

**THE FISH AND WILDLIFE SERVICE
GONE WILD: EXAMINING
OPERATION LONG TAIL LIBERATION**

OVERSIGHT HEARING

BEFORE THE

SUBCOMMITTEE ON OVERSIGHT AND
INVESTIGATIONS

OF THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

Tuesday, September 10, 2024

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HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: Subcommittee on Oversight and Investigations Republican Members
From: Subcommittee on Oversight & Investigations Staff; Michelle Lane (Michelle.Lane@mail.house.gov) and James Lundquist (James.Lundquist@mail.house.gov), x6-8747
Date: Tuesday, September 10, 2024
Subject: Oversight Hearing on “The Fish and Wildlife Service Gone Wild: Examining Operation Long Tail Liberation”

The Subcommittee on Oversight and Investigations will hold an oversight hearing titled “The Fish and Wildlife Service Gone Wild: Examining Operation Long Tail Liberation” on **Tuesday, September 10, 2024, at 10:30 a.m. in 1334 Longworth House Office Building.**

Member offices are requested to notify Cross Thompson (Cross.Thompson@mail.house.gov) by 4:30 p.m. on Monday, September 9, 2024, if their members intend to participate in the hearing.

I. KEY MESSAGES

- The Fish and Wildlife Service (Service) conducted an investigation in the Kingdom of Cambodia (Cambodia), known as “Operation Long Tail Liberation,” to investigate allegations of exportation to the U.S. of wild-caught long-tailed macaques falsely labeled as captive-bred. This investigation spanned at least five years and did not result in charges or convictions against any U.S. individual or entity.
- In carrying out Operation Long Tail Liberation, the Service paid a Chinese national, an informant, \$225,000 of government funds to gather information surreptitiously in Cambodia without the knowledge of the Cambodian Government. In addition, the Service aided the informant and his family in finding housing and transportation to the U.S., assisted in obtaining a visa, and provided job placement services.
- When the Service conducted Operation Long Tail Liberation, they did not notify the local law enforcement agencies. The Service ran a covert operation on their terms, on foreign soil, with an improper investigative process.
- The U.S. currently leads the world in medical research. However, without a strong U.S. industry to supply non-human primates (NHPs) for medical research and testing, China will dominate the trade of NHPs, lead the world in medical research and testing, and consequently control the pipeline for new medicines, vaccines, and treatments.

II. WITNESSES

Panel 1:

- **Ms. Martha Williams**, Director, U.S. Fish and Wildlife Service, Department of the Interior, Washington, DC

(v)

Panel 2:

- **Mr. Paul Pelletier**, Attorney and Consultant, PEP Talk Advisors, Fairfax, VA
- **Dr. Chris Abee**, DVM, Professor Emeritus, University of Texas MD Anderson Cancer Center, Paige, TX
- **Dr. Donna Clemons (retired)**, D.V.M., DACLAM, Retired Research Veterinarian Trevor, WI
- **Dr. Thomas Gillespie**, Professor & Chair, Department of Environmental Sciences, Emory University, Atlanta, GA [Minority Witness]

III. BACKGROUND

On June 5, 2024, the House Committee on Natural Resources (Committee) sent a letter to the Service to investigate actions taken during an investigation titled “Operation Long Tail Liberation.”¹ The Service’s Office of Law Enforcement conducted this five-year interagency investigation in Cambodia to investigate allegations of the acquisition and exportation to the U.S. of wild-caught long-tailed macaques falsely labeled as captive-bred.²

The long-tailed macaque, a monkey native to Asia, is included in Appendix II of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES).³ Appendix II classifies the long-tailed macaque as a “threatened” species and not “endangered.”⁴ This species is in heavy demand by biomedical laboratories, including in the U.S., for “combating human infectious disease outbreaks as they have been widely utilized in the development of human vaccines including AIDS/HIV, periodontitis and most recently SARS-CoV-2.”⁵

Special permits are required to import long-tailed macaques into the U.S. due to their listing in the CITES appendices.⁶ While legal trade primarily involves captive-bred long-tailed macaques, wild-caught macaques can be legally traded if captured with the local government’s permission.⁷

The long-tailed macaque is the most traded primate in the world for its uses in medical testing and research.⁸ The U.S. has observed a significant increase in demand for long-tailed macaques due to the sudden need for COVID-19 vaccine research, further contributing to a worldwide shortage of these animals. For example, in 2021 alone, over 30,000 long-tailed macaques were imported to the U.S., with the cost of a single primate rising to as much as \$50,000.⁹ Imports into the U.S. have recently declined due to import restrictions imposed by the Service on breeding colonies in Cambodia, and are further exacerbated by an embargo from the Chinese government.¹⁰ Medical research in the U.S. is presently at risk due to a shortage of long-tailed macaque for medical research purposes, which provides an advantage to the Chinese, who are looking to develop their medical research pipeline.¹¹

¹ See Letter from Rep. Bruce Westerman, Chairman, H. Comm. on Natural Resources, and Rep. Paul A. Gosar, Chairman, Subcomm. on Oversight & Investigations, to Shannon Estenoz, Assistant Secretary for Fish and Wildlife and Parks, U.S. Department of the Interior, and Martha Williams, Director, U.S. Fish and Wildlife Service, U.S. Department of the Interior (June 5, 2024), https://naturalresources.house.gov/uploadedfiles/2024.06.05_hnr_operation_long_tail_letter.pdf.

² Eight International Wildlife Traffickers Indicted, U.S. Fish and Wildlife Service (Nov. 21, 2022), <https://www.fws.gov/story/2022-11/eight-international-wildlife-traffickers-indicted>.

³ See <https://cites.org/eng/taxonomy/term/1132>.

⁴ See <https://cites.org/eng/node/130903>.

⁵ Regina Kate Warne et al., *Is biomedical research demand driving a monkey business?*, NATIONAL LIBRARY OF MEDICINE (Jun. 16, 2023), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10288045/>.

⁶ See <https://cites.org/eng/disc/how.php>, How CITES Works.

⁷ *Id.*

⁸ Lief Erikson Gamalo, *Removal from the wild endangers the once widespread long-tailed macaque*, WILEY ONLINE LIBRARY (Sep. 4, 2023), <https://onlinelibrary.wiley.com/doi/10.1002/ajp.23547?af=R>.

⁹ *Bringing a Nonhuman Primate into the United States*, CENTER FOR DISEASE CONTROL, <https://www.cdc.gov/importation/bringing-an-animal-into-the-united-states/monkeys.html>.

¹⁰ David Grimm, *Supply of monkeys for research is at a crisis point, U.S. government report concludes*, SCIENCE ADVISOR (May 4, 2023), <https://www.science.org/content/article/supply-monkeys-research-crisis-point-u-s-government-report-concludes>.

¹¹ *Id.*

A. Fish and Wildlife Service Paid a Chinese National Informant

In carrying out Operation Long Tail Liberation, the Service relied on a paid informant to surreptitiously gather information outside of the U.S., in Cambodia, without the knowledge of the Cambodian Government. For background purposes, undercover operations undertaken overseas are typically conducted with the full knowledge and consent of a government, particularly a friendly government, to avoid diplomatic issues. The Committee understands that in this case, the Cambodian Government had no knowledge of this investigation, which would be highly unusual.

The paid informant, Veng Lim Yeung (Yeung), whom the Service nicknamed “Francis,” was a Chinese national working at a primate facility in Cambodia.¹² Sarah Kite, an employee of Cruelty-Free International, a London environmental organization, introduced the Service to Yeung,¹³ who had originally contacted Cruelty-Free International in search of a salary.¹⁴ The information gathered by the paid informant would become the basis of indictments for illegally importing long-tailed macaques into the U.S.¹⁵

In court records, Yeung admitted to receiving almost \$225,000 from the Service throughout the investigation.¹⁶ Additionally, as part of that investigation, Yeung admitted to installing spyware on a computer at his place of employment,¹⁷ providing access to a security camera at the gate of the facility to Service agents,¹⁸ and stealing a visitor logbook from his employer,¹⁹ among other actions. Following his work for the U.S. in Cambodia, the U.S. government paid Yeung and his family to relocate to the U.S.,²⁰ and provided him with a bank account and housing assistance,²¹ and aided him in obtaining authorization to work in the U.S.²² All of this came at significant expense to the taxpayer and the Service’s programs.

B. Improper Investigation Uncovered in Court

On November 16, 2022, the Department of Justice announced the conclusion of Operation Long Tail Liberation with an eight-count indictment charging “two officials of the Cambodian Forestry Administration, Ministry of Agriculture, Forestry and Fisheries; the owner/founder of a major primate supply organization and its general manager; and four of its employees with smuggling and conspiracy to violate the Lacey Act and the Endangered Species Act.”²³ Of those, only Masphal Kry, the Deputy Director of the Department of Wildlife and Biodiversity for the Cambodian Forestry Administration, stood trial in the U.S.²⁴ However, Mr. Kry was acquitted of all charges after a two-week trial, where court records revealed potential misconduct by the Service throughout their investigation.²⁵

¹² Trial Transcript 3-15-24 PM Manera Direct pp 65 et seq, March 15, 2024.

¹³ *Id.* at 64-65.

¹⁴ Trial Transcript 3-14-24 AM Yeung Direct pp 189-190, March 14, 2024.

¹⁵ See Case 1:22-cr-20340-KMW, *United States v. Masphal Kry*, Exhibit A to Defendant’s Masphal Kry’s Reply in Support of Motion to Conduct Depositions Pursuant to Fed. R. Crim. P.15 from the lawsuit for a concise description of these issues, which are also discussed in court transcripts.

¹⁶ *Id.* at 193.

¹⁷ Trial Transcript 3-15-24 AM Yeung Cross Examination p. 16, March 15, 2024.

¹⁸ *Id.* at 13.

¹⁹ *Id.* at 16-17.

²⁰ Trial Transcript 3-15-24 PM Manera Direct p 82, March 15, 2024.

²¹ *Id.* at 85-87.

²² *Id.* at 87.

²³ U.S. Attorney’s Office, Southern District of Florida, *Cambodian Officials and Six Co-conspirators Indicted for Taking Part in Primate Smuggling Scheme*, U.S., DEPARTMENT OF JUSTICE (Nov. 16, 2022), <https://www.justice.gov/usao-sdfl/pr/cambodian-officials-and-six-co-conspirators-indicted-taking-part-primate-smuggling-0>.

²⁴ Jay Weaver, Cambodian official acquitted of smuggling rare wild monkeys into South Florida, MIAMI HERALD (Mar. 25, 2024), <https://www.miamiherald.com/news/local/article/287073860.html>.

²⁵ Daniel Gligich, U.S. wildlife officials paid a Chinese national \$224k to spy on Cambodia. Their top target was just acquitted., THE SAN JOAQUIN VALLEY SUN (Apr. 1, 2024), <https://sjvsun.com/u-s-wildlife-officials-paid-a-chinese-national-224k-to-spy-on-cambodia-their-top-target-was-just-acquitted/>.

Rather than utilizing standard processes available under CITES and international laws for their investigation, the Service conducted a covert operation in Cambodia without notifying the national government. In addition, it is unclear what policies guide the engagement and vetting of paid informants in these types of investigations. In this instance, it is clear from his own words and actions that a possible motivation for Yeung, the paid informant, was to seek payment from anyone who would hire him.²⁶

Court records also call into question the adequacy of the Service's background investigations before hiring Yeung as a paid informant. For example, during proceedings to acquire U.S. citizenship, Yeung signed an affidavit that excluded the fact that he had previously been married to another Chinese National.²⁷ Yeung failed to provide this information to Service law enforcement agents, nor was this revealed in any background checks or clearances that the Service or other federal agencies performed during his vetting as a paid informant.²⁸ Yeung also admitted in court to smuggling hundreds of wild-caught monkeys while working for the Service.²⁹

There are also fundamental questions about whether the Service's investigation against officials in the Cambodian Government was legal and whether it followed Service policies and guidance. For example, during the investigation, Yeung admitted to stealing electronic records from his employer for the Service, installing a computer program on office computers to allow the Service to watch surveillance cameras at the primate facility, and purchasing recording devices and secret cameras to record meetings and events, all without authorization from his employer or the Cambodian Government.³⁰

The Service's compliance with basic recordkeeping and secure systems requirements has been called into question due to several actions. It is evident that they did not readily disclose communications between Service agents and the paid informant during the trial. Additionally, there is considerable uncertainty surrounding the disclosure of text messages and other communications between the Service and Yeung, as well as the destruction of certain communication records during the investigation.

Furthermore, information that emerged during subsequent court proceedings has raised concerns about the use of a Google Drive set up by Yeung for sharing information obtained during the investigation with Service agents.

C. Impact on Domestic Businesses and Medical Research

At the conclusion of the trial, two U.S. citizens from private U.S. companies involved in the domestic industry for providing long-tailed macaques for medical testing remain "unindicted co-conspirators" within the indictment.³¹ This has created a serious unresolved legal situation for these individuals and their companies—as they remain "unindicted co-conspirators," they will not have the opportunity to defend themselves or their companies in court.³² As a result, U.S. companies have experienced reputational repercussions from Operation Long Tail Liberation, despite the investigation yielding zero convictions or charges for U.S. citizens or companies.³³

The U.S. has long sought to establish domestic sources for the long-tailed macaque in order to reduce dependence on imports from countries such as China.³⁴ At the moment, the U.S. and most other countries must rely on "China's export to test for new treatments for cardiovascular diseases, neurological disorder and cancers."³⁵ However, public campaigns by People for the Ethical Treatment of Animals (PETA), Cruelty-Free International, and other left-wing advocacy groups,

²⁶ Trial Transcript 3-14-24 AM Yeung Direct Examination pp 182-184, March 14, 2024.

²⁷ *Id.* at 166-171.

²⁸ Trial Transcript 3-15-24 AM Yeung Cross Examination p. 35, March 15, 2024.

²⁹ *Id.* at 27.

³⁰ Trial Transcript 3-15-24 AM Yeung Cross Examination p. 13 et seq, March 15, 2024.

³¹ Paul Pelletier, *Briefing memo—Oversight Subcommittee*, PEP TALK ADVISORS (July 7, 2024), On file with Committee.

³² *Id.*

³³ Christopher Cann, Small town residents unite to fight a common enemy: A huge monkey farm, USA Today (Jan. 28, 2024), <https://www.usatoday.com/story/news/nation/2024/01/28/monkey-farm-breeding-medical-science-research/72339272007/>.

³⁴ *Id.*

³⁵ Steve Boggan, *China's plan for medical domination: If there's another pandemic, the West could be dependent on Beijing for vaccine development*, UNHERD (Feb. 8, 2021), <https://www.nabr.org/about-nabr/news/implications-nhp-shortages-us-biomedical-research>.

coupled with the actions of the Service to restrict the trade of the long-tailed macaque, are crippling the domestic industry.³⁶

Now, U.S. companies are being penalized through the denial of CITES permits for the import of captive-bred NHPs, including the long-tailed macaque, that were born in the U.S., and those related to Cambodia.³⁷ This is reportedly due to the Service questioning the “legal acquisition” of the parental stock of NHPs from Cambodia, even if legally imported into the U.S. and previously authorized by the Service.³⁸ The blanket denial of permits for captive-bred NHPs within the U.S. that have a connection to Cambodia has seriously affected the nascent domestic industry for NHPs, and “business and research has been substantially impacted.”³⁹ The ability to obtain permits to export the blood samples and tissue samples of NHPs, a common practice in the industry, has also been restricted.⁴⁰

D. PETA’s Close Relationship with the Fish and Wildlife Service

Radical, left-wing advocacy groups, particularly PETA, have aggressively lobbied the Biden-Harris administration for the total halt on not only the import of NHPs, particularly the long-tailed macaque, but also the use of NHPs for medical testing and research.⁴¹ For years, PETA has waged a public campaign to pressure the U.S. government to classify the long-tailed macaque as endangered under the Endangered Species Act and ultimately eliminate imports of the long-tailed macaque, despite the vast repercussions for medical research in the U.S.⁴²

PETA has targeted the Service with their advocacy efforts, and has strongly supported Operation Long Tail Liberation,⁴³ as the investigation became a popular fundraising tool for PETA over the last several years.⁴⁴ This effort is ongoing—after the conclusion of the trial resulting from Operation Long Tail Liberation, PETA initiated a petition urging the Service to:⁴⁵

- End all monkey imports from Asia immediately.
- Speed up its investigation into U.S. companies that profit from illegally captured monkeys.
- Indict the unnamed U.S. coconspirators in the just-concluded case.⁴⁶

Due to the conduct of the Service throughout Operation Long Tail Liberation, and the intense pressure campaign by radical left-wing groups to halt all imports of NHPs, the Committee is concerned regarding the Service’s perceived close relationships with PETA and Cruelty-Free International.

As previously stated, Ms. Kite from Cruelty-Free International first introduced the Service to Yeung for Operation Long Tail Liberation.⁴⁷ The information Yeung gathered formed the unstable foundation for the indictments following Operation Long Tail Liberation.⁴⁸ The Committee has sought information on the discussions that took place between these organizations and the Service that resulted in the hiring of Yeung as an informant, and whether any information relating to this matter was improperly shared with these organizations.⁴⁹

³⁶ Pelletier, *supra* note 32.

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Updates: Campaign to Shut Down the Violent Monkey-Importation Industry*, PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS, <https://www.peta.org/features/campaign-updates-monkey-importation/>.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ *Forests Emptied to Fill Laboratories With Endangered Monkeys—Act Now to Stop This!*, PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS, <https://support.peta.org/page/65925/action/1?locale=en-US>.

⁴⁶ *Id.*

⁴⁷ Trial Transcript 3-15-24 PM Manera Direct pp 64-65 et seq, March 15, 2024.

⁴⁸ See Case 1:22-cr-20340-KMW, *United States v. Masphal Kry*, Exhibit A to Defendant’s Masphal Kry’s Reply in Support of Motion to Conduct Depositions Pursuant to Fed. R. Crim. P.15 from the lawsuit for a concise description of these issues, which are also discussed in court transcripts.

