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Metcalfe-Hatch Repeal Means Lab Accountability

Henry Spira

A researcher can legally walk into an animal shelter and bodysnatch tired and scared-to-death lost cats and dogs. That's because New York's Metcalfe-Hatch Act forces shelters and pounds to act as storage warehouses for laboratories.

This violation of a public trust aggravates the problems of pet abandonment which already costs tax payers \$400 million a year nationally. People who perceive that their former pets might be forced into labs, will abandon their animals rather than turn them in at a shelter or pound.

Metcalfe-Hatch also encourages a ghoulish big business which profits from \$3 billion of our tax monies a year, with principle investigators pocketing \$54,000, while 100 million animals, considered mere "lab tools" are doomed to painful deaths. Metcalfe-Hatch is inconsistent with modernized research, and with increasing concern for animal suffering.

Cruelty is legal

New York State law (Article 26, Section 353) warns that a person who, "Tortures or cruelly beats or unjustifiably injures, maims, mutilates or kills any animal" can be jailed, but it quickly adds that this section does not apply to labs, where cruelty is legal.

Metcalfe-Hatch also concerns the rights of citizens. Since 1955 there have been attempts to repeal Metcalfe-Hatch, but it has never reached the Senate floor.

Boss Tweed

One is reminded of Boss Tweed's classic challenge to the many: "What are you going to do about it?"

In the Assembly, the Health Committee has received more mail for repeal of Metcalfe-Hatch than on any other subject, including abortion. The Assembly's Health Committee is scheduled to vote on the repeal bill, introduced by William Passannante and 33 co-sponsors, at its May 1st meeting. And though vacationing Speaker Stanley Fink's position is unclear, knowledgeable Assembly members foresee no problem to its smooth passage as in the previous two sessions, when the Assembly favored repeal by 119 to 16 and by 110 to 22.

One Man Rule

The Senate repeal bill introduced by Senator Frank Padavan with nine-co-sponsors is now awaiting action in the Senate Health Committee, chaired by Senator Tarky Lombardi, who sat on it last year. In friendly discussions with Senator Lombardi and his staff, it appears that if there is enough pressure and interest the repeal bill could be moved to the Senate floor. A majority of the Health Committee have indicated that they favor repeal. But whether they favor or oppose repeal, we have a basic right to representation. And this includes the right to have a bill, with vast support, placed on the committee agenda and moved to the Senate floor to be discussed and disposed of on its merits. One person rule, frustrating the popular will, is inappropriate to a democratic system.

People have been writing letters for decades, and people are beginning to feel that they're being taken for fools. It's meaningless to have the right of free speech if public officials have the right not to listen.

Dollar Making Machine

Meanwhile the National Society for Medical Research, which promotes ever more animal experimentation, boasted that their "major effort" stifled repeal of Metcalf-Hatch (NSMR Bulletin 8/77, 9/78) which indicates a national orchestration by special interests. The NSMR machine was assisted by the New York State Veterinary Medical Society, Cornell's Veterinary College, and the American Association for Laboratory Animal Science. The issue is not merely 1,100 cats and dogs petnapped by labs last year, but the setting of a precedent. The precedent of accountability.

The tax supported research complex has grown from \$700, thousand in 1945 to \$3 billion today and it keeps expanding. But this money-making machine is vulnerable. Questions are being asked: It's clear that this big business is hurting animals, but how is it helping us? What are we getting in return for our tax money?

Public Works Program

Do we really need laboratory animal concentration camps in every basement? Is it vital necessity that 100 million animals be doomed to a painful death every year? Could tax monies be spent in more productive ways? Who pays and who profits?

Recent American animal experiments include the following: .Deliberately cutting out the eyes of one-week old Rhesus monkeys so that scientists at the University of Illinois could measure the time it took these babies to find their mothers, using only their sense of touch and smell. One of the baby monkeys died and his mother carried the dead body for two days. Behavioral research includes an entire industry based in deprivation, on removing baby monkeys from their mothers at birth and analyzing the effects.

