IT WAS A SEMINAL DAY FOR CHIMPANZEES

when the head of the U.S. National Institutes of Health (NIH), source of federal funds for scientific research using these and other animals, stated: “Chimpanzees are our closest relatives in the animal kingdom, providing exceptional insights into human biology and the need for special consideration and respect.” It was December 15, 2011, and this quote from Dr. Francis S. Collins signaled a promising shift in the attitude of the federal government toward the use of chimpanzees in biomedical and behavioral research.

By now, our readers surely know the NIH announced a temporary moratorium on all new federal grants for research on chimpanzees. The news caused an immediate media stir, with daily newspapers as well as scientific journals offering their editorial spin. The New York Times called the action of the NIH “a profound step,” pointing to the contrast between Collins’ wording and the commonly used term “resource” (vs. “relative”) to define chimpanzees. Continued on page 4
Online tools—your real-time resources

NAVS makes it easy for you to be an informed and effective animal advocate by joining our social networks and signing up for our weekly eblasts.

■ “Like” us at www.facebook.com/navs.us and participate in discussions, add NAVS to your Cause platform, and recommend us to your friends. Together let’s make the voice for animals LOUDER!

■ The NAVS Twitter feed keeps you always on top of hot issues related to animal advocacy. Follow us at www.twitter.com/navs_us, or text “follow NAVS_US” to 40404 to get updates via SMS. Be informed and spread the word!

■ Science First! weekly eblast recaps breaking stories on trends and scientific advances that could lead to the end of using animals for research. Get your online subscription at http://tinyurl.com/ScienceFirst.

■ Take Action Thursday! weekly eblast condenses information on both federal and state legislative activity affecting animals. Be a timely participant in the democratic process and SPEAK UP for animals! Subscribe at http://tinyurl.com/TakeActionThursday.

You can also subscribe to the eblasts from links on our homepage at www.navs.org or use page 15 to place your request.
Express Yourself!
Enter Art for Animals 2012

Use your talents to express respect and compassion for animals by entering NAVS’ Art for Animals 2012.

Art for Animals provides an opportunity for animal lovers and artists of all ages to give a voice to those who cannot speak for themselves. For over twenty years, amateur and professional artists have participated in Art for Animals by submitting creative and inspiring images, photographs, poems and songs reverencing animals. NAVS’ annual art contest helps animals by providing viewers with a fresh perspective or educational message about respect, justice and compassion for animals.

This year NAVS is seeking artwork that best demonstrates: Being a voice for those who cannot speak for themselves.

You may wish to honor animals that have made a difference in your life, or give a voice to those who suffer silently in the name of science. Whether inspired by those in your life or in your thoughts, you can be a powerful creative force on behalf of all living creatures.

Your work of art may be chosen to illustrate a NAVS publication, poster, stationery or other media. In addition, NAVS recognizes 1st, 2nd and 3rd place winners in three age categories as well as Best in Show and Best Photo—all of whom are awarded cash prizes.

And remember: Art for Animals makes a great class project!

If you’re an artist, photographer, painter, graphic artist, poet, musician or filmmaker—amateur or professional—enter Art for Animals today!

The deadline for submissions is May 4, 2012.

For details, visit www.navs.org where you can download an entry form and view a gallery of previous winners.

To receive an entry form by mail, call 800-888-NAVS (800-888-6287).

**ART FOR ANIMALS 2012 THEME:**
Being a voice for those who cannot speak for themselves
The staff of NAVS, an organization with a long history of work on behalf of chimpanzees and other primates, greets the news with understandable elation—along with a good dose of cautious optimism. The moratorium is in force while the NIH works out details to effect recommendations made in the Institute of Medicine (IOM) study/report, “Chimpanzees in Biomedical and Behavioral Research: Assessing the Necessity.” Although the findings and recommendations seem to benefit chimps, we temper our enthusiasm with concern for what follows: interpretation and implementation. The announcement by the NIH that it is accepting the IOM’s recommendations is momentous in the sense that it’s an acknowledgment of humankind’s responsibility toward “our closest relatives.” We are headed in the right direction, but will subsequent steps take us forward?

THE ESSENCE OF THE REPORT

First a point of background: Following a congressional mandate, the origins of which we address later in this article, the NIH requested this study be conducted by the IOM.

According to the IOM report, a committee of 12 individuals “assessed the necessity of the chimpanzee in areas of research where there is significant on-going research or a potential for significant research” in the areas of biomedical and behavioral studies, mainly those funded by the NIH.

The IOM provides this concise summary:

“The report does not endorse an outright ban on chimpanzee research. Rather, it establishes a set of uniform criteria for determining when, if ever, current and future research use of chimpanzees is necessary to treat, prevent or control public health challenges.”

The IOM further states:

“...most current biomedical research use of chimpanzees is not necessary ... [but] it is impossible to predict whether research on emerging or new diseases may necessitate chimpanzees in the future.”

I can tell you that the subject of this study was a topic of intense public interest. I personally have never received as many e-mails about a study prior to the time of its release as I’ve received in relation to this study.

- IOM President Dr. Harvey Fineberg
**IOM CRITERIA FOR CONTINUED USE OF CHIMPANZEES IN BIOMEDICAL RESEARCH INCLUDE:**

- There is no other suitable model available, such as *in vitro*, non-human *in vivo*, or other models for the research in question.
- The research in question cannot be performed ethically on human subjects.
- Forgoing the use of chimpanzees for the research in question will significantly slow or prevent important advancements to prevent, control and/or treat life-threatening or debilitating conditions.

