Note: Text has been edited for clarity.

Research Involving Animals

NIH Regional Seminar on Program Funding and Grants Administration

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Recording: A recording of the seminar can be viewed at http://grants.nih.gov/grants/olaw/2012-04-18%2012.29%20OLAW_Regional_Seminar.wmv (Windows Media Player – 1 hr 18 min).

Slide 1 (Title Slide)
>> Moderator: We have Axel and Eileen from the Animal Welfare, I can't remember the --
>> Morgan: Office of Laboratory Animal Welfare.
>> Moderator: There you go. I always forget what the L is, I don't know why. They are going to be helping us with this information from Bethesda, we're going to have a virtual environment. If you have a question, we have our couple of -- a sound guy in the audience with the microphone. I'll let Axel and Eileen tell us how we want to manage that. But we'll go ahead and get started. So I am stepping out of the way.

>> Morgan: Thank you, Joe. So good afternoon, Indianapolis. I'm Eileen Morgan in the Office of Animal Laboratory Welfare in the Division of Assurances. It's my pleasure to be with you today, along with Dr. Axel Wolff, to provide some information regarding research involving animals. Today I plan to review OLAW's oversight responsibilities, animal welfare requirements, and the grant application process as it relates to the use of animals. I'll turn it over to Dr. Wolff and then he'll talk about compliance oversight. I would really encourage you to ask questions, because really the reason that we're here is not just to provide a presentation. But to address any questions you have regarding the use of animals in research. Now we're going to go to the slides.

Slide 2 (OLAW Mission Statement)
So who is OLAW? OLAW is NIH. We're a research organization and we support grantees receiving PHS [Public Health Service] funding involving the use of live vertebrate animals. And what is OLAW's purpose? It's up there on the slide in another color; to ensure humane care and use of animals used in PHS-funded research. And how do we do that? We do that through our divisions. We negotiate Assurances with institutions that are receiving PHS funding. We provide education and guidance and interpretation of the PHS Policy. [PHS Policy on Humane Care and Use of Laboratory Animals] And we provide compliance oversight, which is the mechanism which OLAW uses to help in the self-regulation of the institution's animal care and use program. And why do we do it? We do it to contribute to the quality of PHS-supported activities.

Slide 3 (OLAW Responsibilities)
OLAW's responsibilities include those described in the mission statement that I just told you about. We oversee the implementation of the PHS Policy. We provide policy interpretation and guidance, as well as supporting educational activities. And also we negotiate Animal Welfare Assurances, so OLAW will work with your institution to create a description of your animal care and use program in

compliance with the PHS Policy and federal requirements. We also evaluate compliance at the institution.

Slide 4 (OLAW Educational Programs)
As part of our mission, we provide education and guidance in PHS Policy interpretation. The way we do that is through presentations like this one today and at national level meetings. We partnership with other organizations and institutions; like SCAW [Scientists Center for Animal Welfare] and national AALAS, the [American] Association for Laboratory Animal Science. We participate in workshops and conferences, and also in webinars. There are -- we have a series of OLAW webinars [OLAW Online Seminars] that are available from our website. They are all taped and recorded, so you can go to our website under our Education heading and see the previous webinars that we have presented. [Education Resources] We participate in the IACUC 101/201 training program [IACUC 101 Series] and we also have a web-based tutorial on the requirements for using animals according to the PHS Policy. [Tutorial for PHS Policy] We also have guidance documents, Grants Notices and Frequently Asked Questions available from our website.

Slide 5 (Authorizing Legislation – Public Law 99-158 (11/20/85))
By what authority does OLAW perform these responsibilities? The law that allowed the creation of the PHS Policy was the Health Research Extension Act of 1985. That law allowed the creation of the PHS Policy and it allowed the Director of NIH to establish guidelines for proper care and treatment of research animals used in biomedical and behavioral research. OLAW carries out the responsibilities of this law. It's in the Health Research Extension Act where it's noted that these requirements apply to grants, contracts, and cooperative agreements involving research using animals.

Slide 6 (OLAW's Philosophy)
OLAW's engagement with the grantee community can be summarized in the congressional committee's report that accompanied the Health Research Extension Act, which is described on this slide. It states that the responsibility for assuring compliance with NIH guidelines is best accomplished with the local Institutional Animal Care and Use Committee called an IACUC, rather than through inspections. This is the premise that the PHS Policy is built on, a system of self-monitoring and oversight by the Institutional Animal Care and Use Committee.

Slide 7 (PHS Policy)
The PHS Policy was crafted out of the Health Research Extension Act. It allows for the creation of an Animal Welfare Assurance, the establishment of a program for animal care and use at the institution, creation of the IACUC, the Institutional Animal Care and Use Committee, appointed by the CEO as the PHS Policy proscribes. Also the establishment of an Institutional Official at the institution, we call that the go-to-jail guy, the person who takes legal responsibility for the animals at the institution. The PHS Policy covers the use of all live vertebrate animals; and includes institutional responsibilities of annual reporting and reporting of noncompliance.

Slide 8 (PHS Policy Applicability)
The PHS Policy applies to all PHS-conducted or -supported activities involving animals. So the PHS includes the three major funding agencies for research involving animals: The NIH, the CDC, and the FDA. The definition of an animal is live vertebrate animal used in or intended for use in research, training, experimentation, or biological testing. The definitions are in front of the PHS Policy.

Slide 9 (PHS Policy: Standards for Animal Care and Use)
Shown here are the key references for guidance for an animal care and use program. The first one is the *Guide* [*Guide for the Care and Use of Laboratory Animals*], and this is the updated 8th Edition of the *Guide*, copyrighted 2011. The *Guide* is the standard for overall housing and care of animals, how do you house them, feed them, maintain proper environment, like temperature and humidity, provide a preventive medicine program, an occupational health and safety program, and a training program. These are the types of standards that are listed in the *Guide*. The Animal Welfare Act and the Animal Welfare Regulations enforced by the USDA and the U.S. Government Principles, which are really ethical guidelines, the U.S. Government Principles are listed there on the right with the poster with the mouse at the bottom of the page, but they listed in the first couple of pages of the PHS Policy, red book that I showed you on an earlier slide. Also the AVMA Euthanasia Guidelines [AVMA Guidelines on Euthanasia – PDF], so these are the four standards that are used for the PHS Policy.

Slide 10 (Animal Welfare Assurance)
Let's talk about an Animal Welfare Assurance. The Assurance is a contract between the institution and OLAW representing the federal government. It describes the institution's program of animal care and use and it shows their commitment to humane care and use of laboratory animals. It's also the principle method of compliance oversight for the institution. How many of you are from institutions with an Animal Welfare Assurance? Joe, can you tell me if people are raising their hands?

>> Moderator: Yeah, about 12 of the say 15 or so.
>> Morgan: Hold on, we can't hear you. How many?
>> Moderator: About 12.
>> Morgan: Oh, good. How many people are there?
>> Moderator: We are pushing 20 right now.
>> Morgan: Great. So how many of you are receiving NIH funding? The same 12 hands?
>> Moderator: Yep, just about.
>> Morgan: Okay, that works. That's how it should be. Thanks.
>> Moderator: You're welcome.

