



July 11, 2019

Deborah Kearsse
Director, Division of Program Integrity
National Institutes of Health (NIH)
Office of Management Assessment
6011 Executive Blvd., Suite 601, MSC 7669
Rockville, MD 20852

Via email: deborah.kearse@nih.gov

Dear Ms. Kearsse,

On behalf of White Coat Waste Project (WCW) and its more than 2 million members and supporters, I am writing to request an investigation into violations of federal spending transparency law related to wasteful NIH-funded primate experiments.

New NIH and MIT press releases about wasteful taxpayer-funded primate experiments

On June 10, 2019, the NIH issued a press release about a newly-published study co-authored by agency animal experimenters.¹ On June 11, the Massachusetts Institute of Technology (MIT), a collaborator on the project, issued a slightly revised version of the same release on its website.²

The taxpayer-funded experiments involved drilling into monkeys' skulls, screwing in experimental equipment, and locking them in restraint chairs inside a brain scanner. The monkeys' brain responses to musical and non-musical sounds were then compared to humans'. The result of the multi-million-dollar study? NIH Director Francis Collins wrote, "Based on what they found in both humans and monkeys, the researchers suspect that macaques experience music and other sounds differently than humans."³

The NIH and MIT releases state that the project received taxpayer funding via intramural NIH awards, extramural NIH grants, and National Science Foundation (NSF) grants, as well as, private funding from the McDonnell Foundation and the Howard Hughes Medical Institute.

A review of federal research databases shows that the grants associated with this publication have received a combined \$34,793,239 from NIH, and \$31,034,506 from NSF, in addition to the

¹ <https://www.nih.gov/news-events/news-releases/our-brains-appear-uniquely-tuned-musical-pitch>

² <https://mcgovern.mit.edu/2019/06/11/12015/>

³ <https://directorsblog.nih.gov/2019/07/02/singing-for-the-fences/>

WHITE COAT WASTE PROJECT

PO Box 26029 • Washington, DC 20001 • www.WhiteCoatWaste.org

A bipartisan coalition of 2 million+ liberty-lovers and animal-lovers opposed to the government's wasteful spending on animal experiments. Taxpayers shouldn't be forced to pay \$15 billion+ for wasteful government animal experiments.

unspecified intramural funding from the National Eye Institute, National Institute of Mental Health, and National Institute of Neurological Disorders and Stroke, and private funding.⁴

Violations of federal spending transparency law by NIH and MIT

As you may be aware, long-standing federal spending transparency law—known as the Stevens Amendment—requires that any press releases or statements describing taxpayer-funded projects under the Departments of Education, Labor and Health and Human Services (HHS) must include, “(1) the percentage of the total costs of the program or project which will be financed with Federal money; (2) the dollar amount of Federal funds for the project or program; and (3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.”⁵

The aforementioned press releases issued by the NIH and MIT about invasive primate testing fail to comply with two of these provisions by not reporting the dollar amount of taxpayer funding spent on this project, or the amount funded by non-governmental sources.

A cursory search finds that at least several other MIT press releases from June 2019 reported NIH-funded animal experiments and failed to disclose to same legally-required funding information.^{6,7,8}

Systemic spending transparency failures by NIH grantees

The current example is troubling, but it is a symptom of a broader problem. A report co-authored by WCW found widespread violations of the Stevens Amendment by NIH grant-receiving institutions performing wasteful animal experiments. An analysis of 100 press releases reporting taxpayer-funded projects worth nearly a quarter-billion-dollars found that not a single one complied with the Stevens Amendment. One noncompliant press release promoted an NIH-funded project that has received \$3.75 million in taxpayer funds to, among other things, simulate what it would sound like for a monkey to say “Will you marry me?” in English.⁹

A Government Accountability Office (GAO) audit that followed the release of WCW’s report—after being requested by current Senators Ron Johnson (R-WI), James Lankford (R-OK), Rand Paul (R-KY) and Joni Ernst (R-IA)—cited our troublesome findings and wrote that, “NIH officials stated that they do not specifically monitor for Stevens Amendment compliance.”^{10,11}

The GAO recommended that HHS (including NIH) begin enforcing the law, and HHS stated that it “would direct all operating divisions to design a process for implementing and monitoring the Stevens Amendment and would update HHS grants policy to reflect this new process” and that it “would address any non-compliance issues if they were raised.”

