



*Taxpayers shouldn't be forced to pay \$20 billion+ for **wasteful** government animal experiments.*

November 12, 2021

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

Via email: [Deborah.Kearse@nih.gov](mailto:Deborah.Kearse@nih.gov)

Dear Ms. Kearse,

On behalf of White Coat Waste Project (WCW) and its more than 3 million members and supporters, I am writing to request an investigation into widespread violations of federal spending transparency law by the University of Massachusetts related to its National Institutes of Health (NIH)-funded experiments with primates.

### **UMass' press releases about wasteful and cruel experiments on animals**

A December 2018 press release about taxpayer-funded experiments with marmosets describes how a hormone chemotherapy drug is given to 16 marmosets over 4 weeks, and their effects were videotaped and examined<sup>1,2</sup>. The delicate primates were also held by experimenters with hand warmers to mimic *hot flashes* experienced during menopause, and subject to memory tests in exchange for “rewards.”

A review of federal research databases shows that the NIH grants listed as funding sources on the published paper received almost \$5 million.<sup>3</sup>

### **Violations of federal spending transparency law by the University of Massachusetts**

As you are 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.”<sup>4</sup>

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<sup>1</sup> [Confronting The Side Effects Of A Common Anti-Cancer Treatment](#), UMass News, 12/26/18

<sup>2</sup> Gervais NJ, Ramage-Healey L, Starrett JR, Pollak DJ, Mong JA, Lacreuse A. [Adverse Effects of Aromatase Inhibition on the Brain and Behavior in a Nonhuman Primate](#). J Neurosci. 2019;39(5):918-928. doi:10.1523/JNEUROSCI.0353-18.2018

<sup>3</sup> NIH grant [R01AG046266](#), \$2.1M between 2014-2018; [R01NS082179](#), \$2.7M since 2014

<sup>4</sup> Sec 505 of the Labor, Health and Human Services, and Education Appropriations Bill, 2021 (H. Rept. 116-450)

**The aforementioned press release violates this federal law by failing to report the amount of taxpayer funding UMass spent on these cruel and wasteful experiments on primates, the percentage of total costs paid for by taxpayers and how much was funded by private sources.**

**Additionally, we determined that virtually all of UMass News' press releases reporting taxpayer-funded animal experiments violate the Stevens Amendment.<sup>5</sup> The releases fail to acknowledge federal funding, and/or fail to report the amount of taxpayer money spent, and/or fail to report the percentage of the project paid for with taxpayer funds.**

### **Systemic spending transparency failures by NIH grantees**

The current example is troubling, but it is a symptom of a broader problem. A report coauthored by WCW found widespread violations of the Stevens Amendment by NIH grant-receiving institutions performing wasteful animal experiments.<sup>6</sup>

A Government Accountability Office (GAO) audit that followed the release of WCW's report cited our troublesome findings and wrote that, "NIH officials stated that they do not specifically monitor for Stevens Amendment compliance."<sup>7,8</sup>

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 Federal Funding" and the NIH issuing notices specifically reminding grantees of this transparency mandate.<sup>9,10</sup>

To stem this rampant noncompliance and improve transparency about federal spending, Iowa Senator Joni Ernst (R-IA) and Rep. Ralph Norman (R-SC) introduced the Cost Openness and Spending Transparency (COST) Act (HR 1937/S 760) 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.

### **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.

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<sup>5</sup> [UMass Amherst News Headlines](#)

<sup>6</sup> [New report: Ivy League flunks on animal testing transparency](#), WCW Blog, 4/25/2017

<sup>7</sup> [Feds confirm WCW report on animal testing transparency violations, propose reforms](#), WCW Blog, 3/14/2019

<sup>8</sup> [Agency action required to ensure grantees identify federal contribution amounts](#), Government Accountability Office, 3/14/2019

<sup>9</sup> [NIH grants policy statement \(Sec. 4.2.1\), Acknowledgement of federal funding](#).

<sup>10</sup> [NIH: Notice of legislative mandates in effect for FY 2021](#), 1/29/2021

We urge you to investigate the federal transparency violations documented in this letter and hold the University of Massachusetts accountable for its repeated failure to properly disclose taxpayer funding for their experiments on animals.

Thank you for your attention to this matter. Please do not hesitate to contact me with any questions at [DL@whitecoatwaste.org](mailto:DL@whitecoatwaste.org) or 202-643-8453.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Lopez", with a stylized flourish at the end.

Daniel Lopez  
Research Manager  
White Coat Waste Project

cc: Meredith Stein, Acting Director, OMA  
Jeff Hayden, Assistant Director, OMA  
Dr. Michael Lauer, Deputy Director, NIH Office of Extramural Research