Slide 11 (Animal Welfare Assurance)
>> Morgan: No activity may be conducted or supported by a PHS-funded institution until an Assurance is in place and approved by OLAW. The Assurance describes compliance with the PHS Policy. It describes the animal care and use program based on the *Guide for the Care and Use of Laboratory Animals*. And if you have no Assurance, then you would have no PHS-supported animal research.

Slide 12 (Types of Animal Welfare Assurance)
There are actually three types of Animal Welfare Assurances. A Domestic Assurance, which is the common one that most of you know about and those 12 that raised their hands probably have a Domestic Animal Welfare Assurance in their performance site for animal research at their institution. There's also Foreign Animal Welfare Assurance and an InterInstitutional Assurance. If you are using animals in PHS-funded research, each awardee institution must have one of these. The negotiation process for an institution is always initiated by grants management. And OLAW is interconnected with grants management. We will determine the appropriate Assurance needed based on the circumstances described in the grant. And then that's the Assurance we'll negotiate for your institution.

Slide 13 (Domestic Animal Welfare Assurance)
I'm going to talk about these types of Assurances, so the first one is the Domestic Assurance. And that's negotiated when an institution meets the following criteria and that is that: They control their own animal facility; they are conducting or will conduct animal research on site; they have an animal care and use program with an Institutional Official, an Institutional Animal Care and Use Committee, and a veterinarian with program authority for the responsibility for the animals at the institution. Also, they are receiving PHS funding. Domestic Assurances are currently approved for four years and they may be renewed. Right now, there are about 1,035 Assured institutions, domestic institutions. Also, the list of approved Animal Welfare Assurances is listed on the OLAW website. So if you go to our webpage, the first heading is called Fast Facts, I think it's about seven bullets down, it's the last bullet and it has a listing for Assured institutions by state. [Domestic Assured Institutions]

Slide 14 (Domestic Animal Welfare Assurance)
So the Domestic Animal Welfare Assurance describes the animal care and use program. The things that are described in the Assurance are the lines of authority and responsibility, the description of the animal care and use program, and the procedures the animal care and use program or the IACUC uses to implement the Policy. It also describes the program of veterinarian care, the occupational health and safety program, the training program, and then it gives a brief description of the facilities and the species housed at that institution.

Slide 15 (Interinstitutional Assurance)
The InterInstitutional Assurance is required if the grantee organization does not have an animal care and use program of their own and they will perform -- or conduct their research involving animals at an assured performance site. So if a performance site has no Animal Welfare Assurance, OLAW will negotiate one when we are contacted by the grant specialist when a grant has been submitted and chosen for award. InterInstitutional Assurances are good for the life of the grant, up to five years, then we renew them [if the funding continues beyond the five years]. The InterInstitutional Assurance is just a two-page document which requires signatures from the authorized Institutional Official of the awardee institution and also the IO, Institutional Official, and the IACUC chair at the performance site and then it's also signed by OLAW, a PHS official.

So an example of an InterInstitutional Assurance is Bob's Biotech. So Bob's Biotech is going to receive a grant involving the use of animals, but they are a lab facility, so they have no animal care and use program of their own. And they are going to do the animal work at an Assured performance site, like Indiana University. They will obtain IACUC approval from Indiana University. And that InterInstitutional Assurance will tie those two institutions together, Bob's Biotech being the grantee organization and Indiana University being the performance site.

Slide 16 (Foreign Animal Welfare Assurance)
And a Foreign Animal Welfare Assurance is negotiated if the direct award is to a foreign institution. No IACUC approval is obtained for a foreign institution because the IACUC system doesn't exist in all of the foreign countries as it does in the domestic U.S. Or if a domestic grantee chooses a foreign performance site or a foreign collaborator, if there is a foreign site chosen as a performance site, on a domestic grant, then the IACUC approval would be provided by the domestic institution for the work that's done at the foreign site. For a foreign institution, the institution agrees to follow the International Guiding Principles, the CIOMS Principles. [International Guiding Principles for Biomedical Research Involving Animals of the Council for International Organizations of Medical

Sciences] They're very similar to the U.S. Government Principles, which I described they're in the first couple of pages of the PHS Policy. They also agree to comply with all laws, regulations, and policies regarding the humane care and use of laboratory animals in their country of origin. They are approved for five years and they are renewed if the institution has current funding [funding at the time of renewal]. Now there are about 426 approved foreign institutions. These are also listed on the OLAW website under the bullet Fast Facts and I think that it's the first heading under Fast Facts, I think about seven bullets down, it says Assured Institutions. The first link is to Domestic [listed by state] and the second link is to Foreign and those are listed by country. [Foreign Assured Institutions]

Slide 17 (Consortium Agreements: Sub-awards)
For subcontracts, the prime grantee is responsible and accountable to NIH per NIH Grants Policy. They are accountable for the performance of the project, for appropriate fund expenditures by all parties, and they must have an Assurance and IACUC approval for all performance sites using animals. So one of those three types of Assurances I described; the awardee institution and all performance sites must have one of those in place approved by OLAW. PHS Policy is required to be followed for the primary and all subs.

Slide 18 (Application for Federal Assistance (screen shot))
This is a face page for the SF 424.

Slide 19 (Project/Performance Site Location(s) (screen shot))
And this is where the performance sites would be listed. So this is the document that NIH grants personnel, the ICs that are awarding the grant applications or reviewing grant applications, look for when we're looking for the performance sites for the animal work. So each performance site, where live vertebrate animals will be used, should be listed on this page and these are the ones that we would need to have an Animal Welfare Assurance for.

Slide 20 (Grants Policy Requirements)
There are three requirements for NIH Grants Policy regarding the use of animals: A completed vertebrate animal section in the grant application; an Animal Welfare Assurance, one of the three types that I described for every performance site and the applicant's organization; and verification of IACUC approval for the animal work described in the grant. The IACUC review does not have to be approved and described in the grant application. But the IACUC review and approval must be performed prior to the conduct of any research involving animals. Approvals are good for up to three years.

Slide 21 (Grant Applicant to Address Vertebrate Animal Use (electronic submission))
So from the grant application, sections that need to be completed in the 424 are the project information and the performance site locations. In the PHS 398, in the research plan, Section 8, the vertebrate animal five points must be described in the PDF format.

Slide 22 (Research & Related Other Project Information (screen shot))
So this is the page of the 424 where you complete Section 2 and 2(a); if you are going to use vertebrate animals, you will check the box yes that's circled there, and there's a yellow highlight. And then if you answer yes, you have to complete 2(a) and that says is the IACUC review pending? If it's pending, then you say yes and you don't provide an approval date. If it's no, you say no and you put the approval date in the box there. For the Assurance number, you should always use the Assurance number of the applicant organization's Assurance. So if you are Bob's Biotech and you

have no animal care and use program of your own, then the correct Assurance number is none. N-O-N-E. That's the correct requirement for the completion of that box. So what happens then when we negotiate an InterInstitutional Assurance is OLAW will provide the InterInstitutional Assurance number and we'll submit it -- we'll complete it in the box for the Animal Welfare Assurance number in the ERA Commons. The institution can provide IACUC approval from the performance site institution.

