

**From:** (b) (6), (b) (7)(C)  
**To:** APHIS-AnimalCare  
**Cc:** (b) (6), (b) (7)(C); (b) (6), (b) (7)(C)  
**Subject:** RE: Requesting a review of an IACUC decision - Attn Dr. David Miller  
**Date:** Monday, August 15, 2022 6:12:06 PM

---

Dear Dr. Miller,

Per a suggestion by one of the USDA agents in Colorado (thank you for listening to my long-winded explanation), I'm addressing this request to you.

Yesterday I sent the following email to the above address and received the automatic response, which I followed with a phone call:

"I'm a PI at the University of Wyoming. I believe our IACUC made an incorrect decision about one of my projects and would like to ask for a review. Unfortunately the timeline for the project is very tight. Would it be possible to speak with a supervisor on Monday?  
Many thanks"

I have more information to provide, and will gladly do so, should you agree to review the issue. For now here is the "short" version:

We are currently in dispute with the UW Animal Care and Use Committee and the USDA inspector about the fate of a captive colony of least chipmunks. Originally we proposed euthanization of animals assuming we'll have a handful of animals (based on the fact they were never successfully bred in captivity). These animals would have been deposited in the UW vertebrate museum. We were exceedingly successful in establishing a thriving colony and have about 110-120 animals. Concurrently, the museum is overflowing with chipmunks from our wild studies (1.3% handling mortality of thousands of individuals) and other regional projects. Therefore, to maximize data collection from these animals we proposed a post-release study. The scientific merits are:

1. There is 1 subspecies of least chipmunk (Peñasco Least Chipmunk) and another closely-related one (Palmer) that are endangered (on the federal registry). No one is proposing a captive breeding campaign because they believe they can't be bred in captivity (which makes our work so important). In developing a recovery plan, managers will benefit from knowing something about post-release survival (as was established for black-footed ferrets using polecats). The advantage of our study is:
  - a. we have wild-caught and captive-born animals.
  - b. the animals' body mass ranges from 48-68 g (in the wild it is 40-65).
  - c. the range of ages is 0-4 years (in the wild it is 0-9).
  - d. we have data on personality (shy vs bold).
  - e. we have data on problem-solving ability (string pull, caching location, and memory retention for naïve and social learning).

- f. we have data on past hibernation patterns.
- g. we have data on food preference (they have been fed natural foods throughout their life).

The large sample size for each category will allow us to evaluate which parameter is influential. In turn, this will allow managers to develop release criteria for any future recovery plan for closely-related species.

- 2. We have been monitoring 6 wild populations for the last 12-16 years and have excellent data on abundance and survival. Our plan was to release the captive chipmunks in 3 of those and assess the effects of this "translocation" on the recipient populations. To our knowledge that has not been done before. Again, very important for future planning.

The UW Animal Care and Use Committee and the USDA inspector rejected our amendment requesting release, because according to the USDA inspector the chipmunks were not conditioned to life in the wild, and thus will experience stress and distress after release. This claim is unfounded: the animals live outdoors, have been receiving natural foods and been exposed to aerial and terrestrial predators through the protective netting.

Also, having done 3 post-release studies myself and reading the literature, I have not seen any documentation that animals experience stress and distress after release. This is merely an unfounded assumption. Yes, they often exhibit lower survival but I don't know that "stress and distress" have been documented. (PS I do have videos and audio of animals exhibiting what can be described as "happy" behavior during and immediately after release).

Finally, the release was approved by the Wyoming Game and Fish Department.

Please let me know if you agree to review this case and which documentation you would need (protocols, annual reports, amendments, email correspondence, etc.). I will just note that the window to successfully release these animals is very short because they need time to create caches for hibernation.

Many thanks in advance

[REDACTED]

PS I informed the chair of the IACUC and the Dean of our college that I'm seeking your review.

(b) (6), (b) (7)(C)

Professor

Department of Zoology and Physiology



University of Wyoming  
1000 E. University Ave.  
Laramie, WY 82071

(b) (6), (b) (7)(C)

---

**From:** [APHIS-AnimalCare](#)

**Sent:** Sunday, August 14, 2022 5:35 PM

**To:** (b) (6), (b) (7)(C)

**Subject:** Automatic reply: [External Email]Requesting a review of an IACUC decision

This message was sent from a non-UWYO address. Please exercise caution when clicking links or opening attachments from external sources.

Hello,

Thank you for contacting USDA APHIS Animal Care! This is an automatic response to let you know that we have received your message. Here is what you can expect next:

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- If your message contains questions our team will provide a response within 3 business days. Our response may contain an answer and/or be forwarded to one of our colleagues for the most timely and accurate response.

If you need immediate assistance, please contact our office at 970-494-7478.

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**From:** [b] (6), (b) (7)(C)  
**To:** [APHIS-AnimalCare](mailto:APHIS-AnimalCare@usda.gov)  
**Cc:** [b] (6), (b) (7)(C)  
**Subject:** Re: Requesting a review of an IACUC decision - Attn Dr. David Miller  
**Date:** Tuesday, August 16, 2022 10:28:25 AM

---

Thank you!