⁴⁹ See, e.g., Trial Transcript 3-13-24 AM p. 5.

The Committee has received information that PETA improperly obtained a document related to the trial of Mr. Kry.⁵⁰ In the Mr. Kry removal proceeding, Service Agent Dorothy Manera attached a copy of the indictment to her affidavit.⁵¹ However, PETA released a press release on November 16, 2022, the same day the indictment was unsealed, with an identical copy of this same indictment.⁵² The Committee finds this concerning, as that copy of the indictment was not yet available to the general public at the time of the PETA press release.⁵³ It remains unclear how PETA could have obtained that copy of the indictment before it was available to the general public.

IV. CONCLUSION

The conclusion of Operation Long Tail Liberation revealed serious concerns with how the Service carried out their investigation, primarily actions related to their Chinese paid informant. The Service failed to follow standard processes available under CITES and international laws for their investigation, rather choosing to conduct a covert operation without informing the Cambodian Government. Congressional oversight is required to explain the shortcomings of this investigation, resolve outstanding concerns, and examine the close relationship of PETA and other left-wing organizations with the Service.

⁵⁰ Paul Pelletier, Follow-up-Longtail Discussion (July 4, 2024). U.S. Fish and Wildlife Service Indictments. On file with Committee.

⁵¹ AFFIDAVIT IN SUPPORT OF REMOVAL TO THE SOUTHERN DISTRICT OF FLORIDA in the United States District Court Eastern District of New York. United States of America v. Masphal Kry, No. 22-mj-01230. On file with Committee.

⁵² Tasgola Bruner, *PETA Statement: Feds Indict International Monkey Smugglers Who Supply U.S. Labs*, PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS (Nov. 16, 2022), <https://www.peta.org/media/news-releases/peta-statement-feds-indict-international-monkey-smugglers-who-supply-u-s-labs/>.

⁵³ Longtail Discussion, *supra* note 50.

**OVERSIGHT HEARING ON THE FISH AND
WILDLIFE SERVICE GONE WILD:
EXAMINING OPERATION LONG
TAIL LIBERATION**

**Tuesday, September 10, 2024
U.S. House of Representatives
Subcommittee on Oversight and Investigations
Committee on Natural Resources
Washington, DC**

The Subcommittee met, pursuant to notice, at 10:35 a.m. in Room 1334, Longworth House Office Building, Hon. Paul Gosar [Chairman of the Subcommittee] presiding.

Present: Representatives Gosar, Collins; and Stansbury.

Also present: Representative Wittman.

Dr. GOSAR. The Subcommittee on Oversight and Investigations will come to order.

Without objection, the Chair is authorized to declare a recess of the Subcommittee at any time.

The Subcommittee is meeting today to hear the testimony on the Fish and Wildlife Service gone wild, examining Operation Long Tail Liberation.

Under Committee Rule 4(f), any oral opening statements are limited to the Chairman and the Ranking Member. I, therefore, ask unanimous consent that all other Members' statements be made part of the hearing record if they are submitted in accordance with Committee Rule 3(o).

Without objection, so ordered.

With non-Subcommittee members participating, I ask unanimous consent that the following Members be allowed to sit and participate in today's hearing.

Without objection, so ordered.

I think we have Mr. Wittman from Virginia.

I now recognize myself for my opening statement.

**STATEMENT OF THE HON. PAUL GOSAR, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF ARIZONA**

Dr. GOSAR. Good morning, everyone. I would like to take a moment to welcome our witnesses.

Thank you for coming before this Committee today to discuss the Fish and Wildlife Service gone wild, examining Operation Long Tail Liberation.

First, I would like to acknowledge that the men and women who serve us as special agents for the Fish and Wildlife Services generally are and do incredible work for our nation, and they have my great appreciation. However, I believe that leadership has failed to support them.

Today, the Committee will examine the Fish and Wildlife Service's failed covert investigation in the Kingdom of Cambodia, Operation Long Tail Liberation, which attempted to expose the alleged illegal exploitation of wild caught long-tailed macaques, falsely labeled as "captive bred," from Cambodia to the United States.

The long-tailed macaque is the most traded non-human primate in the world because they are necessary for medical research, including the development of drugs, vaccines, biomedical research, and treatments. The United States is considered the world leader in medical testing and research. As demand has grown for the long-tailed macaques, spurred by the COVID-19 pandemic, the United States sought to establish a domestic industry for supplying non-human primates for medical testing and research purposes. In response, radical animal rights groups such as PETA and the Cruelty Free International have aggressively lobbied the Fish and Wildlife Service to classify the long-tailed macaque as endangered, and therefore halt all imports to the United States.

Meanwhile, China is taking steps to dominate the world trade of non-human primates. If they accomplish this, China will lead the world on medical research and testing, and subsequently control the pipeline for any new medicines, vaccines, and treatments.

I want to be clear here. We are all talking about potential cures for cancer, Alzheimer's, things of that nature, not just the COVID vaccine.

From what the Committee has observed throughout our investigation, poor leadership at the Fish and Wildlife Service, a lack of establishment guidance for investigations, and influence from radical non-profits led to the deeply flawed Operation Long Tail Liberation. The investigation ended in an embarrassment. After 5 years, the operation resulted in an eight-count indictment, but only one person stood trial in the United States, a Cambodian official, for a brief, 2-week trial that resulted in an acquittal of all charges.

Additionally, two American citizens from domestic companies involved in the trade of non-human primates are listed in the indictment as unindicted co-conspirators. These individuals were never provided the opportunity to clear their name. The unresolved legal situation continues to harm their businesses and the reputation of the domestic industry for non-human primates.

However, the Committee is most concerned with the methodology used for this ill-fated operation. To start, the Fish and Wildlife Service has conducted Operation Long Tail Liberation without notifying the Cambodian Government. This violates policy for international investigations and places undercover agents in compromising positions while operating in a foreign country. The agency also reportedly failed to operate in accordance with the Department of Justice for this investigation, instead choosing to run this covert operation on their own terms.

Perhaps most alarming, the Fish and Wildlife Service introduced national security vulnerabilities to their investigation when they contracted a Chinese national to gather information on behalf of the United States. The Service paid this informant approximately \$225,000 and generously moved him and his family to the United States, all at the expense of the American taxpayer. Cruelty Free

International, a radical animal rights group, first introduced the Services to the Chinese national, who was employed at a primate facility in Cambodia at the time.

The American people deserve an explanation for these and other mistakes made throughout Operation Long Tail Liberation, and for the Fish and Wildlife Service's close relationship with PETA and Cruelty Free International.

The Committee has received information that PETA, on two separate occasions, allegedly obtained documents and images from the indictment and the trial that had not yet been released to the public, meaning someone leaked the information to PETA. PETA and Cruelty Free International have benefited from the publicity of the Operation Long Tail Liberation through their substantial fundraising efforts, focused on declassifying the long-tailed macaque as endangered, and banned all imports of non-human primates.

Clearly, the Department of the Interior is a mess under President Biden and Harris' administration. There is no accountability at any level for their failures. While I recognize this investigation may have begun under the last administration, it was allowed to spiral out of control under this Administration and now there are real consequences. We cannot risk handing over our medical research and ultimately our drug and vaccine pipeline to China for the sake of faulty investigation.

I will now recognize the Ranking Member for her opening statement.

STATEMENT OF THE HON. MELANIE A. STANSBURY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW MEXICO

Ms. STANSBURY. Thank you, Chairman Gosar, and thank you to our witnesses for being here today.

I just want to start by saying this is an extremely difficult topic. And I think, obviously, we are going to hear a lot about the case today. But for me personally, listening to the treatment and illegal trafficking of primates is a very difficult topic.

As was said, long-tailed macaques are the most traded primate in the world. In the United States, they are used to test medicine and vaccines before they are used for humans. And in theory, these monkeys are bred in captivity specifically for that research. They have to be captive bred because wild macaques often carry diseases that can skew the results of a study to determine if a drug will cause health problems in people. And wild populations are increasingly endangered, and poaching is a huge threat.

But let me be clear about my personal position on this issue. I believe that we should not be doing human testing on primates at all, and need further alternatives to address our medical and other needs.

But sadly, many of these primates are continuing to be caught in the wild, poached from their natural habitats, and shipped to the United States under falsified permits. Because the true source of these primates has been altered, this process has been called "monkey laundering."

In 2017, Fish and Wildlife Service agents began an investigation into a major monkey laundering ring. They looked into a Chinese

company called Vanny Holdings with these breeding facilities in Cambodia that were allegedly exporting large numbers of wild macaques into the United States, these are not captive bred, under falsified permits required under the international treaty which regulates these, which is known as CITES. Vanny was using corrupt officials in high places in Cambodia to help falsify those permits, and one of those officials was arrested when he came through the United States.

In the end, this individual was acquitted, not because there was not a crime, but because they didn't have sufficient evidence to show the conspiracy. But there is little dispute that the monkey laundering scheme was happening, thanks to the meticulous investigations conducted by Fish and Wildlife agents, which are our Federal law enforcement who conduct these investigations.

It is apparently a well-known industry secret in recent years the price of a single macaque has risen to as much as \$60,000 per animal. To maintain the supply of profitable monkeys, this multi-billion-dollar animal importation and research industry has invested a lot of time and money into lobbying, apparently into Congress now, and at least one of the Majority's witnesses reflects that investment.

There are outstanding indictments for several other individuals affiliated with this monkey laundering ring, and the investigation is continuing to be ongoing. And we are still here, in the Minority, trying to understand why exactly this hearing was called in the middle of a Federal law enforcement investigation and trial.

Let's be clear. The agents of the Fish and Wildlife Service did their jobs, and they did them correctly. They followed investigative procedures and standards. They received the appropriate approvals and revealed serious flaws in the supply chain of these monkeys. And, in fact, the investigation was initially authorized under the Trump administration, and continued under the current Administration. Authorization was given for the informant and compensation was given, and the Trump administration renewed this investigation four times. Why? Because it is a very serious issue. In transnational organized crime, wildlife trafficking are all wrapped up together, and this is why we do this kind of Federal law enforcement.

And the proceeds from this organized wildlife trafficking often funds terrorism abroad. So, the attacks that we are about to hear in this hearing today are questionable, I have to say, because we know that our Federal law enforcement did what they were asked to do, and that this is an ongoing investigation.

But I want to be clear. We need alternatives. We cannot continue to put our country and our communities at risk, and also these animals. And I believe it is inhumane.

I also want to close by highlighting an urgent and unresolved problem related to this case. In New Mexico, we have more than two dozen chimpanzees who are sitting in limbo in a primate facility that we have been trying to get released. And similarly, Charles River Laboratories is holding 1,000 Cambodian macaques of mixed and uncertain origins because of this case. Those animals could be killed, they could be sent to another country, or they could be put in an animal sanctuary. And it is our hope that the importers who

made a lot of money on this monkey laundering scheme will foot the bill to make sure that those animals are safely transported and put in the care of a sanctuary.

With that, I yield back.

Dr. GOSAR. I thank the gentlewoman for her comments. I will now introduce the witnesses to our first panel: Ms. Martha Williams, Director of the U.S. Fish and Wildlife Service, U.S. Department of the Interior, Washington, DC.

Let me remind the witness that under Committee Rules, you must limit your oral statement to 5 minutes, but your whole testimony will be submitted to the record.

I think you can see the green, red, and yellow lights. You will have to focus right up here if you are talking. When you see the green, you are ready to go. When you are yellow, start closing up. And red, shut it down.

With that, I now recognize Ms. Williams for her 5 minutes.

STATEMENT OF MARTHA WILLIAMS, DIRECTOR, U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR, WASHINGTON, DC

Ms. WILLIAMS. Good morning, Chairman Gosar, Ranking Member Stansbury, and members of the Subcommittee. I appreciate the opportunity to testify before you today to discuss just how important it is for our nation's well-being and defense that we work together to combat wildlife crime.

This is a bipartisan issue. Since the early 1900s, Congress has passed laws to facilitate legal trade in wildlife and prevent the illegal trade, including the Lacey Act, CITES, and the Endangered Species Act.

The U.S. Fish and Wildlife Service, through our Office of Law Enforcement, is the lead Federal agency for protecting natural resources and effective enforcement of these criminal and civil laws. Wildlife trafficking is a multi-billion dollar illicit industry carried out by highly organized and dangerous transnational criminal syndicates that are increasingly diversifying into wildlife trafficking as an avenue for profit. Along with other criminal activities, including drugs, weapons, and human trafficking, money laundering, and terrorism, these organizations pose a serious threat to our national security, economic prosperity, global health, wildlife conservation, and community stability.

The work of our law enforcement office is critically important to disrupting wildlife trafficking. In 2023, our special agents were involved in over 9,000 wildlife crime investigations that resulted in nearly \$3 million in fines and penalties, over 60 years of prison time, and 222 years of probation. Our work levels the playing field for law-abiding businesses, brings criminals to justice, and protects the national security interests of the United States.

Because many of our investigations into wildlife trafficking involve convergence with other crimes committed by criminal syndicates, our special agents work closely with the Department of the Defense, DEA, Homeland Security, and more. All of our Service's investigations are carefully coordinated with Interior solicitors and the Department of Justice and Assistant U.S. Attorneys. We also

coordinate with the State Department on any international investigation.

Combating wildlife trafficking and transnational criminal syndicates is not a partisan issue. There has been bipartisan support for this work across parties and across administrations. President Obama established the Task Force on Wildlife Trafficking. President Trump issued Executive Order 13773 on countering transnational criminal organizations, including those involved in wildlife trafficking. President Biden has continued these efforts, and Congress has supported this work through passage of the bipartisan End Wildlife Trafficking Act.

The investigation that is the subject of today's hearing is also non-partisan. The last administration initiated the investigation that we have continued under this Administration. This investigation targeted individuals who allegedly conspired to poach macaques from the wild, launder them through Chinese-owned captive breeding facilities in Cambodia, and export them to the United States with fraudulent CITES permits issued by corrupt officials within the Cambodian Government.

This is an active, ongoing investigation. While one of the individuals has been tried, there are seven additional indicted individuals with outstanding arrest warrants. To avoid compromising any criminal proceedings, there are law enforcement and legal matters that I will not be able to comment on today.

This alleged illegal activity undercut companies operating legally, led to corruption with a foreign government, and put imperiled species at further risk, and potentially compromised the integrity of the biomedical research in this country by introducing wild macaques with high zoonotic disease risk into the supply chain, all for money.

I want to emphasize the Service understands the importance of lifesaving biomedical research. There is not and never has been a ban on the import of long tailed macaques into the United States. Legal imports of CITES-listed species are commonplace.

Thank you for the opportunity to testify today to shed light on our nation's interest in combating illegal wildlife crime through investigations such as the one that is the subject of today's hearing. I would be pleased to answer any questions that you may have.

[The prepared statement of Ms. Williams follows:]

PREPARED STATEMENT OF MARTHA WILLIAMS, DIRECTOR, UNITED STATES FISH AND
WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

Good morning, Chairman Gosar, Ranking Member Stansbury, and Members of the Subcommittee. I am Martha Williams, Director of the U.S. Fish and Wildlife Service (Service) within the Department of the Interior (Department). I appreciate the opportunity to testify before you today regarding the Service's efforts to carry out its conservation mission by enforcing wildlife laws, regulating wildlife trade, and investigating wildlife crimes through the Service's Office of Law Enforcement (OLE).

The mission of the Service is working with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people. The Service's responsibilities include conserving migratory birds, preventing wildlife disease, combating invasive species, protecting and recovering threatened and endangered species, and promoting global wildlife conservation—all of which rely upon enforcement of relevant criminal and civil laws, such as the Endangered Species Act (ESA), Migratory Bird Treaty Act, and Lacey Act. The Service is the lead federal agency for protecting wildlife and plant resources through the effective enforcement of federal laws, regulations, and international treaties.

Wildlife trafficking was once predominantly a crime of opportunity committed by individuals or small groups. Today, wildlife trafficking is largely carried out by international criminal organizations that are well-structured, highly organized, and capable of illegally moving large commercial volumes of wildlife and wildlife products and laundering its proceeds. These transnational criminal organizations engage in other illicit activities threatening national security, including money laundering, narcotics trafficking, weapons trafficking, and human smuggling. What was once a local or regional problem has become a global crisis, as increasingly sophisticated and violent criminal organizations have branched into wildlife trafficking. This multi-billion-dollar illegal trade is fueled by consumer demand and enabled by corruption, limited legal authorities and law enforcement capabilities, a lack of political will to prioritize countermeasures, and often weak institutions abroad.

Wildlife trafficking is a serious threat to conservation, national security, economic prosperity, global health, and community stability. The Administration is committed to continuing efforts to address it through a whole of government approach coordinated by the Presidential Task Force on Wildlife Trafficking (Task Force). As part of the Task Force, which the Department co-chairs along with the Departments of State and Justice, the Service works alongside 16 other agencies to strengthen enforcement, reduce demand, and build international cooperation to end wildlife trafficking.

Wildlife trafficking causes significant injury to wildlife populations in the United States and abroad. For example, in the Gulf of California off of Mexico, organized criminal groups have continued to harvest the large marine fish totoaba despite it being listed under the ESA and under Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Totoaba is valuable for its swim bladder, with a single pound of swim bladder estimated at between \$8,000-\$12,500. Many of these illegally harvested swim bladders are trafficked from Mexico through the United States to the People's Republic of China for use as a delicacy for consumption and in traditional medicine. Unfortunately, the illegal fishery has drastic effects beyond this species; nets set to catch totoaba also take a species of porpoise called the vaquita. One of the world's most endangered marine mammals, the vaquita has been reduced to an estimated population of fewer than 15 individuals, with only 6–8 individuals observed in the recent 2024 survey. Both totoaba and vaquita are considered to be facing extremely high risk of extinction. There are numerous other examples of species that have had their populations drastically impacted as the result of illicit trafficking.

