



September 14, 2021

## **FEDERAL**

### **PETA Files Lawsuit Against NIH for “Violating the First Amendment”**

People for the Ethical Treatment of Animals (PETA) previously accused the National Institutes of Health (NIH) of limiting the group’s freedom of speech by using keyword filters to block any negative comments about animal research funded or conducted by NIH. On Sept. 9, PETA, Animal Legal Defense Fund, and the Knight First Amendment Institute at Columbia University filed a lawsuit against NIH on the premise of “violating the First Amendment.”

The lawsuit claims that negative comments towards animal research and testing were “blocked from appearing on at least one of the agency’s social media pages.” The suit alleges that the NIH’s keyword filters included “animal (s),” “chimpanzee (s),” “monkey (s),” “cats,” “mouse,” “experiment,” “testing,” “PETA,” “torture,” “revolting,” “#stopanimaltesting,” and “cruel.” The lawsuit also asserted that the Department of Health and Human Services (HHS) also blocks similar comments on its Facebook page.

NABR members should be aware of this emerging legal tactic and should review the community guidelines in place for social media sites and their own websites. For more details: [http://go.pardot.com/e/858023/mments-animal-rights-activists/9z5zj/281939589?h=RUxo5RdvQRUw52-ZYkFrH8iX\\_67OGkblQ9Rv-SM76Jo](http://go.pardot.com/e/858023/mments-animal-rights-activists/9z5zj/281939589?h=RUxo5RdvQRUw52-ZYkFrH8iX_67OGkblQ9Rv-SM76Jo)

### **Congress Eyes a Continuing Resolution as Funding Deadline Approaches**

As the Sept. 30 deadline for funding the government quickly approaches, Congress begins setting up for an all too familiar continuing resolution to keep the government open as negotiations continue. This would allow the government to remain open at current spending levels while lawmakers hash out details in their spending bills.

NABR will report to members as further details on funding for fiscal year 2022 are released.

### **House Begins Marking Up the Build Back Better Act**

This week, the U.S. House of Representatives will mark up 12 sections of the Build Back Better Act outlining priorities of this administration. Included in the \$3.5 trillion reconciliation package is \$3 billion in new funds for the creation of the Advanced Research Project Agency for Health (ARPA-H) within the National Institutes of Health. ARPA-H would “*accelerate biomedical innovation and adoption of technologies and approaches to revolutionize healthcare and medicine.*”

ARPA-H’s goal is to focus on projects that will alter how we prevent, treat, or cure various diseases, including cancer, infectious disease, Alzheimer’s disease, and others. ARPA-H plans on helping “*the U.S. capitalize on this unprecedented moment of scientific promise to drive life-saving discoveries and advancements which have the potential to significantly impact the health and quality of life for all Americans.*”

NABR will continue to monitor these markups as the House wraps up committee work this week.

The House Energy and Commerce Committee’s ARPA-H recommendation can be found here:

[http://go.pardot.com/e/858023/btitle20J-Public20Health-1-pdf/9z5zl/281939589?h=RUxo5RdvQRUw52-ZYkFrH8iX\\_67OGkblQ9Rv-SM76Jo](http://go.pardot.com/e/858023/btitle20J-Public20Health-1-pdf/9z5zl/281939589?h=RUxo5RdvQRUw52-ZYkFrH8iX_67OGkblQ9Rv-SM76Jo)

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## STATE

### California Senate Bill 252

A bill to end toxicological testing on dogs and cats in California expired in the state Assembly's Appropriations Committee. This bill passed the Senate in early June and would have banned toxicological testing on dogs and cats for the development of new drugs and treatments despite current federal requirements. Fought by a coalition of research advocates and biopharma companies with a presence in the state, this represents a win for the biomedical research community. Animal research opponents continue to push state legislation in hopes of making it to the federal level. NABR will continue to monitor state legislatures and advocate as needed while bills harmful to the biomedical research industry are introduced each session.

