



March 14, 2022

Deborah Kearse
Director
Division of Program Integrity
Office of Management Assessment
National Institutes of Health

Re: DPI Case Number 2021-017

Via e-mail: deborah.kearse@nih.gov

Dear Director Kearse:

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—to share additional disturbing information to supplement our complaint dated February 17, 2021¹—which the Division of Program Integrity (DPI) assigned case number 2021-017—and our related complaint dated November 18, 2021.²

Based on the evidence presented below, we urge your office to investigate, and, if noncompliance is corroborated, ensure that National Institutes of Health (NIH)–funded experimenters adhere to federal mandates to reduce and/or replace the use of animals in experiments and to stop wasting public resources to support activities related to the acquisition, breeding, confinement, maintenance, repopulation, and/or experimentation of animals deemed by experimenters to be extraneous, nonessential, noncritical, or described using similar terminology.

History of PETA's Complaints Regarding Euthanasia of Animals Deemed Extraneous

On June 15, 2020, we submitted a detailed complaint to the U.S. Department of Health and Human Services Office of Inspector General (HHS-OIG) regarding the troubling problem of universities across the country deeming many of their NIH-funded experiments—and the animals used in them—extraneous, nonessential, or noncritical or describing them using similar terminology in response to the

¹People for the Ethical Treatment of Animals. Letter to NIH OMA. February 17, 2021. Accessed March 10, 2022. https://www.peta.org/wp-content/uploads/2021/02/2021-02-17_Follow_up_letter_to_OMA_HHS.pdf

²People for the Ethical Treatment of Animals. Letter to NIH OMA/DPI. November 18, 2021. Accessed March 10, 2022. https://www.peta.org/wp-content/uploads/2022/03/2021-11-18_Complaint-update_NIH-OMA_DPI.pdf

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COVID-19 pandemic, resulting in the euthanasia of such animals confined in laboratories and a massive waste of taxpayer funds.³

On June 23, 2020, we were notified by HHS-OIG Public Affairs that our complaint had been forwarded to the then-director of NIH's Office of Management Assessment (OMA), Michael D. Shannon,⁴ to which we received no reply. On February 17, 2021, we submitted a new complaint⁵ addressed to Acting Director of OMA Meredith Stein, CPA, which was assigned case number 2021-017 by NIH's Division of Program Integrity on February 17, 2021. We then acquired additional evidence of animals being deemed extraneous and euthanized in NIH-funded experiments, which we detailed in a letter to you on November 18, 2021,⁶ to supplement the aforementioned complaint.

New Information That Supplements Our Complaints

Experimenters affiliated with the NIH-funded institutions mentioned below have acknowledged that euthanasia of animals deemed extraneous to the experiments occurred in response to the COVID-19 pandemic, similar to the numerous institutions we detailed in our original and supplementary complaints:

- **University of Connecticut (UConn)**

Per its COVID-19 guidance, UConn notified its staff that “[l]abs and research programs should continue to have and refine plans to immediately halt or ramp down research activities, if required.”⁷ A Research Shut Down Notice issued by UConn on March 23, 2020, directed research staff to “immediately reduce animal numbers and number of cages.”⁸ In addition, the “COVID-19 Research Ramp Down” letter issued by the Office of the Vice President for Research at UConn notified its staff that “[r]esearchers will begin immediately to ramp down research activities, including laboratory, animal, and non-therapeutic human subjects research.”⁹ As a result, two rabbits assigned to UConn experimenter Harvey Swadlow’s protocol titled “Thalamocortical Processing of Visual Information During Alert and Non-Alert Brain States” (NIH project numbers 1R01EY028905-01, 5R01EY028905-02,

³People for the Ethical Treatment of Animals. Request to HHS OIG Regarding COVID-19 Contingency Plans at U.S. Universities. June 15, 2020. Accessed March 10, 2022. <https://www.peta.org/wp-content/uploads/2020/06/20-06-15-Request-to-HHS-OIG-regarding-COVID-19-contingency-plans-at-US-universities.pdf>

⁴HHS-OIG Public Affairs RE: RE: For HHS OIG, from PETA—re Request for Investigation Into Apparent Waste at NIH and Failure to Reduce/Replace Animal Use. June 23, 2020. Accessed March 10, 2022. https://www.peta.org/wp-content/uploads/2021/02/2020-06-23_For-HHS-OIG-from-PETA-re-request-for-investigation.pdf

⁵People for the Ethical Treatment of Animals. Letter to NIH OMA. February 17, 2021. Accessed March 10, 2022. https://www.peta.org/wp-content/uploads/2021/02/2021-02-17_Follow_up_letter_to_OMA_HHS.pdf

⁶People for the Ethical Treatment of Animals. November 18, 2021. Complaint Update. https://www.peta.org/wp-content/uploads/2022/02/2021-11-18_Complaint-update_NIH-OMA_DPI.pdf

⁷UConn. COVID-19 Guidance for the UConn Research Community. Accessed March 10, 2022. <https://ovpr.uconn.edu/covid-19-guidance-for-the-uconn-research-community-2-2/>

⁸UConn. Research Shut Down Notice. March 22, 2020. Accessed March 10, 2022. [Research Shut Down Notice March 23, 2020 | Office of the Vice President for Research \(uconn.edu\)](https://www.uconn.edu/research-shut-down-notice-march-23-2020/)

⁹UConn. COVID-19 Research Ramp Down. March 17, 2020. Accessed March 10, 2022. <https://ovpr.uconn.edu/2020/03/17/covid-19-research-ramp-down/>

5R01EY028905-03, and 5R01EY028905-04)—which received \$1,195,425 from FY2018 to FY2021¹⁰—were euthanized in March 2020.¹¹ This was verified in correspondence with UConn staff released to PETA.¹²

- **University of Wisconsin (UW)–Madison**

Per its COVID-19 response plan, UW-Madison notified its staff that “[a]ll on-site research activities must be approved by a dean or director, who are directed to only approve essential research, based on their judgement”¹³ and that “[r]esearchers should consider reduction or cessation of non-critical animal breeding, including agricultural animals and USDA-covered species.”¹⁴ As a result, an estimated two-thirds of a nearly 700-member colony of mice assigned¹⁵ to UW–Madison experimenter Laura Knoll’s protocol, “Sexual Development of Toxoplasma in Feline Intestinal Organoids” (NIH project numbers 1R01AI144016-01, 5R01AI144016-02, 5R01AI144016-03, 5R01AI144016-04)—which received \$1,524,195 from the National Institute of Allergy and Infectious Diseases from FY2019 to FY2022¹⁶—were euthanized during this timeframe. This was verified in UW-Madison’s public records released to PETA.¹⁷

That these laboratories had animals deemed by experimenters to be unnecessary, nonessential, noncritical, extraneous, or other similar terminology in the first place should raise significant red flags. Given the widespread euthanasia of these animals because of COVID-19 at universities across the country and the large amount of NIH funding that these individual institutions receive in research grants, taxpayers should not have to foot the bill for such waste.

