

# Lab Animal Welfare Issue Gathers Momentum

*Claiming some successes at the state and local levels, animal rights and welfare groups push Congress for controls on research*

Animal welfare and animal rights groups are claiming growing momentum behind their efforts to impose stricter controls on—or even eliminate—the use of animals in research. The strength of their cause is likely to be tested this year in the U.S. Congress and some state legislatures, where a variety of proposals to restrict animal research are under consideration. Although portraying themselves as the underdogs in the contest to impose stricter controls, representatives of these groups recently have scored some legislative victories at the state level, and they believe support for federal legislation is increasing.

The issue of animal use in research draws on a wide spectrum of special interest groups, some of whose views and values are considerably easier to accept by researchers than are others. Indeed, some groups such as that called the Scientists Center for Animal Welfare (SCAW), headquartered in the Washington, D.C. area, have been created largely from within the research community. Established 5 years ago, SCAW is intended to make scientists who use animals in research more aware of the animal welfare issue and to get them to go beyond a “knee jerk, defensive attitude,” says the group’s president S. Barbara Orlans, who is a National Institutes of Health (NIH) staff member. Another Washington-based group, the National Coalition for Science and Technology, plans to hold a conference this spring to explore the issue. “There are large areas of animal research without documented problems,” a spokesman says. “But we could make better progress if we look at the legitimate problems.”

Representatives from these groups, as well as from traditional humane societies, argue that some scientists have been lax or careless in their treatment of animals. Hence, implementing better, more uniform, less painful procedures will not only benefit the animals being used but the research programs themselves, they say.

Other animal rights groups, however, consider the issue of animal welfare too tame, arguing that virtually all experimental manipulation of animals is cruel and unnecessary unless it will directly benefit the individual animals involved. They call the use of animals in research a

form of speciesism or slavery, and thus justify the occasional “liberation” of monkeys, dogs, rodents, and other species from the confines of the laboratory. Acknowledging that such actions are crimes, one animal rights advocate contacted by *Science* pointed to the abolitionist movement before the Civil War as a parallel instance when many people broke unjust laws to serve a higher purpose.

Not surprisingly, many experimental surgeons, physiologists, anatomists, neuroscientists, and psychologists have difficulty reconciling such views with



**Senator Robert Dole**

*His amendments to the Animal Welfare Act would have a major impact.*

their current research needs. And some of them see the animal rights movement as a direct threat to their intellectual freedom. Some animal rights leaders cynically reply that much research is merely repetitive or self-aggrandizing.

In its current session, Congress is likely to face the animal welfare issue in somewhat more down-to-earth terms, although the philosophical and ethical questions that are viewed so differently are helping to shape the pragmatic side of this legislative issue. Currently, two pieces of legislation, the NIH reauthorization bill (HR 2350) and amendments (S 657) to the broader-based Animal Welfare Act, are under active consideration in Congress. The draft of another bill, called the Research Accountability Act by the United Action for Animals group that authored it, may be introduced during this session if a congressional sponsor

can be found. And, at the state level, California legislators are considering two bills to amend the statute allowing the use in research of animals from pounds. Massachusetts recently passed a law that will bring an end to that practice and will also halt the import into Massachusetts of animals for research obtained from pounds in other states (*Science*, 13 January, p. 151).

The House version of the NIH reauthorization bill was approved late in 1983, but the Senate version still has not moved out of committee for consideration by the full Senate. It is being held up by fights over several issues, including fetal research and the establishment of a National Institute of Nursing (*Science*, 23 December 1983, p. 1310). The two versions differ in several ways on animal welfare matters, with the House version spelling out more stringent requirements than yet are being called for in the Senate.

Both the House bill and Senate draft call for the National Academy of Sciences (or another nonprofit private entity) to study the use of animals in biomedical and behavioral research. This provision is aimed at quantifying what has been a mushy subject. For example, the total number of animals used in research and testing in the United States per year is estimated at anywhere between 40 and 150 million. Whether that number is increasing, how those animals are being used, what alternate methods could be implemented to reduce those numbers and at what cost, and whether the NIH is taking the right steps to ensure or to improve the humane treatment of those animals are some of the questions the study would address. The need for such a study is widely recognized, although some animal welfare and rights advocates argue that it is merely a stalling device.

The Senate version of the NIH reauthorization, which is sponsored by Orrin Hatch (R-Utah) and Edward Kennedy (D-Mass.), goes no further insofar as animal welfare measures are concerned than asking for a study. However, the House bill adds several important provisions, some of which eventually might be incorporated into the Senate’s bill if it moves from limbo, according to Hill observers.

The House bill vests responsibility for ensuring proper care of research animals with the NIH director, who is to implement a short-term study into alternatives for the use of animals in research. The NIH director also is to establish guidelines requiring animal care committees and specifying their composition at each research institution receiving NIH support. The committees must include a veterinarian and one individual from outside the institution. Moreover, the NIH director is authorized to suspend or revoke support for an institution if it fails to comply with the animal care guidelines.