Slide 23 (PHS 398 Research Plan)
So here's the 398, Section 10, in the research plan where you complete other research plan sections. This is where you complete the vertebrate animal section five points, in PDF format.

Slide 24 (Grant Applicant to Address Five Points)
So the grant application requires the completion of the vertebrate animal five points. This should be a stand-alone document. OLAW reviews all vertebrate animal sections regardless of if the grant has been previously approved and forwarded for award. The reason for OLAW review includes: Any code changes that come to OLAW, if there were any animal welfare concerns after review and the grant has been coded such, animal welfare concerns; any change or addition of a performance site; or if we're requested to negotiate an Assurance, a Domestic, an InterInstitutional, or a Foreign. If the animal work is not described with these points addressed, OLAW will forward questions to grants management regarding the vertebrate animal section so that grants management can provide it to the PI or the contractor, if it's a contract, for completion.

Slide 25 (Worksheet for Review of VAS)
There's a worksheet to help complete the vertebrate animal section available on our website. At the bottom of this slide is the link to the worksheet. So based on concerns from the scientists, from some scientific review officers who were working with reviewing vertebrate animal sections, OLAW assisted in completing this worksheet to help the investigators appropriately complete the vertebrate animal sections. [Grant application VAS worksheet – PDF]

Slide 26 (VAS Worksheet Purpose)
There were basically four reasons for the worksheet: One was to help the PIs in appropriate completion of the vertebrate animal section; to assist the scientific review groups to determine if the vertebrate animal section was appropriately completed and if there were any animal welfare concerns identified; to ensure that if there were any weaknesses identified in the summary statements, that they would be addressed prior to award; and also to encourage consistency of review.

Slide 27 (Funding Component (IC) and Peer Review Responsibilities)
So what are the IC and the review group responsibilities? Consideration of animal welfare, including the information provided in the VAS [vertebrate animal section], is reviewed during peer review. If concerns are expressed, they must be resolved prior to funding. OLAW issues some restricted awards at the end of the fiscal year, but we would never approve a restricted award with animal welfare concerns present. These need to be resolved first prior to award. And the institution must have an Assurance, and IACUC approval, verified within three years. If there's no Assurance, the funding component, grants management personnel, contact OLAW and request us to negotiate an Assurance; and then we would negotiate the appropriate Animal Welfare Assurance as I described. And with that, I'll turn the presentation over to Dr. Wolff.

Slide 28 (title slide)

>> Moderator: Any Questions for Eileen before -- one question.
>> Morgan: If there are any questions, sure.
>> Moderator: We have one.
>> Morgan: Okay.
>> Attendee: I [indiscernible] anyone [indiscernible]
>> Morgan: Joe, I wasn't able to thoroughly understand that. Could you paraphrase it, perhaps?
>> Attendee: No, no. I -- I -- I thought that -- that the title of the [indiscernible]
>> Moderator: The titer? The title?
>> Attendee: Title, sorry.
>> Moderator: Should be saying that the title of [indiscernible] is that true?
>> Morgan: I don't know what the question was.
>> Wolff: The title of the -- okay, the answer is -- no, the title of the grant does not have to match the title of the protocol.
>> Attendee: Okay. Great.
>> Morgan: But you should be able to describe it to grants management if they ask you that. You should be able to tell them that that title of the protocol is tied to that grant.
>> Attendee: Okay, okay.
>> Moderator: Thank you.
>> Morgan: Sure.
>> Moderator: Anything else? Okay. I think we're ready for Dr. Wolff.

>> Wolff: Okay. Thank you. My name is Axel Wolff, I'm the director of the Division of Compliance Oversight and Eileen just went over all of the things that happen when things go well and what you are supposed to do and now I'll address what happens when things go wrong and what can -- what the consequences of that are.

Slide 29 (Enforced Self-regulation)
The Public Health Service system of animal oversight does not work the same way for instance that the USDA system works, which is based on inspections and issuance of fines. We expect institutions to work under an enforced self-regulatory system. In other words, we expect the Animal Care and Use Committee at the institution to more or less be our eyes and ears and check and see what's going on with the animal program under the performance standards outlined in the *Guide*. That was the little blue and green book that Eileen had showed you. That's basically the cookbook that tells you how an animal care and use program is supposed to be run. So the Animal Care and Use Committee uses those standards, as well as other standards in the field, like the AVMA guidelines for euthanasia and other veterinary standards and guidelines, to determine whether the program at the institution is running according to those standards and the Public Health Service Policy. So it gives the institution a lot of flexibility. The institution monitors itself for problems, it corrects those problems, and if problems are indeed identified, reports them to us and we will determine whether the corrective actions that are put into place are appropriate for correcting and preventing any future problems.

Slide 30 (PHS Policy IV.F.3.)
The PHS Policy [Section IV.F.3.] stipulates that the Animal Care and Use Committee, through the Institutional Official, report promptly to OLAW any serious or continuing noncompliance with the PHS Policy, any serious deviation from the *Guide for the Care and Use of Laboratory Animals* and any suspension of an activity by the Animal Care and Use Committee.

Slide 31 (Health Research Extension Act)

This requirement also is agreed to by the Institutional Official, who signs the Assurance. So not only is it required in the PHS Policy, but in the Assurance itself, which is that contractual document, the Institutional Official agrees to report any of those three things. Under the Health Research Extension Act, an institution is given a reasonable opportunity and amount of time to take corrective action before any punitive measures are taken. So if a problem is indeed identified, we expect the institution to take care of it promptly, or we give the institution enough time to, you know, properly do this. Only if no corrective action is taken will NIH take any action to suspend or revoke a grant or contract. That usually doesn't happen. Most institutions are very quick to correct their problems. They want the program to run properly. They do not want to take the risk of having the Assurance revoked and so very infrequently does OLAW or NIH have to take that action.

Slide 32 (OLAW's Authority)
OLAW has the authority to negotiate, as well as approve or disapprove an Assurance. We can limit the effective period of approval. We can restrict or withdraw the approval if problems are encountered that just aren't corrected. We can approve waivers to the PHS Policy. And OLAW in general is responsible for overall administration and coordination of the PHS Policy. An example of a restriction would be allowing an institution to only work on a certain type of species. If we feel that they can't handle for instance nonhuman primate work, but they can handle mouse work, we may restrict an institution to just using that species. Again, this is not something that we commonly do, but our office does have that authority.

