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As Animal Research FOIA Requests Rise, OLAW Advises Careful Approach

By Jane Anderson

Freedom of Information Act (FOIA) requests submitted to the NIH Office of Laboratory Animal Welfare (OLAW) have snowballed in recent years, and research institutions submitting reports and records to OLAW should assume those records will be released, top officials said.

Therefore, researchers preparing these reports should take steps to make certain the information they submit is complete and accurate, but should omit information and documentation that is not required, said Axel Wolff, deputy director of OLAW.

“There is an extremely high likelihood that your institution’s records, including noncompliance reports, assurances, annual reports, correspondence, photographs, and other media will be released under a FOIA request to OLAW,” Wolff explained during an OLAW webinar Dec. 10.^[1]

This has gotten far more likely in the last decade, Wolff said. “Over the last 10 years, very broadly worded FOIA requests have been submitted seeking information for all research institutions with an animal welfare assurance in the given state or states.” In prior years, an individual might have requested a single case file for a single institution, he said. “This is no longer the case, and requests are now being made in the form of an ever-widening net.”

For example, a single request might be made for all correspondence between OLAW and every institution in the state of California, Wolff said. “This one request can yield dozens or hundreds of documents,” he said. “This is compounded when the same request asks for all documents in a series of states, which may just be in alphabetical order taken from the OLAW list of assured institutions. Based on these trends, the likelihood is very high that your institution’s records on file with OLAW will be released.”

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