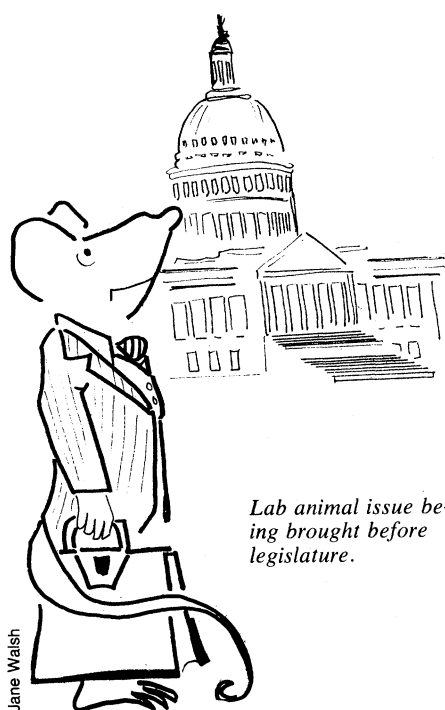
There is, however, another bill waiting in the wings. Called the Improved Standards for Laboratory Animals Act, and introduced by Senator Robert Dole (R-Kans.) as amendments to the Animal Welfare Act, it could be pushed as an amendment to the NIH reauthorization bill if it ever reaches the Senate floor. Dole's bill contains many provisions regarding the use and treatment of animals that are similar to those in the House version of the NIH reauthorization bill. However, Dole's amendments are proposed as "standards" instead of "guidelines," giving them greater legal weight. Moreover, they would apply to all, rather than merely to NIH-supported research facilities in the United States.

Dole's bill also calls for semiannual inspections of animal "study areas and facilities" and for reviews "to ensure that animal pain and distress are minimized. . . ." His bill also would establish, through the National Agricultural Library and the National Library of Medicine, a service to disseminate information about improved methods for animal research and of ways to avoid "unnecessary duplication of animal experiments." Lobbyists from the research community oppose some of these provisions as too vague and potentially too intrusive. And Hatch and Kennedy would likely oppose their incorporation in the NIH bill.

Meanwhile, Joseph Meadows, a Washington-based representative for United Action for Animals, is hoping to find a sponsor for the group's draft legislation, "the Research Accountability Act." "This is not an animal welfare bill but an economics bill," says a spokeswoman for the organization in New York. "It would save millions of dollars in research funds—and many animals lives—in the process." The bill calls for setting up a central clearinghouse for experiments involving animals. The National Library of Medicine would perform this function in a way that goes

substantially beyond its role as specified in Dole's proposals. Thus, according to the draft legislation, new methods for disseminating information could find use to ensure that research "repeated hundreds of times" will be halted. Just what criteria and who will determine which research projects are to be eliminated are serious stumbling blocks for this plan.

At the local and state levels, there is plenty of activity on animal welfare issues, according to Frankie Trull, executive director of the Association for Biomedical Research in the Boston area. Sometimes this activity is paid scant attention by the research community so that, in a few cases, legislation that would drastically affect research has come very close to passing without first



getting full consideration, she says. For example, a bill to eliminate vivisection was introduced in Wyoming's legislature and came close to passage, although it eventually was allowed to die. There also have been recent attempts in various states to withdraw the long-standing exemptions from strict adherence to anticruelty statutes granted to research institutes. About a dozen states and several cities have laws prohibiting the use of impounded animals in research.

Two bills pertaining to animal welfare issues were introduced in the California legislature during 1983. One, introduced by state Senator David Roberti, a Democrat from Hollywood, has been sharply criticized by members of the university research community. Though withdrawn by Roberti from consideration just be-

fore a critical vote last year, his bill will likely be reconsidered during the current session. Like the recently passed Massachusetts law, Roberti's bill would prohibit the use in research of dogs, cats, and other animals from pounds. The bill also would make it a misdemeanor to cause pain and suffering to dogs and cats used in research. Opponents object to those provisions as too vague and encompassing.

Roberti's bill would not prohibit researchers from using specially bred dogs and cats. But breeding animals for research—about 10,000 dogs and cats are used per year in the state—will add anywhere from \$3 million to \$23 million to current costs, according to opponents of the bill. The upper end of that range includes estimates of more than \$12 million in capital expenditures to establish a breeding program and more than \$8 million in annual operating costs.

Another bill, proposed by Assemblyman William Filante, a Republican from Marin County, also is being considered in California. So far it has won a warm reception from researchers, university associations, and the like—some of whom helped in its drafting. The Filante bill calls for the continued use of stray animals for research but calls for various measures to ensure that identifiable pets will not be sent inadvertently to research facilities or, if that occurs and the animals can be identified, they will be returned to their owners. Like some of the federal legislative proposals, the Filante bill calls for institutional animal welfare committees, which are to include a veterinarian and a member from outside the institution.

The Filante bill recently was approved in key committee votes and soon could come up for a general vote in the state Assembly. However, its outcome should it pass the Assembly is uncertain, in part because Roberti is president pro tem of the state Senate and thus in a position to influence how legislative proposals work their way through the system. Meanwhile, groups such as the California Biomedical Research Association, which was founded early in 1983, are mounting statewide educational campaigns to explain the need for animals in research. This organization, believed to be the first of its kind formed at the state level, is itself an index of how seriously the research community in California is taking this issue. And it also provides a measure of how costly this contest has become in terms of the money, time, and energy being spent in it by the growing numbers of contestants.

—JEFFREY L. FOX