The Service's OLE, working with other federal, state, Tribal, and international law enforcement partners, plays a key role in disrupting and shutting down this lucrative and harmful illegal business. OLE's investigative and enforcement activities are led by roughly 220 special agents and 103 wildlife inspectors stationed domestically and around the globe. In the United States, OLE was responsible for inspecting 175,223 declared shipments, valued at over \$4.6 billion in legal commerce, at 17 ports of entry in 2023. In addition, OLE personnel are stationed as attachés at 10 U.S. embassies and stations in countries that drive or enable the illegal wildlife trade. In Fiscal Year 2023, the work of OLE personnel contributed to over 9,600 wildlife crime investigations and court-ordered restitution of \$1.9 million in fines, \$1 million in civil penalties, 64 years in prison, and 222 years of probation.

The Service's OLE works with partners on cases that not only protect domestic resources and the economy, but also disrupt transnational criminal organizations that threaten national security. Through an OLE-led five-year investigation coordinated with the Drug Enforcement Administration and Department of Justice (DOJ) and Homeland Security Investigations (HSI), Operation Apex resulted in the seizure of six tons of shark fins and \$200,000 worth of endangered totoaba fish bladders, while also uncovering over \$4 million in cash, narcotics, and firearms. All 12 defendants pleaded guilty and are serving a combined 250 months of incarceration and 60 months of probation. In another example, in 2023, a Malaysian national was convicted of conspiring with criminal associates in Laos, Vietnam, and China to launder money from the illicit sale of rhino horns and pangolin scales. This conviction resulted from a multi-year, international investigation carried out by OLE and resulted in the first time the U.S. Treasury Department sanctioned foreign co-conspirators for the illegal poaching of rhinoceros. During these investigations and many others, the Service, like many federal law enforcement agencies, used a number of common law enforcement tools including undercover operations, the use of informants, controlled purchases of evidence and information, and other evidence collection methodologies. The Service's use of these tools comports with all appropriate legal and statutory requirements as well as Service and Department policies.

The Service's close coordination with DOJ is critical, as DOJ has responsibility for federal criminal prosecutions. OLE investigations are a collaborative effort in

which our special agents work closely with Assistant U.S. Attorneys (AUSAs). To initiate high-profile or sensitive investigations, agents must first present allegations of criminal activity to DOJ, the Department's Office of the Solicitor, and Service managers, who may either approve or deny the investigation. Special agents and AUSAs work closely throughout every aspect of investigations, and investigative methods such as the use of informants, the issuance of grand jury subpoenas, and applications for search and arrest warrants are subject to DOJ review and approval. For any investigative activities that take place in foreign countries, the Service coordinates with DOJ, including Attorney-Advisors from the DOJ Environmental Crimes Section, Department of State, and other agencies.

Today's hearing is focused on one of the Service's recent investigations, titled "Operation Long-Tailed Liberation." This is an active law enforcement matter. The operation was approved in May 2018 in support of President Trump's Executive Order (EO) 13773, "Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking." This EO directed federal agencies to strengthen enforcement of federal law to thwart transnational criminal organizations that presented a threat to public safety and national security through the "illegal smuggling and trafficking of humans, drugs or other substances, wildlife, and weapons." EO 13773 also directed federal law enforcement agencies, such as the Service, to "give a high priority and devote sufficient resources" to these types of investigations while enhancing cooperation with foreign counterparts through the sharing of intelligence and law enforcement information.

In 2020, the People's Republic of China instituted policies that restricted the export of wildlife, including non-human primates, which are traded for biomedical research. The restrictions were implemented following the COVID-19 pandemic and have significantly reduced the nation's supply of non-human primates. As a result, other countries, including Cambodia, have increased their exports to meet the ongoing demand for live non-human primates in the United States. From 2018 to 2022, 155,772 live non-human primates were cleared by the Service and imported into the United States for biomedical research. Of that total, 66,011 live non-human primates were cleared by the Service and imported into the United States from Cambodia, or 42.4% of the total number imported.

Long-tailed macaques, also known as crab-eating macaques, are one of the most common non-human primate species imported from Cambodia for biomedical research. However, long-tailed macaques are also protected under CITES and require permits in order to be imported into the United States. The Service's investigation sought to implement EO 13773 and CITES by increasing OLE's efforts to address organizations that were allegedly involved in the illegal smuggling and trafficking of wildlife, particularly long-tail macaques, from foreign countries to meet demand in the United States.

In November 2022, the U.S. Attorney's Office for the Southern District of Florida announced a superseding indictment against eight individuals charged with smuggling and conspiracy to violate the Lacey Act and the ESA. The defendants facing these felony charges include the owner and founder of a major primate supply organization, its general manager and four employees, and two officials of the Cambodian Forestry Administration, Ministry of Agriculture, Forestry, and Fisheries (MAFF). The indictment reflects the Operation Long-Tailed Liberation investigation and alleges that these individuals conspired to acquire wild-caught macaques and launder them through Cambodian entities for export to the United States and elsewhere, falsely labelled as bred in captivity. As alleged in the indictment, in order to make up for a shortage of suitable monkeys at breeding facilities in Cambodia, the co-conspirators enlisted the assistance of the CITES authority in Cambodia and the MAFF to deliver wild-caught macaques illegally taken from multiple sources, including national parks and protected areas in Cambodia. The indictment alleges that these illegally taken wild macaques were delivered to breeding facilities and in some cases they were subsequently exported under falsified CITES export permits.

Since the November 2022 indictment, the Service has met with numerous federal agency partners regarding the alleged trafficking of long-tailed macaques and falsification of CITES documents. We continue to discuss shipments and permits with importers on a case-by-case basis and are assessing ways to improve the government's ability to verify parentage and captive-bred status of non-human primates. There is not, and has never been, a national ban on non-human primate imports into the United States. Any imports of CITES-listed species, including long-tailed macaques, into the United States must comply with all applicable federal laws and regulations, including those found at 50 CFR Part 23. Importers are responsible for proving the validity of their permits, which includes the source of the species, in order for OLE to clear the import into the country. The Service will continue to

work with other federal agencies, foreign governments, industry, and others to ensure the sustainable and legal trade of wildlife, including long-tailed macaques.

The Service is committed to combatting the illegal wildlife trade. We appreciate the opportunity to testify before the Subcommittee. We welcome the opportunity to provide additional information and answer questions to the best of our ability given that this remains an active investigation.

QUESTIONS SUBMITTED FOR THE RECORD TO MS. MARTHA WILLIAMS, DIRECTOR, U.S. FISH AND WILDLIFE SERVICE

Ms. Williams did not submit responses to the Committee by the appropriate deadline for inclusion in the printed record.

Questions Submitted by Representative Gosar

Question 1. Are there procedures at the service or internal at DOI which allow your agency to conduct a foreign operation without the consent of that nation's government?

Question 2. Did the Service notify the Department of Justice's Office of International Affairs that it was conducting this unusual and potentially illegal operation?

Question 3. Who exactly was notified at the Department of the Interior about Operation Long Tail Liberation in Cambodia?

Question 4. Does the Fish and Wildlife Service have written training materials for its law enforcement officers related to criminal procedure, including suspect interrogation?

Question 5. Can you commit to providing the Committee with any training materials the Fish and Wildlife Service uses to train its law enforcement officers?

Question 6. What are the departmental policies that allowed the Service to hire a foreign informant?

Question 7. What policies allow the Service to set the compensation of paid, covert informants, and who approves these payments?

Question 8. Did the Service authorize the informant to steal documents and use U.S. spying equipment while carrying out his mission?

Question 9. Does the Service rely on the assistance of animal rights groups such as PETA, Born Free, and Cruelty Free International when carrying out international operations?

Question 10. Did the Service actively attempt to arrange employment for the informant with animal right groups like PETA, Born Free and Cruelty Free International?

Question 11. Are you aware that China has proclaimed this species of non-human primate to be of strategic national importance to their country? And, what does that mean to you?

Question 12. Does China have anything to gain while US medical research is handcuffed by questionable accusations and investigations of this sort?

Question 13. It is our understanding that "operation long tail macaque" involves only 8 CITES shipments, however the Service has, in essence, issued an embargo on all imports and re-exports of not only live animals but also derivatives that are part of ongoing biomedical research going back 5 years. How does the Service justify this overly broad approach? What due process has been offered to permit holders who (detrimentally, as it turns out) relied on USFWS issued CITES permits that have now been suspended? Has the Service consulted with the biomedical community to better understand the impact of these permit denials on critical time sensitive research and to seek ways to mitigate the damage when the imports/re-exports are not directly related to the 8 shipments at issue in the indictment?

Questions Submitted by Representative Stansbury

Question 1. I understand there are over 1,000 macaques from Cambodia that are now in limbo here in the U.S. because they can't be used in research and they can't be returned to the wild. What is the status and fate of those macaques?

Question 2. Would you please explain why the larger investigation, of which this Kry trial is a part, is important?

Question 3. Please explain why investigating transnational organized crime is so important and what Fish and Wildlife's role is in that?

Question 4. As we all know, the use of informants is common in investigations. Why was it so important in this particular investigation?

Question 5. Was the amount paid to this informant unusual for an investigation of this magnitude, importance, and duration?

Question 6. What was the basis for the acquittal in the case? Was it because there was not a crime committed?

Question 7. Is there any doubt that the origin of wild macaques from Cambodia were being laundered?

Dr. GOSAR. Thank you, Ms. Williams. We will now recognize our Members for their questions. The first one is the Vice Chair, the Member from Georgia, Mr. Collins.

Mr. COLLINS. Thank you, Mr. Chairman.

Director Williams, as you are aware, the U.S. Fish and Wildlife Service participated in the arrest of a high-ranking Cambodian Government official in the JFK Airport as part of this investigation in November 2022. Mr. Kry was detained in the airport, arrested, and denied access to an attorney or his embassy staff before being questioned, despite clearly not understanding his rights.

So, I want to put aside for a second any crimes that may have taken place. Mr. Kry is basically your counterpart, but for Cambodia, which is a friendly nation. Now, if you were arrested in a friendly nation while traveling on official government business with a diplomatic passport, at a minimum would you have expected to have access to an American embassy before being interrogated, especially if that is a right guaranteed by that country?

Ms. WILLIAMS. Mr. Chair, Congressman Collins, I first want to answer that we did follow all required procedures.

The answer is I would not, frankly, from this government, entertain corrupt dealings. So, I would never be at risk of that.

Mr. COLLINS. It is just a yes or no question is all I was trying to get.

Ms. WILLIAMS. Could you repeat the question, then, please?

Mr. COLLINS. At a minimum, would you have expected to have access to an American embassy before being interrogated, if that is a right guaranteed by the country?

Ms. WILLIAMS. I can't answer that in that I would not be in that position.

Mr. COLLINS. That is a basic law question.

Ms. WILLIAMS. Well, Congressman Collins—

Mr. COLLINS. Let's put it aside. I am down to 3 minutes.

Putting aside any crimes that could have taken place here, again, as Director of the Fish and Wildlife Service, do you expect your law enforcement officers, when interrogating suspects either domestic or foreign, to uphold the law?

Just yes or no.

Ms. WILLIAMS. Absolutely.

Mr. COLLINS. All right. And what type of training did they receive to ensure that this happens? Because if it is not happening, I mean, honestly, the facts of the case don't matter. And I am sure that we all agree that America deserves better.

Ms. WILLIAMS. Mr. Chair, Congressman Collins, the facts of this case have borne out in trial. It is an ongoing criminal investigation for which there are remaining seven arrest warrants, were those individuals to come into this country.

But our law enforcement officers are specially trained with years of experience, and they put their lives on the line day in and day out to carry out their duties in defense of this country.

Mr. COLLINS. Director Williams, the chapter 16, 742(b) of the United States Code lays out the requirements for the position that you hold. Specifically, no individual may be appointed as the director unless he or she is, by reason of scientific education and experience, knowledgeable in the principles of fisheries and wildlife management. Did you have a scientific education and experience prior to your confirmation to this role that satisfied this requirement?

Ms. WILLIAMS. Mr. Chair and Congressman Collins, I am knowledgeable in the principles of science and biology. I have a long record of experience in working with these issues.

Mr. COLLINS. So, do you believe that this is a frivolous requirement in the law, given your educational background coming into the position?

Ms. WILLIAMS. Mr. Chair, Congressman Collins, I believe that my appointment adheres to the law.

Mr. COLLINS. Has the DOI Solicitor's Office ever weighed in on this matter to determine whether or not you are holding this position illegally or legally?

Ms. WILLIAMS. Mr. Chair, I believe that there has been litigation that was dismissed repeatedly on this matter.

Mr. COLLINS. I am running out of time, that is my problem.

The Committee has learned that the Fish and Wildlife Service failed to inform or involve the Cambodian Government during the Operation Long Tail Liberation, as revealed during the trial of Kry and the Deputy Director of the Department of Wildlife and Biodiversity there for the Cambodian Forestry Administration. Why did the Service conduct this operation in Cambodia without first seeking the consent or involvement of the Cambodian Government?

Ms. WILLIAMS. Mr. Chair, Congressman Collins, the U.S. Fish and Wildlife Service Office of Law Enforcement did seek and work with the State Department, with Homeland Security, with a whole number of other organizations. They did not go through the Cambodian Government for the very reason that they were concerned and we had credible evidence of corruption within those individuals indicted in this case in the Cambodian Government.

Mr. COLLINS. All right. Mr. Chairman, I am going to have to yield back.

Thank you, ma'am.

Dr. GOSAR. The gentleman from Virginia is now recognized for his 5 minutes.

Dr. WITTMAN. Thank you, Mr. Chairman.

Director Williams, thank you so much for joining us today. Let me begin with this. Were you aware that the informant that you were working with was a Chinese national?

Ms. WILLIAMS. Mr. Chair, Congressman Wittman, first off, that informant was approved under the previous administration, as was the investigation. But yes, the CPI was a Chinese national working for a Chinese company that we were investigating for their criminal activities. So, yes, sir.

Dr. WITTMAN. Did the Service do any due diligence to determine what connections the Chinese national may have with the CCP or with the Politburo members in their role with this Chinese company?

Ms. WILLIAMS. Mr. Chair, Congressman Wittman, the Service absolutely followed all protocols for using a CPI of a foreign national.

Dr. WITTMAN. So, you did the due diligence to look at any connections there to any entity connected to the CCP or the Politburo.

Ms. WILLIAMS. Mr. Chair, Congressman Wittman, I did not myself, but I know that our Office of Law Enforcement officers followed all procedures.

Dr. WITTMAN. And we know, subsequent to his work, that the Chinese national was offered placement here in the United States. Security, also job placement. Can you give me some idea about what efforts were made and where he was placed in a job here in the United States?

Ms. WILLIAMS. Mr. Chair, Congressman Wittman, no, I cannot answer that question directly because of the ongoing investigation.

But I can say that we worked with Homeland Security, the State Department, and the Department of Justice in bringing this CPI into the country so that we would be able to use his testimony.

Dr. WITTMAN. Was there any connection with the attempts to gain employment for him with organizations that inquired with the Fish and Wildlife Service concerning their concerns about the use of these monkeys in research and the illegal trade of these monkeys from Cambodia?

Ms. WILLIAMS. Mr. Chair, Congressman Wittman, I am not aware of that.

Dr. WITTMAN. OK. There is always a challenge as we see what happened with COVID, and we see the associations with medical research in China and in medical research in the United States, all the way from things like Active Pharmaceutical Ingredients to medical research here. Is there anything or any concern about the efforts that you are undertaking using a Chinese national in what could have been, in that particular case, an effort by China to gain an advantage in medical research?

Obviously, these primates, while we all care about these primates and want to make sure that they are treated properly, we know too that there is a high degree of importance in medical research, especially with groundbreaking medical technologies that are able to save lives. Again, the balance needs to be struck there.

But are there concerns about what this could do to give China a competitive advantage in that realm of medical research?

In other words, are there things that potentially could have happened here with the effort to understand if there is an illegal trade with these monkeys that could be something that was to China's interest to be able to interrupt that effort by the United States in using primates in medical research?

Ms. WILLIAMS. Mr. Chair, Congressman Wittman, I mean, of course, that is something we would always pay attention to. There was never an intent to support Chinese research or anything like that.

The interesting piece of this case I think that has been missed is that this was a Chinese company operating in Cambodia. And the very fact that if wild macaques were laundered and brought into the captive bred macaque community, it could undermine those law abiding, legally operating biomedical companies in this country and bring in zoonotic diseases.

So, it is the contrary. By laundering wild macaques into captive bred facilities, that undermines the procedures that law abiding biomedical companies adhere to in this country. We, at the Fish and Wildlife Service, are working with the National Association of Biomedical Research to make sure there are protocols in place so that wild macaques, especially those with diseases, are not illegally laundered and brought into our country and undermining our competitive advantage.

Dr. WITTMAN. Yes, got you.

Ms. WILLIAMS. Thank you for your question.

Dr. GOSAR. I thank the gentleman.

Dr. WITTMAN. Mr. Chairman, I yield back.

Dr. GOSAR. The gentlewoman, the Ranking Member from New Mexico, Ms. Stansbury, is recognized for her 5 minutes.

Ms. STANSBURY. Thank you, Mr. Chairman.

Director, one of the things that I think is important for people to understand is that Fish and Wildlife Service actually has a law enforcement division. These are commissioned officers that engage with the FBI, the CIA, international law enforcement, and local police. These folks carry guns. They are dealing with cartels. They are dealing with international human traffickers. They are dealing with really bad people. Is that correct?

Ms. WILLIAMS. Yes, Ranking Member Stansbury. They put their lives on the line every day to protect our country.

Ms. STANSBURY. And I think it is important that people understand that wildlife trafficking is not just about the wildlife, though. That is very, very important, and let's be clear about that. We are talking about primates that are classified not only as endangered here in the United States, but they are also classified internationally under the UN as endangered species.