Apparent Failure of NIH-Funded Protocols to Reduce and Replace Animal Use

The presence of animals deemed unnecessary, nonessential, noncritical, or extraneous in these institutions’ laboratories flies in the face of existing regulations to minimize animal use in experiments.

¹⁰NIH. RePORTER. Thalamocortical Processing of Visual Information During Alert and Non-Alert Brain States. <https://reporter.nih.gov/search/Fwk69-p90k-benm3o0z4QA/projects>

¹¹UConn Animal Services. Individual Animal Health Record. (2020). Accessed March 10, 2022. https://www.peta.org/wp-content/uploads/2022/02/FOIA-20-264_Redacted.pdf.

¹²University of Connecticut. Public Records Request. (2020). Accessed March 10, 2022. <https://www.peta.org/wp-content/uploads/2022/02/confirmation-from-UConn.pdf>.

¹³University of Wisconsin–Madison. Kaylie Flaughter People for the Ethical Treatment of Animals (PETA) Public Records Request: P001886-092321. Accessed March 10, 2022. <https://www.peta.org/wp-content/uploads/2022/01/uw-madison-responsive-records-response-letter.pdf>

¹⁴University of Wisconsin–Madison. (2020). Campus Research Activities Update. March 19, 2020. Accessed March 10, 2022. <https://news.wisc.edu/campus-research-activities-update/>

¹⁵Cima G. Research Delayed, Rodent Populations Reduced During Pandemic. American Veterinary Medical Association. Published April 29, 2020. Accessed March 10, 2022. <https://www.avma.org/javma-news/2020-05-15/research-delayed-rodent-populations-reduced-during-pandemic>.

¹⁶National Institutes of Health. RePORTER. Sexual Development of Toxoplasma in Feline Intestinal Organoids. Accessed March 10, 2022. <https://reporter.nih.gov/search/hZZvRI4-7UWc8-IrJu7SFQ/projects>

¹⁷University of Wisconsin–Madison. Kaylie Flaughter People for the Ethical Treatment of Animals (PETA) Public Records Request: P001886-092321. Accessed March 10, 2022. <https://www.peta.org/wp-content/uploads/2022/01/uw-madison-responsive-records-response-letter.pdf>

NIH-supported language to minimize animal use in experiments is present in the Health Research Extension Act of 1985, the NIH Revitalization Act of 1993, the eighth edition of the *Guide for the Care and Use of Laboratory Animals*, and the U.S. Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training:

- The Health Research Extension Act of 1985 states, “The Director of NIH shall require each applicant for a grant, contract, or cooperative agreement involving research on animals ... to include in its application or contract proposal ... (1) assurances satisfactory to the Director of NIH that ... (B) scientists, animal technicians, and other personnel involved with animal care, treatment, and use by the applicant have available to them instruction or training in the ... use of *research or testing methods that limit the use of animals or limit animal distress*” [*emphasis added*].¹⁸
- The National Institutes of Health Revitalization Act of 1993 states, “The Director of NIH ... shall prepare a plan ... for the National Institutes of Health to conduct or support research into ... *methods of such research and experimentation that reduce the number of animals used in such research*” [*emphasis added*].¹⁹
- The eighth edition of the *Guide for the Care and Use of Laboratory Animals* states, “The *Guide* ... endorses the following principles: *consideration of alternatives (in vitro systems, computer simulations, and/or mathematical models) to reduce or replace the use of animals*” [*emphasis added*].²⁰
- The U.S. Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training (1985) states, “The animals selected for a procedure should be of an appropriate species and quality and *the minimum number required to obtain valid results*” [*emphasis added*].²¹

When these institutions’ experimenters buy, breed, trap, and/or use animals who at any time—not just during the COVID-19 pandemic—can be deemed extraneous or described using similar terminology, they squander limited research funds, much of which come from taxpayers, and flout the foundational “3Rs” principle of reducing, replacing, and refining the use of animals in experimentation that is enshrined in government regulations and policies.

Under this standard, the number of animals deemed unnecessary, nonessential, noncritical, or extraneous and used in the aforementioned experiments should have been

¹⁸Office of Laboratory Animal Welfare. National Institutes of Health. Health Research Extension Act of 1985, Publ. L. No. 99-158. Accessed March 10, 2022. <https://olaw.nih.gov/policies-laws/hrea-1985.htm>

¹⁹National Institutes of Health. NIH Revitalization Act of 1993, Publ. L. No. 103-43. Accessed March 10, 2022. <https://grants.nih.gov/grants/olaw/pl103-43.pdf>

²⁰National Institutes of Health. National Center for Biotechnology Information. National Research Council Committee for the Update of the Guide for the Care and Use of Laboratory Animals. Appendix B: U.S. government principles for the utilization and care of vertebrate animals used in testing, research, and training. Accessed March 10, 2022. <https://www.ncbi.nlm.nih.gov/books/NBK54048/>

²¹National Institutes of Health. National Center for Biotechnology Information. National Research Council Committee for the Update of the Guide for the Care and Use of Laboratory Animals. Appendix B: U.S. government principles for the utilization and care of vertebrate animals used in testing, research, and training. Accessed March 10, 2022. <https://www.ncbi.nlm.nih.gov/books/NBK54048/>

zero from the start, since they weren't relevant to the protocols led by these institutions' employees. Also, because taxpayer funds were used to acquire, breed, confine, and/or maintain these animals who were deemed extraneous (or described using similar terminology) and then so readily euthanized and disposed of in response to the COVID-19 pandemic, these institutions should reimburse the funding agencies for this fiscal waste instead of seeking compensation for losses incurred.

Furthermore, the Congressional Research Service has found that during the COVID-19 pandemic, "Suspending research may result in additional costs for activities such as animal care," and "[r]estarting research, when conditions permit, may also incur costs for staff time and supplies to ... reestablish laboratory animal populations."²² Taxpayers should not be responsible for the additional costs associated with "reestablishing laboratory animal populations," since these institutions deemed many of them extraneous to the experiments and because repopulating animals in laboratories at taxpayers' expense would appear to violate the aforementioned federal regulations and policies that mandate minimizing the use of animals in experiments.

Given this new supplementary information, we urge your office to investigate and follow up on our full request detailed in our HHS-OIG complaint dated June 15, 2020, and our subsequent NIH OMA complaints dated February 17, 2021, and November 18, 2021. If noncompliance is corroborated, we ask that you ensure that the experimenters adhere to federal mandates to reduce and/or replace the use of animals in experiments. Specifically, there is no justification for continuing to waste public resources to support activities related to the acquisition, breeding, confinement, maintenance, repopulation, and/or experimentation of animals in laboratories who are deemed extraneous, nonessential, noncritical, or described using similar terminology and subsequently killed.

