

March 6, 2023

**RE: VOTE YES ON HB 2904 TO REQUIRE TRANSPARENCY BY OREGON
NATIONAL PRIMATE RESEARCH CENTER**

Chair Grayber, Vice Chair Lewis, Vice Chair Tran, and Members of the Committee:

In its groundbreaking 2015 overhaul of Oregon's animal cruelty statutes, the legislature made findings that are now the defining feature of our state's legislative commitment to animal welfare:

"The Legislative Assembly finds and declares that... [a]nimals are sentient beings capable of experiencing pain, stress, and fear;" and "[a]nimals should be cared for in ways that minimize pain, stress, fear, and suffering." ORS 167.305(1) and (2).

In codifying those findings, the legislature was expressing the views of the broad majority of Oregonians who have a strong interest in protecting animals from cruelty. With those findings in mind, the purpose of HB 2904 is to ensure that research facilities that use nonhuman primates in laboratory experiments are being open and transparent with Oregonians about how they operate. We are writing to urge you to give HB 2904 a "do pass" vote to move the bill to the House floor.

Oregon State Representative David Gomberg, who has been a strong voice calling for accountability and transparency about the Oregon National Primate Research Center (ONPRC) and its long record of animal welfare violations, obtained public records that reveal the facility can't care for its monkeys. It is no exaggeration to say there's been maiming and killing of these animals, even torture.

Rep. Gomberg has twice toured the facility and spoken from the House floor of the Oregon legislature to highlight both the high incidence of documented animal welfare violations as well as the horrifically cruel and repetitive experiments being conducted. When he learned that two monkeys perished when technicians failed to remove them from their cages before running them through an industrial washing machine, he sent ONPRC a public records request to learn more about the incident. After months of stonewalling and delays, and after demanding that he, an elected state representative, pay a thousand dollars for their effort in finding and sending the requested information, ONPRC finally began sending documents. What they reveal is a facility awash in low morale and an internal culture that creates the kind of environment that is sure to lead to more suffering and deaths.

Now, employees are protesting low wages and forced overtime as a recipe for disaster. After the deaths of the two monkeys in the cage washing incident, employees petitioned the facility's leaders warning them of the possibility of even more such disasters:

"We are extremely troubled by the culture of the cage crew leadership at the ONPRC – a culture known to cut corners, deflect responsibility and lack accountability. The devastating loss of two primates, Earthquake and Whimsy, which occurred on August 13 is the result of this lack of leadership. We are concerned that your ensuing response mistakenly characterizes this as a tragic accident rather than the tragic consequence of poor leadership. This fatal act of gross negligence spotlights the systemic dysfunction – fueled by a toxic culture of intimidation and harassment – that has been present for years within the cage crew. We are disappointed that this dangerous culture has continued unchanged post tragedy".

Most of the documents produced by ONPRC are heavily redacted, but what remains shows the toxic culture and complete disregard for humane treatment of not only the animals, but employees as well. It's clear that conditions have not improved in the two years since employees begged for change. The ONPRC, which proudly trumpets its high standards of care, simply cannot take proper care of its monkeys or guarantee their health and safety. The employee petition had over 60 signatures from Administration, Behavioral Sciences (BSU), Cage Crew, Veterinary Staff, Colony husbandry, Custodial Staff, Facilities, Research Husbandry (ASB), Research staff, and the Small Lab Animal Unit (SLAU). But many other employees who share these concerns would only support the petition anonymously due to fear of retaliation by the facility's leadership.

Rep. Gomberg was also alarmed to read in the documents a persistent problem with employee consuming alcohol on the job. In March 2017, a report was made about beer drinking by a member of the "cage crew" while performing their duties. The crew member interviewed was concerned about "getting in trouble" for talking about it. Notably, that crew member stated that they didn't think it was odd to drink at work because the facility allowed employees to consume alcohol on "First Fridays". There were media reports in 2014 about an animal tech "whistleblower" who was fired from her job for reporting her supervisor for drinking and giving alcohol to another employee during work hours, causing the employee to become inebriated.

The ONPRC has committed at least a dozen violations of the Animal Welfare Act over the past few years due to its inexcusable mistreatment of primates. Many of those violations were considered "critical violations" by the United States Department of Agriculture (USDA).

ONPRC, with its long and frequent history of animal abuse and neglect, is now operating with virtually little to no oversight, unhindered in its disregard for the well-being and safety for the animals under its charge.

Compounding these acts of negligence and even cruelty, the studies carried out are largely repetitive and appear to offer little prospect of advancing critical work to advance human health. For example, NIH has been funding virtually the same recurring research related to stress and alcoholism for the past 20 years to the tune of over \$8 million dollars. The project leader for these ongoing, redundant studies was approved for another \$2.4 million NIH grant in the fall of 2020 to spend the next 5 years studying the impact of chronic drinking on COVID-19 morbidity. Subjecting animals to pain and suffering as part of research that will likely be moot given what is well-known in the medical community is not only inhumane, it also raises serious ethical questions about OHSU's motives in seeking that funding.

Research involving animals should always be a last resort when no other adequate means to address a pressing human health problem exists, not an opportunity for self-perpetuating researchers and research facilities to cash in on the federal grant system.

While we have deep concerns about the research being done in the name of science at ONPRC, this proposed legislation will not in any way impede that research. It simply requires that ONPRC provide basic information about its use of nonhuman primates to the state veterinarian, who will be required to promptly post that information on his or her website for the benefit of the people of Oregon.

ONPRC has clearly shown it will not willingly provide basic information about its practices with nonhuman primates. In fact, ONPRC has shown that it will intentionally evade, deceive, and mislead Oregonians about those practices. Clearly only a mandate by the legislature will bring about transparency and accountability.

We urge this Committee to pass HB 2904 with a "do pass" recommendation.

Thank you for your consideration and for your service to the people of our great state.

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