Similar criteria were developed for comparative genomic and behavioral research. These criteria also included guidelines specifying that techniques used in research on chimpanzees must be minimally invasive, with care taken to minimize any pain and distress.

In addition, the IOM report says that chimpanzees in either type of research must be maintained in “ethologically appropriate physical and social environments or in natural habitats.” However, they added that current research is exempt from these criteria.

Source: MedlinePlus online publication, a service of the U.S. National Library of Medicine, National Institutes of Health

**Q&A**

Q. How many research studies in the U.S. are currently using chimpanzees?
A. According to the NIH, there are now 37 active research protocols using chimpanzees.

Q. Will any current studies using chimps be stopped as a result of this study?
A. The NIH is currently reviewing existing protocols that may result in fewer chimpanzees being used.

Q. Do other countries use chimpanzees for research?
A. The U.S. and Gabon (Africa) are the only countries that still officially support chimpanzee research. The practice was banned in the United Kingdom in 1997, and in the European Union in 2010.

Q. Did the study identify any specific research for which chimpanzees are still needed?
A. Yes. Certain research already in progress on monoclonal antibodies (used in treating diseases) may require continued use of chimpanzees for now. In addition, the committee was evenly split and unable to reach consensus on the need for chimpanzees in the development of a vaccine for hepatitis C.
the study was published in December, she was impressed and stated: “I am pleased to hear the committee found chimpanzees unnecessary in most biomedical research. Had the committee been tasked to also consider the ethical argument involved in this issue, I wonder if they would have recommended a complete ban on their use.”

INTERPRETATION AND IMPLEMENTATION

How researchers will interpret the criteria is a concern and, to some extent, the report is careful to pre-suppose and rule out certain reasons that might be used to justify the use of chimps. For instance, relating to the criterion “no other suitable model available,” the report specifies that a decision to “deselect” alternative models must be “data driven,” not based on cost. Still, evaluating the needs of research studies against all criteria will in many cases be subject more to judgment than data. The nationwide process will require oversight, which must be integral to implementation. According to the NIH, they are “assembling a working group … to provide advice on the implementation of the recommendations.” Until processes are in place, the NIH will not fund any new research involving chimpanzees.

IMPLICATIONS

In her assessment of the significance of the NIH’s stance as a positive step, Peggy Cunniff, NAVS Executive Director, noted: “This important milestone for chimpanzees is tempered by the fact that other animal species will take their place, most likely but not limited to other primates, mice and rats. I believe the advancements in science that the NIH recognized can now replace the use of chimpanzees, a highly prized animal model, and further consideration of the ethical issues concerning animal research will incrementally replace the use of all animals. Just the recognition by the NIH that the use of chimpanzees in research is an ethical issue, not just a scientific one, is a big deal.”

While praising the thoughtful and thorough deliberations of the IOM committee, she also noted that they were “directed to deliberately omit the consideration of ethics in their determination of scientific ‘need’ to use chimpanzees in biomedical and behavioral research and did not recommend the emancipation of chimpanzees from further exploitation.” She added: “The committee did conclude, however, that ethics could not be separated from the scientific issues. A very high bar has been set by the criteria for deciding whether or not a future experiment with chimpanzees is needed. Still, the question that should be addressed is: What is ethically OK to do to a chimpanzee that is not ethical to do to humans? I believe that retiring all chimpanzees to permanent retirement at appropriate sanctuaries represents the only ethical choice for these animals—and what our society owes them as a matter of justice.”

WHAT YOU CAN DO

It was public outrage that instigated this entire reassessment of the use of chimpanzees in research. It began just over a year ago when the NIH planned to move 186 aging research chimpanzees from unofficial retirement in New Mexico to an active research facility in Texas. The ensuing outcry of protest from people in both private and public sectors was heard and acted upon by members of the U.S. Senate, who asked the NIH to put in motion that which has resulted in this advance for chimpanzees. Such a swift and dramatic outcome is testimony to the power of public opinion. But there is more to do before this can be counted as a true victory. Your voice is needed to keep the momentum going—below we note what still needs to be done.

You can contact members of Congress and also write to Dr. Francis Collins, Director of the National Institutes of Health, 9000 Rockville Pike, Bethesda, MD 20892. Or e-mail: francis.collins@nih.gov or call his direct line at 301-496-2433.

Ask that:
• The NIH move swiftly to implement the IOM recommendations
• The NIH establish a system of oversight to ensure adherence to the new criteria and penalties for non-compliance
• All chimpanzees released from research be retired to accredited sanctuaries, not to laboratories
• The NIH increase funding for in vitro models and other technologies that will further diminish the need for all chimpanzees and other animals in biomedical research
• The NIH recognize the importance of ethics when conducting research on all animals

Continued from page 5
NAVS 2010 ANNUAL REPORT

JULY 1, 2009 TO JUNE 30, 2010

More Than Just Numbers
There’s much to learn about in the NAVS Annual Report

The balance sheet for Fiscal Year 2010 summarizes the assets, liabilities and net assets of the National Anti-Vivisection Society.

NAVS earns its revenue in three major ways: funds from operations, which include new memberships, membership renewals, donations, literature sales and grants received ($935,789); non-operation funds such as interest and dividends ($380,794); and funds from bequests and legacies from our supporters ($1,569,057).

As a non-profit organization, NAVS’ main financial goal is to direct the maximum amount of our resources to our educational programs. The accompanying chart shows how the money was spent: 68.87 percent of our resources were directed to educational programs, 11.39 percent to administrative costs and 19.74 percent to fundraising expenses.