You can contact me at ShriyaS@peta.org. We look forward to your reply regarding this important matter. Thank you.

Sincerely yours,



Shriya Swaminathan
Research Associate
International Laboratory Methods
Laboratory Investigations Department

²²Congressional Research Service. Effects of COVID-19 on the federal research and development enterprise. April 10, 2020. Accessed March 10, 2022.
<https://crsreports.congress.gov/product/pdf/R/R46309>



November 18, 2021

Deborah Kearse
Director
Division of Program Integrity
National Institutes of Health
Office of Management Assessment

Re: DPI Case Number 2021-017

Via e-mail: deborah.kearse@nih.gov

Dear Ms. Kearse:

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 worldwide—to share disturbing new information regarding Division of Program Integrity case number 2021-017.

Based on the information presented below, PETA U.S. urges your office to investigate and, if noncompliance is corroborated, ensure that experimenters funded by the National Institutes of Health (NIH) adhere to federal mandates to reduce and/or replace the use of animals in experiments and to stop wasting public resources to support activities related to the acquisition, breeding, confinement, maintenance, repopulation of, and/or experimentation on animals deemed by experimenters to be extraneous, non-essential, or noncritical or described using similar terminology.

History of PETA's Complaint

On June 15, 2020, we submitted a detailed complaint to the U.S. Department of Health and Human Services (HHS) Office of Inspector General (OIG) regarding the troubling problem in which universities across the country were deeming many of their NIH-funded experiments—and the animals used in them—extraneous, non-essential, or non-critical or describing them using similar terminology in response to COVID-19,

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resulting in the massive euthanasia of such animals confined in laboratories and a waste of taxpayer funds.¹

On June 23, 2020, we were notified by HHS OIG Public Affairs that our complaint had been forwarded to the then-director of NIH's Office of Management Assessment (OMA), Michael D. Shannon,² to which we did not receive a reply. On February 17, 2021, we submitted a new complaint³ addressed to the acting OMA director, Meredith Stein, CPA, which was assigned case number 2021-017 by the NIH's Division of Program Integrity that same day.

New Information That Supplements Our Complaint

Experimenters affiliated with the NIH-funded institutions mentioned below have acknowledged mass euthanizing animals in response to the COVID-19 pandemic, similar to the numerous institutions that we had detailed in our original complaint. That these laboratories had animals deemed by experimenters to be unnecessary, non-essential, non-critical, extraneous, or similar in the first place should raise significant red flags. Given the scale of widespread euthanasia of such animals being experimented on as a result of COVID-19 and the large amount of NIH funding that these individual institutions receive in research grants, taxpayers should not have to foot the bill for such waste.

Carnegie Mellon University

During FY2020, Carnegie Mellon University (CMU) received \$52,363,703 in funding from NIH.⁴ Because of the COVID-19 pandemic, CMU temporarily paused research activities⁵ and experimenters there reportedly culled 600 mice.⁶

Cornell University

During FY 2020, Cornell University received \$92,868,490 in funding from NIH.⁷ In light of the COVID-19 pandemic, Provost Michael Kotlikoff and Vice President for Research and Innovation Emmanuel Giannelis wrote a letter directed to Cornell colleagues saying that the institution would limit laboratory experiments and reduce non-essential research activities by March 18. Their letter states, "Research that is essential for the understanding and reduction of

¹People for the Ethical Treatment of Animals. Request to HHS OIG regarding COVID-19 contingency plans at U.S. universities. June 15, 2020. Accessed November 16, 2021.

<https://www.peta.org/wp-content/uploads/2020/06/20-06-15-Request-to-HHS-OIG-regarding-COVID-19-contingency-plans-at-US-universities.pdf>

²HHS-OIG Public Affairs RE: RE: [For HHS OIG, from PETA] re request for investigation into apparent waste at NIH and failure to reduce/replace animal use. June 23, 2020. Accessed November 16, 2021.

https://www.peta.org/wp-content/uploads/2021/02/2020-06-23_For-HHS-OIG-from-PETA-re-request-for-investigation.pdf

³People for the Ethical Treatment of Animals. Letter to NIH OMA. February 17, 2021. Accessed November 16, 2021. https://www.peta.org/wp-content/uploads/2021/02/2021-02-17_Follow_up_letter_to_OMA_HHS.pdf

⁴NIH RePORTER. Carnegie Mellon University charts. Accessed November 16, 2021.

<https://reporter.nih.gov/search/5DMCBG5D3k6icJX85nzbvw/projects/charts>

⁵Carnegie Mellon University. Pandemic planning guide. November 1, 2021. Accessed November 16, 2021.

<https://www.cmu.edu/coronavirus/return/pandemic-planning-guide---updated-november-1-2021.pdf>

⁶Nowogrodzki A. Cull, release or bring them home: Coronavirus crisis forces hard decisions for labs with animals. *Nature*. 2020;580(7801):19. doi:10.1038/d41586-020-00964-y.

<https://www.nature.com/articles/d41586-020-00964-y>

⁷NIH RePORTER. Cornell University charts. Accessed November 16, 2021.

<https://reporter.nih.gov/search/-SNajJtSN0uB5SCpA6QCzg/projects/charts>

COVID-19 risk should continue” and “Beyond this, we ask that only those research activities that are absolutely necessary to retain critical research assets for long-term progress are conducted on campus.”⁸ Per this directive, “about 10% of the university’s rodent population was euthanized, which will slow current studies and delay future ones,” as stated by Cornell spokesperson Melissa Osgood.⁹

Duke University

During FY2020, Duke University received \$612,549,441 in funding from NIH.¹⁰ Duke experimenter Özgün Erdogan discussed the university’s minimizing of animal care time and her next experiment’s being aborted in response to the COVID-19 pandemic, noting that as a result, she euthanized genetically modified rodents bred for a study, “killing about 168 mice in one day.”¹¹

Harvard University

During FY2020, Harvard University received \$88,586,455 in funding from NIH.¹² As a result of the COVID-19 pandemic, Harvard’s research operations slowed down, as mentioned in a letter sent to the community from the office of the provost.¹³ Subsequently, it appears that experimenters had to “kill half of their research mice.”¹⁴ Furthermore, in 2020, Harvard experimenter Hopi Hoekstra reportedly “euthanized nearly half of her lab’s approximately 1000 mice” in response to the pandemic.¹⁵

Massachusetts General Hospital

Massachusetts General Hospital (MGH) is the leading independent hospital that receives NIH funding.¹⁶ In FY2020, it received \$557,918,698 from NIH.¹⁷ During the 8th Annual 3Rs

⁸Office of the Provost. COVID-19 update: Conduct of research. Cornell University. March 15, 2020. Accessed November 16, 2021.

https://www.peta.org/wp-content/uploads/2021/11/COVID-19-Update_Cornell.pdf

⁹Cima G. Research delayed, rodent populations reduced during pandemic. American Veterinary Medical Association. Updated May 1, 2020. Accessed November 16, 2021.