Sent from my iPhone

On Aug 15, 2022, at 4:24 PM, APHIS-AnimalCare <[AnimalCare@usda.gov](mailto:AnimalCare@usda.gov)> wrote:

Good afternoon,

The below email which was attention Dr. David Miller, has been forwarded to Dr. Miller who will likely respond as soon as able. Dr. Miller is currently traveling and may take time to respond as his access will be intermittent. Thank you.

Sincerely,

Program Support  
USDA APHIS Animal Care  
Phone: (970) 494-7478

**Please send all paperwork to our new mailing address:**

Fort Collins: 2150 Centre Ave., **Building B, 3W11**, Fort Collins CO, 80526

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**From:** [b] (6), (b) (7)(C) <[\[b\] \(6\), \(b\) \(7\)\(C\)@uwoyo.edu](mailto:[b] (6), (b) (7)(C)@uwoyo.edu)>  
**Sent:** Monday, August 15, 2022 4:12 PM  
**To:** APHIS-AnimalCare <[AnimalCare@usda.gov](mailto:AnimalCare@usda.gov)>



Cc: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>@uwyo.edu; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>@uwyo.edu

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>There is 1 subspecies of least chipmunk (Peñasco Least Chipmunk) and another closely-related one (Palmer) that are endangered (on the federal registry). No one is proposing a captive breeding campaign because they believe they can't be bred in captivity (which makes our work so important). In developing a recovery plan, managers will benefit from knowing something about post-release survival (as was established for black-footed ferrets using polecats). The advantage of our study is:

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Many thanks in advance

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PS I informed the chair of the IACUC and the Dean of our college that I'm seeking your review.

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Professor  
Department of Zoology and Physiology  
University of Wyoming  
1000 E. University Ave.  
Laramie, WY 82071

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From: [APHIS-AnimalCare](#)



**Sent:** Sunday, August 14, 2022 5:35 PM

**To:** (b) (6), (b) (7)(C)

**Subject:** Automatic reply: [External Email]Requesting a review of an IACUC decision

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**To:** [APHIS-AnimalCare](#)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Requesting a review of an IACUC decision - Attn Dr. David Miller  
**Date:** Wednesday, August 17, 2022 11:10:39 PM

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Dear Dr. Miller,

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Although we are disappointed with this outcome a few positives have emerged. During our discussions with the university administrators we identified several weaknesses in the interactions and processes of IACUC reviews and all parties agreed to work together to find solutions.

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**To:** (b) (6), (b) (7)(C)  
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**From:** [APHIS-AnimalCare](#)

**Sent:** Sunday, August 14, 2022 5:35 PM

**To:** [REDACTED]

**Subject:** Automatic reply: [External Email]Requesting a review of an IACUC decision

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**From:** [Miller, David S - MRP-APHIS](#)  
**To:** [APHIS-AnimalCare](#)  
**Cc:** [Tims, Tanya - MRP-APHIS](#); [Price, Katie - MRP-APHIS](#)  
**Subject:** RE: Requesting a review of an IACUC decision - Attn Dr. David Miller  
**Date:** Monday, August 22, 2022 10:09:25 AM

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Hi all,

Sorry that I was gone for this. Regardless, as a fyi, the outcome would be the same as I do not disagree with Katie or the IACUC on this matter with a quick skim (assuming that I have authority to actually even weigh in on this).

Cheers,

Dave

David S. Miller, DVM, PhD, DACZM, DACAW

Pronouns: [he/him/his](#)

National Animal Welfare Specialist

(970)825-3745

---

**From:** APHIS-AnimalCare <[AnimalCare@usda.gov](mailto:AnimalCare@usda.gov)>  
**Sent:** Thursday, August 18, 2022 8:13 AM  
**To:** Miller, David S - MRP-APHIS <[David.S.Miller@usda.gov](mailto:David.S.Miller@usda.gov)>  
**Cc:** Tims, Tanya A - MRP-APHIS <[tanya.a.tims@usda.gov](mailto:tanya.a.tims@usda.gov)>; Price, Katie E - MRP-APHIS <[Katie.Price@usda.gov](mailto:Katie.Price@usda.gov)>  
**Subject:** FW: Requesting a review of an IACUC decision - Attn Dr. David Miller

Good morning,

Please see the below correspondence received regarding cancellation of the review of chipmunk release request. Thank you.

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Program Support  
USDA APHIS Animal Care  
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**Sent:** Monday, August 15, 2022 4:12 PM  
**To:** APHIS-AnimalCare <[AnimalCare@usda.gov](mailto:AnimalCare@usda.gov)>  
**Cc:** (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)@uwyo.edu>; (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)@uwyo.edu>  
**Subject:** RE: Requesting a review of an IACUC decision - Attn Dr. David Miller

Dear Dr. Miller,

Per a suggestion by one of the USDA agents in Colorado (thank you for listening to my long-winded explanation), I'm addressing this request to you.