Educational expenses include all of NAVS’ programs – the NAVS Animal Action Report and other publications, our extensive public awareness programs (which utilize a variety of media), the operation of BioLEAP, and our support of IFER, AFMA and ILAL, all of the programs that keep members apprised of developments in anti-vivisection issues, and accurate, persuasive education programs to acquaint the public with the issues and inform them of how they can make a difference for the animals.

We invite you to take a look at the Fiscal Year 2010 NAVS Annual Report. It tells the story of NAVS’ many accomplishments during the previous fiscal year. Please take a few moments to look beyond the numbers and learn how prudent investment in our advocacy programs and your continued support of our educational programs has managed to keep up the pace in working to end the exploitation of animals in product testing, biomedical research and education.

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2010 Annual Report
July 1, 2009 to June 30, 2010

The National Anti-Vivisection Society measures success in terms of the progress we have made toward ending the suffering of animals used in product testing, education and research. As a nonprofit educational organization, we are mindful of the position of trust that our supporters have in our efforts as advocates for animals and the advancement of humane science. We pledge to continue employing the highest professional standards to ensure that our resources are used in the most efficient and effective ways possible in a spirit of gratitude for the confidence our members and supporters have placed in us.

Our responsibility to be transparent, accurate and honest to our supporters and the public is always taken seriously, but is especially important during challenging times. During fiscal year 2010, July 1, 2009 to June 30, 2010, NAVS was faced with many of the same continuing economic difficulties as many of our supporters. We also face the ongoing challenges that come from opposing the vested interests of those who wish to maintain the status quo by claiming that the use of animals is necessary for research, despite strong evidence to the contrary. But with continued generosity from our supporters, prudent oversight from the NAVS Board of Directors, and the dedication and creativity of NAVS’ staff, we are well prepared to capitalize on opportunities to advance greater compassion, respect and justice for animals in furthering NAVS’ mission.

In measuring our progress in ending the suffering of animals used in the name of science, it is important to note that it is never our efforts alone that deserve credit—the work of countless NAVS supporters and other animal advocates who believe in compassion for all creatures, innovative scientists who recognize the limitations of animal models and the promise of more humane methodologies, responsible government leaders and policy makers, private industries that are sensitive to their responsibilities to profit without cruelty to animals, and the media for shining a spotlight on animals and how they are treated in our society—all contribute to the changes in the way science is conducted.

The highlights of our activities and their associated expenses for Fiscal Year (FY) 2010 are summarized below and on the following pages.

NAVS Programs

Following is a description of specific programs undertaken by NAVS during FY 2010. Some of these programs impact more than one area of endeavor. As a result, the expenses for these efforts are jointly allocated, as appropriate, between programming and fundraising portions of the budget. A significant portion of NAVS’ day-to-day activities, such as responding to telephone and e-mail inquiries and other correspondence, writing letters-to-the-editor, conducting research and attending meetings, are included in the General Education and Public Awareness category, rather than showing a specific line-item expenditure.

Activities are categorized into five general program areas: General Education and Public Awareness, Outreach Programs to Students and Teachers, Science Program Initiatives, Legal and Legislative Programs, and Special Initiatives and Cooperative Efforts. In addition to the direct costs associated with each of the specific programs under these categories, significant general (indirect) expenses have been allocated among the categories based on a determination of how NAVS’ time and resources are used. These costs include fixed expenses, such as rent, office equipment, salaries, insurance, telephone and other utilities. Additionally, some educational activities and their costs are associated with multiple program areas, such as research and data processing, fulfillment of requests for information and some meetings, and have been allocated, along with the fixed program expenses, among the five program categories as “indirect expenses.” If you have any questions on individual programming, please feel free to contact us directly.

General Education and Public Awareness Programs

The dissemination of general information on the scientific and ethical arguments against vivisection, as well as the development and execution of strategic outreach programs, are the two primary avenues utilized in educating people about the use of animals in science and education. NAVS uses a variety of media to promote its message of compassion, including our website—www.navs.org—mass market and specialty publications, print advertising, TV and radio interviews, letters-to-the-editor, direct mail, conferences, participation in debates and the Internet. The NAVS staff spends a significant amount of time collecting, analyzing and disseminating information to our supporters, the media and the general public. The total program expenses identified with each specific program activity, including indirect expenses for General Education and Public Awareness programs, totaled $1,005,718. The indirect expenses alone accounted for $376,070. Total expenses for all program activity in this category represented 60.98% of all program expenses.

• Animal Action Reports. The NAVS newsletter, Animal Action Report, also available in an electronic format, featured a comprehensive look at issues regarding vivisection and NAVS programs. During FY 2010, the Animal Action Report promoted the passage of the Great Ape Protection Act, the NAVS Humane Science Award, and a special feature on gibbons and chimpanzees who were retired from research to three very special primate sanctuaries. Also included were updates on current programs and individual stories about Sanctuary Fund grant recipients for FY 2010. We are especially grateful to the Helen Brach Foundation for support of this important newsletter.

• Personal Care for People Who Care. The 13th edition of the NAVS book Personal Care for People Who Care remains the single most comprehensive source for information on product testing available to the public. The information contained in the book is maintained in a searchable database that is updated throughout the year, while a downloadable Wallet Guide was made available free of charge on the NAVS website.

