



HOUSE COMMITTEE ON  
**NATURAL RESOURCES**  
CHAIRMAN BRUCE WESTERMAN

**To:** Subcommittee on Oversight and Investigations Republican Members  
**From:** Subcommittee on Oversight & Investigations Staff; Michelle Lane  
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**Date:** Tuesday, September 10, 2024  
**Subject:** Oversight Hearing on “*The Fish and Wildlife Service Gone Wild: Examining Operation Long Tail Liberation*”

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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 Thompspon ([Cross.Thompson@mail.house.gov](mailto: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

### 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.”<sup>1</sup> 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.<sup>2</sup>

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).<sup>3</sup> Appendix II classifies the long-tailed macaque as a “threatened” species and not “endangered.”<sup>4</sup> 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.”<sup>5</sup>

Special permits are required to import long-tailed macaques into the U.S. due to their listing in the CITES appendices.<sup>6</sup> While legal trade primarily involves captive-bred long-tailed

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<sup>1</sup> 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](https://naturalresources.house.gov/uploadedfiles/2024.06.05_hnr_operation_long_tail_letter.pdf).

<sup>2</sup> 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>.

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

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

<sup>5</sup> 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/>.

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

macaques, wild-caught macaques can be legally traded if captured with the local government's permission.<sup>7</sup>

The long-tailed macaque is the most traded primate in the world for its uses in medical testing and research.<sup>8</sup> 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.<sup>9</sup> 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.<sup>10</sup> 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.<sup>11</sup>

### **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.<sup>12</sup> Sarah Kite, an employee of Cruelty-Free International, a London environmental organization, introduced the Service to Yeung,<sup>13</sup> who had originally contacted Cruelty-Free International in search of a salary.<sup>14</sup> The information gathered by the paid informant would become the basis of indictments for illegally importing long-tailed macaques into the U.S.<sup>15</sup>

In court records, Yeung admitted to receiving almost \$225,000 from the Service throughout the investigation.<sup>16</sup> Additionally, as part of that investigation, Yeung admitted to

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<sup>7</sup> *Id.*

<sup>8</sup> 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>.

<sup>9</sup> *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>.

<sup>10</sup> 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>.

<sup>11</sup> *Id.*

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

<sup>13</sup> *Id.* at 64-65.

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

<sup>15</sup> 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.

<sup>16</sup> *Id.* at 193.

installing spyware on a computer at his place of employment,<sup>17</sup> providing access to a security camera at the gate of the facility to Service agents,<sup>18</sup> and stealing a visitor logbook from his employer,<sup>19</sup> 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.,<sup>20</sup> and provided him with a bank account and housing assistance,<sup>21</sup> and aided him in obtaining authorization to work in the U.S.<sup>22</sup> 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."<sup>23</sup> 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.<sup>24</sup> 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.<sup>25</sup>

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.<sup>26</sup>

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.<sup>27</sup> 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.<sup>28</sup> Yeung also

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

<sup>18</sup> *Id.* at 13.

<sup>19</sup> *Id.* at 16-17.

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

<sup>21</sup> *Id.* at 85-87.

<sup>22</sup> *Id.* at 87.

<sup>23</sup> 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>.

<sup>24</sup> Jay Weaver, *Cambodian official acquitted of smuggling rare wild monkeys into South Florida*, MIAMI HERALD (Mar. 25, 2024), <https://www.miamiherald.com/news/local/article287073860.html>.

<sup>25</sup> 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/u-s-wildlife-officials-paid-a-chinese-national-224k-to-spy-on-cambodia-their-top-target-was-just-acquitted/>.

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

<sup>27</sup> *Id.* at 166-171.

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

admitted in court to smuggling hundreds of wild-caught monkeys while working for the Service.<sup>29</sup>

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.<sup>30</sup>

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.<sup>31</sup> 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.<sup>32</sup> 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.<sup>33</sup>

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.<sup>34</sup> 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.”<sup>35</sup> However, public campaigns by People for the Ethical Treatment of Animals (PETA), Cruelty-Free International, and other left-

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<sup>29</sup> *Id.* at 27.

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

<sup>31</sup> Paul Pelletier, *Briefing memo – Oversight Subcommittee*, PEP TALK ADVISORS (July 7, 2024), On file with Committee.

<sup>32</sup> *Id.*

<sup>33</sup> 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/>.

<sup>34</sup> *Id.*

<sup>35</sup> 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>.

wing advocacy groups, coupled with the actions of the Service to restrict the trade of the long-tailed macaque, are crippling the domestic industry.<sup>36</sup>

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.<sup>37</sup> 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.<sup>38</sup> 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.”<sup>39</sup> 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.<sup>40</sup>

#### **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.<sup>41</sup> 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.<sup>42</sup>

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

- 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.<sup>46</sup>

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

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<sup>36</sup> Pelletier, *supra* note 32.

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> *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/>.

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> *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>.

<sup>46</sup> *Id.*

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.<sup>47</sup> The information Yeung gathered formed the unstable foundation for the indictments following Operation Long Tail Liberation.<sup>48</sup> 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.<sup>49</sup>

The Committee has received information that PETA improperly obtained a document related to the trial of Mr. Kry.<sup>50</sup> In the Mr. Kry removal proceeding, Service Agent Dorothy Manera attached a copy of the indictment to her affidavit.<sup>51</sup> 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.<sup>52</sup> 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.<sup>53</sup> 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.

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

<sup>48</sup> 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.

<sup>49</sup> See, e.g., Trial Transcript 3-13-24 AM p. 5.

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

<sup>51</sup> 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.

<sup>52</sup> 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/>.

<sup>53</sup> Longtail Discussion, *supra* note 50.