<https://www.avma.org/javma-news/2020-05-15/research-delayed-rodent-populations-reduced-during-pandemic>

¹⁰NIH RePORTER. Duke University charts. Accessed November 16, 2021.

https://reporter.nih.gov/search/PEVM_s168U-bCRmogvKkkQ/projects/charts

¹¹Parry M. Colleges euthanized lab animals to protect employees from Covid-19. Now they face an onslaught of criticism. *The Chronicle of Higher Education*. April 10, 2020. Accessed November 16, 2021.

https://www.chronicle.com/article/colleges-euthanized-lab-animals-to-protect-employees-from-covid-19-now-they-face-an-onslaught-of-criticism/?cid2=gen_login_refresh&cid=gen_sign_in&cid2=gen_login_refresh

¹²NIH RePORTER. Harvard University charts. Accessed November 16, 2021.

https://reporter.nih.gov/search/3qwB1kLpmkqS9on3ILp_jw/projects/charts

¹³Garber AM. Steps toward reopening research facilities. May 4, 2020. Accessed November 16, 2021.

<https://www.harvard.edu/coronavirus/steps-toward-reopening-research-facilities/>

¹⁴Nowogrodzki A. Cull, release or bring them home: Coronavirus crisis forces hard decisions for labs with animals. *Nature*. 2020;580(7801):19. doi:10.1038/d41586-020-00964-y.

<https://www.nature.com/articles/d41586-020-00964-y>

¹⁵Grimm D. ‘It’s heartbreaking.’ Labs are euthanizing thousands of mice in response to coronavirus pandemic. *Science*. March 23, 2020. Accessed November 16, 2021.

<https://www.sciencemag.org/news/2020/03/it-s-heartbreaking-labs-are-euthanizing-thousands-mice-response-coronavirus-pandemic>.

¹⁶Massachusetts General Hospital Research Institute. Research institute by the numbers. Accessed November 16, 2021. <https://www.massgeneral.org/research/about/research-institute-by-the-numbers>

¹⁷NIH RePORTER. Massachusetts General Hospital charts. Accessed November 16, 2021.

Symposium, “Pandemic-Driven Advances,” sponsored by Johns Hopkins University and NIH, Donna Matthews Jarrell, D.V.M., the director of the Center for Comparative Medicine at MGH, reported on the reduction of animal populations in response to the COVID-19 pandemic, noting that the Massachusetts General Brigham clinical site had reduced its animal populations by over 50%, while the preclinical site had a reduction of nearly 20%.¹⁸

Oregon Health & Science University

In FY2020, Oregon Health & Science University (OHSU) received \$304,670,088 in funding from NIH,¹⁹ part of which may have been used to support animal experimentation activities that were affected by COVID-19. As a result of laboratory shutdowns during the pandemic, an OHSU graduate student reported “euthanizing mice by the masses in the university basement.”²⁰

Rutgers University

According to a recent investigation into Rutgers University’s spending during the pandemic, *The Daily Targum* reported that nearly 23,000 mice—who were designated to be experimented on—had been euthanized in early 2020 by the staff of Rutgers Biomedical and Health Sciences in response to the pandemic-related shutdown. The article highlights the blatant lack of transparency at the university, stating, “Rutgers Office of Research denied that any [animals] had been euthanized or that the pandemic affected their ability to provide a high standard of animal care and welfare.”²¹ Furthermore, a report published by *The Daily Targum* in September revealed that Rutgers had received nearly \$365 million in federal and state grants, which includes nearly \$80 million from the state of New Jersey.²²

University of California–Los Angeles

In FY2020, the University of California–Los Angeles (UCLA) reportedly received \$673,201,228 from NIH.²³ An article published in the *Daily Bruin*’s *PRIME* magazine reveals that while UCLA did not require animals to be euthanized during the pandemic, “some researchers chose to cull

<https://reporter.nih.gov/search/wbntAQeA6k-Wr86uS8-sQ/projects/charts>

¹⁸Massachusetts General Hospital Research Institute. Pandemic emergency response. <https://www.peta.org/wp-content/uploads/2021/06/image002.png>

¹⁹NIH RePORT. NIH rewards by location & organization: Oregon Health & Science University. Accessed November 16, 2021.

<https://report.nih.gov/award/index.cfm?ot=&fy=2020&state=&ic=&fm=&orgid=6297007&distr=&rfa=&om=n&pid=&view=state>

²⁰Chen J. Covid-19 has shuttered scientific labs. It could put a generation of researchers at risk. *STAT*. May 4, 2020. Accessed November 16, 2021. <https://www.statnews.com/2020/05/04/coronavirus-lab-shutdowns-impact-on-scientists-research-delays/>

²¹McGay M, Slusser H. Thousands of mice were euthanized at Rutgers during last year’s campus shutdown. *The Daily Targum*. November 8, 2021. Accessed November 16, 2021. <https://dailytargum.com/article/2021/11/special-report-thousands-of-mice-were-euthanized-at-rutgers-during-last>

²²Tai C, McGay M, Slusser H. Special report: Rutgers yet to spend most of \$365 million in pandemic aid. *The Daily Targum*. September 19, 2021. Accessed November 16, 2021. <https://dailytargum.com/article/2021/09/special-report-rutgers-yet-to-spend-most-of-usd365-million-in-pandemic-aid>

²³NIH RePORT. NIH awards by location & organization: University of California–Los Angeles. Accessed November 16, 2021.