Slide 33 (IACUC Authority)
The Animal Care and Use Committee has a lot of authority over what occurs at the institution regarding animals and it is the only body that is allowed to approve a suspended protocol. The Institutional Official or the Animal Care and Use Committee, they are empowered to suspend a protocol if things are going wrong, but only the Animal Care and Use Committee is allowed to reinstate it. If a protocol is suspended, this action is an official action taken by the committee. It occurs at a convened meeting, with a quorum, and the vote to suspend must be a majority of the folks on that quorum that are present. Once this occurs, the suspension needs to be reported to our office, as well as to the funding component.

Slide 34 (Institutional Accountability)
The institution is accountable for the overall financial and administrative aspects of award, the animal care and use program, and the Animal Care and Use Committee. The PI is accountable for the research and compliance with the animal care and use program; and all three, the IACUC, the IO, and the PI, are charged with making sure that the animal care and use is appropriate.

Slide 35 (Institutional Official)
The Institutional Official, as Eileen had said, is the person that legally binds the institution to agreeing to work under the PHS Policy. This is spelled out in the Assurance. The IO certifies that indeed they do have the authority, as far as being able to access funds and personnel to make sure that the program runs in accordance with the regulations and signs and attests to that in the Assurance.

Slide 36 (Principal Investigator)
The PI is designated by NIH as being responsible for the scientific aspects of the project and is part of the team that's responsible for the financial and administrative aspects, as well as contributing to proper treatment of the animals.

Slide 37 (Language from face page of 398/SF 424)
When the principle investigator signs the 398 or the 424, they are agreeing to complying and standing behind what they have stated. And the consequences, I've highlighted them here, if not carried out properly, could subject the PI to criminal, civil, or administrative penalties. The PIs may not be aware that's what they are agreeing to when they sign it, but there are some teeth in these documents and investigators should be aware that agreeing and conforming with the regulations is an expectation with negative potential results if this isn't done.

Slide 38 (Policy on Allowable Costs for Grants Activity Involving Animals)
The Office of Management and Budget has stated that if a grant is not carried out under the terms and conditions that are agreed to, this specifically refers to animal work, that the grant cannot be charged for that activity. So in other words, if an investigator states in a protocol that they are going to be doing these certain procedures with animals, but then veers off from that protocol, does something different without getting approval from the Animal Care and Use Committee, that constitutes a significant unapproved change; that work then that's done without approval cannot be charged back to the grant.

Slide 39 (Policy on Allowable Costs for Grants Activity Involving Animals)
So institutions are not allowed to charge for animal activities if a valid Assurance isn't present -- and we've gone over that in detail, what that all entails -- or if there is no approval by an Animal Care and Use Committee for that activity. That could mean either there was an initial failure to approve, obtain approval for that activity. This often happens when investigators start off on a little pilot study. They think well, we're just going to use a handful of animals and see what happens before we actually proceed with this. Well, that's an unapproved activity that cannot be charged to the grant. Or if during the course of an approved activity, significant changes are made without approval, again, that's not within the terms and conditions of grant award. That has not been approved by an Animal Care and Use Committee, and so, therefore, it can't be charged to the grant. If animal work continues after the three-year approval and no new approval has been granted by the Animal Care and Use Committee, that also is an unallowable cost. Or if the Animal Care and Use Committee suspends the study and the investigator keeps working, again, this cannot be charged to the grant.

Slide 40 (Policy on Allowable Costs for Grants Activity Involving Animals)
Now, when something -- when a study is suspended, that doesn't mean that the animals need to be euthanized or anything like that. NIH does expect the grantees to continue to care for the animals, even when a noncompliance is being investigated; and grantees may petition the funding component for upkeep costs for those animals. That's not always granted, but if a study is going to be suspended for, you know, an extended period of time or you've got expensive animals that require a lot of care, like primates, it is possible to petition the funding component for costs to pay for the day-to-day feeding and veterinary care. However, this does not mean that this money can be spent for research activities. Because when something is suspended, research stops on that study.

>> Moderator: Axel?
>> Wolff: Yes.
>> Moderator: We have a question.
>> Wolff: Yep, sure.
>> Moderator: Okay.
>> [indiscernible].

>> Wolff: You will have to repeat that, Joe. It kept fading in and out. Was it about a pig study or what?
>> Moderator: I'm going to bring him up here to the podium where the sound is better, the microphone is better.
>> Attendee: So my question is about using, if you have an animal, say like a pig, and you are studying wound healing and amputation, like, you know, base gait, all of that stuff, you have an extremity that was removed, can you use that extremity to -- not for another grant, but to pilot an idea? Because technically that extremity is not a part of the original grant.
>> Wolff: Yes, yes, that becomes tissue and that definitionally no longer is a live vertebrate animal. If that protocol is approved for amputation and then that leg is basically discarded tissue, another investigator can take that and just really only use it as tissue. They don't even need a protocol for working with that leg, if it's really just discarded as a part of the initial approved protocol.
>> Moderator: Thank you. Appreciate that.
>> Wolff: Okay. Any others right now on anything that I've said so far?
>> Moderator: Nope, so far, so good.
>> Wolff: Okay. Yeah, I think when we have questions, it's probably best to come to the microphone, because I can even see here on our little scroll, where folks in the audience, when they're talking, it just says indiscernible, because we just can't hear it.
>> Moderator: Okay. We will do that.

Slide 41 (Reportable Issues Data Analysis)
>> Wolff: All righty. Now, I'll just go into some examples of the types of things that are reported to our office. Most attendees usually find this interesting to compare it to what they have at their own institution or just to see what happens at other institutions, plus you will get a kind of an idea of how much is actually reported to us. So we actually have data even I think up to last year, but on this slide I'm just going to go for 10 years from 2000 to 2010. During that time, in those 10 years, we've received about 4700 self-reports -- well, reports, cases that we opened up.

Most of them were self-reports because of course that's what's expected; that if an institution finds a problem, that they self-report it. But we also get allegations from employees. Sometimes these are unhappy employees that went to the Animal Care and Use Committee, felt they didn't get a proper response, and so they are free to report that to us. We get reports from other oversight agencies, such as when USDA goes through and does their inspections or maybe FDA. Now AAALAC, which is private, would not report to us. Their information is confidential. But if they see something, they often do tell the institution you all really need to self-report this to OLAW. So we may get prompted reports. When our staff reviews an Assurance or an annual report, there may be a minority report in there or a semiannual report that prompts us to investigate. The funding component, the actual NIH institute that funds the work, they sometimes find out about things. They may actually be doing visits themselves and report problems to us. Then we also get allegations from animal activist groups. Some of these have merit and something that we need to look into. But regardless of where that allegation comes from, we are obligated to look into it to determine if we have jurisdiction, whether it really is noncompliant and then we will take it from there. In 2010 we opened up 769 cases. Every year this amount does increase as more institutions come online and we have additional outreach and education and people realize that -- what actually is required to be reported.