Yesterday I sent the following email to the above address and received the automatic response, which I followed with a phone call:

"I'm a PI at the University of Wyoming. I believe our IACUC made an incorrect decision about one of my projects and would like to ask for a review. Unfortunately the timeline for the project is very tight. Would it be possible to speak with a supervisor on Monday?  
Many thanks"

I have more information to provide, and will gladly do so, should you agree to review the issue. For now here is the "short" version:

We are currently in dispute with the UW Animal Care and Use Committee and the USDA inspector about the fate of a captive colony of least chipmunks. Originally we proposed euthanization of animals assuming we'll have a handful of animals (based on the fact they were never successfully bred in captivity). These animals would have been deposited in the UW vertebrate museum. We were exceedingly successful in establishing a thriving colony and have about 110-120 animals. Concurrently, the museum is overflowing with chipmunks from our wild studies (1.3% handling

mortality of thousands of individuals) and other regional projects. Therefore, to maximize data collection from these animals we proposed a post-release study. The scientific merits are:

1. There is 1 subspecies of least chipmunk (Peñasco Least Chipmunk) and another closely-related one (Palmer) that are endangered (on the federal registry). No one is proposing a captive breeding campaign because they believe they can't be bred in captivity (which makes our work so important). In developing a recovery plan, managers will benefit from knowing something about post-release survival (as was established for black-footed ferrets using polecats). The advantage of our study is:
  - a. we have wild-caught and captive-born animals.
  - b. the animals' body mass ranges from 48-68 g (in the wild it is 40-65).
  - c. the range of ages is 0-4 years (in the wild it is 0-9).
  - d. we have data on personality (shy vs bold).
  - e. we have data on problem-solving ability (string pull, caching location, and memory retention for naïve and social learning).
  - f. we have data on past hibernation patterns.
  - g. we have data on food preference (they have been fed natural foods throughout their life).

The large sample size for each category will allow us to evaluate which parameter is influential. In turn, this will allow managers to develop release criteria for any future recovery plan for closely-related species.

2. We have been monitoring 6 wild populations for the last 12-16 years and have excellent data on abundance and survival. Our plan was to release the captive chipmunks in 3 of those and assess the effects of this "translocation" on the recipient populations. To our knowledge that has not been done before. Again, very important for future planning.

The UW Animal Care and Use Committee and the USDA inspector rejected our amendment requesting release, because according to the USDA inspector the chipmunks were not conditioned to life in the wild, and thus will experience stress and distress after release. This claim is unfounded: the animals live outdoors, have been receiving natural foods and been exposed to aerial and terrestrial predators through the protective netting.



Also, having done 3 post-release studies myself and reading the literature, I have not seen any documentation that animals experience stress and distress after release. This is merely an unfounded assumption. Yes, they often exhibit lower survival but I don't know that "stress and distress" have been documented. (PS I do have videos and audio of animals exhibiting what can be described as "happy" behavior during and immediately after release).

Finally, the release was approved by the Wyoming Game and Fish Department.

Please let me know if you agree to review this case and which documentation you would need (protocols, annual reports, amendments, email correspondence, etc.). I will just note that the window to successfully release these animals is very short because they need time to create caches for hibernation.

Many thanks in advance

[REDACTED]

PS I informed the chair of the IACUC and the Dean of our college that I'm seeking your review.

(b) (6), (b) (7)(C)

Professor  
Department of Zoology and Physiology  
University of Wyoming  
1000 E. University Ave.  
Laramie, WY 82071

(b) (6), (b) (7)(C)

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**From:** [APHIS-AnimalCare](#)

**Sent:** Sunday, August 14, 2022 5:35 PM

**To:** (b) (6), (b) (7)(C)

**Subject:** Automatic reply: [External Email]Requesting a review of an IACUC decision

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- If your message contains a licensing or registration application or processing request it will be forwarded for review and processing. If further information is required, a member of our team will contact you directly. Acknowledgement of the successful processing of your application is the receipt of your licensing and/or registration certificate.



- If your message contains a request (i.e. name change request, contact information change request, site change request, etc.) our team will provide a response within 3 business days. Please allow 10 business days for acknowledgement of the completion of your request.
- If your message contains questions our team will provide a response within 3 business days. Our response may contain an answer and/or be forwarded to one of our colleagues for the most timely and accurate response.

If you need immediate assistance, please contact our office at 970-494-7478.

Learn more about our new licensing regulations at the following link: [USDA APHIS | New Licensing Rule](#)

Please use our online self-service tool to assist you in determining the appropriate application to complete as required under the Animal Welfare Act (AWA). Visit the Animal Care [Licensing and Registration Assistant](#) to complete the 5 to 15 minute questionnaire that will recommend the specific license and/or registration required and provides links to the application packets, if applicable.

Please keep your physical and electronic contact information up to date with us by reaching out via this email address or calling when changes occur.

We look forward to serving you!

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**From:** (b) (6), (b) (7)(C)  
**To:** [APHIS-AnimalCare](#)  
**Subject:** [External Email]Requesting a review of an IACUC decision  
**Date:** Sunday, August 14, 2022 7:35:50 PM

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[External Email]

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Hello,

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Many thanks

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)  
Professor  
Zoology and Physiology

(b) (6), (b) (7)(C)

Sent from my iPhone