<https://report.nih.gov/award/index.cfm?ot=&fy=2020&state=&ic=&fm=&orgid=577505&distr=&rfa=&om=n&pid=&view=state>

their laboratory animals anyway because their research was postponed,” as stated by Lindsay Lueptow, supervisor of UCLA’s Behavioral Testing Core.²⁴

University of Chicago

During FY2020, the University of Chicago (UC) received \$313,088,632 in funding from NIH.²⁵ “Guidance for Research Continuity Planning” issued by the provost to assist university research staff during COVID-19 operations states the need for “significantly ramping down on-campus research activities.”²⁶ Paralleling this guidance, a 2020 study called “The Impact of COVID-19 on the State of Clinical and Laboratory Research Globally in Transplantation in May 2020,” coauthored by UC’s Anita S. Chong, states, “We reduced our mouse colony by about 30%, keeping breeding cages and long-term posttransplant and control mice.”²⁷

University of Pennsylvania

During FY2020, the University of Pennsylvania (UPenn) received \$597,826,263 in funding from NIH.²⁸ Experimenter Sunny Shin at the UPenn Perelman School of Medicine discussed having to euthanize “more than three-quarters of their research animals—as quickly as possible,” in response to the COVID-19 pandemic, noting, “We have a manuscript out for review, and I just submitted my [NIH] grant renewal.”²⁹ This mass culling of animals corresponds with the UPenn announcement asking faculty to limit research in response to COVID-19.³⁰

Apparent Failure of NIH-Funded Protocols to Reduce and Replace Animal Use

The presence of unnecessary, non-essential, noncritical, or extraneous animals in these institutions’ laboratories flies in the face of existing regulations to minimize animal use in experiments.

NIH-supported language to minimize animal use in experiments is present in the Health Research Extension Act of 1985, the NIH Revitalization Act of 1993, the eighth edition of the *Guide for the Care and Use of Laboratory Animals*, and the U.S. Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training:

²⁴Sial A. The ethics of animal experimentation at UCLA. *PRIME* from the *Daily Bruin*. August 30, 2021. Accessed November 16, 2021. <https://prime.dailybruin.com/animalresearch>

²⁵NIH RePORTER. University of Chicago charts. Accessed November 16, 2021.

<https://reporter.nih.gov/search/RTH7X0eioUuf1vwdFPphIQ/projects/charts>

²⁶Office of the Provost. Research continuity planning for COVID-19. University of Chicago. Accessed November 16, 2021. <https://researchcontinuity.uchicago.edu/>

²⁷Bromberg J, Baan C, Chapman J, et al. The impact of COVID-19 on the state of clinical and laboratory research globally in transplantation in May 2020. *Transplantation*. 2020;104(11):2252-2257.

doi:10.1097/TP.0000000000003362. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7363380/>

²⁸NIH RePORTER. University of Pennsylvania charts. Accessed November 16, 2021.

<https://reporter.nih.gov/search/zNdSncMdZUyZZChf9I2pog/projects/charts>

²⁹Grimm D. ‘It’s heartbreaking.’ Labs are euthanizing thousands of mice in response to coronavirus pandemic. *Science*. March 23, 2020. Accessed November 16, 2021.

<https://www.sciencemag.org/news/2020/03/it-s-heartbreaking-labs-are-euthanizing-thousands-mice-response-coronavirus-pandemic>.

³⁰Brockmeier EK. On-campus research to be limited due to COVID-19. *Penn Today*. March 16, 2020. Accessed November 16, 2021.

<https://penntoday.upenn.edu/news/campus-research-be-limited-due-covid-19>

- The Health Research Extension Act of 1985 states, “The Director of NIH shall require each applicant for a grant, contract, or cooperative agreement involving research on animals ... to include in its application or contract proposal ... assurances satisfactory to the Director of NIH that ... scientists, animal technicians, and other personnel involved with animal care, treatment, and use by the applicant have available to them instruction or training in the ... use of *research or testing methods that limit the use of animals* or limit animal distress” [*emphasis added*].³¹
- The NIH Revitalization Act of 1993 states, “The Director of NIH ... shall prepare a plan ... for the National Institutes of Health to conduct or support research into ... *methods of such research and experimentation that reduce the number of animals used in such research*” [*emphasis added*].³²
- The eighth edition of the *Guide for the Care and Use of Laboratory Animals* states, “The *Guide* ... endorses the following principles: *consideration of alternatives (in vitro systems, computer simulations, and/or mathematical models) to reduce or replace the use of animals*” [*emphasis added*].³³
- The U.S. Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training (1985) states, “The animals selected for a procedure should be of an appropriate species and quality and *the minimum number required to obtain valid results*” [*emphasis added*].³⁴

When these institutions’ experimenters buy, breed, trap, and/or use animals who at any time—not just during the COVID-19 pandemic—can be deemed unnecessary, non-essential, noncritical, or extraneous or described using similar terminology, they squander limited research funds, much of which are provided by taxpayers, and flout the bedrock 3Rs principle of reducing, replacing, and refining the use of animals in experimentation that is enshrined in government regulations and policies.

Under this standard, the number of unnecessary, non-essential, noncritical, or extraneous animals used in the aforementioned experiments should have been zero from the start, since they weren’t relevant to the protocols conducted by these institutions’ employees. Also, because taxpayer funds were used to acquire, breed, confine, and/or maintain these unnecessary, non-essential, noncritical, or extraneous animals, who were then so easily euthanized and disposed of in response to COVID-19, these institutions should reimburse the funding agencies for this fiscal waste instead of seeking compensations for losses incurred.

³¹Office of Laboratory Animal Welfare. National Institutes of Health. Health Research Extension Act of 1985, Publ. L. No. 99-158. Accessed November 16, 2021. <https://olaw.nih.gov/policies-laws/hrea-1985.htm>

³²National Institutes of Health. NIH Revitalization Act of 1993, Publ. L. No. 103-43. Accessed November 16, 2021. <https://grants.nih.gov/grants/olaw/pl103-43.pdf>

³³The National Academies Press. National Research Council Committee for the Update of the Guide for the Care and Use of Laboratory Animals. *Guide for the Care and Use of Laboratory Animals*. 2011. Accessed November 16, 2021. <https://grants.nih.gov/grants/olaw/guide-for-the-care-and-use-of-laboratory-animals.pdf>

³⁴National Institutes of Health. National Center for Biotechnology Information. National Research Council Committee for the Update of the Guide for the Care and Use of Laboratory Animals. Appendix B: U.S. government principles for the utilization and care of vertebrate animals used in testing, research, and training. Accessed November 16, 2021. <https://www.ncbi.nlm.nih.gov/books/NBK54048/>

Furthermore, the Congressional Research Service has found that during the COVID-19 pandemic, “[s]uspending research may result in additional costs for activities such as animal care” and “[r]estarting research, when conditions permit, may also incur costs for staff time and supplies to . . . reestablish laboratory animal populations.”³⁵ Taxpayers should not be responsible for the additional costs associated with “reestablishing laboratory animal populations” since these institutions deemed many of them to be unnecessary, non-essential, noncritical, or extraneous to the experiments and because repopulating animals in laboratories at taxpayers’ expense would appear to violate the aforementioned federal regulations and policies that mandate minimizing the use of animals in experiments.