Slide 42 (Reportable Issues by Institution Type)
Okay. I'll go -- I will show you a few little graphs to just illustrate the numbers and types of things

that are reported to us. The majority of the reports come from universities and colleges. That makes sense. They get most of the grants. Other government agencies, we do assure other government programs. All of the VA's are assured with us, many DOD facilities, they also self-report, commercial, you know, drug companies, breeders, they are part of that. And then a small group that don't fall into any of those exact categories, such as hospitals, non-profits, things like that.

Slide 43 (Types of Reportable Issues)
Okay. What are the main problems? I will actually go into detail on these and give you some very specific examples, but the majority of problems have to do with protocols. Problems with approvals are veering off what was originally approved. Animal husbandry, clinical, physical plant, I will give you some exact examples of what that all means.

Slide 44 (Reportable Issues 1)
Okay. The majority are animal study protocol issues. As I mentioned, it has to do with not following the protocol or making unapproved significant changes. So the original protocol actually was approved, but as science moves, people go in different directions, that's totally understandable. That makes sense. However, that does need approval in advance. So if suddenly your project doesn't work in mice and you decide to use a rat, just because they are both rodents doesn't mean that that approval for mice transfers over to rats. That's a significant change that needs approval from the Animal Care and Use Committee and often needs prior approval from NIH as well. There's a list of things that need prior approval from NIH in addition to the approval from the Animal Care and Use Committee. Lots of problems occur because people just don't read the protocol. You have a lot of folks working in a lab, graduate students, post-docs and the PI may know what has been approved and hasn't, but the protocol is not in the lab. They may not realize the details. So again work is conducted that actually wasn't initially approved; and then we also have instances of work being done after the three-year approval has expired.

Investigator and research term -- team issues. That has to do with housing animals in areas that weren't approved for housing. The PHS Policy states that any area where animals are housed for over 24 hours has to be a satellite, considered a satellite facility, and needs approval by the Animal Care and Use Committee. So keeping animals in a lab for two days without approval, that becomes a reportable item. Having folks work on animals that haven't been approved on the protocol, that's a reportable problem. And then we run into problems with studies that have food and water restriction where people aren't paying careful attention; animals are over-restricted or not given their proper allotment and that becomes a reportable item.

Slide 45 (Reportable Issues 2)
Okay. Under other, we've got accidents, natural disasters, equipment failure. Oftentimes these are not things that can be foreseen and prevented. But they do cause harm and distress, death, to animals; and so we really just need to know about it. Oftentimes, preventive measures can be put into place. For instance, if your heating, ventilation system has a problem and animals either get too hot or too cold and die, there may not be proper alarms in place or something like that. So sometimes that is preventable. Other times you may have all of the checks and balances in place and you still have a catastrophic electrical failure or a flood or something like that. And it may not be preventable, but we do need to hear about that.

Animal husbandry issues, that usually has to do with the animal care staff overlooking food or not checking the waterers, not checking that water bottles are full, so animals are negatively impacted

because of that. Or not properly cleaning animals, not checking that animals are in cages before they get put through the cage washer. These are all unpleasant examples of people not paying attention and having animals harmed because of that. Those all need to be reported to OLAW.

Slide 46 (Reportable Issues 3)
In one percent of the cases, we actually have not found a violation. That may be a report by somebody that has just fabricated an allegation and sends it to us, but again we are obligated to look into it and see what the problem is. Animal Care and Use Committee issues, that has to do with not having a properly constituted committee. The PHS Policy requires five people to be on that committee. It spells out exactly what those requirements are. If you don't have that required group of people on the committee and the IACUC still undertakes official actions, those aren't valid. That gets reported to us.

Institutional issues has to do with institutions not reporting noncompliance to OLAW. We find out about it through other sources; that's not a good way to go about it. So that's one of the key problems where the institution has failed to work under what they agreed to in the Assurance. And physical plant, like I said, has to do with ventilation, construction, that's actual problems in the building itself that go wrong. And with the amount of fish that are being used now, the aquatic environment is very important, and we get a lot of reports about either problems with the water being too hot for the fish or having chlorine problems or some other contaminant in it. You can lose a lot of animals very quickly when the water goes out of, you know, proper cleanliness range or temperature range; and a lot of animals die very soon with that.

Slide 47 (Types of Animals Involved)
So at the top you can see the four percent of the types of animals that are reported to us with problems are fish. At the bottom 52 are rodents. Again, that makes sense. Rodents are the most used species in research. Primates about six percent, ungulates, which are hoofed animals, about five percent, carnivores, dogs and cats, they are about four percent. That's how that breaks down as to the species involved in reportable incidents to OLAW.

Slide 48 (Individual Responsible for Reportable Issue)
The folks involved, the actual -- their titles or their jobs, most of the problems occur with the research team. Again, that makes sense; they are the ones that are actually doing the work. That's where most of the problems often originally originate. Either with -- usually it's not purposeful -- it's people are not trained well enough, there's not proper oversight or, as I mentioned, people are just veering off what was approved on the protocol. The animal care staff, they are the next line that deals with the animals on a daily basis, problems in properly checking cages or accounting for animals, that's usually where animal care staff are involved. The Animal Care and Use Committee I mentioned where not properly constituted or not properly overseeing the program. The vet staff, we have problems sometimes with misadministered drugs because the concentration was incorrect. So that's about two percent. That shows you the breakdown of the types of problems by individual and their responsibilities for the animals and where things went wrong with that.

Slide 49 (Institutional Corrective Action)
So the institution then is required to take corrective action. The primary corrective action is to retrain staff. We very rarely have instances where people purposefully try to harm animals or cause problems. That's really -- that -- most institutions would, you know, get rid of a person that acts like that. So it really has to do with people just not understanding what the rules are, not knowing what's on the protocol, so retraining is the most common corrective action. Counseling,

reprimanding, or in worst case terminating the employee, that's left up to the institution. We just determine whether the corrective action is effective in addressing the problem.

Often institutional policies have to be modified. In cases where the building or the equipment was the problem, we expect it to be repaired. Sometimes the Animal Care and Use Committee places an investigator and staff on enhanced oversight. They have more visits to the laboratory or the investigator has to send periodic reports to the Animal Care and Use Committee. Outcomes of surgeries, things like that, so that the Animal Care and Use Committee knows what's going on more frequently than during just a semiannual inspection. They are actually keeping tabs on this group until they are satisfied that things are going well. Oftentimes they will put a group on probation indicating that if any more problems occur, that animal use privileges may be revoked or terminated, you know, permanently. And then if a problem occurs where people do work off protocol, the Animal Care and Use Committee can direct the investigator to modify that protocol, submit it as a significant amendment for review and approval, they can suspend it, or they could terminate it.

Slide 50 (Contact OLAW for Advice or Help)
We absolutely encourage individuals, institutions, to ask OLAW if something is reportable or not. It's better to ask and report than not. It's never a good idea for us to find out through other sources that something bad has happened and it comes to us, you know, thirdhand. It's better to be open and forthright because that's how this system works. Like I mentioned in the beginning, it's self-monitoring, self-reporting, self-correcting. And there are no negative consequences when this is done correctly because that is the expectation. Plus OLAW is frequently asked by other entities, such as Congress, other parts of NIH, other federal agencies, and the media about some of these cases, especially if it involves species that are of interest to the public, like dogs and cats or primates or something like that. And it's better for us to know what's going on and to say, yes, we know about it, we -- you know, the problem has been addressed, and we can give reassurance; as opposed to saying, no, we don't know anything about this. That's not good for us or the institution.