• The NAVS Website. In FY 2010, development began on a new website to create a logical and intuitive content structure while retaining the wealth of information on vivisection. The new design seeks to inspire visitors to take action on issues of importance and to rely on NAVS as a source of authoritative information. The new website will still contain extensive and updated information and analysis of scientific issues, full coverage of the BioLEAP program, fact sheets and articles on issues related to all aspects of vivisection,
along with a searchable database of personal care companies and products, along with access to legislative updates and action letters and the ability to sign up for weekly e-newsletters on new developments in science and the law.

- **Google AdWords.** NAVS’ grant from Google was renewed in FY 2010 to include NAVS in the featured links section when searches were made using a large variety of keywords selected by the NAVS staff. Searches on Google for words generally associated with vivisection, resulted in a sponsored link to the NAVS website appearing on the right-hand side of the search results. More than 4.4 million individuals saw the NAVS listing since this campaign was launched in 2008 and more than 54,000 individual viewers clicked on the NAVS ad to obtain more information from the NAVS website.

- **Internet EBlasts.** NAVS electronic “eblasts” were sent to NAVS supporters on a variety of issues, including appeals for the Sanctuary Fund and legislative alerts supporting the Great Ape Protection Act, a new ban on crush videos and a ban on horse slaughter in Illinois. Alerts also asked NASA to end radiation experiments on primates, solicited entries for the NAVS Art for Animals contest, informed supporters of the availability of the NAVS Animal Action Report online, and announced the winners of the Humane Science Award at the Intel International Science and Engineering Fair.

- **Art for Animals 2010.** NAVS’ annual art contest received a diverse collection of creative artwork, music, essays and poetry submitted for consideration in FY 2010. The winners were announced on the NAVS website, along with pictures of current winning entries. Artwork entered in prior years has been used for NAVS greeting cards, holiday cards and posters.

- **Social Networking.** NAVS’ online visibility gained momentum in FY 2010 on social networking sites such as MySpace, Change.org, Facebook, and Twitter. NAVS launched a Cause profile on Facebook, End Animal Experimentation, which recruited thousands of supporters to the platform, along with an increase in registrations on the NAVS website. The NAVS profile features advances made in science and technology, calls to action on legislative issues, updates on Sanctuary Fund recipients, copies of NAVS advertisements and relevant news stories concerning animals. Each blog and bulletin posting includes a link to the NAVS website. NAVS posted “tweets” weekly on issues of interest to the animal advocacy community.

- **Taking Action for Animals.** NAVS reprinted the general information brochure, Taking Action for Animals, to provide more information to individuals inquiring about NAVS, as well as to first-time donors as part of their introductory packet.

- **Direct Mail Program.** NAVS conducted a print direct mail campaign designed to educate targeted members of the public about the use of animals in product testing, biomedical research and education. Science programs accounted for $190,793, representing 11.57% of the program budget. The general expenses for these efforts totaled $85,713.

- **International Foundation for Ethical Research (IFER).** IFER was founded in 1985 by NAVS to support scientists who are developing alternatives to the use of animals in product testing, biomedical research and education, especially projects that replace the use of archaic animal models with methodologies that are predictive for human health.

- **Americans for Medical Advancement (AFMA).** A grant was made to AFMA to further promote its educational campaign on the scientific invalidity of the animal model.

- **World Congress on Alternatives.** In August 2009, Eugene Elmore, Ph.D., represented both NAVS and IFER at the World Congress on Alternatives to the Use of Animals in the Life Sciences held in Rome.

- **Science First.** A free e-newsletter, Science First, provided cutting edge scientific news of the week to subscribers. Feedback to this project has been very positive as supporters appreciate the opportunity to better understand scientific issues and to forward this information to others.

- **Science Advisors.** Dr. Eugene Elmore, Dr. Bernard E. Rollin and Dr. Sherry Ward continue to serve as science advisors to NAVS. These science advisors represented NAVS’ perspective on science issues at
professional conferences throughout the year and helped draft comments to federal regulatory agencies and letters to science journal editors.

- **Society for In Vitro Biology.** A grant was provided by NAVS to the Society of In Vitro Biology (SIVB) in support of the In Vitro Animal Cell Sciences section of the 2010 In Vitro Biology meeting in June.

### Legal/Legislative Efforts

NAVS continues with efforts to use the power of the democratic process on behalf of animals through our continually enhanced legal and legislative programs. Working at the local, state and federal levels of government, we expanded our visibility and leadership within the legislative arena through professional education programs and advocacy efforts. These programs focused on the constructive use of the legal system to effect positive and long-term improvements in seeking justice for animals. Legal and legislative programs accounted for $246,127, representing 14.92% of the program budget. The indirect expenses for these programs totaled $143,356.  

- **Take Action Thursday.** The free, weekly e-mail alert Take Action Thursday, which summarizes federal and state initiatives affecting animals and asks subscribers to “take action” by contacting their legislators through the NAVS Advocacy Center, continues to attract subscribers through the NAVS website.

- **AnimalLaw.com website.** AnimalLaw.com, an online resource providing laws and legislation for 50 states and the federal government, continued to grow with an expanded selection of model laws and a new weekly update of news stories from around the world. The website is used by animal advocates, law students and attorneys to track state-by-state legislative efforts, as well as to review the specific laws applicable in any one jurisdiction.

- **International Institute for Animal Law (IIAL).** The International Institute for Animal Law (IIAL) received a grant from NAVS to continue its promotion of legal scholarship and advocacy skills in the field of animal law. IIAL provided support to the Chicago Bar Association Animal Law Committee’s annual seminar focusing on wildlife law and regulation.

- **National Research Library for Animal Advocacy.** NAVS continues its partnership with The John Marshall Law School to maintain the National Research Library for Animal Advocacy. This collection is housed at the law school in Chicago but is also available to law students and professors around the country through the law school’s inter-library loan program.

