



March 6, 2017

Hawaii State Capitol  
415 South Beretania St.  
Honolulu, HI 96813

Dear Members of the Hawaii Legislature:

The Association for Research in Vision and Ophthalmology (ARVO) appreciates the opportunity to provide testimony to the legislature in opposition to House Bill 3 and Senate Bill 593.

ARVO is the largest eye and vision research organization in the world. Members include 11,000 eye and vision researchers in the United States and over 75 countries. Many ARVO members use animals in their work toward understanding, treating and curing visual disorders. Such biomedical research projects involving animals, already governed by multiple laws, regulations and guidelines, continue to yield invaluable data in support of these goals.

House Bill 3 and Senate Bill 593, simply put, are misguided and unnecessary. The adoption of research animals is not a new concept for biomedical research. Many research programs in the United States already conduct adoption programs with great success. These animals have been purposely bred for research and are not typical house pets. They require specialized care and attention, beyond those of the common household pet, and every effort must be made to ensure proper acclimatization and evaluation before placement in post-research homes. The existing efforts organized by research programs for adoption include careful and strict guidelines for evaluating potential adoptive homes, something that private shelters or adoption organizations may not be equipped or trained to do. H.B. 3 and S.B. 593 do not permit these important criteria to be analyzed when re-homing an animal nor does it specify who will decide if an animal is suitable for adoption.

H.B.3 and S.B.593 are a solution in search of a nonexistent problem. According to FY15 census information obtained from the U.S. Department of Agriculture (USDA), no dogs or cats were housed or involved in research protocols in the state of Hawaii. This fact seriously begs the question about whether this legislation amounts to nothing more than a public relations victory for animal activist groups. Until Hawaii'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. The Hawaii Island Humane Society (HIHS) euthanized approximately 80% of its 6,568 cats in 2015 and dogs accounted for 26% of the 10,197 animals euthanized by HIHS in 2014. Adoption of research dogs and cats is not as straightforward as it may appear. The animals bred for research require knowledge, patience and consistency to ensure these animals thrive in post-research homes and if hastily placed in an improper setting, they could potentially end up homeless or in the shelter system facing euthanasia.

Legislation like H.B. 3 and S.B. 593 has been introduced in other states and is part of a campaign by animal rights activists opposed to all animal research. Due in part to concerns expressed by ARVO and leading

1. Ibid
2. <http://www.nabr.org/wp-content/uploads/2015/06/Animal-Research-Behind-Top-25-Drugs.pdf>
3. <http://www.seattletimes.com/opinion/uw-animal-lab-represents-archaic-abusive-practice/>
4. <http://www.nabr.org/wp-content/uploads/2015/06/Animal-Research-Behind-Top-25-Drugs.pdf>
5. [http://www.researchamerica.org/sites/default/files/Innovation%26HI\\_2017.pdf](http://www.researchamerica.org/sites/default/files/Innovation%26HI_2017.pdf)

research universities and companies, similar bills failed to pass in Maryland and Illinois last session. In fact, just two weeks ago a similar bill in North Dakota failed to pass. 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. Shannon Keith, president and founder of the Beagle Freedom Project (BFP), wrote an op-ed to the Seattle Times where she called such studies “archaic” and that they are “...bad for people, too.” 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 dogs.<sup>4</sup> 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 H.B. 3’s and S.B. 593’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, H.B. 3 and S.B. 593 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, similar to those found in H.B. 3 and S.B. 593. The Illinois legislature failed to pass that bill. Additional reporting requirements like those proposed in Illinois and Maryland are of great concern because according to a National Science Board study, researchers are only able to devote 58% of their time doing actual research because of administrative duties set forth by regulation. They also undermine federal efforts like those in the landmark 21st Century Cures Act signed by President Barack Obama just months ago to ease unnecessary regulations and to accelerate the delivery of cures to patients.

The state of Hawaii should be justifiably proud of its venerable research institutions, including the University of Hawaii, and the dynamic and productive research discoveries they have made to improve the health of both humans and other animals. Private and public research are also substantial economic drivers in the state. In total, 4,578 jobs in Hawaii are supported by the biopharmaceutical sector and the total economic output of this research is \$880.3 million.<sup>5</sup> Legislative proposals like H.B. 3 and S.B. 593 create an anti-research climate which may result in biomedical programs looking to other states as more supportive climates for their lifesaving research endeavors.

Finally, the provision in H.B. 3 and S.B. 593 which requires private research facilities to adopt out their dogs and cats 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.

1. Ibid
2. <http://www.nabr.org/wp-content/uploads/2015/06/Animal-Research-Behind-Top-25-Drugs.pdf>
3. <http://www.seattletimes.com/opinion/uw-animal-lab-represents-archaic-abusive-practice/>
4. <http://www.nabr.org/wp-content/uploads/2015/06/Animal-Research-Behind-Top-25-Drugs.pdf>
5. [http://www.researchamerica.org/sites/default/files/Innovation%26HI\\_2017.pdf](http://www.researchamerica.org/sites/default/files/Innovation%26HI_2017.pdf)



The Association for Research in Vision and Ophthalmology

1801 Rockville Pike, Suite 400 ■ Rockville, Maryland 20852-5622

arvo@arvo.org ■ +1.240.221.2900 (Tel) ■ +1.240.221.0370 (Fax)

www.arvo.org

---

ARVO 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, ARVO opposes H.B. 3 and S.B. 593.

Thank you for your consideration and for the opportunity to submit testimony to the Committee.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Downs", with a stylized, cursive flourish extending to the right.

J. Crawford Downs, PhD  
Chair, ARVO Animals in Research Committee  
Professor and Vice Chair of Research  
Director, Ocular Biomechanics and Biotransport Program  
Department of Ophthalmology, School of Medicine  
University of Alabama at Birmingham  
Birmingham, Alabama