So, we have a Chinese-based company, a Chinese-owned company that is essentially using a third party in Cambodia to go capture primates that are endangered in the wild, then changing the papers so that they can illegally transport them into the United States and sell them to an American company in order to do biomedical research. That is essentially the outline of the case. Is that correct?

Ms. WILLIAMS. Ranking Member Stansbury, yes.

Ms. STANSBURY. And in many cases, these companies that are involved in international wildlife trafficking are, and I am not saying in this case, because I don't have all of the background on this company, but in many, many cases, and this is what Fish and Wildlife encounters every day, these folks are wrapped up in international cartels, crime syndicates. There is human trafficking. There is gun trafficking going on. Like, there are serious crimes in addition to the animal crimes that are occurring.

And the reason why we crack down on these crimes is not only because of the implications for research and what that will mean for biomedical research in the United States, not only because it is illegal here in the United States, not only because it is bad for the animals themselves and for the ecosystems that they are a part of, but because it is part of international crime.

And I want to point out that this very Committee has already held six Committee hearings about the border and about international crime, and yet I am hearing my friends across the aisle trying to bend over backwards to defend international wildlife traffickers. It is hard to wrap my mind around, I am just going to put it that way.

So, let's just talk here for a moment about this specific case. It is my understanding from speaking to folks at Fish and Wildlife and from the background materials of this case that it is an ongoing investigation, and that one of the judges who was involved in trying the first defendant said that absolutely there was a crime committed. Is that correct?

Ms. WILLIAMS. Ranking Member Stansbury, I don't—

Ms. STANSBURY. If you don't have it in front of you, I will read the quote.

Ms. WILLIAMS. Thank you.

Ms. STANSBURY. The quote from Judge Williams says, "To say again, I think this jury and any jury would absolutely convict Vanny," this is the Chinese-based company that is involved in this international cartel, "and its personnel because they have been proved to be criminally culpable." So, why are we trying this case in the House Natural Resources Committee? It is being tried by law enforcement and the judiciary. I find it very strange that this Committee is monkeying around, no pun intended, in a trial involving international crime syndicates, as it is actively being investigated by Federal law enforcement with a criminal syndicate that we know a judge and a jury have already said have criminal culpability.

So, Mr. Chairman, I do appreciate that we are shining a light on this issue, because I do believe that we should be finding alternatives. And we do have these 1,000 individual primates that are stuck in limbo because of this case, and that is inhumane, and these animals should be transferred to a sanctuary. But I do not think it is appropriate for Congress to be using its resources to interfere in a criminal trial right now.

With that, I yield back.

Dr. GOSAR. I thank the gentlewoman, and I will address it myself.

Ms. Williams, the United States and Cambodia are both parties to CITES, right?

Ms. WILLIAMS. Mr. Chair, that is correct, along with their 184 parties to CITES.

Dr. GOSAR. Yes, I understand that. But why did the Service choose to completely ignore the treaty and try to prosecute this foreign activity in a U.S. court?

Ms. WILLIAMS. Mr. Chair, we actually were not ignoring the CITES treaty but were enforcing it. In addition to this case, the CITES Secretariat themselves are investigating this as well.

Dr. GOSAR. But once again, you are on a foreign country's turf, and you have to go through those treaty obligations. You have to have the goodwill of that country, don't you?

Ms. WILLIAMS. Mr. Chair, absolutely. But the point of CITES is that you adhere to the requirements of CITES. And in this instance, the Cambodian Government was issuing fraudulent CITES permits to fraudulently and dangerously bring wild long-tailed macaques into this country, and negatively impact our own biomedical research here.

Dr. GOSAR. OK. So, then how do you explain the leaked information that showed up in the PETA regarding the indictment and trial for this operation?

Ms. WILLIAMS. Mr. Chair, I am not aware of any leak.

Dr. GOSAR. OK, you say that PETA never had these documents and pictures? They had none of this?

Ms. WILLIAMS. Mr. Chair, I am not aware of PETA having anything that wasn't in the public record.

Dr. GOSAR. Well, I am really confused here now. PETA has information that is pertinent to the indictments of these individuals. How did that happen?

Ms. WILLIAMS. Mr. Chair, as I said, I am not aware of PETA having any information that was not in the public record.

But what I would clarify too, I want to make sure everyone knows that when the U.S. Fish and Wildlife Service gets information, we deem it credible and we have corroborated it. We should use that regardless of its source, as long as it is accurately corroborated.

Dr. GOSAR. So, is somebody just automatically guilty and they have to prove themselves innocent, or are they innocent until proven guilty?

Ms. WILLIAMS. Mr. Chair, certainly the law pertains here, so they are innocent until proven guilty.

Dr. GOSAR. Just checking on that.

Yes, I would like to submit for the record the recorded interview of Mr. Kry.

Without objection, so ordered.

[The information follows:]

EXHIBIT A

DOI_FWS081071_000332

The full document is available for viewing at:

<https://docs.house.gov/meetings/II/II15/20240910/117486/HHRG-118-II15-20240910-SD009.pdf>

Dr. GOSAR. Now, I know you don't have much of a science background, but I want to still ask this question anyway. What are our options?

I mean, you heard the Ranking Member talk about all these primates in limbo. You know, we can do AI. We now have the ability to make human bladders and all sorts of different things. When is some of this going to stop with these primates? What options will we have, and how long do you see us giving options before inducing dogs, cats, primates?

Ms. WILLIAMS. Mr. Chair, I am not sure I understand your question.

Dr. GOSAR. How long do you think it is going to take us to get past these animal trials and start doing them on human-formed bladders and stuff like that?

Ms. WILLIAMS. Mr. Chair, I believe that there actually are some methods that are in place now that don't require research on non-human primates.

But nonetheless, I want to be clear that there has not been a ban on non-human primates in this country, and there are CITES permits and CITES-traded, legal traded, wildlife that come into this country every day, thanks to our Office of Law Enforcement investigators who are at the borders securing our nation's security as these and other illegally-traded goods come into this country.

Dr. GOSAR. I understand that, but my question was, in your opinion, how long is it going to take us to get away from these animal trials? Point blank.

Ms. WILLIAMS. Mr. Chair, I will have to get back to you. But I do know there is some research that happens without it.

Dr. GOSAR. My last comment is just for the record. In this trial, the company under discussion, Vanny, which is headquartered in Hong Kong, was not charged. OK.

With that, I think we are done with our questions, and I will dismiss the witness and go to Panel 2.

Ms. WILLIAMS. Thank you, Mr. Chair. On the last comment, the seven remaining indictments, six of them were Chinese nationals that worked for Vanny. So, the company employees were a part of this.

Dr. GOSAR. Well, I guess going back to my first question, there was a treaty under CITES, and it seems like the United States did what they wanted to do. And I am just saying that they didn't follow the treaty obligations and go through Cambodia first. And I think there are a lot of problems with this, whether it be in a war, whether it be the transfer of primates. I think we have serious misgivings about our position in the world that we can violate any law we want to, whenever we want to.

So, with that, thank you very much, Ms. Williams, and we appreciate it. And we will take a 5-minute break until the second panel can get put into place. Thank you.

Ms. WILLIAMS. Thank you.

[Pause.]

Dr. GOSAR. Welcome back, everyone. I will now introduce the second panel.

Mr. Paul Pelletier, Attorney and Consultant, PEP Talk Advisors, Fairfax, Virginia; second, Donna Clemons, D.V.M., DACLAM, Retired Research Veterinarian, Trevor, Wisconsin; third, Mr. Thomas Gillespie, Professor and Chair, Department of Environmental Sciences, Emory University, Atlanta, Georgia; and finally, Dr. Chris Abee, Professor Emeritus, MD Anderson Cancer Center, the University of Texas, Paige, Texas.

Let me remind the witnesses that under the Committee Rules, you must limit your oral statement to 5 minutes. However, your entire statement will be placed in the record.

I will now start by recognizing Mr. Pelletier for his first 5 minutes.

STATEMENT OF PAUL PELLETIER, ATTORNEY AND CONSULTANT, PEP TALK ADVISORS, FAIRFAX, VIRGINIA

Mr. PELLETIER. Mr. Chairman and Ranking Member, thank you for your time this morning, and thank you to the Committee for its time and attention to this most important matter.

Let me start by being blunt. The costly 5-year undercover investigation and subsequent trial of a Cambodian Government official by the Fish and Wildlife Service was an abject failure.

This disastrous investigation and prosecution was the direct result of a severely flawed and unsupervised plan. The government's conduct was unlawful, and institutional bias of the Fish and Wildlife was nothing short of a misguided effort to obstruct the importation and transportation of non-human primates, or NHPs, for critical medical, vaccine, and drug research. This illegal effort has

resulted in a negative global impact to human health, and has damaged medical research in the United States.

It has been consistently apparent that the Fish and Wildlife, under the influence of PETA and other so-called animal advocacy groups, was more focused on a relentless publicity campaign. This half-decade PR campaign began when the Fish and Wildlife investigation was transparently dubbed “Operation Long Tail Liberation.” It was then carried out through the recruitment of an unmonitored and uncontrolled Chinese national as a U.S.-paid illegal undercover informant.

And what did all this effort and expense yield? First, the dismissal of six of eight charges against the Cambodian official in response to the government’s mismanagement and withholding of evidence. Then the jury acquitted the Cambodian official of the remaining two charges, rejecting the government’s allegations completely. It is now clear that the government never actually possessed evidence to support the charges against the Cambodian official. Prior to the trial in Miami, I spent months reviewing Fish and Wildlife’s so-called evidence and then watched every day of the trial in person. I will lay this out for you plainly.

First, starting in 2017, a Chinese national was recruited and paid hundreds of thousands of dollars by Fish and Wildlife to act in an effectively unsupervised and undercover role as the agency conducted its off-the-books operation at a large NHP breeding farm in Cambodia, which for many years had reliably sold NHPs to importers in the United States and other countries.

Rather than actually liberate any long tail macaques, which of course is not the mission of Fish and Wildlife’s Office of Law Enforcement, it is apparent that the agency repeatedly broke international laws by conducting the undercover operation on foreign soil without the proper consent of either Cambodian or U.S. State Department officials. In so doing, Fish and Wildlife endangered American citizens by causing the complete cessation of imports of any NHPs from Cambodia, which was by far the largest supplier of NHPs to the United States, especially since 2020, when a ban on the exportation of Chinese-bred NHPs due to COVID went into effect.

While Fish and Wildlife was conducting its 5-year illegal operation, it continued to authorize the entry into the United States of tens of thousands of NHPs that they now claim, without any credible evidence, were exported illegally into the United States.

It doesn’t end there. As Fish and Wildlife’s illegal operation continued, the government unconstitutionally labeled my client, Worldwide Primates, an unindicted co-conspirator when, according to the Fish and Wildlife’s own paid Chinese operative, the government absolutely knew that my client had no involvement in any criminal activity.

Despite the acquittal, as we have confirmed with a public records request and evidence admitted at trial, Fish and Wildlife’s undercover Chinese operatives remained on the agency’s payroll, earning tens of thousands of more taxpayer dollars in yet another covert international investigation in Cambodia, this one aptly code-named “Operation Monkey Business.” Incredibly, the government then

moved the Chinese national and his family to the United States at taxpayer expense.

In sum, Mr. Chairman, Fish and Wildlife's refusal to abide by the long-held demonstrably effective protocols already set forth in the international CITES treaty in which Fish and Wildlife plays a central enforcement role has set back international cooperation for decades, all because Fish and Wildlife and the DOJ have lost sight of their established missions. Instead, they have taken sides with private sector radical animal rights groups like PETA to prevent U.S. Government mandated and essential commerce of NHPs for our vital domestic bioscience and vaccine research program.

The indictment, not CITES, effectively removed Cambodia as a supplier of captive bred NHPs for export to only the United States. Fish and Wildlife is now implementing a de facto ban on importing any NHPs bred in captive breeding centers in Cambodia, none of which were referenced in the indictment or in any official records. These disastrous consequences disadvantaged only United States stakeholders, namely scientific researchers and their suppliers. Other countries such as Canada, Japan, and Korea remain free to import from Cambodia under valid CITES permits.

Meanwhile, China continues its primate bioscience research unabated. After implementing its 2022 export ban, China can now advance scientific research to the detriment of the United States healthcare organizations and the American public's need for cures and vaccines.

Thank you very much.

[The prepared statement of Mr. Pelletier follows:]

PREPARED STATEMENT OF PAUL E. PELLETIER

Mr. Chairman, thank you for your introduction this morning. And thank you to the subcommittee for its time and attention to this most important matter.

Let me start by being blunt: the costly, five-year, extra-territorial "undercover" investigation and subsequent trial of a Cambodian government wildlife official that U.S. Fish and Wildlife Service ("FWS") was investigating was an abject failure.

This disastrous investigation and prosecution was the direct result of a severely flawed and unsupervised plan. The government's conduct was unlawful, and the institutional bias of the FWS was nothing short of a misguided effort to obstruct the importation and transportation of Non-Human Primates ("NHPs") for critical medical, bioscience, vaccine and drug research. This illegal effort has resulted in a negative global impact to human health and has damaged medical research in the U.S.

It has been consistently apparent that FWS, under the influence of PETA and other so-called "animal advocacy" groups, was more focused on a relentless publicity campaign. This half-decade PR campaign began when the FWS investigation was transparently dubbed "Operation Longtail Liberation." It was then carried out through the recruitment of an unmonitored and uncontrolled Chinese national as a U.S.-paid illegal undercover informant.

And what did all this expense and effort net? First, the dismissal of seven of the nine charges against the Cambodian official in response to the government's mismanagement and withholding of evidence. Then, the jury acquitted the Cambodian Wildlife official on the remaining two charges, rejecting the government's allegations completely.

It is now clear that the U.S. government never actually possessed evidence to support the charges against the Cambodian official.

All of this has seriously undermined FWS' core mission. Having personally supervised and prosecuted hundreds of complex international criminal fraud schemes on the government's behalf, I am experienced in these areas of law and with government agencies, including FWS.

I was privileged to serve as a federal prosecutor with the Department of Justice for over 25 years. In Miami, I supervised both the Narcotics and Economic Sections

for more than 10 years. In 2002 I was called to Main Justice in DC to assist in revitalizing the Criminal Division's Fraud Section tasked with overseeing the burgeoning accounting fraud scandals that were affecting confidence in our economy.

And, for more than 15 years, I trained prosecutors and agents on how to conduct complex international investigations at DOJ's National Advocacy Center.

Mr. Chairman, prior to the trial in Miami of this Cambodian official, I spent months reviewing FWS' so-called evidence and then watched every day of the trial in person.

I'll lay this out for you, plainly:

First, starting in 2017, a Chinese national was recruited and was paid hundreds of thousands of U.S. dollars by FWS to act in an unsupervised undercover role as the agency conducted its off-the-books operation at a large NHP breeding farm in Cambodia which for many years reliably sold NHPs to importers in the United States and other countries.

Rather than actually "liberate" any longtail macaques, which of course is not the mission of the FWS Office of Law Enforcement, it is apparent that the agency repeatedly broke international laws by conducting the undercover operation on foreign soil without the consent of either Cambodia or the U.S. State Department.

In so doing, FWS endangered American citizens by causing the complete cessation of imports of any NHPs from Cambodia, which was by far the largest supplier of NHPs to the United States, especially since 2020 when a ban on the exportation of Chinese-bred NHPs due to COVID went into effect.

While FWS was conducting its 5-year illegal operation, it continued to authorize the entry into the U.S. of tens of thousands of NHPs that they **now claim**, without credible evidence, were exported illegally into the United States.

It doesn't end there.

As FWS' illegal operation continued, the government unconstitutionally labeled my client, Worldwide Primates (WWP), an "unindicted coconspirator," when, according to FWS' own paid undercover operative, the government absolutely knew that my client had no involvement in any such scheme.

After the acquittal at trial, as we have confirmed with a public records request and evidence admitted at trial, the FWS's undercover operative remained on the agency's payroll, earning tens of thousands of more taxpayer dollars in yet another covert international investigation in Cambodia, this one aptly Code named "Operation Monkey Business." Incredibly, the government then moved the operative and his family to the United States at taxpayer expense.

In sum, Mr. Chairman, FWS' refusal to abide by the long-held, demonstrably effective protocols already set forth in the international CITES treaty, in which the FWS plays a central enforcement role, has set back international cooperation in this area for decades. All because the FWS and the DOJ have lost sight of their established missions.

Instead, they have taken sides with private sector radical animal rights groups like PETA to prevent the US-government-mandated and essential commerce of NHPs for our vital domestic bioscience and vaccine research programs.

You should know that though the undercover portion of "Operation Longtail Liberation" officially ended in January 2022, the DOJ waited more than seven months to bring charges; all the while, FWS continued to authorize the importation of thousands of NHP's into the US—NHP's which the FWS now refuses to be allowed for bio-science research.

So they delay bringing these charges until July 2022—not coincidentally, this was one week after the public revelation of a PETA-driven and questionable report which, of course, concluded that longtail macaques were now "endangered." This was a complete falsehood, contrary to the CITES determination that these longtail macaques are not in fact endangered at all and instead are an Appendix II "threatened" species. Interestingly, DOJ just managed to include that legally irrelevant and orphaned "endangered" finding in its press release announcing the arrest of the Cambodian Wildlife official.

And soon after the unsealing of the indictment, the United States Attorney's office in Miami issued a grand jury subpoena to publicly traded importer of research NHP's, knowing that they would have to be announced publicly by the company. Despite the fact the there existed no possible venue in the Southern District of Florida! Nevertheless, upon the mandatory disclosure of the subpoena, investors in that public company lost more than \$1.25 *billion* dollars.

Along with collaborating with and embracing PETA, whose stated mission is to **prevent the importation and use of all** animals for any purpose (including bioscience research as required by both vaccine development and US law), the FWS confidentially shared aspects of its investigation with PETA, so PETA could promote FWS' actions. The FWS covertly provided copies of the indictment and undercover

video tapes directly and immediately to PETA—and only PETA—for its use in generating positive sounding press releases about FWS’ actions. We know this incestuous collaboration continues.

