



TO: MSMR Annual Meeting of Members

FROM: Jim O'Reilly, President

DATE: June 23, 2023

RE: Update on Legislative, Regulatory and Security-related Activities

---

The fiscal year 2023 once again proved to be an active one when it came to the public policy and public affairs monitoring and advocacy activities that MSMR provides as a service to all of its members.

The goal of this work remains to protect and promote a positive environment for medical researchers to conduct their vital work. These activities can take a broad view of the public affairs landscape, including coordination between MSMR and its other advocacy partners with what may be occurring nationally. They can take a narrower view by focusing on legislative or regulatory activities at a state, or sometimes, even local level. And they can take the form of counseling, policy and communications assistance that MSMR provides to any of its individual members that need assistance with regard to issues pertaining to public affairs and/or security, such as preparing for or responding to attacks from animal activist groups. Across all fronts, MSMR also tracks media and engages in outreach and response as necessary to better inform public opinion regarding medical research with animals.

I am pleased to provide a summary of several of our activities in this regard during this past fiscal year.

### **Legislation**

The two-year legislative sessions that mark the governing bodies in the New England states concluded at various points between June and December of 2022, after which new two-year sessions commenced in January of 2023.

A principal area of focus was in **Massachusetts**, where a long-running effort to encourage the adoption of dogs and cats used in medical research concluded with the enactment of [Chapter 149 of the Acts of 2022](#) in early August. Beginning in 2019, MSMR had worked with sponsors of this bill to ensure wording that minimized requirements on medical research institutions while maintaining the intention of finding adoptive homes for dogs and cats deemed adoptable by the attending veterinarians of their respective institutions. Upon enactment, MSMR also cooperated with the Mass. Society for the Prevention of Cruelty to Animals (MSPCA) to provide its members with a list of qualified shelters or rescue organizations with which they could choose to work on finding adoptive homes for their dogs and cats.

Massachusetts Society for Medical Research  
73 Princeton Street – Suite 311  
North Chelmsford, MA 01863  
T: 978.251.1556 | E: [info@msmr.org](mailto:info@msmr.org)  
W: [www.MSMR.org](http://www.MSMR.org)



In November, I was once again invited to speak on the dog adoption legislation to the quarterly meeting of the Institutional Officials Committee, a national group of pharma company institutional officials who collaborate on key issues, including public policy.

Yet, despite MSMR being praised by the lead sponsor of the adoption bill on the floor of the Senate just prior to its passage in the summer of 2022, that same legislator unfortunately surprised us by filing a new bill in January 2023 that he claimed – a claim we have significant doubts about – was at the behest of former Gov. Charlie Baker to build upon the enacted bill by placing new requirements on research institutions to track and report on, among other things, euthanization records of dogs and cats. We have informed the bill's sponsor that we would not only fight that bill to the greatest extent possible, but that we could never work with him again on any future legislation as he proved so untrustworthy.

Other bills in Massachusetts that MSMR is tracking during this new session include:

A bill that would require **alternatives to animals in product testing** was once again filed in this session. [H850](#) specifically exempts medical research, though MSMR continues to monitor it to assure that exemption remains.

Of particular concern about H850 is the enactment in December 2022 on the federal level of the so-called "FDA Modernization Act 2.0," which codifies longstanding practice at the U.S. Food and Drug Administration (FDA) to allow for the use of non-animal alternatives in new drug testing provided that alternative is as effective as an animal model in gauging safety and efficacy. This bill, unfortunately, has been the subject of a campaign of gross misinformation and falsehoods from animal activist groups who have claimed that it ends the use of animals in new drug testing. While such claims could not be further from the truth, several media outlets erroneously reported those claims as fact, which has led some state legislatures to now attempt to follow suit by limiting or banning animal testing on the state level. While the Massachusetts bill does not go that far, and remains in the same version it has for the last three sessions, including a medical research exemption, we are watching for any signs of attempts to expand the bill that would also falsely promote the concept of broadly available alternatives to animals in medical research. That bill is currently before the Joint Committee on the Environment and Natural Resources, the House chair of which I plan to meet next week with our legislative agent, Patrick Huntington of Massachusetts Bay Associates.

In addition, we are again monitoring a refile of a bill that would regulate "the practice and licensure of veterinary technicians" in the state, but which specifically exempts vet techs at research institutions. [S207](#) is currently before the [Joint Committee on Consumer Protection and Professional Licensure](#), which will hold a public hearing on it on June 26 at 1 p.m. While MSMR initially worked with the bill's sponsors to have the exemption for vet techs at research institutions, and while we have not taken an official position on the bill, should any members have specific concerns about it that they wish to make known, we could provide additional input to the committee either during or after the hearing.