Unfortunately, it appears NIH and its grantees continue to violate the law with impunity despite it being included in the NIH Grants Policy Statement under the heading “Acknowledgment of

⁴ NIH Grant # EY013455: Total funding: \$5,013,584 (SOURCE: <http://bit.ly/2ZQdXnr>); NIH Grant # EY023322: Total funding: \$1,891,830 (SOURCE: <http://bit.ly/2J5z7Hy>); NIH Grant # EB015896: Total funding: \$27,387,825 (SOURCE: <http://bit.ly/2KK26E2>); NIH Grant # RR021110: Total funding: \$500,000 (SOURCE: <http://bit.ly/2LprVbS>); NSF Grant # 1353571: Total funding: \$674,881 (SOURCE: <http://bit.ly/2YhXNT0>); NSF Grant # 1231216: Total funding: \$30,359,625 (SOURCE: <http://bit.ly/2X9cege>).

⁵ Sec 505 of the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 (Public Law 115-245)

⁶ <https://mcgovern.mit.edu/2019/06/06/neurons-antennae-are-unexpectedly-active-in-neural-computation/>

⁷ <https://mcgovern.mit.edu/2019/06/11/new-gene-editing-system-precisely-inserts-large-dna-sequences-into-cellular-dna/>

⁸ <https://mcgovern.mit.edu/2019/06/12/how-we-tune-out-distractions/>

⁹ <https://blog.whitecoatwaste.org/2017/04/25/new-report-ivy-league-flunks-on-spending-transparency/>

¹⁰ <https://blog.whitecoatwaste.org/2019/03/14/feds-confirms-wcw-report-on-animal-testing-transparency-violations-propose-reforms/>

¹¹ <https://www.gao.gov/products/GAO-19-282>

Federal Funding” and the NIH issuing notices specifically reminding grantees of this transparency mandate.^{12,13}

To stem this rampant noncompliance and improve transparency about federal spending, Iowa Senator Joni Ernst introduced the Cost Openness and Spending Transparency (COST) Act (S. 807) to require that all recipients of federal funds abide by the conditions of the Stevens Amendment and giving the Office of Management and Budget the authority to withhold funding for noncompliance.¹⁴

Because of ongoing concerns about a lack of transparency about the cost and other details about NIH’s primate testing, the House of Representatives also has passed language in the FY2020 Labor-HHS spending bill directing the NIH to produce a report on its primate experimentation program, including project costs.¹⁵

Request for action

For 30 years since the Stevens Amendment was first passed, recipients of NIH funding have been legally required to clearly disclose the cost of their projects so taxpayers are aware of how their hard-earned money is being spent. Yet, evidence shows ongoing, widespread violations of this common-sense spending transparency law. The NIH has acknowledged this problem and pledged to address it. We urge you to investigate the violations documented in this letter and hold these institutions accountable for their failure to properly disclose funding details.

Thank you for your attention to this matter. Please do not hesitate to contact me with any questions at justin@whitecoatwaste.org or 860-882-2492.

Sincerely,

A handwritten signature in black ink, appearing to be 'JG', written in a cursive style.

Justin Goodman, M.A.
Vice President, Advocacy and Public Policy
White Coat Waste Project

¹² https://grants.nih.gov/grants/policy/nihgps/html5/section_4/4.2.1_acknowledgement_of_federal_funding.htm

¹³ <https://grants.nih.gov/grants/guide/notice-files/NOT-OD-19-030.html>

¹⁴ <https://www.congress.gov/bills/116/congress/senate/bills/807>

¹⁵ <https://blog.whitecoatwaste.org/2019/06/19/progress-funding-panel-directs-nih-to-cut-primate-testing/>