Mr. Chairman, no such similar collaboration occurs between the FWS and US-based importers of NHPs for bioscience research—and these are the very organizations that have the greatest breadth of knowledge and experience in the operations of overseas, purpose-bred NHP farming. Such private companies regularly “audit” the breeding operations of foreign farms to ensure proper conservation measures are utilized.

Now to add some perspective, according to the Centers for Disease Control (CDC), the number of NHPs annually imported into the United States, has remained relatively consistent at around 25K per annum for the last 15 years. In the wake of the COVID pandemic, a severe export ban enacted by China in March 2020 removed a large portion of previously available, captive-bred NHPs from the global marketplace. This left Cambodia, Mauritius, the Philippines, Vietnam, and Indonesia as the remaining habitats for NHPs that could still be lawfully imported into the United States.

It is important to note that because longtail macaques are an Appendix II threatened species, there is no law that prohibits the import of wild caught NHP’s into the United States as long as they are labeled as such on the required CITES permit (as Source code “W”), and that the importation process is accomplished in accordance with all relevant laws in the country of export. Nevertheless, the biomedical research community had largely shifted from the use of wild caught NHPs to “purpose-bred” NHPs over the last several decades. In addition to important conservation benefits, this shift ensured a better quality NHP for the scientific research sector.

In the U.S., it is the future of the NHP sector.

The Southern District of Florida’s (“SDFL”) 2022 Indictment—not CITES—effectively removed Cambodia as a supplier of captive-bred NHPs for export *only to the United States*. The FWS is now refusing entry even to NHPs bred in other captive breeding centers in Cambodia, none of which were referenced in the indictment or in any official records.

The disastrous consequences disadvantage *only* United States stakeholders, namely scientific researchers and their suppliers. Other countries, such as Canada, Japan, and Korea, remain free to import from Cambodia under valid CITES permits. China continues its primate bio-science research unabated after implementing its 2020 export ban, allowing China to advance in research to the detriment of the United States scientific community and the public’s need for cures and vaccines. China also does not actively account for the parental source of NHP’s.

Notwithstanding that CITES directly provides immediate and broad remedies for the conduct and suspected activity cited by the FWS in the indictment of Cambodia, the five-year investigation has caused irreparable damage to the use and availability of lawfully acquired NHPs by US suppliers and research organizations. CITES’ historically effective programs for wildlife management have been tossed to the wayside. Contrary to the FWS’ mission of wildlife conservation and the stated purpose of CITES, the net effect of the ill-fated 2022 Indictment has been to **increase** the number of wild caught NHPs now being removed worldwide from their natural homes.

The ripple effects of the indictment have undermined conservation efforts and pushed critical research operations to foreign countries, some of which are adversaries of the United States. This compromises the global standing of U.S. scientific research and puts at risk US-developed intellectual property. This, of course, has been China’s plan all along, as evidenced by their “Made in China 2025 Initiative.”

While U.S.-based research has been stifled, Canada has now become the largest importer of animals of Cambodian origin, and demand for necessary research is migrating out of the U.S., straight over our Northern border.

Some U.S. companies, including WWP, have been forward-thinking, establishing their own purpose-bred colonies here in the United States. These homegrown NHP farms reduce imports and dependence on foreign sources.

But now, as a continuation of the bludgeon-like intent of “Operation Longtail Liberation,” and even after their spectacular failure at the Miami trial, FWS is preventing export of specimens taken from Cambodian NHPs that were acquired legally via FWS authorization years ago.

FWS’s permitting denials appear to be applied with an inexplicably unreasonable broad brush, especially since DOJ prosecutors and FWS agents were **unable** to trace as “wild caught” NHP’s in specific Cambodian shipments post-2018 as alleged in the 2022 indictment, and at the trial of the Cambodian Wildlife official.

Scientific researchers who purchased NHPs prior to the 2022 indictment and have used them on vital research are now unable to get permits to export the blood and tissue samples at the conclusion of their studies. Other research organizations that purchased Cambodian NHPs prior to 2023 but have not yet taken delivery of them currently refuse to do so, as they are concerned with retributive actions by FWS. Many research organizations have canceled orders for all animals of Cambodian origin. As a result, some research organizations have shifted to utilizing imported feral animals.

In addition to all of this, the actions of these agencies have caused real and significant harm to the United States' relationship with our ally Cambodia. The Cambodian government has made it known that it is troubled by the U.S.'s treatment of the Cambodian Wildlife official, including the Court-suppressed unconstitutional actions of the FWS agents at his arrest, his false imprisonment pre-trial and treatment at trial. It has questioned whether the actions of the FWS violated international or domestic laws or the CITES treaty in carrying out the illegal undercover operations in Cambodia. The United States government may have a long way to go address the certain harms that have been caused by this matter.

Finally, if, as a net result of the ill-advised, deliberately biased, mismanaged and failed FWS operations, the United States moves forward to "uplisting" longtail macaques to "Endangered" status under the Endangered Species Act, importations of these very specific NHPs to the United States will end. Longtail macaques are the primate most commonly used for preclinical studies due to their >90% similarity to human DNA. Researchers will feel even more supply pressure and may be forced to send their studies to countries like China, where longtail macaques are readily available and safeguards for quality control, efficacy, and animal welfare are effectively nonexistent.

The FWS must understand that US importers of NHPs have a unique understanding of an industry that could benefit from enforcement and protection of relevant species. In fact, collaboration with importers is logical and absolutely necessary to ensure the integrity of FWS' efforts in this area. So I ask Mr. Chairman, why isn't this cooperation happening and why isn't the FWS using the global CITES treaty to address this perceived problem?

Thank you.

QUESTIONS SUBMITTED FOR THE RECORD TO MR. PAUL PELLETIER

Questions Submitted by Representative Stansbury

Question 1. Is it your position that current demand for macaques in medical research in the US cannot be met with verified captive bred monkeys?

Answer. As discussed in my testimony, rather than utilize the historically effective international protocols established by CITES, the Fish & Wildlife Service (FWS) has essentially superseded CITES protocols by imposing a *de-facto* import ban on all NHP's from Cambodia by refusing clearance of any primate shipments. This selective use of the CITES framework and protocols continues to wreak havoc on the health science industry. Given that FWS has selectively jettisoned requisite CITES protocols, NHP suppliers are left without essential implementing guidance as to what evidence would be sufficient to confirm acceptable foreign captive breeding. Thus, to the detriment of expressed conservation efforts, a captive-bred NHP shortage has been artificially created by FWS for only U.S. vaccine and bioscience researchers. Import statistics reveal 29,612 primates were imported into the USA in 2022, followed by a rapid drop to 16,888 in 2023. The ensuing rise of wild caught imports from countries such as Mauritius certainly confirms that, with the *de facto* FWS ban on the importation of Cambodian sourced NHP's, the worldwide captive-bred population remains insufficient to meet U.S. research needs.

Question 2. Do you think it is acceptable to use wild macaques for research purposes?

Answer. All federal regulations allow for the use of legally procured wild macaques for research purposes. Testimony that wild macaques would not be suitable for research purposes has simply never been validated. Historically, as long as imported wild caught NHP's go through industry standard screening, importation and quarantine procedures, they have been suitable for bioscience and vaccine research.

But you should know that not all imports of wild caught NHP's are used directly for research. As the testimony further established, there are currently insufficient domestic purpose bred colonies to support the U.S. bio-scientific demand. As such, one of the goals of importing feral animals, is to increase the US captive colonies, which serves to reduce the demand to import animals from abroad. This long-term solution was also emphasized by the testimony of Dr. Gillespie.

WWP has been promoting U.S. based captive breeding colonies for the last 30 plus years and has one of the largest U.S. captive colonies in the U.S.

Dr. GOSAR. Thank you, Mr. Pelletier. I now recognize Dr. Clemons for her 5 minutes.

**STATEMENT OF DONNA CLEMONS (RETIRED), D.V.M., DACLAM,
RETIRED RESEARCH VETERINARIAN, TREVOR, WISCONSIN**

Dr. CLEMONS. Thank you. First, I wish to say thank you to the Committee for having this hearing and for inviting me to provide information that I hope will be helpful to the discussion.

As a career research veterinarian, I have been motivated by my deep love and respect for animals and by a desire to support the advancement of science and medicine to improve human and animal health. Most of my work has been in the private sector, supporting drug development and research areas where there is high and immediate applicability to human health.

The pharmaceutical and biotechnology sectors in this country rely on non-human primates for medical research, particularly for later-stage development and evaluation of potential medicines. In the earlier stages, efforts are focused on modeling in vitro non-animal methods, and typically other animal models such as rats and mice. Once a potential medicine has reached a key stage of development, it is usually necessary to evaluate the safety and efficacy of it in a species with systems more similar to humans.

Drug development is a long and costly process, taking many years from concept of a drug until a medicine is available for patient use. Many medicines don't make it to the patient over safety concerns or a lack of adequate effectiveness. It is just as important that an under-effective or an unsafe product not make it to the market as it is to have an effective drug.

And yes, there is a sense of urgency involved. Patients with serious illnesses for autoimmune disease, cancer, neurodegenerative diseases, and others are waiting for these medications.

Non-human primates, the long-tailed macaque being the most used, have immune, reproductive, neurologic, digestive, and cardiovascular systems with tremendous similarity to human system functions, and provide predictability regarding the human response to medicine. These animals have been instrumental in the creation of many of today's medicines and treatments. And as a result, the pharmaceutical industry relies on a consistent, reliable supply chain from both domestic and foreign breeders to meet their research needs.

Imported animals are a critical component of the supply chain and have been for many years. A brief explanation of why importation and large breeding facilities need to exist. The long-tailed macaque has only one birth per year of a single infant. In a well-managed facility, this means we can have 70 to 80 births expected

for a colony of about 100 females and 10 to 15 males. This number of offspring, when grown, will support two late-stage pharmaceutical research projects.

Breeding and rearing healthy research-appropriate animals has been done in large numbers in countries where the climate is suitable for this semi-tropical species. As a research veterinarian, it was part of my job to evaluate the health and general condition of animals, including the non-human primates, being purchased for research. My evaluation of the animal supply included a review of suppliers, auditing their animal care programs, and in many cases conducting on-site inspections of the facilities themselves. These audits focused on the facilities, their sanitation, medical care, nutrition, the welfare of the animals, the staff training, and the behavior of the animals.

In general, I found earnest, knowledgeable staff with a genuine concern for the animals in their care that were being well treated. I saw breeding facilities with healthy offspring and family units, adolescent animals housed in group settings, and adult animals being prepared for transport. Over the course of my decades-long career, the general health of these animals has only improved as the breeding facilities have become more sophisticated in their general management, design, medical care, and nutrition.

From my perspective, having worked in the above capacity, I am aware of the view in the research community that it is being discriminated against by Federal agencies that regulate these activities, whereby individuals who may personally disapprove of animal research are potentially abusing the power of their positions to influence policy, including, for example, treating research organizations differently from other animal enterprises by slow-walking import and export applications and other actions including those discussed today. These behaviors have had a negative impact on medical research in the United States.

Thank you, and I am happy to answer any questions the Subcommittee may have.

[The prepared statement of Dr. Clemons follows:]

PREPARED STATEMENT OF DONNA CLEMONS, DVM, DACLAM, GLOBAL DIRECTOR,
COMPARATIVE MEDICINE (RETIRED)

I wish to say thank you to the committee for having this hearing and for inviting me to provide information that I hope will be helpful to the discussion.

As a career research veterinarian, I have been motivated by my deep love and respect for animals and by a desire to support the advancement of science and medicine to improve human and animal health. Most of my work has been in the private sector, supporting drug development in research areas with high and immediate applicability.

The pharmaceutical and biotechnology sectors rely on nonhuman primate models for medical research, particularly for the later stage evaluation of potential medicines. In the earlier stages, efforts focus on computer modeling, in vitro (non-animal) methods, and typically other animal models such as rats and mice.

Once a potential medicine has reached a key stage of development, it is usually necessary to evaluate the safety and efficacy of it in a species with systems similar to humans. Drug development is a long and costly process, taking many years from concept until a medicine is available for patient use. Many medicines don't make it to the patient over safety concerns or lack of adequate effectiveness. It's just as important that an undereffective or unsafe product be identified and NOT enter the market as it is to have an effective drug. And yes, there is a sense of urgency—patients with serious illness are waiting and hoping for that next treatment for cancer, for autoimmune disease, for neurodegenerative disease.

Non-human primates, the long tail macaque being the most used, have immune, reproductive, neurologic, digestive, and cardiovascular systems with tremendous similarity to human system functions and provide predictability regarding human response to medications. These animals have been instrumental in the creation of many of today's medicines and treatments and as a result the pharmaceutical industry relies on a consistent, reliable supply chain from both domestic and foreign breeders to meet research needs. Imported animals are a critical component of this supply chain and have been for many years.

A brief explanation of why importation and large breeding facilities exist: the long tail macaque has only one birth per year of a single infant. In a well-managed facility, one can expect 70–80 births per 100 females/10–15 males. This will cover approximately 2 late-stage pharmaceutical studies.

Breeding and rearing healthy, research-appropriate animals has been done in large numbers in countries with a climate suitable for these semi-tropical species. As a research veterinarian, it was part of my job to evaluate the health and general condition of animals (including the non-human primates) being purchased. My evaluation of animal supply included a review of suppliers, auditing their animal care programs, and in many cases conducting on-site inspections of the facilities themselves. These audits focused on facilities, sanitation, medical care, nutrition, welfare, staff training, and animal behavior. In general, I found earnest, knowledgeable staff with a genuine concern that the animals in their care were being well treated. I saw breeding facilities with healthy offspring and family units, adolescent animals in group settings, and adult animals being prepared for transport. Over the course of my decades-long career, the general health of these animals has only improved as the breeding facilities have become more sophisticated in general management, facility design, medical care, nutrition, and behavior management (handling).

From my perspective having worked in the above capacity, I am aware of the view in the research community that it is being discriminated against by federal agencies that regulate these activities whereby individuals who may personally disapprove of animal research are potentially abusing the power of their positions to influence policy, including for example treating research organizations differently from other animal enterprises by slow walking importation or exportation applications and other actions including those discussed here today. These behaviors have had a negative impact on medical research in the United States.

Thank you and I am happy to answer any questions that the Subcommittee may have.

QUESTIONS SUBMITTED FOR THE RECORD TO DR. DONNA CLEMONS (RETIRED), D.V.M.,
DACLAM, RETIRED RESEARCH VETERINARIAN

Questions Submitted by Representative Gosar

Question 1. During your career, have you had direct interactions with the FWS? What were the nature of those interactions?

1a) In your experience, is the FWS neutral to customers in terms of imports?

1b) Do they follow the rules for permitting, or do they put their thumb on the scale to get the outcome that they want?

Answer. Throughout my 30+-year research career, I have had numerous direct interactions with the U.S. Fish and Wildlife Service (FWS), primarily concerning the acquisition of re-export permits for biological samples from nonhuman primates. These experiences have often been frustrating due to erratic permit granting, long and unexplained delays that can range from six weeks to over six months, and instances where permits expired without any action from the FWS, necessitating the resubmission of identical applications to restart the process. A particularly challenging encounter occurred in February 2019 when two investigators unexpectedly arrived at my home late in the evening after my husband, and I had returned from celebrating my birthday. They aggressively interrogated me regarding NHP importation and foreign breeders based on work I had conducted seven years prior. When I requested legal representation, they returned two hours later with a subpoena, which was ultimately withdrawn in favor of an interview at my attorney's office.

In my experience, the FWS does not maintain neutrality toward customers regarding imports. This lack of impartiality also extends to re-export permits. Conversations with FWS staff and colleagues at other institutions revealed that certain organizations and purposes for import/export permitting receive preferential

treatment. For instance, sanctuaries could obtain permits within days, while research institutions often faced delays of weeks or even months. During a meeting at the Arlington FWS office, I was discreetly informed that “not everyone likes what you do,” suggesting that my permits were frequently placed at the “bottom of the stack” for processing.

Based on these observations, it appears that the FWS does not strictly adhere to permitting rules. Instead, their actions seem influenced by biases toward specific types of work or institutions, leading to inconsistencies in how permits are processed and granted.

I strongly believe that they put their thumb on the scale. There appear to be individuals within agencies, including the FWS who use their authority to support a private agenda. Industry insiders have long concluded that applications related to research are discriminated against while other activities are favored.

Question 2. Based on your testimony, I understand that there are now fewer long-tailed macaques imported into the United States for medical research under the Biden Administration. How has this impacted medical research in the United States?

Answer. Over the past four years, imports of macaques for medical use have declined by over 50%. It goes to reason that medical research relying on these animals has declined as well. At the same time, these very same animals are being imported by China, Japan, and Canada for medical research in those countries.

Question 3. Do you believe that medical research has declined in the United States but increased in foreign countries over the past four years due to the policies adopted by the Biden Administration?

Answer. Yes. The USA is the only country effectively embargoing these animals, guaranteeing the offshoring of billions in research to rival countries such as China, which have access to the resources. For those companies who choose to continue their research, this means outsourcing this work to other countries, putting US supremacy in science and our intellectual property at greater risk.

Questions Submitted by Representative Stansbury

Question 1. Is it your position that current demand for macaques in medical research in the US cannot be met with verified captive bred monkeys?

Answer. No. My position is that at this time, the demand cannot be met with domestic-bred NHPs, meaning those bred in the U.S. Importing primates from established foreign colonies, where the climate is suitable for large-scale breeding operations, is a critical component of the research resources needed.

Question 2. Do you think it is acceptable to use wild macaques for research purposes?

Answer. Based on the natural history of macaques, all of these animals are considered wild, as they have never been domesticated. A more accurate distinction might be between captive-bred and wild-caught macaques.