Based on this new supplementary information, we urge your office to investigate and follow up on our full request detailed in our HHS OIG complaint dated June 15, 2020, and our subsequent NIH OMA complaint dated February 17, 2021—and, if noncompliance is corroborated, ensure that the experimenters adhere to federal mandates to reduce and/or replace the use of animals in experiments. Since—as we described above—experimenters deemed animals extraneous, non-essential, or noncritical or described them using similar terminology and subsequently killed them, there is no reason to continue wasting public resources to support activities related to the acquisition, breeding, confinement, maintenance, repopulation of, and/or experimentation on animals in laboratories.

You can contact me at ShalinG@peta.org. We look forward to your reply regarding this important matter. Thank you.

Sincerely yours,

A handwritten signature in black ink that reads "Shalin G. Gala". The signature is written in a cursive style with a large, looping initial "S".

Shalin G. Gala
Vice President, International Laboratory Methods
Laboratory Investigations Department

³⁵Congressional Research Service. Effects of COVID-19 on the federal research and development enterprise. April 10, 2020. Accessed November 16, 2021. <https://crsreports.congress.gov/product/pdf/R/R46309>



PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

February 17, 2021

Meredith Stein, CPA
Director
Office of Management Assessment
National Institutes of Health

Via e-mail: steinme@od.nih.gov; omainfo@nih.gov

Dear Director Stein,

Thank you in advance for your time. I'm writing on behalf of People for the Ethical Treatment of Animals (PETA) and our more than 6.5 million members and supporters worldwide to follow-up with you on the status of our June 15, 2020, complaint that is pending with the Office of Management Assessment (OMA), as well as to share disturbing new information we have obtained that supplements our complaint.

Based on the information presented below, we respectfully urge your office to investigate, assess, and take corrective action regarding the apparent egregious waste of National Institutes of Health (NIH) research funding and the apparent failure of NIH-funded protocols to reduce and replace animal use in experiments as required by federal provisions.

Complaint History

On June 15, 2020, we submitted a detailed complaint to the U.S. Department of Health and Human Services (HHS) Office of Inspector General (OIG) regarding the troubling problem of at least 66 universities across the country deeming many of their NIH-funded experiments (which in total received more than \$12 billion in NIH taxpayer grants in FY2019)—and the animals used in them—to be extraneous, non-essential, or noncritical or describing them using similar terminology in response to COVID-19, resulting in the massive euthanasia of such animals confined in laboratories and a waste of taxpayer funds.¹

On June 23, 2020, we were notified by the HHS OIG Public Affairs that our complaint was forwarded to the then-OMA Director Michael D. Shannon.² We have not received a reply from OMA regarding our serious concerns.

¹People for the Ethical Treatment of Animals. (2020, June 15). *Request to HHS OIG Regarding COVID-19 Contingency Plans at US Universities*. <https://www.peta.org/wp-content/uploads/2020/06/20-06-15-Request-to-HHS-OIG-regarding-COVID-19-contingency-plans-at-US-universities.pdf>

²HHS-OIG Public Affairs. (2020, June 23). RE: RE: [For HHS OIG, from PETA] re request for investigation into apparent waste at NIH and failure to reduce/replace animal use.

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New Records PETA Obtained Supplementing Our June 15, 2020, Complaint

According to new documents received so far by PETA through Freedom of Information Act requests, we confirmed that the following universities have euthanized animals deemed unnecessary, non-essential, extraneous, or surplus or described using any other similar language in response to university ramp-down directives due to the COVID-19 pandemic. The aforementioned animals were assigned to projects that received funding from NIH agencies cumulatively totaling more than \$6 million.

1. University of Colorado Boulder (CU Boulder): On March 16, 2020, CU Boulder urged staff to identify “unnecessary” animals for euthanasia.³

- Amy Palmer, from CU Boulder, conducts the protocol titled, “Regulation of Cell Signaling by Transition Metal Dynamics” (5DP1GM114863), which in FY2018 received a total of \$770,000 from the National Institute of General Medical Sciences (NIGMS), the National Center for Complementary and Integrative Health (NCCIH), and NIH Office of the Director (NIH OD).⁴ On March 18, 2020, at least one mouse confined in the vivarium was euthanized following the suggestion made by a member of the “Palmer Lab.”⁵
- Bradley Olwin, from CU Boulder, conducts the protocols titled, “Mechanisms Regulating Muscle Stem Cell Homeostasis” (R01AR049446) and “Replicative Potential of Muscle Stem Cells” (R0AR070360), which in FY2020 received \$674,218 from the National Institute of Arthritis and Musculoskeletal and Skin Diseases (NIAMS).^{6,7} On March 18, 2020, “based on the recommendations in the chancellors [*sic*] email regarding ongoing research,” a research assistant with the “Olwin lab” requested euthanasia of such “unnecessary” mice who were confined in 45 cages located “in rooms A2B32 and A2B34” and included photos of these animals marked for euthanasia, noting, “[t]his represents the largest amount we can cull from

https://www.peta.org/wp-content/uploads/2021/02/2020-06-23_For-HHS-OIG-from-PETA-request-for-investigation.pdf

³University of Colorado–Boulder. (2020, March 16). *Research & Innovation Office COVID-19 resources*. https://www.colorado.edu/researchinnovation/research-innovation-office-covid-19-resources#vivarium_considerations-2651

⁴NIH. (n.d.). *Regulation of cell signaling by transition metal dynamics*. Research Portfolio Online Reporting Tools (RePORT): Project Information.

https://projectreporter.nih.gov/project_info_details.cfm?aid=9533658&icde=51828567

⁵Janiszewski, L. (2020, March 18). *Fwd Single mouse*. https://www.peta.org/wp-content/uploads/2021/01/2020-03-18_Fwd-Single-mouse.pdf

⁶NIH. (n.d.). *Mechanisms regulating muscle stem cell homeostasis*. Research Portfolio Online Reporting Tools (RePORT): Project Information.

https://projectreporter.nih.gov/project_info_details.cfm?aid=9966715&icde=52050302

⁷NIH. (n.d.). *Replicative potential of muscle stem cells*. Research Portfolio Online Reporting Tools (RePORT): Project Information.

https://projectreporter.nih.gov/project_info_details.cfm?aid=9984871&icde=52050302

our colonies without severely disrupting future research or catastrophic financial loss due to irreplaceable animals.”⁸

- Lee A. Niswander, from CU Boulder, conducts the protocol titled, “Phenotyping Embryonic Lethal Knockout Mice with Neural Crest and Neural Defects” (5R01HD081562), which in FY2018 received \$641,755 from National Institute of Child Health and Human Development.⁹ On March 17, 2020, a representative from the “niswander lab” [*sic*] requested the euthanasia of mice confined “in room A2B44 on rack5 [*sic*].”¹⁰

2. University of Missouri (UM): On March 20, 2020, UM notified its staff “about ramping down research activities where possible,”¹¹ which led to the destruction of animals whom UM deemed unnecessary, extraneous, noncritical, or non-essential or described using similar terminology.

