



June 2, 2016

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Dear Governor Cuomo:

The National Association for Biomedical Research (NABR), and its more than 380 member institutions nationwide and their thousands of employees who engage in animal-related biomedical research, appreciates the opportunity to write in opposition to Senate Bill 98 and provide additional insight into the bill.

NABR members include universities, medical and veterinary schools, pharmaceutical and biotechnology companies and other research-intensive programs, including many research institutions in the state of New York, dedicated to the development of diagnostics, treatments and cures for animals and humans. Biomedical research projects involving animals, governed by multiple laws, regulations and guidelines, continue to yield invaluable data in the development of new therapies to treat human and animal disease. Cancer therapies, vaccines, organ transplants, cardiovascular surgeries, medicines, and many other innovations have been developed through research conducted at NABR member institutions.

S.98, even in its newly amended form, remains of concern to both our New York and national membership for several reasons. While on the face of it, S.98 appears benign, this legislation sets dangerous precedents affecting future lifesaving research and animal care.

As amended, research institutions in New York would be mandated to offer dogs and cats for adoption when these animals are no longer required for research or testing purposes. This proposal remains misguided and redundant. The adoption of research animals is not a new concept for biomedical research. Adoptions are common practice at public and private research institutions, including those within New York, and animals are not euthanized without a medical or research necessity. These animals, purposely bred for research, are not typical house pets and often require specialized care and attention. The existing research adoption programs include thoughtful and strict guidelines for evaluating potential adoptive owners and homes, something that private shelters or adoption organizations may not be equipped or trained to do. Under this provision in S.98, animal rescue organizations potentially could be depriving these animals of time in a post-research home by inadvertently interfering with time-tested and effective institutional adoption programs. In fact, there is no provision in this legislation to assure these animals will be placed in permanent adoptive homes, if shelters or rescues choose to accept them. Thus, once they leave the research institutions, their journey and ultimate fate, will be unknown.

Until New York's shelters are empty and every adoption-worthy shelter animal is placed in its forever home, it would seem only logical to direct legislative efforts towards the homeless animals at municipal and state shelters. As compared to the thousands of unadopted New York shelter animals that must be

ethanized every year, this legislation affects a very small number of purpose-bred dogs and cats in research programs in the state. According to the *New York Times*, last year alone, approximately 4,000 dogs and cats died in New York shelters¹.

Legislation like S.98 has been introduced in other states and is part of a campaign by animal rights activists opposed to all animal research. In fact, just this year similar bills failed to pass in Illinois and Maryland, due in part to concerns expressed by NABR and leading research universities and companies in those states. Activists promoting this legislation have used animals adopted from research programs as public relations props to highlight their false claims that animal research is cruel and unnecessary. That argument could not be further from the truth. Animal research is highly regulated by individual institutions and the federal government and as you will see in the attached document, 22 of the top 25 most prescribed drugs in America were brought to fruition thanks to research with dogs². The activists behind these efforts don't plan to stop their campaign with passage of legislation requiring dog and cat adoption, either. As shown in the attached graphic posted to social media on March 9, 2016 by one of S.98's main proponents, the Beagle Freedom Project (BFP), BFP hopes to "help end animal testing." Similarly, anti-research activists have also voiced interest that other research species, like rabbits, guinea pigs, goats, pigs and rats, be turned over for adoption. If enacted, S.98 will provide fertile ground for future onerous amendments seeking to place additional burdens on lifesaving and life-improving research for humans and animals. After the bill in Illinois failed to pass, BFP introduced secondary legislation seeking arduous, overly burdensome, and duplicative reporting requirements for any research study involving dogs or cats.

Research programs at venerable research institutions in New York State are vital to scientific discovery and the state should be justifiably proud. These institutions make invaluable contributions to public health and are significant economic drivers in the state. Currently, there are 278,876 life science jobs in New York and the state receives \$15,399,000,000 in federal, state and private funding. Legislative proposals like S.98 create an anti-research climate which may result in biomedical programs locating to states with more amenable environments for their lifesaving research endeavors.

Finally, the provision in S.98 which requires private research facilities provide their dogs and cats to outside organizations may unconstitutionally deprive research institutions of property without due process or just compensation as referenced by the Fourth, Fifth, and Fourteenth Amendments of the United States Constitution.