Captive-bred animals are generally preferred for medical research because they are better defined in terms of lifetime health conditions, genetics, diet, and other factors. Ethical sourcing is a top priority for research organizations, meaning the origin of the animals must be reliable.

The IUCN has noted that macaques are invasive in many parts of the world, posing a threat to local wildlife. As an invasive species, they have contributed to the endangerment and even extinction of certain bird and animal species. In efforts to control their population, macaques are often captured or killed. Therefore, using them to replenish breeding stocks or for selective research purposes could be seen as a more acceptable approach.

Dr. GOSAR. Thank you very much, Dr. Clemons. I will now turn to Dr. Gillespie for his 5 minutes.

**STATEMENT OF THOMAS GILLESPIE, PROFESSOR & CHAIR,
DEPARTMENT OF ENVIRONMENTAL SCIENCES, EMORY
UNIVERSITY, ATLANTA, GEORGIA**

Dr. GILLESPIE. Thank you, Chairman, Ranking Member, and esteemed members of the Subcommittee. Thank you for the opportunity to speak before you today. I am doing so in my personal capacity. The views I express are my own, and do not necessarily represent my employer or other bodies on which I serve.

I am Thomas Gillespie, Professor and Chair of Environmental Sciences and Professor of Environmental Health at Emory University and Rollins School of Public Health in Atlanta, Georgia. Prior to my current position, I was a Professor of Veterinary Medicine and Anthropology at the University of Illinois, Champaign-Urbana. I am also a member of the IUCN Primate Specialist Group and an external expert to PREZODE, a multi-national effort to prevent zoonotic disease emergence.

For over two decades, my research has examined risk factors for zoonotic disease transmission at the human primate interface. I am here to address a critical issue that threatens both public health and wildlife conservation: the trade in wild macaques for biomedical research.

Long-tailed macaques, *Macaca fascicularis*, are used for biomedical and pharmaceutical research due to their genetic and physiological similarities to humans. Unfortunately, these same traits make macaques excellent reservoirs for pathogens that can infect us and potentially lead to disease outbreaks in humans. Considering the number of animals traded and the zoonotic potential of each animal, macaques show the highest average volume of potential zoonotic disease of all wildlife traded.

Furthermore, some of these pathogens can alter the immune system of monkeys, confounding the results of studies examining the effects of a drug or vaccines being tested on monkey subjects.

For these reasons, U.S. research facilities have for decades expected healthy, pathogen-free captive bred macaques sourced from controlled facilities. The COVID pandemic-related reduction in the availability of captive bred long-tailed macaques appears to have resulted in the importation of substantial numbers of wild macaques labeled as captive bred and pathogen free. Since this time, multiple cases of melioidosis have been diagnosed in macaques imported from Cambodia. Melioidosis is a potentially fatal disease caused by a tier one select agent, *Burkholderia pseudomallei*, which is endemic to much of the geographic range of long-tailed macaques.

Equally troubling, CDC data indicate the prevalence of culture confirmed tuberculosis in imported non-human primates was only 0 from 2013 to 2020, but has increased since the pandemic.

Both *Burkholderia* and tuberculosis can present asymptotically in macaques, and false negatives to approved diagnostic tests for both pathogens are not uncommon. Therefore, it is not surprising that multiple cases of TB among imported monkeys were reported to CDC up to 2 years post-quarantine.

Even more concerning were the six cases of melioidosis detected among long-tailed macaques imported from Cambodia. Four of these cases were not detected until months after the monkeys had

entered the United States and been transported to other facilities. Both tuberculosis and *Burkholderia* are capable of infecting and causing disease in a broad range of mammalian hosts, including humans, domesticated animals, and livestock. And environmental conditions in the Southern United States could promote establishment of *Burkholderia*, which can be shed in the urine, feces, blood, and saliva of infected animals.

Other than TB, CDC does not currently require screening to be performed in apparently healthy non-human primates during the CDC-mandated 31-day quarantine period. If importers choose to screen apparently healthy animals for zoonotic infections during the quarantine period, positive results must be reported to CDC within 24 hours. Consequently, TB and *Burkholderia* are just the tip of the iceberg in terms of zoonotic threats to the American public. Most future emerging infectious diseases remain to be discovered, and the tropical forest habitat of the long-tailed macaques is a known hotspot.

I applaud the U.S. Fish and Wildlife for their efforts to combat illegal wildlife trade, and I encourage Congress to increase resources available to U.S. Fish and Wildlife to facilitate their efforts. Further, I encourage research facilities making use of primate models to commit to ending the use of wild caught primates, to carefully review the sourcing of primates, and to actively promote the use of alternative research strategies that do not involve capture of wild non-human primates.

I hope these details have clarified the critical importance of ending the wild macaque trade. Thank you again for the opportunity, and I welcome questions.

[The prepared statement of Dr. Gillespie follows:]

PREPARED STATEMENT OF PROFESSOR THOMAS GILLESPIE, EMORY UNIVERSITY

Chairman, Ranking Member, and Esteemed Members of the Subcommittee: Thank you for the opportunity to speak before you today. I'm doing so in my personal capacity; the views I express are my own and do not necessarily represent my employer or any board, taskforce, commission or other body on which I serve.

I am Thomas Gillespie, Professor and Chair of Environmental Sciences and Professor of Environmental Health at Emory University and Rollins School of Public Health in Atlanta, Georgia. Prior to my current position, I was a Professor of Veterinary Medicine and Anthropology at the University of Illinois, Champaign-Urbana. I am also a member of the IUCN Primate Specialists Group and an external expert to PREZODE, a multinational effort to prevent zoonotic disease emergence.

For over two decades, my research has examined risk factors for zoonotic disease transmission at the human / primate interface. I am here to address a critical issue that threatens both public health and wildlife conservation: the trade in wild macaques for biomedical research.

Long-tailed macaques (*Macaca fascicularis*) are used for biomedical and pharmaceutical research due to their genetic and physiological similarities to humans. Unfortunately, these same traits make macaques excellent reservoirs for pathogens that can infect us and potentially lead to disease outbreaks (Gillespie et al., 2008). Considering the number of animals traded and the zoonotic potential of each animal, macaques show the highest average volume of potential zoonotic disease of all wildlife traded (Borsky et al., 2020). Furthermore, some of these pathogens can alter the immune system of monkeys, confounding the results of studies examining the effects of a drugs or vaccines being tested on monkey subjects (Conroy, 2023). For these reasons, US research facilities have, for decades, expected, healthy, pathogen-free, captive-bred macaques sourced from controlled facilities (Roberts and Andrews, 2008; Conroy, 2023).

The COVID pandemic-related reduction in the availability of captive-bred, long-tailed macaques appears to have resulted in the importation of substantial numbers of wild macaques labelled as captive-bred and pathogen-free (Ruppert et al., 2022; Hansen et al., 2022). Since this time, multiple cases of melioidosis have been diagnosed in macaques imported from Cambodia (CDC, 2022). Melioidosis is a potentially fatal disease caused by the Tier 1 Select Agent *Burkholderia pseudomallei*, which is endemic to much of the geographical range of long-tailed macaques. Tier 1 Select Agents present the greatest risk of deliberate misuse with significant potential for mass casualties or devastating effect to the economy, critical infrastructure, or public confidence, and pose a severe threat to public health and safety. Equally troubling, CDC data indicate the prevalence of culture-confirmed tuberculosis in imported non-human primates was zero from 2013–2020 but has increased since the pandemic (CDC, 2023). Both *Burkholderia* sp. and *Tuberculosis* sp. can present asymptomatically in macaques and false negatives to approved diagnostic tests for both pathogens are not uncommon (CDC, 2022; 2023). Therefore, it's not surprising that multiple cases of TB among imported monkeys were reported to the CDC up to two years post-quarantine. Even more concerning were the six cases of melioidosis detected among long-tailed macaques imported from Cambodia. Four of these cases were not detected until months after the monkeys had entered the US and been transported to other facilities (Taetzsch et al., 2022). Both tuberculosis and *Burkholderia* are capable of infecting and causing disease in a broad range of mammalian hosts including humans, domesticated animals, and livestock and environmental conditions in the southern US could promote establishment of *Burkholderia*, which can be shed in the urine, feces, blood and saliva of infected animals (Portacci et al., 2017; Hall et al., 2015; Taetzsch et al., 2022; CDC, 2023).

Other than TB, CDC does not currently require screening tests to be performed in apparently healthy nonhuman primates during the CDC-mandated 31-day quarantine period. If importers choose to screen apparently healthy animals for zoonotic infections during the quarantine period, positive results must be reported to CDC within 24 hours (CDC 2022; 2023). Consequently, TB and *Burkholderia* are just the tip of the iceberg in terms of zoonotic threats to the American public. Most future emerging infectious diseases remain to be discovered, and the tropical forest habitat of the long-tailed macaques is a known hotspot (Jones et al. 2008; Gillespie et al., 2021).

Beyond these obvious threats to public health, the trade in wild macaques is a threat to wildlife conservation. Long-tailed macaques are listed by the IUCN as Endangered and are reported to have experienced an 80% decrease in their population size over the past 35 years (Koch Liston et al., 2024). Habitat degradation, coupled with pest control measures at the human interface (culling and sterilization), pose severe risks to the species (Valle, 2024). Moreover, trade for biomedical research, is likely to exacerbate this decline (Hansen et al., 2022). In some regions, macaque populations have declined by over 50% in just a decade (Koch Liston et al., 2024). This not only disrupts ecological balance but also threatens the survival of species that are already vulnerable due to habitat loss and other pressures (Estrada et al., 2017).

I applaud US Fish and Wildlife for their efforts to combat illegal wildlife trade and I encourage Congress to increase resources available to US Fish and Wildlife to facilitate their efforts. Further, I encourage research facilities making use of primate models: 1) to commit to end their use of wild-caught primates; 2) to carefully review the sourcing of primates; and 3) to actively promote and use alternative research strategies that do not involve capture of wild non-human primates.

I hope these details have clarified the critical importance of ending the wild macaque trade. I welcome your questions.

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QUESTIONS SUBMITTED FOR THE RECORD TO PROFESSOR THOMAS GILLESPIE,
EMORY UNIVERSITY

Questions Submitted by Representative Stansbury

Question 1. How does illegal poaching and smuggling of monkeys undermine efforts to control and prevent disease outbreaks?

Answer. Wild mammals are the primary source of emerging viral pathogens of concern to humans and virus richness scales with wild mammal richness (Johnson et al. 2020). The highest mammalian diversity occurs in tropical forested areas, such as the natural range of the long-tailed macaque (*Macaca fascicularis*) (Jones et al. 2008; Olival et al. 2017). Furthermore, the close phylogenetic relationship between humans and nonhuman primates ensures that many pathogens occurring naturally in wild primates have minimal biological barriers to clear to expand their host range to humans (Gillespie et al. 2008; Calvagnic-Spencer et al. 2012).

Consequently, wild primates have long been monitored for zoonotic diseases such as yellow fever, malaria, and schistosomiasis; however, the urgency of this surveillance intensified dramatically following the global HIV/AIDS pandemic, which was definitively linked to the zoonotic transmission of SIV-1 from chimpanzees (Gao et al., 1999; Keele et al., 2006). Additionally, related retroviruses (e.g., simian foamy viruses) and filoviruses (e.g., Ebola and Marburg viruses) are frequently transmitted between wild primates and humans, particularly through the hunting and butchering of these animals (Leroy et al., 2004; Wolfe et al., 2005). While HIV/AIDS and Ebola are perhaps the most well-known examples, they represent only a fraction of

the diverse array of viral, bacterial, fungal, and parasitic pathogens that can be transmitted from nonhuman primates to humans (Gillespie et al. 2008; Strahan et al. 2024).

The capture and smuggling of wild monkeys have the potential to lead to novel human exposures to pathogens throughout the timeline from capture in the wild (exposure of primate trappers), through transport (exposure of local and international traders and transportation and government employees), to laboratory (exposure of researchers and caretakers) (Karesh et al. 2005). Further, as many pathogens can be spread through various bodily fluids, inappropriate disposal of such biohazardous materials could lead to environmental exposure to the human population, companion animals, livestock, and wildlife. Further, stress and poor handling conditions implicit in the illegal capture and smuggling of wild monkeys can also compromise the health of these animals, making them more susceptible to disease and exacerbating the public health risk (Vicente-Santos et al. 2023). Considering these risks, tremendous effort should be made to ensure that primates entering the United States are not of wild origin.

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Question 2. What are the implications for our research on vaccines and other medications if wild monkeys are passed off as captive bred when they are not?

Answer. The expectation of purpose-bred/captive-bred monkeys for use in sophisticated and expensive experiments is that the animals will have been raised in controlled environments that guarantee that veterinary care and pathogen screening have been applied from birth and the animal's health history, pedigree, and genetic definition are available to researchers. Recent scientific publications have raised concerns that critical research and toxicology studies are being impacted by the presence of unexpected viruses, bacteria, and parasites in macaques being used to test the safety and efficacy of drugs and treatments (Johnson et al., 2022; Powell et al., 2024).

The introduction of wild-caught monkeys into US facilities also increases the risk for zoonotic disease transmission to laboratory personnel and their families. Purpose-bred monkeys are expected to be free of dangerous pathogens that can spill over into humans or other animals. A recent increase in the number of monkeys

imported into the US infected with tuberculosis, simian retrovirus and herpes B—a zoonotic virus that is prevalent in wild monkeys, but should not be present in captive-bred monkeys—and the transmission of the deadly herpes B virus to laboratory workers in Asia is a strong indication that wild-caught monkeys are circulating in the supply chain (CDC, 2021; Wang et al., 2021).

Further, many of the pathogens that naturally infect wild primates present asymptomatically (Gillespie et al. 2008; Calvignac-Spencer et al. 2012). Thus, without extensive pathogen screening, infected wild monkeys passed off as purpose-bred could easily be enrolled in biomedical research (Grimm 2022). This is particularly detrimental for studies evaluating vaccine efficacy and safety, as the immune response of wild-caught monkeys is not representative of the broader population of captive-bred monkeys or humans due to previous or ongoing infections. Even asymptomatic infections in these monkeys would produce divergent immune response compared to captive bred monkeys, invalidating study results (Conroy 2023). For example, Simian T-lymphotropic virus type 1 (STLV-1), a retrovirus commonly found in wild primates in Africa and Asia (Ishikawa et al. 1987; Sintasath et al. 2009), triggers cells to release high levels of cytokines, proteins that regulate the immune response (Gardner et al. 2004). Thus, use of wild STLV-1-infected monkeys would compromise studies examining immune response and could lead to inaccurate conclusions about the effectiveness and safety of vaccines and medications.

Simian foamy virus (SFV) is another retrovirus that occurs at high prevalence in Asian monkeys including long-tailed macaques (Gardner et al. 2004; Jones-Engel et al. 2007). SFV infection can significantly alter cell membrane structure and function, leading to cell fusion and other cytopathic effects, particularly in in vitro cell cultures, making it difficult to maintain cultures of cell lines from infected monkeys (Welsch et al. 2007; Couteaudier et al. 2022). Further, as an enveloped virus, SFV acquires its viral envelope by budding from the host cell membrane, which can disrupt cell membrane integrity within the host (Welsch et al. 2007). Consequently, use of wild SFV-infected monkeys and tissues derived from such monkeys would compromise any studies examining infectious disease mechanisms involving viruses replicating inside such impacted cells.

Beyond viruses, parasitic worms and protozoa are abundant in wild primates (Gillespie 2006; Gillespie et al. 2008) and can suppress immune response to viral infection due to balanced antagonism between the components of the immune system that deal with extracellular parasites (type II helper T lymphocytes) vs. intracellular viral infections (type I helper T lymphocytes) (Desai et al. 2021). Consequently, use of wild parasite-infected monkeys would have the potential to compromise vaccine trials for viral pathogens or any studies examining infectious disease mechanisms involving viruses (Wait et al. 2020; Whitehead et al. 2022).

These examples demonstrate the significant public health risks inherent in using wild primates in biomedical research and the strong potential of this practice to exacerbate health crises rather than alleviating them.

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Question 3. The CDC requires procedures and measures to prevent diseases from being introduced into the US through imported monkeys. What are some examples of diseases that could still spill over- or have already spilled over-into people from imported nonhuman primates and how would they get past protections currently in place? Has there been evidence of spillover into people from imported nonhuman primates?

Answer. The requirement for imported non-human primates (NHPs) to undergo a minimum 31-day quarantine, mandated by the CDC, is based on the time needed to complete three consecutive tuberculin skin tests (TSTs) at two-week intervals. This duration also exceeds the incubation period for filoviruses (i.e., Ebola and Marburg viruses) and many other high-consequence pathogens that have previously been imported along with wild primates to biomedical facilities in Europe and the United States (Petts et al. 2021). However, other than tuberculosis, CDC does not currently require screening tests to be performed in apparently healthy non-human primates. If importers choose to screen apparently healthy animals for zoonotic infections during the quarantine period, positive results must be reported to CDC within 24 hours (CDC 2022; 2023). Consequently, many asymptotically carried and / or latent infections may go undetected. For example, multiple cases of melioidosis have been diagnosed in macaques imported from Cambodia (CDC, 2022). Melioidosis is a potentially fatal disease caused by the Tier 1 Select Agent *Burkholderia pseudomallei*, which is endemic to much of the geographical range of long-tailed macaques. Importantly, Taetzsch et al. 2022, note that, “the incubation period of melioidosis is highly variable, not well defined in animals, and can exceed 31 d. One report described a rhesus macaque that developed melioidosis 10 y after importation into the US. In an unpublished case from 2015, *B. pseudomallei* was isolated from a liver abscess found at necropsy in an NHP that was euthanized due to persistent lethargy and dehydration almost a year after importation and release from CDC-mandated quarantine. After the case reported here, 5 additional macaques imported in separate shipments from Cambodia developed abscesses from which *B. pseudomallei* was isolated several months after importation and, in 4 of the cases, after release from CDC-mandated quarantine. These cases illustrate the impracticality of holding imported NHPs in quarantine beyond the incubation period

for melioidosis. In addition, serology is not a useful screening tool in animals from endemic regions due to cross-reactivity and poor correlation with active infection or development of clinical signs.”

