



June 6, 2022

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Via e-mail: rdaniels@jhu.edu; president@jhu.edu; prothma1@jhmi.edu

Dear President Daniels and Dr. Rothman:

Thank you in advance for your time. I'm writing on behalf of People for the Ethical Treatment of Animals—PETA entities have more than 9 million members and supporters globally—regarding a disturbing new violation of Maryland state law that involves Shreesh Mysore, a principal investigator in the Department of Psychological & Brain Sciences at Johns Hopkins University (JHU) and his experiment (project number R01EY027718) titled “Multisensory Competition and Spatial Selection: Neural Circuit and Computational Mechanisms,” funded by the National Institutes of Health (NIH).¹

Based on the information presented below, we urge you to do the following:

- Shut down all of Mysore's ongoing experiments on owls.
- Reimburse all federal funds expended by Mysore during the prolonged period in which he violated state law.
- Prohibit Mysore from receiving future funding from NIH for experiments on animals.

Mysore in Violation of State Law, Again

On April 1, we sent an e-mail to Paul Peditto, director of the Wildlife and Heritage Service at the Maryland Department of Natural Resources (MD DNR), requesting clarification regarding certain conditions pertaining to

¹NIH RePORTER. Multisensory competition and spatial selection: Neural circuit and computational mechanisms. Accessed June 6, 2022.

https://reporter.nih.gov/search/C_w5wfPE0k2OPGM18dFRgw/projects

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Mysore’s MD DNR scientific collecting permit, which allows him to keep owls for use in his experiments.² We pointed out to Peditto that the MD DNR permit issued to Mysore states, “At the end of the study, birds may be euthanized.”³ Furthermore, Mysore confirms his killing of the owls in his relevant NIH grant application, stating, “Animals will be euthanized with beuthanasia D (under 4% isofluorane [*sic*]), and perfused with saline followed by a fixative solution (paraformaldehyde) to recover brains for histology and tract tracing. Deaths will be documented in animal inventory records.”⁴ However, Maryland Code, Natural Resources § 10-909(e)(1) explicitly prohibits such killings of wildlife—which, per the statutory definition, includes the barn owls used by Mysore—by permittees, stating that “[t]he permit becomes void on proof that the permittee has ... [c]aptured or killed any wildlife.”⁵

Specifically, we asked Peditto if there are any exceptions to the statutory prohibition on the killing of wildlife covered by Mysore’s permit that would allow for such killings during his invasive and deadly brain tests on barn owls. Peditto replied to us on May 11, stating that his office is “working with the permittee” regarding this issue we raised. In another e-mail to PETA, on May 24, Peditto clarified that “[t]he current permit does not allow the research project to kill birds in MD.”⁶

On May 31, we received public records confirming that MD DNR had revoked Mysore’s permit. The agency stated that the permit was “inconsistent” with the state law’s prohibition on killing wildlife by permittees and issued him a new permit that “disallows euthanizing the birds,” whom he uses in his NIH-funded experiments.^{7,8} **To be clear, this means that Mysore has been in violation of Maryland state law prohibiting the killing of wildlife by MD DNR scientific collecting permittees for the entire duration of his experiments on owls. NIH has funded this illegal activity with more than \$1.9 million in taxpayer funds, and JHU has failed to ensure Mysore’s adherence to state law.**

To make matters worse, this isn’t the only violation of state law concerning Mysore’s owl experiments. As we mentioned in our May 11, 2021, letters to you⁹ and to Michelle Bulls,

²Peditto P. Re: For Director Peditto, from PETA—re scientific collecting permit. Accessed June 6, 2022.

<https://www.peta.org/wp-content/uploads/2022/06/email-md-dnr-paul-peditto-peta.pdf>

³Maryland Department of Natural Resources. Scientific Collecting Permit #: 55025. Accessed June 6, 2022.

<https://www.peta.org/wp-content/uploads/2022/03/sco-mysore.pdf>

⁴Mysore S. Research Project Grant (Parent R01). Accessed June 6, 2022. <https://www.peta.org/wp-content/uploads/2021/01/Mysore-grant-application.pdf>

⁵MD Nat Res Code § 10-909 (2015)

⁶Peditto P.

⁷Peditto P. Mysore Permit. Maryland Department of Natural Resources. May 12, 2022. Accessed June 6, 2022. <https://www.peta.org/wp-content/uploads/2022/06/Mysore-Permit.pdf>

⁸Larney T. Permit Revocation. Maryland Department of Natural Resources. Accessed June 6, 2022.

<https://www.peta.org/wp-content/uploads/2022/05/State-of-Maryland-Mail-Permit-Revocation.pdf>

⁹Gala S. Letter to JHU with MD DNR info. People for the Ethical Treatment of Animals. May 11, 2021.

Accessed June 6, 2022. <https://www.peta.org/wp-content/uploads/2022/06/2021-05-11-Letter-to-JHU-w-DNR-info.pdf>

director of NIH's Office of Policy for Extramural Research Administration (OPERA),¹⁰ MD DNR issued a separate warning letter to Mysore last year—in response to our prior complaint to the agency pointing out that Mysore had failed to obtain mandatory permits to legally possess barn owls from 2015 to 2018 for use in his experiments—in which MD DNR wrote to us that “[Mysore] will need to renew the permit annually and that operating under an inactive permit is a violation and subject to potential enforcement action and foreclosure of the research project.”¹¹ On September 29, 2021, Dr. Patricia Brown, director of the NIH Office of Laboratory Animal Welfare (OLAW), replied¹² to our May 11, 2021, letter to OPERA, and we responded to her on November 3, 2021,¹³ with our serious concerns regarding the robustness of OLAW's handling of this matter and of any future violations of state law by investigators and research facilities receiving NIH funding to experiment on animals.