Slide 51 (Reporting is a Cooperative Process)
We will provide assistance and guidance. Reporting is a cooperative process; it's not a punitive process. The institution needs to show that corrective actions are being implemented. We'll assess the appropriateness of that action. And like I said, self-reporting is an expectation under the self-monitoring system.

Slide 52 (Implications of Noncompliance)
So what are the implications of noncompliance? Usually, ultimately, even though a problem was initially identified, it should result in improved systems and corrections that not only correct that specific problem, but help prevent it from occurring elsewhere in the institution. If we don't get compliance from the institution, we can restrict or in a worst case situation withdraw the Assurance, which then prevents money from going to the institution for any PHS-supported animal work. It's not just the offending laboratory or investigator. Once an Assurance is withdrawn, that institution can no longer draw down NIH grants for any other work that's being done there. We can impose special terms and conditions of awards. That's done in coordination with the funding component. We can also put an institution on enhanced reporting. So if we determine that there is a problem, but it will take a while to fix, then we can ask for monthly or however many times a year reports until we're satisfied that the corrective action has actually fixed the problem. We can work with the funding component to disallow costs or have them suspend or terminate an award. And in the worst case scenario, if for instance money, fraud is somehow involved with an animal project, we will turn

that over to the Department of Justice for criminal prosecution. But, again, that's far and few between; it rarely comes to that.

Slide 53 (Other Possible Ramifications)
The ramifications of noncompliance can be outside of our office. Oftentimes the media gets involved and that can cast negative publicity on the institution. Suddenly Congress or other federal regulatory agencies could become interested and start asking questions; not so much of us but of the institution. If a noncompliance is of, you know, extreme interest or egregious in nature, it certainly does attract the attention of other regulatory entities. It can damage a reputation to the institution. The alumni start getting nervous. Work that was not approved that's in a journal may have to be retracted or an article withdrawn. And then institutions may wind up, if they really have a bad reputation, [having difficulty] in attracting other personnel and other staff. So there are other consequences from not promptly addressing and fixing noncompliance.

Slide 54 (NIH-Supported Research is a Partnership)
The NIH-supported research with an institution is a partnership. It's a collaborative relationship between NIH and the grantee. Both our office and the institution are mutually encouraged to assure compliance. So each partner has responsibilities and obligations to be good stewards of public funds, but also to ensure the proper care and use of animals, because not only is that the right thing to do and it's for the benefit of the animals, but properly treated animals give a better research result and that's the ultimate goal of this research enterprise.

Slide 55 (Guidance to Grantees)
So Eileen will pick it up from here, but I'll be happy to answer any questions, if you have any right now, or we'll continue with additional guidance for grantees.
>> Moderator: Axel, we have one question coming.
>> Wolff: All righty.
>> Attendee: Thank you very much. Some of the VAs use an intermediate process where they depend upon the university affiliate's IACUC and all of the regulations that apply and also are inspected by AAALAC. I was wondering if you were aware of any examples or situations where the investigators who are in that kind of VA facility might be subject to a bind because of differences between policies or guidances.
>> Wolff*:* Not necessarily a bind. But the VA has their own additional requirements and they are overseen by their own compliance division called ORO, Office of Research [Oversight] -- I forgot what exactly -- what that acronym is. But the investigator -- the Assurance may either independently cover the VA and the affiliate or one Assurance may cover them both. So the requirements for our purposes would be the same. But because the VA works under its own auspices, there may be additional punitive actions applied by them. That could cause additional heartache for the investigator.

>> Moderator: Thank you, we have got one more.
>> Attendee: Hi, thank you for answering our questions. I'm breeding mice for my research. My question is how detailed of information should I keep for -- [indiscernible] should I have the date of birth or sex or is just the numbers enough?
>> Wolff: Are you talking on the grant application or for the protocol?
>> Attendee: No, the protocol. I mean, in my animal protocol, I didn't say anything about how I kind of keep record of the breeding -- the mouse I breed it and then the question is I thought there might be some kind of regulation that if you breed mice, the PI should keep some kind of detailed record.

>> Wolff: Yes, yes. You should keep detailed records. The vertebrate animal section specifically does ask you about numbers of animals used, sex, why you are needing that many, and you have to also account for mice that you are breeding that you may not use for your studies. So when these -- soon after the babies, you know, are born, you need to account for them. Oftentimes if you are doing transgenic work, if they don't have the gene that you are looking for, investigators feel that they don't need to count those. But you need to count those as well and estimate about how many mice you are going to be needing and breeding during the year. And if it looks like you are going to be going over that number on your protocol, you need to quickly amend the protocol and get an approval before you continue so you don't go over the approved number. So, yes, you do need to put all of that information. Not only into the vertebrate animal section on the grant, but also your protocol study proposal.
>> Attendee: How about the date of birth, is that necessary?
>> Wolff: You wouldn't know in advance the date of birth. But in your colony records, you need to account -- you need to have, you know, birthing records --
>> Attendee: Okay. I got it.
>> Wolff: Yeah. And you will be keeping track of the males and females anyway. So, yes, you have to have a paradigm of your lineage, your breeders, the offspring, your approximate numbers of survival animals. That's all important information in a breeding protocol --
>> Attendee: Okay. Got it. Thanks.
>> Moderator: Any other questions? That seems to be it. Thank you.

>> Morgan: We also have an FAQ on tracking of animals on the OLAW website. [FAQ F2] So let me move forward with some additional slides, what I want to show you here is some other OLAW offerings to institutions. So I'm going to talk quickly about a few things. One is guidance to grantees. Another is educational resources. And NIH Guide Notices and Frequently Asked Questions. These are the four topics.

Slide 56 (Guidance to Grantees)
So first of all, for guidance to grantees, I really primarily put these up as examples. I can talk about this one briefly. On December 1st, OLAW announced the adoption of the 8th Edition of the *Guide* in the Federal Register and in the NIH Guide for Grants and Contracts. And as you probably know, the 8th Edition was published in January 2011. It is available on the OLAW website. And it's free to you to download this document. [Download Guide – PDF]

Slide 57 (Why Adopt?)
Why did OLAW adopt the *Guide*? In our judgment, the 8th Edition of the *Guide* empowers continued advancement in the humane care of research animals and in the proper conduct of research. OLAW believes that the 8th Edition of the *Guide* further develops the concept of outcome-based performance standards and advocates the use of performance standards that were the basis of the previous *Guides for the Care and Use of Laboratory Animals*.

