

Testimony of Martha Williams
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Department of the Interior
Before the
House Committee on Natural Resources,
Subcommittee on Oversight and Investigations
On
the U.S. Fish and Wildlife Service's Operation Long-Tailed Liberation

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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 sixteen 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.