JHU Failed to Ensure Mysore's Compliance With State Law

Even though PETA alerted JHU leadership about Mysore's former permit violation—wherein he failed to acquire necessary permits to possess barn owls for experimentation—in our letter dated May 11, 2021,¹⁴ the university failed to hold Mysore accountable.

According to public records we received in response to PETA's request for information related to the investigation by OLAW and/or OPERA into our complaint concerning Mysore's noncompliance with state regulations by lacking valid permits,¹⁵ JHU's vice dean for research, Dr. Denis Wirtz, admits to the university's “temporary administrative lapse in the DNR possession permit,”¹⁶ which resulted in Mysore's failure to obtain

¹⁰Gala S. Letter to Michelle Bulls. People for the Ethical Treatment of Animals. May 11, 2021. Accessed June 6, 2022. <https://www.peta.org/wp-content/uploads/2021/10/2021-05-11-Letter-to-OPERA-rerecoup-NIH-grant-1.pdf>

¹¹Haddaway-Riccio J. Letter to PETA regarding scientific collecting permits held by Johns Hopkins University. Maryland Department of Natural Resources. May 5, 2021. Accessed on June 6, 2022. <https://www.peta.org/wp-content/uploads/2021/09/2021-05-05-MD-DNR-response-Mysore-was-in-violation.pdf>

¹²Brown P. Letter from OPERA/OLAW to PETA. Office of Policy for Extramural Research and Office of Laboratory Animal Welfare. September 29, 2021. Accessed June 6, 2022. <https://www.peta.org/wp-content/uploads/2021/10/Roe-PETA-JHU-Allegations-3272-2L.pdf> (Page 1: “No annual renewal reminders had been sent by DNR for this activity although reminders had been sent to another JHU investigator who had a wildlife permit.”)

¹³Roe K. Letter to Patricia Brown. People for the Ethical Treatment of Animals. November 3, 2021. Accessed June 6, 2022. https://www.peta.org/wp-content/uploads/2021/11/2021-11-03_Follow-up-correspondence-regarding-Shreesh-Mysore-002.pdf

¹⁴Gala S.

¹⁵People for the Ethical Treatment of Animals. Records request to OLAW/OPERA. September 27, 2021. Accessed June 6, 2022. https://www.peta.org/wp-content/uploads/2021/11/2021-09-27_NIH-OLAW_OPERA_FOIA.pdf

¹⁶Johns Hopkins University. RE: Animal Welfare Assurance #A3272-01 (OLAW Case 2L). September 29, 2021. Accessed June 6, 2022. https://www.peta.org/wp-content/uploads/2021/11/responsive_records_A3272-2L_Redacted-ocrd.pdf (Page 5: “Following careful investigation and review of the facts, the ACUC unanimously determined that the temporary administrative lapse in the DNR possession permit *did not constitute a significant deficiency* from the standards of the Guide for the Care and Use of Laboratory Animals (the ‘Guide’), PHS Policy, or the Animal Welfare Act or its regulations. JHU has concluded that this administrative lapse was not a violation of the NIH Grants

timely permits in order to possess barn owls for his experiments. The corrective course of action was that “the ACUC [Animal Care and Use Committee] will continue to flag applications involving wild-caught animals or captive wildlife, and the ACUC has added a calendar reminder process for investigators to initiate permit renewal applications.”¹⁶ This displays a callous disregard for regulations that would otherwise protect barn owls and blatantly undermines the purpose of implementing these laws in the first place. Furthermore, in its review of Mysore’s lack of permits from 2015 to 2018, JHU still apparently did not flag or prohibit Mysore from killing owls in his possession—again, MD DNR said that this practice is “inconsistent” with the state law’s prohibition on killing wildlife by permittees.

JHU’s ACUC should not have approved Mysore’s experimental protocol without ensuring compliance with state law. When we presented Mysore’s lack of state permits to OLAW and OPERA, NIH appeared to wrongly place the blame for his noncompliance with state law on the MD DNR for allegedly not reminding him to seek a renewal.¹⁷ However, contrary to JHU’s assertion, the MD DNR *did* send Mysore a permit renewal reminder, which he ignored or didn’t pursue.¹⁸

The permitting provisions for scientific collection are not optional—in this case, they are a basic legal prerequisite for keeping these owls, who would otherwise be protected under the law—confined for use in invasive brain experiments at JHU. **Mysore’s repeated failure to satisfy the requirements of Maryland’s wildlife regulations strongly counsels against allowing him to use state and federal resources to continue experiments on barn owls and other protected animals.**

Thank you for your consideration of this important issue. We look forward to hearing from you by June 17, 2022.

Sincerely yours,



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Guide, as the research was conducted at all times under an ACUC approved protocol, in species appropriate housing under an appropriate program of animal care, and in material compliance with all grant terms.”)

¹⁷Office of Policy for Extramural Research and Office of Laboratory Animal Welfare. Letter from OPERA/OLAW to PETA. September 29, 2021. Accessed June 6, 2022.

<https://www.peta.org/wp-content/uploads/2021/10/Roe-PETA-JHU-Allegations-3272-2L.pdf> (Page 1: “No annual renewal reminders had been sent by DNR for this activity although reminders had been sent to another JHU investigator who had a wildlife permit.”)

¹⁸Maryland Department of Natural Resources. Letter to Mysore from the MD DNR. March 4, 2021.

Accessed June 6, 2022. <https://www.peta.org/wp-content/uploads/2021/10/2021-05-12-MD-DNR-letter-to-Mysore.pdf> (“Your original permit expired on 12/31/2014. You did not respond to the request to renew so we presumed there was no longer a need for the continued use of the permit for the original research project.”)

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