Slide 58 (*Guide* Implementation)
So with the announcement of the December 1st -- on December 1st of the 8th Edition of the *Guide*, this becomes the required edition for all institutions to follow, effective January 1, 2012. So to implement the *Guide*, institutions must complete at least one semiannual program review and facility inspection using the new 8th Edition as a basis for their evaluation by December 31st. They also need to develop a reasonable plan and schedule by December 31st, for a compliance with all of the updates in the new *Guide*. So those changes don't have to be completed, but they do have to have a plan and schedule in place. And OLAW will ask for a verification of that implementation in

the 2012 annual report. So the annual reports will be due to OLAW next year by January 31st, 2013.

Slide 59 (Position Statements)
OLAW also developed some Position Statements to clarify the ways in which OLAW expects Assured institutions to implement the new 8th Edition of the *Guide*. These Position Statements are available on our website. I would encourage you to take a look at them.

Slide 60 (Education Resources)
So OLAW continues to develop other educational events and resources. I'm going to just highlight a few of these.

Slide 61 (Updated OLAW Web Resources)
I talked about the vertebrate animal worksheet. So we also developed a vertebrate animal fact sheet [VAS factsheet – PDF], and I call this the CliffsNotes to the worksheet. We identified the areas where the responses from the PIs in completing the worksheet may not be exactly what we were looking for appropriate completion. So we added additional information on this fact sheet. It's available again under -- I think it's under Fast Facts, which is the first heading of our website. Additionally on our website, we added a new bullet Obtaining an Assurance and under that bullet it talks about all of the requirements for obtaining an Assurance in submissions, along with submission of a grant to NIH and it also describes the three types of Assurances that I talked about earlier in the presentation. There's a bullet there on Reporting Noncompliance and there was some update to that. The PHS Policy tutorial was updated with the new *Guide*. And we have further training materials available. And also this year, in the Sample Documents, we updated the InterInstitutional Assurance document. And it's now available to download from our website, as well as the Foreign Assurance document. That's also available from our website. We updated the checklist [Semiannual Program Review and Facility Inspection Checklist] and the Semiannual Report to the Institutional Official, as well as the Animal Study Proposal. All of those were based on the changes in the new *Guide*.

Slide 62 (Workshops and Conference – 2012)
This is just a list of some workshops and conferences that OLAW will participate in, in 2012. So for some continuing education, I mentioned the Animal Care and Use Committee training workshop, there's going to be two more this year. One in June in Virginia Beach and one in September in Little Rock, Arkansas, and there is a link on our website under Education for these courses. And you can see where to sign up if you would like to attend for further training. SCAW IACUC workshops and conferences that OLAW will participate in are listed there. There's one in a couple of weeks on April 30th in Baltimore and there are two more this year in San Diego and San Antonio. Then the Animal Welfare Information Center, for the USDA, offers workshops in Beltsville, Maryland at their site. There are two more this year, one in May and one in October. All of these listings again are on our webpage. [Workshops and Conferences]

Slide 63 (Online Seminars and Podcast)
OLAW also provides Online Seminars. We call them webinars. These are now at 1:00 p.m. Eastern Standard Time on Thursdays, and we typically do them quarterly. For June 7th, the topic is going to be congruency, which is regarding the congruency between the animal work described in the grant and the IACUC approval at the institution. There is a special online seminar tomorrow, April 19th, on performance standards of the *Guide*. So if you haven't signed up for that, you still may be able to do that. Go to our website and take a look. We also have some podcasts and there's one in

helping complete the vertebrate animal section, it's noted here, it's about 11 minutes and there's a link to it. [OLAW Podcasts] So OLAW is continuing to provide guidance to our constituency when we identify a need for a particular topic.

Slide 64 (NIH Plan to Transition from the Use of USDA Class B Cats)
Then we also have Guide Notices. So under Guidance, the first bullet under Guidance on the OLAW website is for NIH Grants Notices and the second one is FAQs. So I have mentioned both of those. This is a Guide Notice on the plan to transition from the use of USDA Class B cats to Class A. [NOT-OD-12-049]

Slide 65 (NIH Request for Information: Use of Chimpanzees in NIH-Supported Research)
Here's another one regarding the use of chimpanzees in NIH supported research. [NOT-OD-12-052] There was also an NIH Grants Notice that came out in December and I would encourage you to take a look at that. [NOT-OD-12-025] Based on a Congressional request, the Institute of Medicine formed a committee to look at the use of chimpanzees, the requirement for chimpanzees to be used in research, and the Institute of Medicine came out with some recommendations.

Slide 66 (Guidance for Grantees)
Additionally, I mentioned the Frequently Asked Questions. So these were two that came out in the last year. This one is: Is social housing required for nonhuman primates when housed in a research setting? [FAQ F14]

Slide 67 (Guidance for Grantees (con't))
And here's one about positive reinforcement training to be used for nonhuman primates. [FAQ F15] So there's some -- a wealth of guidance available on our website. Again, I would encourage you to go there and take a look at all of the resources available to you.

Slide 68 (Scenario: What Would You Do??)
Now we have a couple of scenarios. And I'm not sure how this is going to work on a webinar. Maybe we could have a volunteer that could come up to the mic because if I -- these are kind of based on your applying for a grant and then what is the grant -- what are the grants requirements and Assurances and IACUC approvals required in these particular scenarios. So we just have three quick ones. So if somebody wants to come up to the mic, we can go over this. And do we have any volunteers out there, Joe?

>> Moderator: Anybody want to come up and try? They are all shaking their heads no.
>> Morgan: Ah, come on. Okay. In the first one we're going to talk about Anywhere University. So Anywhere University will be -- I'm sorry, subcontracting some of its proposed animal activities to a foreign performance site at May-Oui Institute. So what do you think are the requirements for the grant application and just-in-time approval to allow the animal activities to proceed? What do we have to check for the box for animal use on the grant application? Somebody?
>> Moderator: Anybody? Anybody? Think Ferris Bueller.
>> Morgan: Anywhere University is submitting a grant, what do they check for the box for animal use?
>> Moderator: Yes.
>> Morgan: Yes, great answer. Was that you, Joe?
>> Moderator: That was me. They were nodding their head yeah, so I just went with that.
>> Morgan: Good, Joe, so you are learning something, great. Glad to know that. Okay. And then what do you have to complete for both sites? In the grant application? There was that other section

that you had to complete in the 398. The one we have the worksheet for and the guidance -- vertebrate animal section.
>> Moderator: They are saying performance something.
>> Morgan: Right. You have to have a vertebrate animal section for each performance site. And then the last thing is what did you list as the performance site on the grant? So Anywhere University says they are going to do some of the work and some of it is going to go to May-Oui Institute, so I think that you have to list May-Oui Institute as a performance site? Yes.
>> Moderator: Yes.
>> Morgan: Okay. So then you need IACUC approval. Where do we get the IACUC approval from? Obviously, Anywhere is going to provide IACUC approval for the work done at Anywhere. But what about for May-Oui? Who provides IACUC approval? Anywhere has to provide IACUC approval.
>> Moderator: Anywhere.
>> Morgan: Good answer.
>> Moderator: They got that.
>> Morgan: Okay. So here's the answers. You need to have a completed VAS for both sites. List May-Oui as a performance site. Both sites need an Assurance. In this case a Domestic would be the one for Anywhere and May-Oui would get a Foreign and IACUC approval from Anywhere for work at both sites. Okay? Got all of that? Okay. We'll go on to the next one.