- **Animal Law Conference.** NAVS staff attended a national conference on the “Future of Animal Law,” at Harvard University College of Law in April. The event was hosted by the Animal Legal Defense Fund and brought in authoritative speakers on a variety of issues, including the replacement of animals for toxicity testing.

### Special Initiatives and Cooperative Efforts

NAVS remains committed to supporting a variety of special initiatives, both within our organization and in cooperation with other animal advocacy groups. These efforts help save animal lives while paving the way for long-term and positive change for animals. Special initiatives and cooperative efforts accounted for $141,833, representing 8.6% of the education budget. The amount attributed to indirect expenses for these cooperative efforts totaled $51,295.

- **NAVS Sanctuary Fund Grants.** In FY 2010, the following organizations were awarded grants for emergency assistance under the criteria of the NAVS Sanctuary Fund:
  
  - 2000 Spays & Neuters (NY), Another Chance 4 Horses (PA), Center for Great Apes (FL), Community Services of Swain Inc. (NC), East Ridge Animal Shelter (TN), Equine Advocates (NY), Happy Tails Hu-

- **Miscellaneous Small Grants.** NAVS Executive Director Peggy Cunniff attended the National Council for Animal Protection summit meeting in Alexandria, VA, to discuss policies and positions with other representatives of national animal protection groups. A grant was given to the Humane Research Council to fund a Key Indicators Study to assess the progress of the animal protection movement.

### Independent Auditor’s Report

We have audited the accompanying statement of financial position of the National Anti-Vivisection Society as of June 30, 2010 and 2009, and the related statements of activities, functional expenses, and cash flows for the years then ended. These financial statements are the responsibility of the Society’s management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the National Anti-Vivisection Society as of June 30, 2010 and 2009, and the changes in its net assets and cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

Selden Fox, Ltd.  
Certified Public Accountants

November, 2010

**The NAVS Mission**

The National Anti-Vivisection Society (NAVS) is dedicated to abolishing the exploitation of animals used in research, education and product testing.

**NAVS Board of Directors**

- Kenneth Kandaras, President
- Mary Ann Ligon, Vice President
- Michael B. Mann, Secretary
- J. Patrick Beattie, Treasurer
- Peter O’Donovan

**National Anti-Vivisection Society**

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Fax: 312-427-6524  
Email: navs@navs.org  
www.navs.org
During the years 2001 through 2010, more than 10 million animals were used for scientific research in the United States. This number does not include the estimated many millions of animals—rats, mice and birds—who are excluded from protection under the provisions of the federal Animal Welfare Act (AWA) and from its reporting requirements. Of those counted, 876,533 animals were used for testing that caused pain or distress without receiving any pain relieving drugs.

Just as astonishing as the sheer number of animals used is the fact that the use of these animals is in compliance with the AWA because the AWA does not prevent scientists from doing any particular procedure to an animal as long as they justify it for the experiment. In the case of mice, rats and birds, researchers need not even provide that justification in order to conduct painful procedures on animals or to keep them in conditions that put them under daily stress.

But even with federal laws and regulations in place to require accountability and some minimal standard of care, there continue to be repeated violations of the law by prestigious research institutions, sometimes over a period of years. These violations include failure to follow approved protocols, inadequate staff training, and filthy and dangerous cages. The violations can result in pain, suffering and even death for animals neglected in these laboratories.

Yet the violations continue as the U.S. Department of Agriculture’s Animal and Plant Health Inspection Service (APHIS) often lets offenders off with no more than a slap on the wrist or with no penalty at all for their failure to comply with the AWA.

So what does the Animal Welfare Act do to “protect” animals? The law requires large-scale breeders, animal dealers, exhibitors and research institutions to be licensed by the U.S. Department of Agriculture (USDA). With regard to the institutions’ conducting research on animals, the AWA requires:

- Minimum standards of care for housing animals
- Verification of sources for dogs and cats
- Enrichment for primates

While regulations developed by the USDA provide more specific guidelines for institutions to follow, the truth is that the Animal Welfare Act does not concern itself with what is being done with animals during research so much as with how they are acquired and cared for when they are not in the middle of an experiment. However, each research facility must have an Institutional Animal Care and Use Committee (IACUC) that is charged with overseeing the physical condition of the animal facilities and for using their “best

Continued on page 12
What needs to be done?

For a start, hold APHIS inspectors and supervisors accountable for enforcement of the AWA. The government is aware of this necessity, as evidenced in a May 2010 report by the USDA’s Office of Inspector General, stating: “To increase the effectiveness of inspections, [APHIS’ Animal Care unit] should provide more comprehensive training and detailed guidance to its inspectors and supervisors on direct and repeat violations, enforcement procedures, and evidentiary requirements.”

In addition, APHIS inspectors must impose serious penalties against research institutions that repeatedly violate the AWA so that these institutions will actually have incentive to improve their performance—and perhaps even consider reducing their animal use. The current system merely ensures that research institutions count the payment of minimal fines as only an insignificant “cost of doing business.”

And lastly, it is essential to amend the Animal Welfare Act to include mice, rats and birds within the definition of protected warm-blooded animals. While we have demonstrated that coverage by the AWA does not ensure humane care for animals, at the very least, including mice, rats and birds in the definition of “animals” will ensure that research institutions will have to count—and report—the actual numbers of animals used for research in a given year.