Equally troubling, CDC data indicate that culture-confirmed tuberculosis in imported non-human primates was undetected from 2013–2020 but has increased since the COVID pandemic and consequent cessation of monkey imports from China (CDC, 2023). Both *Burkholderia* sp. and *Tuberculosis* sp. can present asymptotically in macaques and false negatives to approved diagnostic tests for both pathogens are not uncommon (CDC, 2022; 2023). Therefore, it is not surprising that multiple cases of TB were reported to CDC in monkeys up to two years post-quarantine (Yee et al. 2021). TB species isolated and reported to CDC from non-human primates, including *M. fascicularis*, included *M. bovis*, *M. caprae*, *M. orygis*, and *M. tuberculosis* (CDC, 2023). Both tuberculosis and *Burkholderia* are capable of infecting and causing disease in a broad range of mammalian hosts including humans, domesticated animals, and livestock and environmental conditions in the southern US could promote establishment of *Burkholderia* (Portacci et al. 2017; Hall et al. 2015; CDC, 2023).

Further, a recent increase in the number of monkeys imported into the US infected with tuberculosis, simian retrovirus and herpes B—a zoonotic virus that is prevalent in wild monkeys, but should not be present in captive-bred monkeys—and the transmission of the deadly herpes B virus to laboratory workers in Asia is a strong indication that wild-caught monkeys are circulating in the supply chain (CDC, 2021; Wang et al., 2021). To date, there have been 50 documented cases of herpes B virus infection in humans, with 21 deaths (Hu et al. 2022). Most of these infections were caused by direct contact with macaques (i.e., bites, scratches, or contact with monkey tissue or fluids) (Hu et al. 2022). These are just the tip of the iceberg in terms of zoonotic threats to the American public. Most future emerging infectious diseases remain to be discovered, and the tropical forest habitat of the long-tailed macaques is a known hotspot (Jones et al. 2008; Calvignac-Spencer et al., 2012; Gillespie et al. 2021).

Considering these risks, tremendous effort should be made to ensure that primates entering the United States are not of wild origin. In addition, CDC should implement broad and rigorous pathogen screening protocols for non-human primates imported into the United States. Vigilance, comprehensive screening, and strict adherence to quarantine and safety measures will be essential for mitigating the risks of disease spillover. These efforts will help safeguard public health and ensure that potential pathogens are effectively managed before they can impact both human populations and local ecosystems.

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Question 4. Many of us have not had to deal with Tuberculosis in our lifetimes. Can you please remind us what that entails for people who contract it?

Answer. For the average American today, this question would likely evoke the image of a pale and fragile figure from a century ago coughing blood into a handkerchief, but tuberculosis (TB) is not a disease of the past. This bacterial infection, primarily caused by *Mycobacterium tuberculosis*, is deadliest among all infectious diseases today, killing more people than malaria and HIV/AIDS combined (WHO 2023). Globally, almost 10 million people fall ill each year and 1.5 million succumb to TB (WHO 2023).

TB is an airborne disease that spreads easily as people cough or talk in proximity to others. Consequently, 25% of people globally are infected with TB (Houben & Dodd 2016). Although the vast majority have asymptomatic, latent TB; five to 10% will develop disease at some point without treatment (Menzies et al. 2018; Vynnycky et al. 2020). Initial symptoms can resemble a common cold, making TB difficult to detect. As the illness progresses, the victim develops a persistent cough producing blood or sputum, chest pain, fever, night sweats, weight loss, and loss of appetite (WHO 2023). If untreated, TB can cause severe lung damage and other systemic effects, respiratory failure, and death (WHO 2023).

Successful treatment of TB is challenging, involving daily use of five drugs whose side effects include nausea, rashes, and jaundice for four months (or longer depending on severity and drug sensitivities) (WHO 2023). To further complicate the process, multi-drug resistance develops in 20% of previously treated cases of TB and drug-resistant TB requires extensive treatment (>2 years) with only a 50% survival rate (Pai and Memish 2016). Treatment of DR-TB is also very expensive because of the high cost of second-line TB drugs (Pai and Memish 2016).

Laboratory-acquired tuberculosis (TB) is a serious occupational hazard for laboratory workers, especially those who test for TB. TB is caused by the bacteria *Mycobacterium tuberculosis*, which is primarily spread through the air by inhaling infectious aerosols. Laboratory workers can be exposed to these aerosols when handling liquids that contain the bacteria.

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Question 5. Has the illegal importation of long-tailed macaques into the US for animal research impacted the conservation status of wild monkey populations?

Answer. Long-tailed macaques are listed by the IUCN as Endangered (Ruppert et al. 2022), and have experienced an 80% decrease in their population size over the past 35 years (Koch Liston et al., 2024). Habitat degradation, coupled with pest control measures at the human interface (culling and sterilization), pose severe risks

to the species (Valle 2024). Moreover, extensive trade and use in biomedical research, has exacerbated these declines (Hansen et al., 2022). Despite being perceived as overabundant in some areas, data on local populations are often anecdotal and inconsistent, hindering effective conservation efforts (Valle 2024). In some regions, macaque populations have declined by over 50% in just a decade (Hansen et al., 2022). This not only disrupts ecological balance but also threatens the survival of species that are already vulnerable due to habitat loss and other pressures (Estrada et al., 2017).

While more data is needed to determine the extent to which illegal capture for biomedical research contributes to the sharp decline of wild long-tailed macaques, it is undoubtedly a significant factor. Given the regulatory and ethical constraints surrounding research on endangered species, it is in the best interest of stakeholders within the US biomedical industry and funding agencies, including the National Institutes of Health, to invest substantially in effective conservation programs for this endangered primate species. Such efforts will not only support the species but also align with ethical research practices.

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Dr. GOSAR. Thank you, Dr. Gillespie.
Dr. Abee, it is your turn for 5 minutes.

STATEMENT OF CHRIS ABEE, DVM, PROFESSOR EMERITUS, UNIVERSITY OF TEXAS MD ANDERSON CANCER CENTER, PAIGE, TEXAS

Dr. ABEE. Thank you, Chairman Gosar and the Committee, for the opportunity to testify today.

My name is Chris Abee. I am a veterinarian and an emeritus professor at the University of Texas MD Anderson Cancer Center, retired. For over 40 years, I studied the biology and diseases of non-human primates and conducted research to find better ways to treat and prevent both human and animal diseases. My testimony today aims to highlight the importance of long-tailed macaques and other non-human primates in biomedical research.

Of the approximately 70,000 primates used in research annually, almost half are long-tailed macaques imported from Asia. These animals are crucial for pharmaceutical studies and for publicly-funded research to advance our understanding of disease prevention and treatment.

We use the term “non-human primate” because humans are also primates. This phylogenetic proximity between human and non-human primates makes them invaluable in biomedical research. Their genomes are approximately 95 percent identical to the human genome, resulting in many body systems such as the

immune system and the cardiovascular system, renal system, respiratory system all closely resembling those of humans.

A report published last year by the National Academies of Sciences, Engineering, and Medicine titled, “Non-human Primate Models in Biomedical Research: State of the Science and Future Needs,” concluded that research requiring non-human primates remains essential to our country’s biomedical discovery and translational research pipeline.

In recent years, the COVID-19 pandemic placed enormous pressure on our country’s domestic primate research resources. During this time, China, our primary source of imported primates, halted exports to the United States. This action sharply increased the cost of these animals from \$5,000 to as much as \$50,000 each, effectively pricing out scientists with NIH grants.

Simultaneously, animal rights organizations have attempted to use the Endangered Species Act and the U.S. Fish and Wildlife Service to reclassify these animals as endangered species. Such a classification would make them unavailable for research. Therefore, the decision to reclassify a species as endangered must be based on very solid scientific data and taken very seriously.

The United States leads the world in biomedical research. But our country’s leadership is fragile. China has openly expressed its intention to replace the United States as the world leader in biomedical research. They have built primate research facilities with capacity far surpassing the United States, and have no restrictions on primate use in research.

In conclusion, I hope I have conveyed the importance of non-human primates to the country’s biomedical research programs. I urge Congress to consider directing the NIH and the U.S. Fish and Wildlife Service to develop action plans ensuring both supply and availability of primates for publicly and privately-funded medical research. These plans should be developed by outside committees of experts, rather than the NIH and U.S. Fish and Wildlife staff. In my opinion, this will only happen with a congressional mandate.

Thank you for the opportunity to testify today.

[The prepared statement of Dr. Abee follows:]

PREPARED STATEMENT OF CHRISTIAN R. ABEE, D.V.M., M.S., DACLAM PROFESSOR
EMERITUS, UNIVERSITY OF TEXAS MD ANDERSON CANCER CENTER

Thank you for the opportunity to testify today. My name is Chris Abee. I am an Emeritus Professor retired from the University of Texas MD Anderson Cancer Center. For over 40 years, I studied the biology of nonhuman primates and conducted research to find better ways to treat or prevent both human and animal diseases.

My testimony today aims to highlight the importance of Long-Tailed Macaques and other nonhuman primates in biomedical research. Of the approximately 70,000 nonhuman primates used in research annually, almost half are Long-Tailed Macaques (*Macaca fascicularis*) imported from Asia. These animals are crucial for pharmaceutical studies and for publicly funded research to advance our understanding of disease prevention and treatment.

We use the term “nonhuman primate” because humans are also primates. The phylogenetic proximity between human and nonhuman primates makes them invaluable in biomedical research. Their genomes are approximately 95% identical to the human genome, resulting in many body systems, such as the immune and cardiovascular systems closely resembling those of humans.

A report published last year by the National Academies of Sciences, Engineering, and Medicine (NASEM) titled “Nonhuman Primate Models in Biomedical Research:

State of the Science and Future Needs” (National Academies Press, 500 Fifth Street, NW, Keck 360, Washington, DC 20001; (800) 624-6242 or (202) 334-3313; <http://www.nap.edu>), concluded that research requiring nonhuman primates remains essential to our country’s biomedical discovery and translational research pipeline.

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In conclusion, I hope I have conveyed the importance of nonhuman primates to our country’s biomedical research programs. I urge Congress to consider directing the NIH and the U.S. Fish and Wildlife Service to develop action plans ensuring both supply and availability of primates for publicly and privately funded medical research. These plans should be developed by outside committees of experts rather than NIH and USFWS staff. In my opinion, this will only happen with a Congressional mandate.

QUESTIONS SUBMITTED FOR THE RECORD TO CHRIS ABEE

Questions Submitted by Representative Gosar

Question 1. Is the U.S. currently experiencing a shortage of nonhuman primates for research?

Answer. Yes, the U.S. is currently experiencing a critical shortage of nonhuman primates for research. This shortage has worsened over the past 15 years due to two main factors: inadequate funding from the National Institutes of Health (NIH) for domestic research resources and continued reliance on imported Long-Tailed macaques from Asian countries by pharmaceutical and biotechnology companies.

The expansion of domestic primate breeding research resources could potentially alleviate or eventually eliminate this shortage. However, this would require the development of national plans for nonhuman primate research resources by both the government and the private sector.

Several reports over the last six years have warned the NIH’s Office of Research Infrastructure Programs (ORIP) about this critical shortage. Unfortunately, ORIP’s response to these warnings has been inadequate.

These reports include:

- <https://orip.nih.gov/about-orip/research-highlights/nonhuman-primate-evaluation-and-analysis-part-1-analysis-future-demand-and>
- <https://orip.nih.gov/about-orip/research-highlights/nonhuman-primate-evaluation-and-analysis-part-2-report-expert-panel-forum>
- <https://orip.nih.gov/sites/default/files/NHP-Evaluation-and-Analysis-Final-Report-Revised-508.pdf>
- <https://www.ncbi.nlm.nih.gov/books/NBK593002/>

These reports provide detailed information on the current situation and potential strategies to address the shortage of nonhuman primates for research in the United States.

Question 2. You mention China in your testimony—what could be the consequences of China dominating this sector? How important is it for the US to counteract that dominance?

Answer. China’s potential domination of the nonhuman primate research sector poses significant risks to the United States. The U.S. dependence on China for critical medical research resources puts the country in a vulnerable position, as

demonstrated during the COVID-19 pandemic when China halted exports of Long-Tailed macaques essential for vaccine and medicine development. This sudden elimination of research resources threatened U.S. public health, highlighting the dangers of relying on a single foreign source for crucial materials. If the U.S. relinquishes its leadership role in biomedical research, China would likely determine global research priorities, significantly impacting future medical advancements. The National Academies of Sciences, Engineering, and Medicine's 2023 report concluded that reliance on China and other Asian countries for nonhuman primates is unsustainable and threatens U.S. medical research. Maintaining U.S. leadership in this field is crucial for national security, public health, and scientific advancement, making it essential to counteract China's dominance and ensure the continued progress and independence of U.S. medical research.

Question 3. How prepared is the U.S. for the next pandemic?

Answer. The U.S. is not adequately prepared for the next pandemic due to two critical weaknesses in national research resources for nonhuman primates. The first weakness is the inadequate support provided by the NIH's Office of Research Infrastructure Programs (ORIP). NIH grant support is crucial for developing new medicines and vaccines, as demonstrated by COVID-19 treatments. Multiple reports (2018, 2023, 2024) have highlighted the shortage of nonhuman primates, limiting research on public health threats. Despite these reports, NIH-ORIP has failed to develop an action plan to expand nonhuman primate research resources. In fact, inflation-adjusted NIH support for national primate research resources has decreased over the past 15 years. This lack of action suggests either insufficient expertise and/or interest in supporting NIH research grants that require nonhuman primates.

The second weakness facing the U.S. is pharmaceutical and biotechnology companies' reliance on Asian countries for nonhuman primates. These companies require nonhuman primates to test the safety and efficacy of new medicines, and most of these animals are imported from Asian countries. A 2023 report by the National Academies of Sciences, Engineering, and Medicine concluded that this reliance is unsustainable and threatens U.S. biomedical research. This issue could be addressed through public/private partnerships to develop domestic breeding resources, eventually eliminating dependence on Asian countries. These weaknesses significantly hinder the U.S.'s ability to respond effectively to future pandemics.

Questions Submitted by Representative Stansbury

Question 1. Do you think it is acceptable to use wild macaques for research purposes?

Answer. I do not think it is acceptable to use illegally obtained wild macaques for research purposes, nor do I recommend the use of wild-born macaques. Animals captured from the wild have unknown health histories, ages, genetic backgrounds, and social histories. This lack of background information may lead to flawed research results. Furthermore, research using wild macaques might require more animals due to variability caused by differences in ages, genetic background, and disease history. It's worth noting that if the U.S. Fish and Wildlife Service continues to deny importation of captive-bred macaques from countries like Cambodia, it inadvertently forces researchers to rely more heavily on legally obtained wild macaques, which is not ideal for the reasons mentioned above. This situation underscores the importance of developing sustainable and ethical sources of these animals, preferable through captive breeding programs that can provide animals with known backgrounds and histories.

Dr. GOSAR. Thank you very much, Dr. Abee.

It is just you and me, so you are up.

The Ranking Member is recognized for her 5 minutes.

Ms. STANSBURY. All right. Thank you very much, and thank you to our witnesses for being here

Mr. Pelletier, is that the correct pronunciation of your name?

Mr. PELLETIER. Yes, it is.

Ms. STANSBURY. I apologize.

Mr. PELLETIER. It is good enough.

Ms. STANSBURY. I just wanted to clarify your role here today. You mentioned in your testimony that you are here on behalf of your client, Worldwide Primates. Is that correct?

Mr. PELLETIER. That is correct.

Ms. STANSBURY. And you are here in that formal capacity of representing that person as your client, correct?

Mr. PELLETIER. I am, yes.

Ms. STANSBURY. Yes. And as a family-owned business owned by a Mr. Matthew Block. Is that correct?

Mr. PELLETIER. No it is not, it is owned by Ira Block.

Ms. STANSBURY. Oh, Ira Block.

Mr. PELLETIER. Matthew Block's son.

Ms. STANSBURY. But Matt Block is a former CEO, manager, family owner. And just to be clear, Mr. Block was convicted and spent 13 months in prison for smuggling baby orangutans. Correct?

Mr. PELLETIER. No, he wasn't. He was convicted in 1990. He pled guilty almost 25 years ago, if not more, for participating in a scheme to submit false paperwork for baby orangutans entering Russia, yes.

Ms. STANSBURY. So, for the smuggling of primates into another country using a third party.

Mr. PELLETIER. Correct.

Ms. STANSBURY. I appreciate that clarification. I want to turn to our witness who is here with us from Emory.

One of the things that I find so strange about this whole network of illegal smuggling, and I think our last witness really highlighted the worldwide shortages of course causing challenges for research, and we understand that, but it is the actual implications for research.

So, I know, Dr. Gillespie, you are an expert in zoonotics. If wild versus laboratory-raised animals are used in research, could it alter the outcomes of tests and trials of drugs?

Dr. GILLESPIE. Ranking Member Stansbury, it absolutely can. The fact that many pathogens can modify the effect of immune function means that you can have confounding results where it is almost impossible, if not impossible, to distinguish between the effect of pre-existing infections versus a vaccine-mounted response for a test of that nature or if you are purposefully infecting to look at the impacts of a given pathogen.

Ms. STANSBURY. So, you would want to, and again, I think I made my position clear in the first panel that I support alternatives to animal testing. But strictly from a scientific and medical standpoint, you want controls in a study to make sure that the animals that you are conducting trials and tests on, that you understand their provenance, where they came from so that you can control for factors that might affect the outcome of that drug trial is essentially what we are saying, right?

And the thing that I guess I find strange about the sort of cover-up in these international animal trafficking situations and the complicity of American-based companies and research institutions is wouldn't you want animals that have a clear provenance because it could affect the outcome of your medical trials? Is that correct?

