

February 6, 2002

Dr. Chester Gipson
Acting Deputy Director
Animal and Plant Health Inspection Service/Animal Care
U.S. Department of Agriculture
4700 River Road, Unit 97
Riverdale, MD 20737

Dear Dr. Gipson:

The Federation of American Societies for Experimental Biology (FASEB) joins with our FASEB member society, the American Physiological Society, the New Jersey Association for Biomedical Research and other groups in requesting that Department of Agriculture revise procedures for release of Animal Welfare Act animal facility inspection reports under the Freedom of Information Act (FOIA).

FASEB is comprised of 21 scientific societies, and is the nation's largest organization of biomedical researchers. Our member societies represent more than 60,000 researchers working in medical schools, universities and other research laboratories across the nation. FASEB and its member societies strongly support the humane care and treatment of laboratory animals. Under current practices, some facility inspection reports provide excessive detail which can lead to the identification of researchers and the address of their laboratories. Information on researchers or their projects may expose individuals to harassment from animal rights terrorists. Colleagues, students, families and neighbors may also be endangered.

Dissemination of this information via the Internet makes it widely available, and unlike other mechanisms for the release of data, provides no record of the users. This cloak of anonymity will protect those seeking to harass animal researchers while providing increased exposure to the scientists and their associates.

Secondly, under current practices, there are no formal mechanisms for determining the accuracy of facility inspection reports. The process for disputing a report prior to its posting to the web is inadequate. These preliminary findings should not be considered formal "records," but are more properly considered pre-decisional documents. As such, they should not be subject to the FOIA requirements for electronic posting.

We strongly urge you to revise the procedures used by USDA to prepare and release Facility Inspection Reports. Inspectors should be sensitized to the security concerns of research facilities, and USDA should clarify the kinds of information that should be excluded from inspection

reports. Information that would allow the identification of individuals or laboratory locations should not be released under FOIA. The USDA should not offer inspection reports on the Internet unless they exclude such identifying information and until they are determined to be accurate, subject to a meaningful review process.

Sincerely,

Robert R. Rich, M.D.
FASEB President

Copy: Jayne Makta, New Jersey Association for Biomedical Research

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