- Sarah Dallas, from UM Kansas City (UMKC), received \$654,301 since FY2013 from NIAMS for her current and/or prior protocols titled, “Optimizing Normal Collagen Replacement in Osteogenesis Imperfecta” (1R21AR062346),¹² “Dynamics of Assembly of Bone Matrix Proteins” (5R01AR051517),¹³ and, “Extracellular Vesicle Mediated Cell-Cell Communication in Bone” (5R21AR071563);¹⁴ and received \$341,951 in FY2020 from the National Institute on Aging (NIA) for the protocol titled, “Role of Extracellular Vesicles in Bone-Muscle Crosstalk with Aging” (5P01AG039355/6165). The euthanasia of animals related to Dallas’ protocols was logged in “euthanasia record” forms for the Laboratory Animal Research Core Hospital Hill facility, corresponding to March, April, May, and June 2020.¹⁵

⁸Dalla Betta, N. C. (2020, March 18). *Re: [OAR Announcement] OAR guidance following suspension of research activities*. https://www.peta.org/wp-content/uploads/2021/01/2020-03-18_RE-OAR-guidance-following-suspension-of-research-activities.pdf

⁹NIH. (n.d.). *Phenotyping embryonic lethal knockout mice with neural crest and neural defects*. Research Portfolio Online Reporting Tools (RePORT): Project Information. https://projectreporter.nih.gov/project_info_details.cfm?aid=9522839&icde=51842897

¹⁰Brown, H. (2020, March 17). *Re: OAR guidance following suspension of research activities*. https://www.peta.org/wp-content/uploads/2021/01/2020-03-17_RE-OAR-guidance-following-suspension-of-research-activities.pdf

¹¹University of Missouri. (n.d.). *Ramp-down letter*. <https://research.missouri.edu/about/files/ramp-down-letter.pdf>.

¹²NIH. (n.d.). *Optimizing normal collagen replacement in osteogenesis imperfecta*. Research Portfolio Online Reporting Tools (RePORT): Project Information. https://projectreporter.nih.gov/project_info_details.cfm?aid=8502630&icde=52160240

¹³NIH. (n.d.). *Dynamics of assembly of bone matrix proteins*. Research Portfolio Online Reporting Tools (RePORT): Project Information. https://projectreporter.nih.gov/project_info_details.cfm?aid=8712107&icde=53353289

¹⁴NIH. (n.d.). *Extracellular vesicle mediated cell-cell communication in bone*. Research Portfolio Online Reporting Tools (RePORT): Project Information. https://projectreporter.nih.gov/project_info_details.cfm?aid=9433617&icde=53353289

¹⁵University of Missouri. (2020). *Euthanasia Record. Laboratory Animal Research Core Hospital Hill Facility*. <https://www.peta.org/wp-content/uploads/2021/01/2020-March-June-Euthanasia-Records-University-of-Missouri.pdf>

- Mark Johnson, affiliated to UMKC, conducts the NIA-funded protocols titled, “Animal Exercise and Analysis Core” (5P01AG039355/6162), and “Estrogen Receptor Mediated Regulation of Bone-Muscle Crosstalk” (5P01AG039355/6166), which received \$611,969 in FY2020.^{16,17} The euthanasia of animals assigned to Johnson’s protocols was logged in “euthanasia record” forms for the Laboratory Animal Research Core Hospital Hill facility, corresponding to March, April, May, and June 2020.¹⁸
- Karl Kador, from UMKC, conducts the protocol titled, “Tissue Engineered Cell Transplantation for Glaucoma and Optic Neuropathies” (5R01EY028946), which has received funding from the National Eye Institute (NEI) totaling \$775,500 since FY2018.¹⁹ After the university directive was issued, animals involved in Kador’s protocol were killed and their deaths were logged in “euthanasia record” forms for the Laboratory Animal Research Core Hospital Hill facility for the dates March 18, March 27, June 22, and June 23.²⁰

3. Oregon Health & Sciences University (OHSU): Per its COVID-19 response plan, OHSU notified its staff that “the university's research mission has been curtailed.”²¹ On March 23, 2020 the university transitioned to “modified operations”²² and in response, animals that were non-critical or non-essential were euthanized.

- Brian O’Roak, from OHSU conducts the protocol titled, “Characterizing Patient-Specific Tbr1 Mutations: Understanding a Master Regulator of Autism Risk” (5R01MH113926-04), which received \$499,244 in FY2020 from the National Institute Mental Health (NIMH).²³ According to university euthanasia records and verification from a correspondence with

¹⁶NIH. (n.d.). *Animal exercise and analysis core*. Research Portfolio Online Reporting Tools (RePORT): Project

Information. https://projectreporter.nih.gov/project_info_details.cfm?aid=9934993&icde=0

¹⁷NIH. (n.d.). *Estrogen receptor mediated regulation of bone-muscle crosstalk*. Research Portfolio Online Reporting Tools (RePORT): Project

Information. https://projectreporter.nih.gov/project_info_details.cfm?aid=9934998&icde=0

¹⁸University of Missouri. (2020). *Euthanasia Record. Laboratory Animal Research Core Hospital Hill Facility*. <https://www.peta.org/wp-content/uploads/2021/01/2020-March-June-Euthanasia-Records-University-of-Missouri.pdf>

¹⁹NIH. (n.d.). *Tissue engineered cell transplantation for glaucoma and optic neuropathies*. Research Portfolio Online Reporting Tools (RePORT): Project Information.

https://projectreporter.nih.gov/project_info_details.cfm?aid=9685226&icde=53390442.

²⁰University of Missouri. (2020). *Euthanasia record: Laboratory Animal Research Core Hospital Hill facility*. <https://www.peta.org/wp-content/uploads/2021/01/2020-March-June-Euthanasia-Records-University-of-Missouri.pdf>.

²¹OHSU. (2020, February 28). *OHSU coronavirus (COVID-19) response*.

<https://news.ohsu.edu/2020/02/28/preparing-for-the-novel-coronavirus-at-ohsu>

²² OHSU. (n.d.). *Research and Innovation*. <https://www.ohsu.edu/research-innovation>

²³NIH. (n.d.). *Characterizing Patient-Specific Tbr1 Mutations: Understanding a Master Regulator of Autism Risk: 5R01MH113926-04*. Research Portfolio Online Reporting Tools (RePORT): Project Information. *Funded from 2017*.

https://projectreporter.nih.gov/project_info_details.cfm?aid=9929658&icde=53561143

OHSU staff,^{24,25,26} mice assigned to this protocol were euthanized on dates in March,^{27,28,29,30,31} May,³² and June³³ 2020.

