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Animal protection groups sue National Institutes of Health for renegeing on commitment to retire former laboratory chimpanzees to sanctuary

WASHINGTON (Jan. 14, 2021)—A lawsuit filed today in the federal District Court in Maryland charges the National Institutes of Health with violating federal law when it decided not to send to sanctuary 44 federally owned chimpanzees held at the Alamogordo Primate Facility in New Mexico.

“Every day that goes by is another day taken away from these chimpanzees, who have suffered enough. They deserve to spend the remainder of their lives in a proper sanctuary,” said Kitty Block, president and CEO of the Humane Society of the United States. “We spent a quarter of a century lobbying, litigating, petitioning and making the public case for their release from laboratory use on moral, scientific and practical grounds, and we succeeded. But we didn’t do all of that just to see them languish in the barren laboratory environment they experience on an Air Force base in Alamogordo.”

NIH’s decision in 2019 to keep this group of older chimps in the laboratory facility was a dramatic course reversal from the agency’s longstanding commitment to transfer all federally owned chimpanzees to the federal sanctuary at Chimp Haven in Louisiana, where they would receive superior veterinary and behavioral care and enjoy an open and natural living environment. The chimpanzees, who were formerly used for invasive biomedical experiments, would instead spend the rest of their lives in the New Mexico research facility, unless the decision is changed.

“The least we owe Montessa and all the other chimpanzees who survived decades of horrific experiments is the chance at a richer quality of life in sanctuary, a place built to promote their natural behaviors and wellness,” said Elisabeth Jennings, executive director of Animal Protection of New Mexico. “We are heartbroken for the chimpanzees who have recently died in Alamogordo and were denied that opportunity. Our country can and must do better for the remaining survivors.”

Today's suit argues that NIH's decision violates the federal Chimpanzee Health, Improvement, Maintenance and Protection (CHIMP) Act, which established the cost-efficient federal sanctuary system and mandates that all federally owned chimpanzees be retired there when the animals are no longer needed for research. Due to advances in non-animal methods of research and testing, and changes in their legal status under the Endangered Species Act, chimpanzees have not been used in federally sponsored research since 2015. NIH had previously declared all remaining federally owned chimpanzees, including the Alamogordo chimps, eligible for retirement to Chimp Haven, a well-equipped sanctuary already home to 321 chimpanzees.

"It's been five years since NIH announced it would cease its funding of experiments using chimpanzees, ensuring a pathway for well-deserved retirement at sanctuaries. Yet the remaining chimps at Alamogordo continue to languish at the very facility where they were used in research protocols," said Sara Amundson, president of the Humane Society Legislative Fund. "Acknowledging the needs of chimpanzees in labs to live comfortably in retirement, Congress mandated that they be sent to sanctuary. NIH must release these remaining chimps to the far more humane and cost-efficient Chimp Haven where they can spend the rest of their days."

Attorneys from the Humane Society of the United States filed the lawsuit in the District Court in Maryland on behalf of HSUS, HSLF, APNM and three individual plaintiffs.

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About the Humane Society of the United States

We fight the big fights to end suffering for all animals. Together with millions of supporters, we take on puppy mills, factory farms, trophy hunts, animal testing and other cruel industries. With our affiliates, we rescue and care for thousands of animals every year through our animal rescue team's work and other hands-on animal care services. We fight all forms of animal cruelty to achieve the vision behind our name: a humane society.

Subscribe to Kitty Block's blog, [A Humane World](#). Follow the HSUS Media Relations department on [Twitter](#). Read the award-winning [All Animals](#) magazine. Listen to the [Humane Voices Podcast](#).

About Humane Society Legislative Fund

The Humane Society Legislative Fund is a social welfare organization incorporated under section 501(c)(4) of the Internal Revenue Code and formed in 2004 as a separate lobbying affiliate of the Humane Society of the United States. The HSLF works to pass animal protection laws at the state and federal level, to educate the public about animal protection issues, and to support humane candidates for office. Visit us on all our channels: on the web at hslf.org, on our blog at animalsandpolitics.com, on Facebook at facebook.com/humanelegislation and on Twitter at twitter.com/HSLegFund.

About Animal Protection of New Mexico

Animal Protection of New Mexico is a statewide nonprofit that protects animals by creating social change resulting in the humane treatment of all animals. We create policies, infrastructure, and services that protect animals and strengthen our communities, and we design and implement humane and pragmatic solutions to seemingly intractable problems involving animals. We change entrenched systems that harm animals, demonstrating to the public and policymakers that the wellness of our society overall is directly and inextricably linked to the wellbeing of all animals.

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