.
Acting Executive Director for Science