- OHSU's Stephen Lloyd conducted and/or conducts the National Institute of Environmental Health Sciences (NIEHS)-funded protocols titled, "The Roles of BER and TLS in Limiting Aflatoxin-Induced Carcinogenesis" (1R56ES027632-01A1), which received \$308,000 in FY2017,³⁴ and "Role of Base Excision Repair in Limiting Hepatocellular Carcinomas" (5R01ES031086-02), that received \$357,057 in FY2021.³⁵ Animals assigned to Lloyd's aforementioned protocols were euthanized in March 2020.³⁶ This was verified in a correspondence with OHSU staff.^{37,38,39}
- The protocol titled, "Development of Novel Therapeutics for Leishmaniasis," (5R33AI127591-05) led by OHSU's Scott Landfear, received \$446,184 in FY2021 from the National Institute of Allergy and Infectious Diseases (NIAID).⁴⁰ Mice in this protocol- deemed non-essential

²⁴ eIACUC. (2021, January 6). *Advanced genome editing for new molecular models of autism (TR01_IP0000077)*. https://www.peta.org/wp-content/uploads/2021/02/IP00077_Redacted.pdf

²⁵ Kuske, R. (2021, February 9). *Response to PETA's 2/3/21 amended request*. <https://www.peta.org/wp-content/uploads/2021/02/2021-02-09-Responsive-docs-sent-in-previous-FOIA.pdf>

²⁶ Kuske, R. (2021, February 11). *Response to PETA's 08/28/20 & 12/16/20 requests*. <https://www.peta.org/wp-content/uploads/2021/02/Response-to-PETAs-082820-121620-requests.pdf>

²⁷ OHSU (n.d.). *Tbr1- Mouse Master List*. https://www.peta.org/wp-content/uploads/2021/02/Tbr1-Mouse-Master-List_Redacted.pdf

²⁸ OHSU (n.d.). *Tbr1 Mouse List Line-1*. https://www.peta.org/wp-content/uploads/2021/02/Line-1_Redacted.pdf

²⁹ OHSU (n.d.). *Tbr1 Mouse List Line-2*. https://www.peta.org/wp-content/uploads/2021/02/Line-2_Redacted.pdf

³⁰ OHSU (n.d.). *Tbr1 Mouse List Line-3*. https://www.peta.org/wp-content/uploads/2021/02/Line-3_Redacted.pdf

³¹ OHSU (n.d.). *Tbr1 Mouse List Line-4*. https://www.peta.org/wp-content/uploads/2021/02/Line-4_Redacted.pdf

³² OHSU (n.d.). *Tbr1- Mouse Master List*. https://www.peta.org/wp-content/uploads/2021/02/Tbr1-Mouse-Master-List_Redacted.pdf

³³ OHSU (n.d.). *Tbr1- Mouse Master List*. https://www.peta.org/wp-content/uploads/2021/02/Tbr1-Mouse-Master-List_Redacted.pdf

³⁴ NIH. (n.d.). *The Roles Of BER And TLS in Limiting Aflatoxin-Induced Carcinogenesis: 1R56ES027632-01A1*. Research Portfolio Online Reporting Tools (RePORT): Project Information. https://projectreporter.nih.gov/project_info_details.cfm?aid=9527499&icde=53581510

³⁵ NIH. (n.d.). *Role of Base Excision Repair in Limiting Hepatocellular Carcinomas: 5R01ES031086-02*. Research Portfolio Online Reporting Tools (RePORT): Project Information. https://projectreporter.nih.gov/project_info_details.cfm?aid=10077479&icde=53581431

³⁶ OHSU. (n.d.). *Euthanized due to COVID-19*. https://www.peta.org/wp-content/uploads/2021/02/Euthanized-due-to-COVID-19_Redacted.pdf

³⁷ Kuske, R. (2021, February 9). *Response to PETA's 2/3/21 amended request*. <https://www.peta.org/wp-content/uploads/2021/02/2021-02-09-Responsive-docs-sent-in-previous-FOIA.pdf>

³⁸ Kuske, R. (2021, February 11). *Response to PETA's 08/28/20 & 12/16/20 requests*. <https://www.peta.org/wp-content/uploads/2021/02/Response-to-PETAs-082820-121620-requests.pdf>

³⁹ eIACUC. (2021, January 6). *Role of Base Excision Repair following Oxidative Stress (TR01_IP00000145)*. https://www.peta.org/wp-content/uploads/2021/02/IP00145_Redacted.pdf

⁴⁰ NIH. (n.d.). *Development of Novel Therapeutics For Leishmaniasis: 5R33AI127591-05*. Research Portfolio Online Reporting Tools (RePORT): Project Information. https://projectreporter.nih.gov/project_info_details.cfm?aid=10059160&icde=53581610

were euthanized in March,⁴¹ which is verified in a correspondence with OHSU staff.^{42,43,44}

The fact that the laboratories led by these experimenters had unnecessary, non-essential, noncritical, or extraneous animals in the first place should raise significant red flags, especially since their experiments are funded by taxpayers who should not have to foot the bill for such waste.

Based on this new supplementary information, we urge your office to investigate and follow-up on our full request detailed in our complaint dated June 15, 2020, and, if noncompliance is corroborated, to ensure that the experimenters adhere to federal mandates to reduce and/or replace the use of animals in experiments. Since—as we described above—experimenters deemed animals to be extraneous, non-essential, or noncritical or described using similar terminology and subsequently killed them, there is no reason to continue wasting public resources to support activities conducive to their acquisition, breeding, confinement, and maintenance, nor for any repopulation of these animal laboratories.

You can contact me at ShalinG@peta.org or 757-962-8325. We look forward to your reply regarding this important matter. Thank you.

Sincerely yours,



Shalin G. Gala
Vice President, International Laboratory Methods
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⁴¹ OHSU. (n.d.). *Euthanized due to COVID-19*. https://www.peta.org/wp-content/uploads/2021/02/Euthanized-due-to-COVID-19_Redacted.pdf

⁴² eIACUC. (2021, January 6). *Delivery of Synthetic Organic Compounds as Broad Spectrum Anti-Parasitic Drugs (TR01_IP00000383)*. https://www.peta.org/wp-content/uploads/2021/02/IP00383_Redacted.pdf

⁴³ Kuske, R. (2021, February 9). *Response to PETA's 2/3/21 amended request*. <https://www.peta.org/wp-content/uploads/2021/02/2021-02-09-Responsive-docs-sent-in-previous-FOIA.pdf>

⁴⁴ Kuske, R. (2021, February 11). *Response to PETA's 08/28/20 & 12/16/20 requests*. <https://www.peta.org/wp-content/uploads/2021/02/Response-to-PETAs-082820-121620-requests.pdf>