A number of critical recommendations were made by the OIG to improve compliance with the AWA, and the USDA consented to implement most of these recommendations. However, just five years later, a May 2010 report from the USDA’s Office of Inspector General on “Animal Care Program Inspections and Enforcement Activities,” (Report No. 33002-3-SF [http://www.usda.gov/oig/webdocs/33002-03-SF.pdf]) identified a number of areas in which the USDA’s Animal and Plant Health Inspection Service’s (APHIS) Animal Care department (which conducts inspections) failed to perform its job. These include:

- The Eastern Region (half the nation) did not aggressively pursue enforcement actions against violators of the AWA.
- Discounts of up to 60 percent were allowed on fines assessed against repeat violators of the AWA, resulting in only minimal payments.
- Some APHIS veterinary medical officers did not verify the number of animals used in medical research or adequately review the facilities’ protocols and records, although this is mandatory under USDA regulations.

In September 2010 the U.S. Government Accountability Office (GAO) prepared another report at the request of members of Congress entitled “USDA’s Oversight of Dealers of Random Source Dogs and Cats Would Benefit from Additional Management Information and Analysis” [http://www.gao.gov/new.items/d10945.pdf]. This report found that seven of the nine Class B (random source) animal dealers have multiple violations during the period reviewed for this report. These violations included failure of a licensee to appear for an inspection, problems with the condition of animal housing, failure to provide veterinary care, and insufficient cleaning of kennels or cages.

A review of these reports makes it clear that APHIS has not been able to improve its performance to effectively enforce the AWA. This must change or the law itself becomes meaningless in requiring accountability and humane care for animals. Unfortunately, the consequences for breaking the law amount to a slap on the wrist and fail to encourage significant reform on the part of licensees. Violations are subject to fines, but in monetary amounts that are so small they do not deter repeat violations. APHIS does not appear to have the will, or the authority, to fully enforce the law and improve conditions for animals.

Harvard Medical School has been cited for multiple violations of the AWA in the past, but that still has not resulted in meaningful penalties or improvements in its animal care practices.

The chart on the right represents a sampling of violations that were reported during the years 2009—2011 at Harvard and other prestigious research institutions. Each violation could represent neglect or suffering to many animals involved in the laboratory under review.

Just as disturbing as the widespread failure by research institutions to comply with the AWA is the fact that the agency charged with ensuring compliance with the law is failing to do its own job.

In 2005, the USDA issued a report reviewing licensees under provisions of the AWA. This report included breeders, animal dealers, exhibitors and research institutions. The report, conducted by the Office of Inspector General (OIG), “APHIS Animal Care Program Inspection and Enforcement Activities,” (Report No. 33002-3-SF [http://www.usda.gov/oig/webdocs/33002-03-SF.pdf]) identified a number of areas in which the USDA’s Animal and Plant Health Inspection Service’s (APHIS) Animal Care department (which conducts inspections) failed to perform its job. These include:

- The Eastern Region (half the nation) did not aggressively pursue enforcement actions against violators of the AWA.
- Discounts of up to 60 percent were allowed on fines assessed against repeat violators of the AWA, resulting in only minimal payments.
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A number of critical recommendations were made by the OIG to improve compliance with the AWA, and the USDA consented to implement most of these recommendations. However, just five years later, a May 2010 report from the USDA’s Office of Inspector General on “Animal Care Program Inspections and Enforcement Activities,” (Report No. 33002-3-SF [http://www.usda.gov/oig/webdocs/33002-03-SF.pdf]) identified a number of areas in which the USDA’s Animal and Plant Health Inspection Service’s (APHIS) Animal Care department (which conducts inspections) failed to perform its job. These include:

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Continued from page 11
Notices of violations by research institutions
(and medical testing laboratories)

A limited selection of offenders...

Below are summaries of violations of the AWA by some of the federally-funded research facilities with repeat violations. All institutions listed are recipients of millions of dollars in federal funding for their research programs (though not solely funding animal research).