Massachusetts Society for Medical Research  
73 Princeton Street – Suite 311  
North Chelmsford, MA 01863  
T: 978.251.1556 | E: [info@msmr.org](mailto:info@msmr.org)  
W: [www.MSMR.org](http://www.MSMR.org)



**In Rhode Island**, the General Assembly has once again taken up legislation to ban the use of animal models in medical training in the state. [Senate Bill 5357](#), *An Act Relating to Animals and Animal Husbandry – Use of Animals in Medical Training*, was the subject of a hearing in March before the House Judiciary Committee, and on which MSMR submitted written testimony in opposition. Following that hearing, it was recommended that the bill be once again held for further study. This legislation continues to be a focus on Physicians Committee for Responsible Medicine (PCRM), a national animal rights activist group, which has used it to stage protests against Brown University and Rhode Island Hospital in Providence.

Lastly, at the local level, MSMR tried to persuade city officials in **Everett, Mass.** to forego a ban on animal testing in the city that was proposed by a city councilor with ties to animal activist groups. Jim O'Reilly worked with a council member to educate him on the drawbacks of such a measure and submitted testimony in opposition to the ordinance. Unfortunately, it still passed the city council in November, despite the fact that no research facilities are located in the city. As animal activist groups are constantly looking for means of exploiting a lack of understanding of the value of animals in medical research, we're now particularly vigilant of other such efforts in other municipalities across the region.

### **National policy activities**

MSMR has been actively engaging with several national and/or regional advocacy partner organizations – including the National Association for Biomedical Research, Americans for Medical Progress, and the aforementioned Institutional Officials Consortium – on several issues, but, of particular note, on efforts to rectify the shortage of non-human primates available for medical research.

This issue came to the forefront of public attention last fall following the arrest of several Cambodian nationals by U.S. Justice Department officials, who charged them with the illegal trafficking of long-tailed macaques. In the wake of the COVID-19 pandemic, China, which had historically supplied large numbers of research macaques to U.S. institutions, ceased the export of such animals to the U.S., ostensibly citing the public health emergency, but also likely as a means of controlling research conducted with such animals. In its place, Cambodia had stepped up its imports of the macaques. However, U.S. officials have charged that some Cambodian exporters were substituting wild-caught macaques for purpose-bred animals in violation of international treaties banning such practices.

Coupled with a recent report from the National Academies of Science, Engineering and Medicine (NASEM) on the critical shortage of non-human primates and the threats that poses to medical research, MSMR has joined with several of its allied organizations to issue communications to Congress and other federal agencies asking them to take action to both lift the import of non-human primates and to expand efforts at domestic breeding. And MSMR provided specific support to the University of Massachusetts-Chan Medical School, when it became embroiled in the issue by having been identified by an animal activist group as the recipient of macaques that it claimed may have been illegally captured and sold for research.

Massachusetts Society for Medical Research  
73 Princeton Street – Suite 311  
North Chelmsford, MA 01863  
T: 978.251.1556 | E: [info@msmr.org](mailto:info@msmr.org)  
W: [www.MSMR.org](http://www.MSMR.org)



### **Security and Animal Activism Updates**

An important role MSMR can play in assisting its members is by providing counsel with regard to both preventing and responding to attacks from animal activist groups. Again, over the last year, MSMR has been in regular communications with some of our members who have incurred such activist attacks. We regularly monitor activities of activist groups and alert our members to potential actions; offer talking points or other public affairs strategies or materials; and, in cases where requested, have provided direct training to staff at member institutions, particularly those involved in public affairs. Such training was conducted this year for the communications team at the University of Massachusetts-Chan Medical School. We also provided support to members at the University of Massachusetts-Amherst; Harvard Medical School; the Mass. General/Brigham family of medical institutions; and several others.

Members are reminded that President Jim O'Reilly is available and willing to meet either in person or remotely with any staff to help devise crisis communications preparedness and response strategies, as well as information on security or defense against threats from activist groups.

### **Coordination and Cooperation with Allied Efforts**

I've continued to serve as MSMR's representative to the "[US Animal Research Openness \(USARO\) Initiative](#)," which aims to increase the number of institutions that are engaging in meaningful public conversations about the importance of animal contributions to science. Specifically, I served on the committee developing a [one-page informational sheet](#) that can be used by any research institution staff to help educate their peers on the benefits of being more open and transparent regarding its animal research.

Once again this winter, I was privileged to present to two classes of veterinary students at the **Tufts Cummings School of Veterinary Medicine** on the topics of "How to effect change: Fair and Unfair Activism, Advocacy, and the Political Process," and "Animal Anti-Research Groups."

Throughout the course of the year, we also continued to play an active role as a founding member of **States United for Biomedical Research (SUBR)**, the umbrella organization of regional biomedical research non-profit organizations from around the country. We meet regularly throughout the year to collaborate on issues of shared importance, leverage resources and expertise, consult on key matters and develop public-facing education and advocacy strategies.

Massachusetts Society for Medical Research  
73 Princeton Street – Suite 311  
North Chelmsford, MA 01863  
T: 978.251.1556 | E: [info@msmr.org](mailto:info@msmr.org)  
W: [www.MSMR.org](http://www.MSMR.org)