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Legislative District 19
Montgomery County

Finance Committee

Energy and Public Utilities Subcommittee



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The Senate of Maryland
ANNAPOLIS, MARYLAND 21401

June 15, 2022

Michelle G. Bulls
Director
Office of Policy for Extramural Research Administration
National Institutes of Health
6705 Rockledge Dr.
Bethesda, MD 20817

Dear Director Bulls,

I am writing regarding my concerns related to serious violations of Maryland state law that involve disturbing and invasive brain experiments on barn owls performed by Johns Hopkins University (JHU) Assistant Professor Shreesh Mysore. To date, he has received more than \$1.9 million taxpayer dollars from the National Institutes of Health (NIH) for these experiments in his project titled, "Multisensory competition and spatial selection: Neural circuit and computational mechanisms" (project number R01EY027718).

Disturbing evidence provided to me by People for the Ethical Treatment of Animals (PETA) confirms that from the years 2015 through 2018, Professor Mysore did not have the requisite scientific collecting permits from the Maryland Department of Natural Resources (DNR) for the use of these barn owls. These permits are not a perfunctory exercise but rather a legal requirement in Maryland, per Md. Code Regs. 08.03.09.06(B). While the NIH confirmed Professor Mysore's lack of DNR permits during this timeframe, the NIH did not sanction its funding to him for violating state law. Instead, the NIH wrote in a letter on September 29, 2021, that "a calendar reminder process has been implemented to ensure prompt renewal of permits," among other minor corrections. Implementing a "calendar reminder" is not a sufficient penalty for years of illegal activity using taxpayers' money in which animals were mutilated.

NIH's letter also stated, "No annual renewal reminders had been sent by DNR for this activity." This is incorrect, and very concerning that NIH did not adequately investigate this critical matter. In a letter dated March 4, 2021, and sent to Professor Mysore, DNR wrote, "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." Clearly, DNR did send a permit renewal reminder to Professor Mysore, who failed to proceed forward on this legal requirement.

Further, NIH's letter concluded, "JHU is in compliance with the provisions of the NIH Grants Policy Statement and the Public Health Policy on Humane Care and Use of Laboratory Animals and no further actions will be taken on this matter." This, too, is incorrect and very troubling, as Professor Mysore states in his NIH grant application that the owls "will be euthanized ..." upon completion of his experiments, despite Maryland Code, Natural Resources § 10-909 that explicitly prohibits such practices. In a letter to Professor Mysore dated May 12, 2022, DNR "revoked" his permit, citing that conditions in it were "inconsistent" with this statute, and the agency issued him a new permit that "disallows ... euthanizing the birds."

The multi-layered failure of oversight in this matter—by Professor Mysore, JHU, NIH and DNR—to ensure that publicly-funded experiments on animals proceed in accordance with the law is shocking. Professor Mysore's repeated contraventions of state law also appears to violate Section 2.3.6 of the NIH Grant Policy Statement (NIHGPS) that requires "compliance with applicable State and local laws and ordinances."

These owl tests have been a source of great public concern and appear to render no concrete translatability to human health according to the NIH's own analytical tool. Mysore's publications from these experiments on owls report a meager 5% "approximate potential to translate" to human health outcomes.

In light of these egregious transgressions of state law and the NIHGPS, I urge your agency to permanently terminate Professor Mysore's NIH grant for these experiments on owls, seek the full reimbursement of taxpayer funds expended on illegal activity by Professor Mysore, and deny all future NIH funding applications involving Professor Mysore and JHU for experiments on these animals.

Thank you and I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Benjamin F. Kramer". The signature is written in a cursive, flowing style.

Senator Ben Kramer