<table>
<thead>
<tr>
<th>INSTITUTION</th>
<th>TIMEFRAME</th>
<th>VIOLATIONS</th>
<th>NUMBER OF VIOLATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harvard Medical School</td>
<td>Jan. 19, 2010 – Dec 14, 2011</td>
<td>Death of primate was not discovered until after cage went through cage steam washer—multiple violations for failing to previously discover animal had died in cage; failure to follow procedures approved by IACUC; unsanitary conditions in and around nonhuman primate cages; failure of IACUC to require consideration of alternatives to painful procedures on animals; unsanitary conditions in operating room; improperly trained veterinarian caused the death of primate by administering excessive anesthesia; inadequate space allowed for primates housed in groups; improper handling of escaped primate resulted in death.</td>
<td>21</td>
</tr>
<tr>
<td>University of Kansas Medical Center</td>
<td>March 10, 2009 – May 24, 2010</td>
<td>Failure of the IACUC to do a search for alternatives for research causing pain and stress on macaques, guinea pigs and swine; unqualified personnel performed surgical procedures on guinea pigs; failure to carry out post-operative medical testing and procedures; use of rusty instruments; failing to euthanize sick animals in a timely fashion; multiple animals showed signs of severe psychological distress, including 13 macaques and 48 squirrel monkeys; primary investigator working with primates failed to pass animal research protection test two years in a row but still worked with animals.</td>
<td>70</td>
</tr>
<tr>
<td>University of Wisconsin-Madison</td>
<td>September 9, 2009 – July 14, 2010</td>
<td>No IACUC record that investigators considered alternatives to painful procedures to animals; inadequate training of technicians caused stress and injury to animals; rust and dirt in operating rooms; failure to identify and provide care to animals post-procedure.</td>
<td>28</td>
</tr>
<tr>
<td>Princeton University</td>
<td>August 31, 2009 – June 7, 2011</td>
<td>Deprivation of water for weekends not addressed by IACUC; failure to provide care for pregnant marmoset in distress.</td>
<td>23</td>
</tr>
<tr>
<td>Temple University</td>
<td>September 10, 2009 – March 8, 2011</td>
<td>No rationale for number of animals used in IACUC review, procedures for euthanasia not followed, no record of inspection of animal facilities.</td>
<td>18</td>
</tr>
<tr>
<td>Santa Cruz Biotechnology, Inc.</td>
<td>May 5, 2010, – April 5, 2011</td>
<td>Researchers failed to follow protocol submitted to IACUC; failed to consider procedures to avoid or minimize pain or distress; approved research on animals already in pain or distress; inadequate training to care for animals; inappropriate or negligent treatment of disease or injury.</td>
<td>23</td>
</tr>
<tr>
<td>Cornell University</td>
<td>April 20, 2009 – March 3, 2011</td>
<td>Missing medical records in review of IACUC; failure to consider alternatives to procedure causing pain; no justification given for withholding pain relief, no rationale given for excessive number of cats in research; failure to justify nearly tripling the number of cats and horses used for revised proposal; failure to consider specific description of animal use causing pain and distress; failure to follow approved protocol regarding painkilling drugs; failure to submit reports; animals housed in dirty enclosures without bedding.</td>
<td>14</td>
</tr>
<tr>
<td>Yale University</td>
<td>March 9, 2009 – February 7, 2011</td>
<td>Failure to consider alternatives to experiments causing pain and distress; researchers failed to explain changes in approved procedures for major operations; used inappropriate heating for baboons during surgery; causing injuries to animals; failure to identify and investigate hamster deaths following procedure; use of outdated medications; failure to properly handle non-human primates.</td>
<td>19</td>
</tr>
</tbody>
</table>

SPECIAL NOTE:
The violations are summaries. Since all of these institutions have multiple violations, most items here have been reported more than once. The specific details of what happens to the animals are scarce—it depends on the details provided by the individual inspectors.

What you can do

1. Much of the research subject to the AWA is conducted by hundreds of universities across the country. Look up your alma mater’s record to see if they are violating the AWA! Use the APHIS Animal Care Information System online at http://acissearch.aphis.usda.gov/LPASearch/faces/Warning.jspx. Type the school’s name in the search field and look at their “inspection information” (center tab) to see if they have a history of AWA violations. If your school is violating the AWA, contact your alumni office or the president of the institution to convey your outrage regarding their animal welfare record.

2. Make sure that you are not inadvertently supporting animal research. Contact charities that you support to discover whether they fund animal research. Let them know that you will give your financial support to charities that do not harm animals. A list of these charities can be found on the Physicians Committee for Responsible Medicine’s Humane Charity Seal of Approval website at http://www.humaneseal.org/search.cfm.

3. Support current and future legislative efforts to improve the scope and enforcement of the Animal Welfare Act (e.g., Pet Safety and Protection Act) and to end the use of animals for research (e.g., BEST Practices Act and Great Ape Protection and Cost Savings Act). Visit the NAVS website to send letters to Congress on these and other important bills.
We realize your concern for the welfare of animals, especially those in dire and urgent need. Of course you can’t always know where or when the worst situations exist—especially when it could be a thousand miles away. That’s why so many of you rely on the NAVS Sanctuary Fund. It’s your direct connection to reputable shelters and sanctuaries across the United States that NAVS targets for special needs at critical times. When you give to the NAVS Sanctuary Fund, 100 percent of your donation goes straight to the aid of animals whose need is immediate.

27 grants totaling $133,995

The year 2011 was an unusually harsh one, with the tough economy and record-breaking natural disasters. This caused a drop in charity donations at a time when humans and animals needed help most. Struggling families were forced to give up loved companion animals, countless animals were orphaned by storms, and the shelters and sanctuaries that saved them worked with fewer resources. Your contributions to the Sanctuary Fund allowed us to send financial support to animal rescuers in desperate need. By year’s end, we had awarded 27 grants totaling $133,995.

From the exotic—tigers, monkeys and chimpanzees—to the domestic—farm animals, horses, dogs and cats—your generosity saved hundreds of precious lives. The shelters and sanctuaries we assist are dedicated to lifetime care or adoption for the animals they take in. Many of the animals you help save are from research facilities, caged every minute of their lives until released to sanctuaries and given a first chance at real living.

You extend a lifeline to animals

You extend a lifeline to animals

Mindy’s Memory Primate Sanctuary in Newcastle, OK, provides a healthy, safe and humane environment with housing and care for primates abandoned or in need of treatment. They also educate the public on the humane treatment and care of primates. Because of their experience and expertise with primates—especially those "retired" from medical research—over the years, Mindy’s Memory has received numerous Sanctuary Fund grants from NAVS. Most recently, grants were awarded to build new enclosures for two monkeys being retired from a university medical research lab, and to fund transport of four monkeys from a defunct sanctuary.

Ways to donate:

- Visit www.navs.org
- Call 800-888-NAVS (800-888-6287)
- Return the donor form on page 15

Please help us continue to build this source of support—with funds at the ready before disaster strikes. We thank you so much for your generosity and compassion. Here and on the following pages are some of the animals you’ve helped—we know they thank you, too!