More information on SB252 can be found here: [http://go.pardot.com/e/858023/t-xhtml-bill-id-202120220SB252/9z5zn/281939589?h=RUxo5RdvQRUw52-ZYkFrH8iX\\_67OGkblQ9Rv-SM76Jo](http://go.pardot.com/e/858023/t-xhtml-bill-id-202120220SB252/9z5zn/281939589?h=RUxo5RdvQRUw52-ZYkFrH8iX_67OGkblQ9Rv-SM76Jo)

## ANNOUNCEMENTS

### USA Today Fact-Checked and Confirmed all US Authorized COVID-19 Vaccines Completed Animal Testing

There have been numerous controversies surrounding whether Pfizer, Moderna, and the Johnson & Johnson COVID-19 vaccines had gone through animal testing. USA Today fact-checked this myth and confirmed that all COVID-19 vaccines authorized for use in the United States have undergone animal testing. During each vaccine's animal testing trials, *"the vaccines showed they effectively limit COVID-19 contraction. ... The FDA referenced these studies in the Pfizer, Moderna and Johnson & Johnson vaccines' Emergency Use Authorization forms, and an FDA spokesperson confirmed this claim is false."*

Full story: [http://go.pardot.com/e/858023/nes-animal-studies-8262536002-/9z5zq/281939589?h=RUxo5RdvQRUw52-ZYkFrH8iX\\_67OGkblQ9Rv-SM76Jo](http://go.pardot.com/e/858023/nes-animal-studies-8262536002-/9z5zq/281939589?h=RUxo5RdvQRUw52-ZYkFrH8iX_67OGkblQ9Rv-SM76Jo)

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### **September NIH Meetings on Toxicological Methodologies**

On Sept. 28-29 at 10 a.m., the NIH and Department of Health and Human Services (HHS) will hold a teleconference by the Scientific Advisory Committee on Alternative Toxicological Methods. The agenda includes major ICCVAM accomplishments in 2021, regulatory needs and research applications for ecotoxicity testing, evolving approaches to validation, and an update on NICEATM computational resources. Registration is required.

You can register here: [http://go.pardot.com/e/858023/aign-ntpgolinks-utm-term-32822/9z5zs/281939589?h=RUxo5RdvQRUw52-ZYkFrH8iX\\_67OGkblQ9Rv-SM76Jo](http://go.pardot.com/e/858023/aign-ntpgolinks-utm-term-32822/9z5zs/281939589?h=RUxo5RdvQRUw52-ZYkFrH8iX_67OGkblQ9Rv-SM76Jo)

### **RSVP for NABR's Upcoming Webinar: Follow the Science! Why the Pursuit of Knowledge - and not 'Harm-Benefit Analysis' - is the Key to Scientifically and Ethically Sound Animal Research**

Join us on Tuesday November 2 at 12:30 p.m. EST when Jerrold Tannenbaum returns to our webinar series with a new presentation titled “Follow the Science! Why the Pursuit of Knowledge – and not “Harm-Benefit Analysis” – is the Key to Scientifically and Ethically Sound Animal Research”

In recent years there has been much discussion in the research community about Institutional Animal Care and Use Committees (IACUC) adopting the Harm Benefit Analysis (HBA) in the review and evaluation of the proposed use of animals in biomedical research. NABR has heard from numerous members who are concerned about this discussion, specifically how both sides of the HBA are quantified, which carries profound ramifications for basic research. NABR discussed those concerns with Mr. Tannenbaum who will address them in this webinar.

We look forward to having you join us for what promises to be an enlightening and stimulating discussion that will emphasize why research should follow the science in pursuit of knowledge.

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Register here: [http://go.pardot.com/e/858023/register-7232681363698931984/9z5zv/281939589?h=RUxo5RdvQRUw52-ZYkFrH8iX\\_67OGkblQ9Rv-SM76Jo](http://go.pardot.com/e/858023/register-7232681363698931984/9z5zv/281939589?h=RUxo5RdvQRUw52-ZYkFrH8iX_67OGkblQ9Rv-SM76Jo).

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