

From: [Goldentyer, Betty J - APHIS](#)
To: [Davidson, Mark L - APHIS](#)
Cc: [Sifford, Rosemary B - APHIS](#); [Theodorson, Elizabeth C - APHIS](#)
Subject: FW: Office of Laboratory Animal Welfare Statement on Oversight of NIH-owned Chimpanzees
Date: Tuesday, October 27, 2020 11:29:00 AM

Hi Mark

NIH issued a stakeholder announcement on the relocation of some of the chimps today. The AWA regulation being cited here is 2.38(h) – Health Certification. A health certificate is required to deliver the chimps for transport in commerce. It is up to the licensed veterinarian to decide whether there is any physical abnormality which would endanger the animals and preclude the HC.

Since 2013 NIH has been working to relocate chimps and there are still some that may yet be relocated to a sanctuary. In this statement though, NIH is announcing their decision that these fragile 44 chimps will live out their lives in the Alamagordo Primate facility.

I'm sure there will be a challenge to this decision, perhaps on the 'in commerce' issue. The AWA, however, clearly gives the decision on the Health Certificate to the Veterinarian so it's NIH's call.
Betty

From: PHS Animal Welfare Policy Info/Announcements <OLAW-L@LIST.NIH.GOV> **On Behalf Of** Pritchard, Cate (NIH/OD) [E]
Sent: Tuesday, October 27, 2020 10:29 AM
To: OLAW-L@LIST.NIH.GOV
Subject: Office of Laboratory Animal Welfare Statement on Oversight of NIH-owned Chimpanzees

Chimpanzees must remain in their current location and not be transported under certain conditions

All facilities that house, care for, or are engaged in the transport of NIH-owned chimpanzees are subject to the Animal Welfare Act ([AWA](#)) and implementing regulations, the [Health Research Extension Act of 1985](#), and the [PHS Policy](#).

These federal regulations and policies prohibit the transportation of animals which would endanger the animals, other animals, or public health. They also prohibit the transportation of animals that are obviously ill, injured, or in physical distress.

The Director, OLAW, has therefore determined that transporting chimpanzees assessed by the facility veterinarian and the [NIH Veterinary Panel](#) to be significantly compromised by disease or exhibiting difficulty maintaining quality of life would be a violation of the AWA regulations, and therefore, the PHS Policy. Furthermore, the frailest chimpanzees must remain in their current location, consistent with the regulatory requirements of the AWA and the PHS Policy, and in the interest of each animal's welfare, health, and social grouping.

Click [here](#) to see the full statement.

[Subscribe](#) | [Unsubscribe](#) | [Update Email Address](#)

From: [Davidson, Mark L - APHIS](#)
To: [Goldentyer, Betty J - APHIS](#)
Subject: RE: Office of Laboratory Animal Welfare Statement on Oversight of NIH-owned Chimpanzees
Date: Tuesday, October 27, 2020 3:18:30 PM

Thanks

From: Goldentyer, Betty J - APHIS <betty.j.goldentyer@usda.gov>
Sent: Tuesday, October 27, 2020 11:30 AM
To: Davidson, Mark L - APHIS <mark.l.davidson@usda.gov>
Cc: Sifford, Rosemary B - APHIS <rosemary.sifford@usda.gov>; Theodorson, Elizabeth C - APHIS <elizabeth.c.meek@usda.gov>
Subject: FW: Office of Laboratory Animal Welfare Statement on Oversight of NIH-owned Chimpanzees

Hi Mark

NIH issued a stakeholder announcement on the relocation of some of the chimps today. The AWA regulation being cited here is 2.38(h) – Health Certification. A health certificate is required to deliver the chimps for transport in commerce. It is up to the licensed veterinarian to decide whether there is any physical abnormality which would endanger the animals and preclude the HC.

Since 2013 NIH has been working to relocate chimps and there are still some that may yet be relocated to a sanctuary. In this statement though, NIH is announcing their decision that these fragile 44 chimps will live out their lives in the Alamagordo Primate facility.

I'm sure there will be a challenge to this decision, perhaps on the 'in commerce' issue. The AWA, however, clearly gives the decision on the Health Certificate to the Veterinarian so it's NIH's call.
Betty

From: PHS Animal Welfare Policy Info/Announcements <OLAW-L@LIST.NIH.GOV> **On Behalf Of** Pritchard, Cate (NIH/OD) [E]
Sent: Tuesday, October 27, 2020 10:29 AM
To: OLAW-L@LIST.NIH.GOV
Subject: Office of Laboratory Animal Welfare Statement on Oversight of NIH-owned Chimpanzees

Chimpanzees must remain in their current location and not be transported under certain conditions

All facilities that house, care for, or are engaged in the transport of NIH-owned chimpanzees are subject to the Animal Welfare Act ([AWA](#)) and implementing regulations, the [Health Research Extension Act of 1985](#), and the [PHS Policy](#).

These federal regulations and policies prohibit the transportation of animals which would endanger the animals, other animals, or public health. They also prohibit the transportation of animals that are obviously ill, injured, or in physical distress.

The Director, OLAW, has therefore determined that transporting chimpanzees assessed by

the facility veterinarian and the [NIH Veterinary Panel](#) to be significantly compromised by disease or exhibiting difficulty maintaining quality of life would be a violation of the AWA regulations, and therefore, the PHS Policy. Furthermore, the frailest chimpanzees must remain in their current location, consistent with the regulatory requirements of the AWA and the PHS Policy, and in the interest of each animal's welfare, health, and social grouping.

Click [here](#) to see the full statement.

[Subscribe](#) | [Unsubscribe](#) | [Update Email Address](#)

