

118TH CONGRESS
2D SESSION

H. R. 9634

To amend the Public Health Service Act to prohibit the National Institutes of Health from conducting or supporting research that causes significant pain or distress to a nonhuman primate, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2024

Ms. MACE (for herself and Ms. MALLIOTAKIS) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to prohibit the National Institutes of Health from conducting or supporting research that causes significant pain or distress to a nonhuman primate, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Painful Research and
5 Investigations on Monkeys Abused in Taxpayer-funded
6 Experiments Stops Act of 2024” or the “PRIMATES Act
7 of 2024”.

1 **SEC. 2. PROHIBITION ON NIH RESEARCH CAUSING SIGNIFI-**
2 **CANT PAIN OR DISTRESS TO NONHUMAN PRI-**
3 **MATES.**

4 (a) IN GENERAL.—Part H of title IV of the Public
5 Health Service Act (42 U.S.C. 289 et seq.) is amended
6 by inserting after section 495 (42 U.S.C. 289d) the fol-
7 lowing:

8 **“SEC. 495A. PROHIBITION ON NIH RESEARCH CAUSING SIG-**
9 **NIFICANT PAIN OR DISTRESS TO NONHUMAN**
10 **PRIMATES.**

11 “(a) IN GENERAL.—The National Institutes of
12 Health may not—

13 “(1) conduct or support any research that
14 causes significant pain or distress to a nonhuman
15 primate; or

16 “(2) transfer any nonhuman primate owned by
17 the National Institutes of Health to any intramural
18 or extramural laboratory for use in research that
19 causes significant pain or distress.

20 “(b) DEFINITION.—In this section, the term ‘re-
21 search that causes significant pain or distress’ includes
22 any study classified in pain category D or E by the De-
23 partment of Agriculture.”.

24 (b) APPLICABILITY.—The amendment made by sub-
25 section (a) applies beginning on the date that is 90 days
26 after the date of enactment of this Act.

1 **SEC. 3. NIH REPORT ON RESEARCH CAUSING PAIN OR DIS-**
2 **TRESS TO NONHUMAN PRIMATES.**

3 Part H of title IV of the Public Health Service Act
4 (42 U.S.C. 289 et seq.), as amended by section 2, is fur-
5 ther amended by inserting after section 495A the fol-
6 lowing:

7 **“SEC. 495B. NIH REPORT ON RESEARCH CAUSING PAIN OR**
8 **DISTRESS TO NONHUMAN PRIMATES.**

9 “(a) IN GENERAL.—Not later than 6 months after
10 the date of enactment of this section, and annually there-
11 after, the Director of the NIH shall publish on the NIH
12 website, and submit to the Committee on Energy and
13 Commerce of the House of Representatives and to the
14 Committee on Health, Education, Labor, and Pensions of
15 the Senate, a report on the use of nonhuman primates
16 in NIH-conducted and supported biomedical research.

17 “(b) CONTENTS OF REPORT.—Each report under
18 subsection (a) shall include, for the period covered by the
19 report—

20 “(1) a list of all ongoing or prospective research
21 projects involving a nonhuman primate that are con-
22 ducted or supported by the NIH;

23 “(2) for each project—

24 “(A) the project title;

25 “(B) the grant or contract number;

26 “(C) the research abstract;

1 “(D) the research location;

2 “(E) the cost to taxpayers during the pre-
3 vious fiscal year and since inception;

4 “(F) the number of nonhuman primates
5 used;

6 “(G) the projected start and end dates;

7 “(H) the Department of Agriculture pain
8 and distress category; and

9 “(I) the amount of funds obligated or esti-
10 mated to be obligated for each such project;

11 “(3) an explanation of—

12 “(A) efforts to phase out the use of
13 nonhuman primates in research that is con-
14 ducted or supported by the NIH; and

15 “(B) any barriers to such phase out; and

16 “(4) the number of nonhuman primates retired
17 from research conducted or supported by the NIH
18 and relocated to sanctuaries.

19 “(c) DEFINITIONS.—In this section:

20 “(1) The term ‘NIH’ means the National Insti-
21 tutes of Health.

22 “(2) The term ‘research that causes significant
23 pain or distress’ includes any study classified in pain
24 category D or E by the Department of Agri-
25 culture.”.

1 **SEC. 5. GAO STUDY ON NIH NONHUMAN PRIMATE RE-**
2 **SEARCH AND EFFORTS TO REDUCE USE OF**
3 **NONHUMAN PRIMATES IN TESTING.**

4 (a) IN GENERAL.—Not later than one year after the
5 date of enactment of this Act, the Comptroller General
6 of the United States shall submit a report to the Congress
7 that—

8 (1) reviews and summarizes the use of
9 nonhuman primates in research that is conducted or
10 supported by the NIH;

11 (2) identifies NIH policies and initiatives aimed
12 at reducing and replacing the specific use of
13 nonhuman primates in research that is conducted or
14 supported by the NIH;

15 (3) assesses the effectiveness of any NIH poli-
16 cies and initiatives aimed at reducing and replacing
17 the use of nonhuman primates in NIH-conducted
18 and supported research;

19 (4) compares NIH efforts to reduce and replace
20 nonhuman primate testing to similar efforts at other
21 Federal agencies;

22 (5) identifies areas where the NIH can im-
23 prove—

24 (A) efforts to reduce and replace the use of
25 nonhuman primates in research that is con-
26 ducted or supported by the NIH; and

1 (B) public reporting on progress made;

2 (6) assesses the effectiveness of any NIH poli-
3 cies and initiatives aimed at retiring nonhuman pri-
4 mates no longer needed in research conducted or
5 supported by the NIH to sanctuaries;

6 (7) makes recommendations for improving—

7 (A) the effectiveness of efforts to reduce
8 and replace the use of nonhuman primates in
9 research conducted or supported by the NIH;
10 and

11 (B) public reporting on progress made;
12 and

13 (8) includes any other matter the Comptroller
14 General of the United States determines important
15 to assessing and improving NIH's efforts to reduce
16 and replace the use of nonhuman primates in feder-
17 ally funded research.

18 (b) DEFINITIONS.—In this section:

19 (1) The term “NIH” means the National Insti-
20 tutes of Health.

21 (2) The term “research that causes significant
22 pain or distress” includes any study classified in
23 pain category D or E by the Department of Agri-
24 culture.

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