Dr. GILLESPIE. Ranking Member Stansbury, absolutely. It is a critical issue for the biosecurity of our medical research, as well as

the biosecurity of our populations and our animal production for agriculture, as well.

Ms. STANSBURY. So, why do you think that American-based research institutions are not pushing for clear enforcement of these regulations?

Why are they not being more detailed in their due diligence?

And why are they purchasing from companies that may be U.S.-based or foreign-based that are potentially bringing in smuggled animals?

Dr. GILLESPIE. Ranking Member Stansbury, the specifics are beyond my expertise. But as an individual, I would assume that it is because greater profits can be made, or there is ability to get around the rules that are in place.

Ms. STANSBURY. Well, I think I am asking more about U.S.-based institutions. And I am a bit of a recovering academic myself, though certainly not in this field. I guess what I am trying to drive at is that there is an onus on American institutions and research institutions, especially those funded by the U.S. Government, to make sure that we are doing our due diligence to make sure that any kind of tests that we conduct are being done with full legality, whether that is international treaties, using animals that are appropriately sourced. And that it also falls incumbent on us in the United States to make sure that we are doing that, as well.

And with that, I will yield back.

Dr. GOSAR. Thank you.

Dr. Clemons, can you clarify the provenance issues in your expertise in working with these institutions? Can you tell us a little bit about that?

Dr. CLEMONS. Thank you for the question. I have worked in the private sector my entire career for a contract research organization and for a major pharmaceutical company. As part of my role there, I was tasked with looking into the background of animals, the suppliers that we were doing business with as companies, and looking into the welfare of animals. Specifically, welfare of the animals was the primary charge as my veterinary role.

So, I looked at much documentation related to these animals, their history of work, and as I said in my statement before, I researched these facilities and visited most of them during the course of my career. I have been to several countries, looking at animals, and found all of them that I was able to look at to be operating in good condition, with clarity in their paperwork and clarity in their interactions with us.

It was clearly in the interests of my organizations to have ethically-obtained animals.

Dr. GOSAR. I mean, it seems to me if the macaques are such a big deal here, that we would have our own supply. What would it take for the United States to have their own supply? Or do you have to breed more different genetics?

Dr. CLEMONS. Yes, thank you for that question, as well.

I think there is an interest in having more of a domestic supply in the United States. I have certainly seen that. But there are several factors involved. One is that it would take a tremendous number of animals to produce what is needed for research. Just to take the number 20,000, for instance, as an example of annual use,

which is not, by the way, anywhere close to what the actual need is in the United States, this would still require a colony of approximately 130,000 breeders, adolescents, and young animals being reared in order to produce 20,000 animals per year.

Now, that also requires many years of development for us to create a facility of that size. It is very expensive. It is going to take a lot of importation of breeding animals. Over time, I expect this would take many years, as there would not be enough breeder animals imported in one go to get that started.

The last factor I might want to mention here is that there have been numerous attempts by companies to begin major breeding colonies, and animal rights organizations have consistently worked to block the development and building of those facilities.

Dr. GOSAR. I want to ask the question to you and Dr. Abee.

We are talking about diseases like dementia. We are talking about MS, a lot of different things possible. Can you give me an idea if there is anything on the horizon that AI or synthetic human cells can actually bust some of these tests with? What is on the future?

Dr. CLEMONS. What is in the future? Well, what we have right now is some very promising technology. It is in early stage.

To use one example, for instance, the organ-on-a-chip gets a lot of attention, and it should. It is a promising technology. But what it is is one very, very small piece of tissue from one specific individual person or animal being tested. It does not look at the complex interaction of multiple organ systems in a complex living being. So, this is very promising. It is a good adjunct technology that is being used right now. It may become much more prominent in the future, but for now it is not mature science and it does not replace the need for complex species.

Dr. GOSAR. Dr. Abee?

Dr. ABEE. I referenced the National Academies report that was published last year. I had the opportunity to serve on that consensus committee that wrote that report. And the Committee included a number of scientists that were expert in developing new approach methodologies. The committee was composed of scientists who work with animals and scientists that work to develop new approach methodologies, and the consensus was that the new approach methodologies are, as Dr. Clemons said, not mature enough to meet all of our needs.

In some cases, we are able to use non-animal approaches, and wherever we can we do. But the need for primates, and this was a consensus, unanimous, of the entire committee, was that we absolutely have to have non-human primates for the foreseeable future.

And one surprise to me in serving on that committee is that scientists working on new approach methods said we need the primates in order to validate the new approaches that we are developing.

Dr. GOSAR. I think you can hold those thoughts because I am going to come back. We will do a second round. I am going to go to the gentleman from Georgia, Mr. Collins, for his 5 minutes.

Mr. COLLINS. Thank you, Mr. Chairman.

Mr. Pelletier, did I pronounce that right?

Mr. PELLETIER. Sure. That is good enough, thank you.

Mr. COLLINS. I am a South Georgia boy, we don't have too many, once you get past Jones, it gets a little tough.

[Laughter.]

Mr. COLLINS. Given your expertise in this case and your experience at the Department of Justice, you have a unique perspective on this matter. In your testimony, you highlighted some of the illegal and outrageous activities carried out by the Service and its paid informant in this matter. Can you quickly summarize some of the most problematic actions taken by the Service during this investigation?

Mr. PELLETIER. Yes, I can. Congressman, thank you for the question.

The first thing I would tell you is that they opened the investigation in 2017, called it "Operation Long Tail Liberation." They had spoken with the Chinese national and he told them he had no information with respect to any wildlife being shipped as wild caught to the United States. Yet, they opened the investigation called Operation Long Tail Liberation.

And No. 2, he was in it for the money. As a prosecutor, I know that those witnesses that are in it for the money specifically have to be supervised very well. In this case, the whole case was about tracing the monkeys to the United States and proving they were wild caught. They couldn't do that. As a matter of fact, the Chinese national didn't even attempt to trace the animals until he came to the United States in 2022 and was paid \$100,000. And then he started tracing the monkeys.

Mr. COLLINS. So, given that lack of evidence or whatever you want to call it, what do you think motivated the DOJ and the Service to go forward with this ill-fated trial?

Mr. PELLETIER. It is very clear what motivated them. They were trying to do a stunt to absolutely stop the trade. It is not about conservation; it is about eradication of this trade. PETA and the Department of Justice and Fish and Wildlife Service are in cahoots, and were in cahoots during this whole trial. And we know that because the Fish and Wildlife was sharing secretly information with PETA so they could post it on their website.

Mr. COLLINS. And in your testimony, you referenced PETA, Cruelty Free International, as well as actions taken by the Service to restrict trade on non-human primates that are really crippling the domestic industry.

Can you elaborate on the actions the Service has taken that have and are having such a negative effect on our domestic industry?

Mr. PELLETIER. Yes, I mean, my expertise only goes so far in that area. But what I can absolutely tell you is they avoided using CITES here. For 5 years they conducted this "investigation," and continued to allow 20,000 or more NHPs into the United States that Fish and Wildlife Service tells us are wild caught. Why would you do that when there is an international treaty that perfectly addresses any concerns in that arena? They just let them in.

And then we have the Fish and Wildlife Service asking PETA if they can find a place for these 1,000 monkeys that we have talked about before they even unsealed the indictment. So, they are

talking about actually seizing monkeys and stopping the monkeys after they let them into the United States, No. 1.

But No. 2, they are discussing it before the indictment is unsealed. And those monkeys did not come from the Vanny farm. So, it is a level of coordination that is, to me, despicable, No. 1, because it is not the mission of the Fish and Wildlife Service to eradicate this trade, but it has basically stopped the trade from Cambodia of any NHPs, and they were the largest source for medical research.

Mr. COLLINS. So, I have just heard you state that they have taken sides with the private sector, these radical animal groups, to prevent the U.S. Government mandated and essential commerce of non-human primates for important domestic bioscience and vaccine research programs.

As a Federal prosecutor and as well as a private sector litigator, what are your thoughts on how to really address this problem?

Mr. PELLETIER. Well, I think there are a couple of things that need to be done here.

One is I think there has to be a recognition by Fish and Wildlife Service that there is a problem here. I think if you talk to any of these doctors on the panel, particularly Dr. Clemons and Dr. Abee, they can tell you that in their business, the Fish and Wildlife Service has always been hostile to the trade and to research. Always. So, I think there needs to be a change in that dynamic.

I also think that the conduct here that I have outlined in my statement needs to be referred to the IG and/or to OPR. I think that that is it.

And then finally, what I would love is an ability for an honest broker at Fish and Wildlife Service, to be able to talk with the experts in the arena, the people who import the monkeys. If there is a problem, they know more than anybody, and they should be talking with us, not talking to PETA about these issues.

Mr. COLLINS. Thank you.

Dr. GOSAR. We are doing a second round.

Mr. COLLINS. OK, all right. I am hard of hearing, you know.

Mr. Abee, could you please explain why the long-tailed macaque is the most needed non-human primate for pharmaceutical studies?

Dr. ABEE. That species of primate has been used for many, many years, which means that we have carried out many, many studies on these animals, so they are very highly characterized. That means that when we use them in a research project and we see anything unusual in the animals in the research project, we can determine more precisely why that has occurred if it is a test article or it is an experimental manipulation.

So, it is the large amount of background data that we have on this species that make them very important.

Mr. COLLINS. Can you think of any medical treatments we would not have today if primates were not available for research?

Dr. ABEE. Almost every major drug that we use today and that has been developed over the last 20 to 30 years, at some stage in the process of developing that drug, non-human primates were needed.

Very often it is in the later stages, what we call the translational research stages, where we are attempting to translate what we

have found, and translate it into whether it would be applicable to humans. Non-human primates are particularly good at that.

This is very important in large molecule therapeutics, which are extremely important today. These drugs such as Humira are monoclonal antibodies that were developed, and primates helped us develop those. And these drugs are used in all of the autoimmune diseases which are growing in our country. If you look at the statistics, autoimmune disease is becoming epidemic.

Mr. COLLINS. So, if PETA and other animal rights groups received their wish and primates were banned from research and testing, what will happen?

Dr. ABEE. Well, in biomedical research what would happen is that the development of new therapies, new drugs, new ways to treat disease would either be delayed or would never occur.

In biomedical research, I like to say that time is lives. When we were developing the COVID-19 vaccine very, very rapidly, we could do the arithmetic without the vaccine. We knew how many people were dying, and with the vaccine we knew we could reduce it. The development of that vaccine quickly, and non-human primates were involved, saved many, many lives.

Mr. COLLINS. Thank you. I want to go back to one quick thing.

Mr. Pelletier, did the government promise the court it would be able to trace the non-human primates delivered by Mr. Kry to the United States to support all the charges in the indictment?

Mr. PELLETIER. Thank you, Congressman. Yes, it did. What was even more unusual, it didn't do it.

And what happened is the government themselves moved to dismiss five of the charges when they weren't able to prove it. And as a prosecutor for 25 years, I have never seen anything like that. They promised and didn't fulfill. That is unusual.

Mr. COLLINS. I want to say that, too. So, the government did promise the court, but then they didn't deliver.

Mr. PELLETIER. That is correct.

Mr. COLLINS. All right, thank you.

Mr. Chair, that is all I have. I yield back.

Dr. GOSAR. The gentlewoman from New Mexico, Ms. Stansbury, you are recognized for 5 minutes.

Ms. STANSBURY. Thank you, Mr. Chairman.

Dr. Abee or Abee?

Dr. ABEE. Abee.

Ms. STANSBURY. Thank you. Did I hear you say a few moments ago that you had participated in a National Academies panel?

Dr. ABEE. Yes, I served on their consensus committee in preparing that report.

Ms. STANSBURY. Thank you. So, you recognize the importance of science-based organizations in making sure that we have the most synthesized, up-to-date science in decision-making, obviously, because you are participating in one of the most important bodies that does that.

And are you familiar with the IUCN, which is the international body that makes recommendations regarding ecosystems and animals?

Dr. ABEE. I know of IUCN. I am certainly not an expert on the organization.

Ms. STANSBURY. Definitely. Well, I will just say that there is a direct analogy to the National Academies, because the IUCN is an advisory board that is a science-based organization that makes recommendations to UN bodies around the state of the science for the protection of animals and ecosystems. So, it is science-based.

And the reason why I am bringing this up is that I want to read to you all the consensus science about the status of long-tailed macaques. And this comes out of PubMed, which is put out by the National Institutes of Health: "In 2022 long-tailed macaques, a once ubiquitous primate species, was elevated to endangered on the International Union for Conservation of Nature Red List of Threatened Species." That is the IUCN. "And in 2023, recognizing that long-tailed macaque is threatened by multiple factors, including declining native habitats across Southeast Asia, over-utilization for scientific, commercial, and recreational purposes, inadequate regulatory mechanisms, and culling due to human macaque conflict, a petition for rulemaking was submitted to the U.S. Fish and Wildlife Service to add the species to the U.S. Endangered Species Act."

The reason why I wanted to read this is that there has been a lot of conversation in this hearing this morning arguing that the reason why Fish and Wildlife is trying to regulate primate trafficking is because of influence from animal rights organizations. But actually, it is science. The science says that these animals are declining, and that they have declined precipitously over the last several years in the wild. And it is not just the United States, it is international organizations that have taken action to protect these animals. And we are often, frankly, trailing the international community around the protection of wildlife and ecosystems.

And it is illegal to traffic in wild caught animals. We understand from the conversation this morning that sourcing is a problem. There are not sufficient animals that are bred in captivity, as was just shared by one of our panelists, to meet the demand in the U.S. biomedical community. But it is illegal to traffic in wild caught animals. And the reason is because they are precipitously declining because of these four factors, which the consensus of our scientific community has spoken loud and clear on this.

So, I just want folks to understand that is what we are talking about here. This is why Fish and Wildlife is regulating illegal, illicit trafficking in these animals. And with that, I yield back.

Dr. GOSAR. I thank the gentlewoman.

Dr. Abee, you mentioned China in your testimony. What would be the consequences to the United States and the world if China dominated this sector?

Dr. ABEE. Well, what has happened is that China has invited American scientists to come to China to do their research. They have also offered to carry out what are called regulated studies, studies that have to be done under the Good Laboratory Practices Act in order for those studies to be recognized by the FDA when developing a drug.

But if you do a regulated study at a test facility in China, you have to provide what is called a "certificate of analysis" to the test facility. You are forfeiting your intellectual property when you do that. They are supposed to keep it confidential, but there is great

concern that that intellectual property is in jeopardy when a test facility in China carries out the research.

So with that, it means that we would be forfeiting the development of new drugs in the United States in order that it be carried out in China, where the resources——

Dr. GOSAR. We saw it happen with COVID. That came from China, so it is definitely a problem.

Dr. ABEE. Well, it is definitely a problem, yes. And I think that if our research programs, in order to carry out the research, is moved to China, that we will be jeopardizing progress in biomedical research because the United States is the world leader in that research right now.

Dr. GOSAR. I want to get back to these populations. If it is so important, we ought to be breeding these populations. So, if you were to design this, it is going to cost money, regardless. It seems like we are stuck here. What kind of population would you need, and what kind of inferences from outside sources would you have so that you had additional genetic material helping you breed this captive population?

Dr. ABEE. Well, we would need to build on the primate resources that we have in this country right now, both public and private.

The National Institutes of Health funds seven national primate research centers and a number of national research resources of non-human primates. But over the years, all of these centers have been underfunded. The funding from NIH has not kept up with inflation.

Dr. GOSAR. So, let me ask you a question. I am going to stop you right there.

Why not the people that utilize these primates for their benefit, because you have this Big Pharma that is getting huge revenues, why can't they pay part of this aspect?

Dr. ABEE. Well, what has happened up until very recent years is that China provided these animals at a very low cost, a lower cost than what we could produce them in the United States.

Dr. GOSAR. But couldn't you incentivize that program?

It seems to me we are living inside a box, and we are not looking outside the box for alternatives. It seems to me like a collaboration. We are \$35.6 trillion in debt, to be honest now, and we are looking at expenditures more. It seems like we need the private sector to step up here, and it would be nice to see some type of collaboration here so it is not all the government paying money here. Do you see what I am talking about?

Dr. ABEE. Absolutely. I think there should be a public-private partnership. But the publicly-funded primate resources are extremely important, as well, because they serve publicly-funded research programs, NIH grants.

Dr. GOSAR. Oh, I see the whole point there. That is my question about additional genetic material mass coming into that population.

Mr. Pelletier, do you think it would be very appropriate for Congress to ask all NGOs, if they take one penny from the Federal Government, they have to disclose all their resources and where they come from?

Mr. PELLETIER. Yes, I think that it would be very appropriate, particularly finding out all of their communications with the Fish and Wildlife Service.

And if I might, I would say, to correct something the Ranking Member said, as it relates to macaques there is no government in the world on God's green Earth, including the United States, which recognizes macaques as endangered in any way, No. 1.

No. 2, wild-caughts are absolutely permitted to be imported into the United States if, in fact, they are properly declared as wild caught on the importation papers.

And No. 3, IUCN has agreed that they are re-evaluating their finding of endangered. So, what the actions of Fish and Wildlife Service have done here have actually forced more wild caught to be shipped to the United States because we can't get captive bred out of Cambodia. So, I would just like to clarify that.

Dr. GOSAR. Well, the other question I want to answer is how do you stop this? There has to be consequences for actions. Somebody has to be accountable for it. So, that is the biggest key. It starts with justice.

I want to thank the witnesses for their valuable testimony and the Members for their questions.

The members of the Committee may have additional questions for you, and we ask that you respond to these in writing. Under Committee Rule 3, members of the Committee must submit questions to the Subcommittee Clerk by 5 p.m. on Friday, September 13. The hearing record will be held open for 10 business days for these responses.

I want to thank everybody. It was a very energetic and entertaining conversation. With that, if there is no further business, the Subcommittee is adjourned.

[Whereupon, at 12:15 p.m., the Subcommittee was adjourned.]

