

Sept. 18, 2012

The Honorable Kathleen Sebelius  
Secretary of Health and Human Services  
U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, DC 20201

**Sent by Facsimile (202-690-7203) and U.S. Mail**

**Re: Letter in Support of the Rulemaking Petition to Establish Criteria for Retiring Chimpanzees from Laboratories**

Dear Secretary Sebelius:

On behalf of the Physicians Committee for Responsible Medicine (PCRM) and our 150,000 members, representing physicians, scientists, and laypersons I am writing to express support for the petition submitted by the New England Anti-Vivisection Society, the North American Primate Sanctuary Alliance, Fauna Foundation, Animal Protection of New Mexico, the Kerulos Center, and former U.S. Senator Bob Smith requesting that you establish regulatory criteria for determining when chimpanzees in laboratories are not needed for research and should be retired to sanctuary.

Fewer than 10 percent of chimpanzees in laboratories are assigned to protocols and more than one-third of the federally-owned chimpanzee population has not been used in research for more than 10 years. In addition, the Institute of Medicine's December 2011 report *Chimpanzees in Biomedical and Behavioral Research: Assessing the Necessity* cited no area of current research for which chimpanzees are necessary.

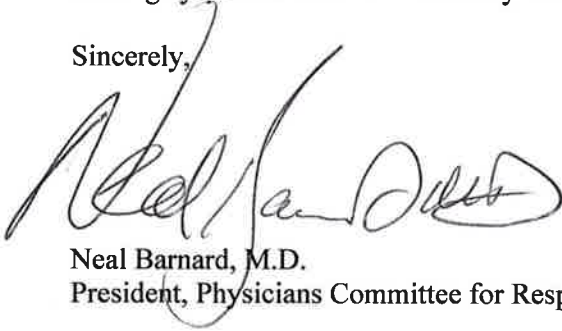
Yet, few chimpanzees have been retired to sanctuary since the enactment of the Chimpanzee Health Improvement Maintenance and Protection Act (CHIMP Act, Pub. L. No. 106-551:42 U.S.C. § 287(m)) in 2000. The CHIMP Act established a national sanctuary system (Chimp Haven located in Keithville, Louisiana) for federally-owned or -supported chimpanzees no longer needed for research. With enactment of the CHIMP Act Congress mandated that "The Secretary shall provide for the establishment and operation...of a system to provide for the lifetime care of chimpanzees that have been used, or were bred or purchased for use, in research conducted or supported by the National Institutes of Health, the Food and Drug Administration, or other agencies of the Federal Government, and with respect to which it has been determined by the Secretary that the chimpanzees are not needed for such research" (42 U.S.C. § 287(m)) (emphasis added). The Secretary is clearly responsible for developing a set of criteria to determine which chimpanzees are no longer needed for research and should be retired from laboratories to sanctuary—where it is less expensive to care for them—as required by Congress.

PCRM supports the proposed criteria set forth in the petition. These criteria, which will enable you to determine which chimpanzees should be retired from laboratories and sent to sanctuary, include: (1) chimpanzees held or proposed for research in which chimpanzees have been determined to be unnecessary; (2) chimpanzees who have not been assigned to a research protocol in 10 years; and (3) chimpanzees who are unfit research models due to their poor physical or psychological health or incomplete medical record histories.

We would appreciate your action, as Secretary with jurisdiction, to establish the long over due criteria and process for the retirement of chimpanzees no longer needed for research. Retiring laboratory chimpanzees to sanctuary will save millions in taxpayer dollars each year and free resources which can be invested in effective, necessary research.

We urge you take action immediately and implement the regulations set forth in the petition.

Sincerely,

A handwritten signature in black ink, appearing to read "Neal Barnard". The signature is fluid and cursive, with a large initial "N" and a long, sweeping underline.

Neal Barnard, M.D.  
President, Physicians Committee for Responsible Medicine