NABR appreciates and understands the importance of re-homing animals no longer needed in lifesaving and life-enhancing biomedical research and supports the already existing and effective framework practiced nationwide by our research institutions; therefore, NABR opposes S.98.

Thank you for your consideration and for the opportunity to submit our concerns.

Sincerely,



Frankie L. Trull
President
NABR

¹ http://www.nytimes.com/2016/01/21/nyregion/animal-adoptions-rise-amid-reforms-at-new-yorks-shelters.html?_r=0

² <http://www.nabr.org/wp-content/uploads/2015/06/Animal-Research-Behind-Top-25-Drugs.pdf>

The Animal Research Behind The Top 25 Most Prescribed Drugs

Rank	Drug	Drug Usage	Species
1	Synthroid	Enlarged thyroid; hypothyroidism	Rats, Dogs, Mice
2	Crestor	High cholesterol	Rats, Beagle dogs, Mice, Cats, Cynomolgus monkeys, Rabbits
3	Nexium	Heartburn; Acid Reflux	Rats, Beagle dogs, Rabbits, Mice
4	Ventolin HFA	Bronchospasm	Rats, Beagle dogs, New Zealand white rabbits
5	Advair Diskus	Asthma; COPD Flare-ups	Rats, Dogs, Mice, Rabbits, Guinea pigs, Monkeys, Hamsters
6	Diovan	High Blood Pressure	Rats, Mice, Rabbits, Marmosets
7	Lantus Solostar	Diabetes mellitus	Rats, Beagle Dogs, Rabbits, Guinea Pigs
8	Cymbalta	Fibromyalgia; Major Depressive & General Anxiety Disorders	Mice, Rats, Rabbits, Dogs
9	Vyvanse	ADHD; Severe binge eating (adults)	Rats, Guinea Pigs, Beagle Dogs
10	Lyrica	Fibromyalgia; Epilepsy	Mice, Rats, Monkeys, Rabbits
11	Spiriva Handihaler	COPD (including Bronchitis & Emphysema)	Mice, Rats, Rabbits, Dogs
12	Lantus	Types 1 & 2 Diabetes	Mice, Dogs, Guinea Pigs, Rats
13	Celebrex	Arthritis; Ankylosing Spondylitis	Rats, Mice, Beagle Dogs, Monkeys
14	Abilify	Schizophrenia & Bipolar Disorder	Rats, Dogs, Monkeys, Rabbits
15	Januvia	Type 2 Diabetes	Rats, Rabbits, Dogs, Monkeys
16	Namenda	Moderate to Severe Dementia	Rats, Mice, Beagle Dogs
17	Viagra	Erectile Dysfunction	Rats, Dogs, Mice, Rabbits
18	Cialis	Erectile Dysfunction	Mice, Beagle Dogs, Wistar Rats
19	Zetia	High cholesterol	Rats, Dogs, Mice
20	Nasonex	Seasonal/Year Round Allergies	Rats, Rabbits, Dogs
21	Suboxone	Narcotic Addiction	Mice, Rats, Rabbits, Baboons, Dogs
22	Symbicort	Asthma	Mice, Rats, Dogs
23	Bystolic	Hypertension	Mice, Rats, Dogs
24	Flovent HFA	Prevent Asthma Attacks	Rats, Rabbits, Dogs
25	Oxycontin	Long lasting, Moderate to Severe Pain	Rats, Rabbits

References

Food and Drug Administration New Drug Application Database Accessed May, 2015.
(<http://www.accessdata.fda.gov/scripts/cder/drugsatfda/index.cfm>)

Brooks M. Top 100 Most Prescribed, Top-Selling Drugs. Medscape. Aug 1, 2014. Accessed May, 2015.
(<http://www.medscape.com/viewarticle/829246>)



Beagle Freedom Project

March 9 at 8:56am · 🌐

#Truth bfp.org

Laboratories hate our
liberations & would
rather these  dogs
be kept hidden

behind bars with no
name and no future.
Fortunately BFP has
already saved over
30 lab  animals from
labs in 4 states and 3
 countries in 2016!

They are the best
ambassadors to help
end animal testing.