Voice for Horses Rescue Network

Voice for Horses Rescue Network (VFHRN) in Toledo, OH, is committed to providing humane treatment for horses who are sick, injured, abused, auction/slaughter bound or whose owner can no longer care for them. VFHRN are committed to helping as many horses in need as their funding and barn space will allow. Through VFHRN’s outreach program, they are also committed to helping any animal in need—including humans and dogs. VFHRN was recently involved in the rescue of 90 dogs from a hoarder. A NAVS Sanctuary Fund grant was awarded to help spay/neuter the rescued dogs and help get them on the road to recovery and happiness.

For the Love of Pets

For the Love of Pets (FTLOP) in Streator, IL, is dedicated to keeping pet owners and their family pets together. Due to the current economic climate, many pet owners are facing the heartbreaking decision to relinquish their pets. FTLOP makes it possible for companion animals to stay with their loving families. They make sure that seniors don’t have to choose between feeding themselves and feeding their animals; they assist with vet bills so that pets are not euthanized, and they supplement pet-security deposits for families whose homes have been foreclosed. A NAVS Sanctuary Fund grant was awarded to help FTLOP purchase a new propane tank, necessary for keeping the animals in their care warm throughout the winter season.
PLEASE DONATE TODAY

COMPLETE AND RETURN THIS FORM OR GO TO WWW.NAVS.ORG TO SUPPORT NAVS’ HUMANE SOLUTIONS TO HUMAN PROBLEMS

Our life-saving work depends on the generosity of people like you.

YES! I want to partner with NAVS to help save animals from the cruelty and waste of animal experimentation. My gift to sponsor all NAVS’ educational and advocacy programs: (Check one)

☐ $25 ☐ $50 ☐ $100 ☐ $250

$ __________________

Other amount NHD10

OTHER WAYS TO DONATE:

☐ I want to support the NAVS Sanctuary Fund with my gift of $ __________________

☐ I want to invest in NAVS’ efforts to support innovative scientists who are developing alternatives to animals in science with my gift of $ __________________

☐ I would like to learn more about leaving a bequest to NAVS. Please send me a complimentary copy of A Legacy of Compassion. Or go to www.navs.org/Legacy.

☐ Please sign me up for NAVS Automatic Monthly Giving, as described on page 2. Please charge $ _________ each month to my credit card. I have filled out the credit card information below. Or go to www.navs.org/Donate.

☐ Other ways to donate:

$25 $50 $250

$ __________________

Other amount NHD10

Please visit www.navs.org for more information

☐ Total Donation $ ____________________

☐ Credit card # ____________________ Exp. Date ____________

VISA MasterCard Discover AmEx

☐ Print name as shown on card ____________________

☐ Signature ____________________

If paying by check, please make payable to NAVS and return with this form in the envelope provided.

Or mail to: NAVS

3071 Paysphere Circle
Chicago, IL 60674-0030.

All donations are tax deductible to the fullest extent of the law.

If you have any questions about this form or making a donation, please feel free to call us at 800-888-6287.

• Name ____________________

• Address ____________________

• City, State, Zip ____________________

• Daytime phone ____________________

• E-mail ____________________

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☐ Sign me up for Science First weekly eblast

My e-mail address is printed above.

Eblasts are available to everyone at no cost. See page 2.

☐ I prefer the online newsletter Animal Action Report; do not send me the print version.

My e-mail address is printed above.
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PRIMARILY PRIMATES

Primarily Primates in San Antonio, TX, houses and rehabilitates various non-native animals. The private refuge currently houses several hundred animals and focuses primarily on caring for apes and monkeys. Many are from the pet trade and biomedical research institutions, including chimpanzees once used in space training. A NAVS Sanctuary Fund grant was awarded to Primarily Primates to help fund the transport of four macaques rescued from a home, where they had been housed in a garage shed. The rescue was elevated to an emergency when one of the original five macaques escaped, bit a police officer and was euthanized. The remaining four macaques will find a lifetime of fresh air and security in their new refuge.

STRAY CENTRAL

Stray Central in Springdale, AR, is a refuge for hundreds of stray, unwanted, abused and neglected animals. While their focus is on cats, they assist dogs and many other species as well. The mission of Stray Central is to spay/neuter, vaccinate, tend to medical/emotional needs, and provide a safe haven for as many homeless, and abused/neglected companion animals as possible until they can be adopted into loving homes. Stray Central is also a devoted home where cats with severe medical, emotional and/or behavioral problems can spend their remaining days without the threat of euthanasia. Because most of these are “special needs” felines, they require frequent vet care, medications, special food and other expensive maintenance. A NAVS Sanctuary Fund grant was recently awarded to help Stray Central continue to care for rescued strays who survived devastating tornadoes in Joplin, MO, last spring.

SAVE THE CHIMPS

Save the Chimps in Fort Pierce, FL, provides permanent sanctuary for chimpanzees rescued from research laboratories, entertainment and the pet trade. The first 21 residents of Save the Chimps were descendants of the baby chimps captured in Africa in the 1950s and used by the U.S. Air Force in the original NASA space research program. In 2002, Save the Chimps began the “Great Chimp Migration”—a multi-year effort to relocate more than two hundred chimps from a closed laboratory facility in New Mexico to the 150-acre Florida sanctuary. A custom trailer was made to transport ten chimpanzees at a time—each with a window seat—to Florida. Over the next nine years, while building at the sanctuary progressed to house the chimps, the trailer made multiple “migrations.” On December 14, 2011, the Great Chimpanzee Migration ended and the final group of chimps arrived at their new home. A NAVS Sanctuary Fund grant was awarded to help construct habitats for the newest residents.