Slide 69 (Scenario: What Would You Do??)
The PI at Research University indicates that he will not be performing any activities in his grant application, but he will be obtaining custom rabbit antibodies from Alpha Omega Enterprises. What are the requirements for the grant application and just-in-time approval to allow the animal activities to proceed? So we didn't talk about custom antibodies. So for the box for animal use, what do we check?

>> [indiscernible]
>> Moderator: They are saying no.
>> Morgan: Well, actually, if it's custom antibodies, the answer is yes. If you are buying antibodies from a catalog, we call that off-the-shelf. But if you are actually sending a protein to the company that makes the antibody, then they are using that in animals, then those animals are being used for your research, so the correct answer is that you have to check the box yes for animal use.
>> Moderator: You got them on that one.
>> Morgan: Okay. Have a completed vertebrate animal section for the animal work performed at Alpha Omega and list Alpha Omega as a performance site on the grant. You would have to get -- also get IACUC approval. And you would have get it from the performance site, Alpha Omega; or if Research University has their own animal care and use program, which is not clear from this scenario, then they could also provide IACUC approval.

So let's go to the answer page. So you need a vertebrate animal section for the work that's going to be done, the animal activity at Alpha Omega. You must list Alpha Omega as a performance site. So both sites need an Assurance if Research University has their own animal care and use program. So it would be a Domestic if Research University has their own animal care and use program. If they don't, then this would be an InterInstitutional Assurance; where Research Institution is the applicant organization, but the animal work is going to be performed in this case by the -- making of custom antibodies at Alpha Omega. So you would tie the two institutions together with the InterInstitutional Assurance; Research University being the applicant, Alpha Omega being the performance site. And then you would obtain IACUC approval from Alpha Omega if it was an InterInstitutional Assurance. If both of them have their own animal care and use program, you

would have two Domestic Assurances and either one could provide IACUC approval.

Slide 70 (Scenario: What Would You Do??)
Okay. One more. Now we're back to the infamous Bob's Biotech. Bob's Biotech will be the prime grantee on an award involving animal research. Bob's does not have their own animal facility, but has made preliminary plans with Citywide University to conduct the animal studies in Citywide's facility. So what are the requirements for the grant application and the just-in-time approval? What box do we check for animal use, yes or no?

>> Moderator: Yes.
>> Morgan: Okay. And then what do we have to complete in the grant on the 398? Description of the animal work, where do we complete that? Vertebrate animal section?
>> Moderator: Yes, vertebrate animal section.
>> Morgan: So we have to complete a vertebrate animal section. What's listed as the performance site on the page in the grant?
>> Moderator: Citywide University.
>> Morgan: Right. Okay. So now we need Assurances. So what kind of an Assurance do we need, what does Citywide need? They're a performance site. Domestic, Foreign, or InterInstitutional Assurance? They are a performance site. So they need a Domestic.
>> Moderator: Domestic. Yeah. A little bit of everything on that one.
>> Morgan: Okay. So Bob's Biotech, they are the grantee, but they don't have an animal care and use program of their own. What do they need? Domestic, Foreign or InterInstitutional Assurance?
>> Moderator: InterInstitutional.
>> Morgan: Okay. You get a point for that. So we need an InterInstitutional Assurance between Bob's and Citywide. And then we need one more thing, what's that? How about IACUC approval?
>> Moderator: Yes. [Laughter].
>> Morgan: Good, Joe. So in the -- we need to get IACUC approval from the performance site in this case because Bob's Biotech does not have an animal care and use program of its own. So to summarize, when you check the box yes for animals, we need a vertebrate animal section for the animal work that's going to be performed at Citywide, we would list Citywide as a performance site on the grant, both sites need an Assurance, Citywide will get a Domestic and then we would tie Bob's Biotech to Citywide with an InterInstitutional Assurance. And we would get IACUC approval from the performance site being Citywide. Okay. You guys survived.
>> Moderator: Yay!

Slide 71 (Questions? Please Ask!)
>> Morgan: You did a great job. Any further questions? We would be glad to answer them for you.
>> Moderator: One question coming up, hang on.

>> Attendee: So if you need to buy antibody from the company by giving protein or protein sequence, you are sure to get a -- this kind of protocol approval for that?
>> Morgan: Yes. If it's custom antibody. If you are getting custom antibody from a company and you're using NIH funds, PHS funds, then you are required to use an institution that has an Assurance with OLAW, and you would need to get IACUC approval for the work. Either your institution or the performance site can provide the IACUC approval. And you have to describe the -- in your grant application, you have to describe in the vertebrate animal section the procedure for collecting the antibody, for making the antibody at the company.
>> Attendee: What if you got a need after you got a grant and then when you write the grant you didn't have any need, but after you got a grant you decide that, oh, maybe I need the antibody for

this, then [indiscernible] the company so you should write a [indiscernible] for each purchase? How about if you use a different company, you have to get a protocol for each company?
>> Morgan: Well, first of all, you have to go to grants management. So if you are using PHS funds, you have to go to your grants manager and talk about requesting adding the performance site. So that's considered a performance site for animal use. So once you add them to the grant, then you would need to get IACUC approval. Usually, you are going to use an Assured site if you are using PHS funds. So the antibody company can provide you the information on the vertebrate animal section and they can also provide you the information on the IACUC approval -- or your institution can provide IACUC approval.
>> Attendee: Oh, my.
>> Morgan: Is that clear? It's a change.
>> Attendee: But what's that for? The antibody company should have their protocol, right?
>> Morgan: But you are using PHS funds to do animal work for your research.
>> Attendee: Yeah.
>> Morgan: So in that --
>> [Indiscernible] protein or sequence --
>> Morgan: Right. But you are sending them material, so it's custom work. You are requesting they use animals for your research. If it was something out of a catalog, an antibody that already exists and you can just order it out of a catalog, then you don't need to go through those steps. But if it's custom and you are sending material, then they are using those animals for your research and it's using animals under your grant, requires an Assurance, and IACUC approval.
>> Attendee: Don't you think this is kind of overregulation.
>> [indiscernible]
>> Morgan: No.
>> [indiscernible]
>> Moderator: Maybe he can follow up with you guys off line.
>> Morgan: Well, that's what we do; provide policy guidance and interpretation, that's the guidance that using animals for custom antibody for your research is using animals in research.

>> Moderator: We are a couple of minutes over, so I'm going to go ahead and release the folks. I want to thank you all back there in Bethesda, really appreciate all of your help. [APPLAUSE]
>> Morgan: Thank you. We appreciate the audience.
>> Moderator: You guys have a good day; we'll talk to you later.
>> Morgan: Thank you, bye-bye.