There is also a massive public works program for dull PhD's, based on electric shock punishment. Animals are taught to avoid shock by pulling levers or pecking keys, then the game is reversed and a non-human is frustrated to the point where he develops ulcers. The animals may squeal, tremble uncontrollably, defecate, run frantically, freeze or develop "learned helplessness" where they simply suffer and no longer try to avoid the shocks. Four squirrel monkeys simply died after a 24-hour session when shocks reoccurred at five-second intervals if not avoided. Heart attacks were induced in dogs after which they repeatedly shocked while confined in slings (see the current Jeff Diner report).

Where's the payoff?

Aggression studies with rats, cats and primates is another bizarre interest among our researchers. Through painful electric shocks animals are encouraged to fight one another. And if no target is available, the animals, crazy with pain, attack themselves. One of the leading aggression researchers was Dr. Roger E. Ulrich.

Belatedly, Dr. Ulrich recognized the horror. "I ended up doing some things that really made me sick," said Ulrich, who has closed his animal labs. "I shocked many monkeys. What did that really teach me about myself? I was the aggressive one. I was shocking the monkeys." He now believes, "We have misused and misunderstood our animal friends."

Mind your own business

I recently wrote to Director Thomas G. Bowery, of the National Institutes of Health, Division of Research Resources, asking what experiments are being performed at their primate centers, why they are necessary, and how they are improving the quality of our lives. A reply from his information officer stated that such records are not maintained. In a telephone interview, Charles McPherson, Head of the NIH Animal Resources Branch, told me that keeping such records "would not be a good expenditure of public funds" because I was the first person to ever ask for them. I mentioned that comprehensive abstracts, written in plain English, would permit taxpayers to evaluate tax funded research.

McPherson said that reports were reviewed, but these meetings are closed to the public. Thus an incestuous crony system keeps feeding on itself and the public is paying for this painful foolishness; looking for answers to questions which don't need to be asked in the first place. McPherson didn't know how we will benefit from all these deprivation and aggression experiments. He had no answer, because there is none.

Through Freedom of Information requests to government agencies, we asked how many of their completed research projects produced benefits. They all responded that such information does not exist. And they don't even know how many of their funded projects were actually completed. They are spending \$3 billion of our tax monies and nobody is keeping an eye on anything. Nobody knows what's going on.

Fiasco, farce and fraud

The seven-year "war on cancer" has created a holocaust for tens of millions of innocent animals who are artificially induced with cancer. They die a slow, horrible death, at a cost to the taxpayers of almost \$1 billion a year. Meanwhile, statistics show a steady increase in the risk of cancer death, after adjusting for the aging population (National Cancer Program Hearings 6/7).

Nobel Prize Laureate biologist James Watson, former adviser to the National Cancer Institute, which is part of NIH, has branded the war on cancer a "total sham" and "political logrolling." While 80 to 90 percent of cancers are believed to be environmentally caused, only about two percent of cancer research funds are directed towards cancer trends in human populations.

The whole biomedical research program is a fiasco, farce and fraud. Animals and people suffer as a result. The whole atmosphere is spotlighted by a Senate. NIH Appropriation Committee adding \$491 million to the NIH research budget for 1977, at "hearings" that were completely faked, that never took place though they were published.

We need to reorder our priorities to meet our real needs. Imagine if we spent our billions on massive programs to eliminate smoking and pollution, to popularize healthy foods and physical activity, to clean the air, to prevent unwanted teenage pregnancies, to teach youths about their own bodies. We'd be improving our health, instead of creating additional victims.

Willie Sutton Syndrome

Then why is the animal research industry expanding? Because, as Willie Sutton presumably responded when asked why he robbed banks, "That's where the money's at" and it's our hard-earned tax monies they're squandering.

Repeal of Metcalf-Hatch would set the precedent—that animal researchers are no longer a law unto themselves. It would encourage taxpayers to question the lack of payoff in make-work research projects.

It would add urgency to calls for a full-dress probe by the General Accounting Office into the use of public funds by all government agencies for research involving the animals and the training of live animal researchers.

The ideological climate is shifting towards prevention of disease and promoting good health. And a healthy society is not compatible with deliberately inflicting violence on the helpless. Our tax funds need to be shifted to reflect this new awareness.

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