

**Congress of the United States**  
**Washington, DC 20515**

September 28, 2021

Ms. Catherine M. Russell  
Director  
White House Presidential Personnel Office  
1650 Pennsylvania Avenue, N.W.  
Washington, D.C. 20502

Dear Director Russell,

The federal government's ethics standards are founded on the principle that "public service is public trust."<sup>1</sup> Achieving public trust, however, is strained when those in positions of authority engage in behavior reflective of poor judgment or are untruthful about their pasts. President Biden's continued support of Ms. Tracy Stone-Manning's embattled nomination for Bureau of Land Management (BLM) Director<sup>2</sup> raises serious doubts about his commitment to fostering the public's trust in his Administration.

Since Ms. Stone-Manning's nomination on April 22, 2021,<sup>3</sup> controversy continues to plague her confirmation process. Upon further review of Ms. Stone-Manning's history, Ranking Member John Barrasso of the Senate Committee on Energy and Natural Resources declared, "Not only did Tracy Stone-Manning collaborate with eco-terrorists, she also helped plan the tree spiking in Clearwater National Forest. She has been covering up these actions for decades, including on her sworn affidavit to the committee."<sup>4</sup>

Specifically, Ms. Stone-Manning responded to an official Senate Committee on Energy and Natural Resources questionnaire that she had never been the target of an investigation, arrested or charged with a crime.<sup>5</sup> However, a July 14, 2021, letter from a retired U.S. Forest Service (USFS) Special Agent, who investigated the Clearwater National Forest tree spiking

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<sup>1</sup> 5 C.F.R. §2635.101 (a).

<sup>2</sup> Emma Dumain, *White House Stands By Stone-Manning To Lead BLM*, E&E NEWS (July 19, 2021), <https://subscriber.politicopro.com/article/eenews/2021/07/19/white-house-backs-stone-manning-to-lead-blm-224755>.

<sup>3</sup> Press Release, THE WHITE HOUSE, *President Biden Announces 12 Key Climate and Infrastructure Administration Nominations* (Apr. 22, 2021), <https://www.whitehouse.gov/briefing-room/statements-releases/2021/04/22/president-biden-announces-12-key-climate-and-infrastructure-administration-nominations/>.

<sup>4</sup> Press Release, S. COMM. ON ENERGY AND NAT. RES., *Lead Investigator: Tracy Stone-Manning Helped Plan 1989 Tree Spiking & Was a Target of the Investigation* (July 15, 2021), <https://www.energy.senate.gov/2021/7/lead-investigator-tracy-stone-manning-helped-plan-1989-tree-spiking-was-a-target-of-the-investigation>.

<sup>5</sup> Ben Lefebvre, Anthony Adragna, & Burgess Everett, *Biden's BLM Pick Hit With New Allegations From Former Investigator in Tree-Spiking Case*, POLITICO (July 15, 2021), <https://www.politico.com/news/2021/07/15/biden-blm-pick-allegations-499739>.

incident, contradicts her response.<sup>6</sup> The USFS Special Agent asserts that Ms. Stone-Manning knew she was under investigation and described her as “the nastiest of the suspects.”<sup>7</sup>

While Ms. Stone-Manning’s past association with eco-terrorism is clearly troubling, we also find disconcerting the vague details about a 12-year term, \$100,000 personal loan divulged in her Public Financial Disclosure Report.<sup>8</sup> Incurred in 2008, the loan terms included a six percent interest rate.<sup>9</sup> The average interest rate published by the Federal Reserve for a 24-month term personal loan in 2008 was 11.37 percent.<sup>10</sup> Ms. Stone-Manning, who worked as Regional Director for Senator John Tester from 2007 to 2012, and her husband received the loan from Mr. Stuart Goldberg, a real estate developer in Montana and regular donor to Democratic campaigns.<sup>11</sup> Ms. Stone-Manning explained that while the original loan was for her husband’s business, she and her husband “came to verbal agreement on the details of converting [the remaining debt] to a personal loan . . .” with Mr. Goldberg.<sup>12</sup>

In response to additional questions about the loan, Ms. Stone-Manning also asserted that she “do[es] not have documentation of the loan, [and that] the arrangements were made verbally and payments made electronically.”<sup>13</sup> She also stated that she never consulted or reported to the Senate Ethics Committee the details of the loan while she served as a Senate staffer. According to her testimony, after initially repaying \$40,000 of the loan in the first year, for approximately 11 years of the loan she and her husband made interest-only payments until repaying the remaining \$60,000 in October 2020.<sup>14</sup>

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<sup>6</sup> Letter from Michael W. Merkley, Special Agent (Retired), Forest Service, U.S. Dep’t of Agriculture to The Honorable Joe Manchin III, Chairman, Sen. Comm. on Energy and Nat. Res. and The Honorable John Barrasso, Ranking Member, Sen. Comm. on Energy and Nat. Res. (July 14, 2021), *available at* <https://www.energy.senate.gov/services/files/03E32662-AF39-43BE-9109-48809E1E56EB>.

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

<sup>8</sup> EXECUTIVE BRANCH PERSONNEL PUBLIC FINANCIAL DISCLOSURE REPORT (OGE FORM 278E) FOR TRACY STONE-MANNING (2021) at 11.

<sup>9</sup> *To Receive Testimony on the Stone-Manning, Baker, Walsh, and Light Nominations: Hearing Before the S. Comm. on Energy and Nat. Res.*, 117th Cong. (2021), Questions for the Record from Ranking Member Barrasso at 8, *available at* <https://www.energy.senate.gov/services/files/DA849E0B-08A4-4E03-B094-F79C49F29F69>.

<sup>10</sup> See Statistical Release, BD. OF GOVERNORS OF THE FED. RESERVE SYS., *Federal Reserve Statistical Release – Consumer Credit* (Nov. 7, 2011), <https://www.federalreserve.gov/releases/g19/20111107/g19.pdf>.

<sup>11</sup> *Supra* note 9.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.* at 9.

<sup>14</sup> *To Receive Testimony on the Stone-Manning, Baker, Walsh, and Light Nominations: Hearing Before the S. Comm. on Energy and Nat. Res.*, 117th Cong. (2021), Questions for the Record from Sen. Roger Marshall at 51, *available at* <https://www.energy.senate.gov/services/files/DA849E0B-08A4-4E03-B094-F79C49F29F69>.

Ms. Stone-Manning's controversial past bolstered bicameral calls for the withdrawal of her nomination.<sup>15</sup> Ms. Stone-Manning's former supporters, including former Obama Administration BLM Director Bob Abbey, also rescinded their endorsement of her nomination.<sup>16</sup>

The Presidential Personnel Office (PPO) oversees the recruitment and selection of individuals for Presidential appointments.<sup>17</sup> This process should consist of careful and thorough vetting prior to an individual's nomination.<sup>18</sup> Given concerns surrounding Ms. Stone-Manning's truthfulness, association with eco-terrorism, and financial ethics concerns, we seek to better understand PPO's role in assisting Ms. Stone Manning's addressing of these matters with Congress. We also seek to learn the degree of PPO's knowledge of Ms. Stone Manning's controversial past.

Ms. Stone-Manning's nomination and subsequently questionable representations to the Senate raises concerns about the caliber of individuals PPO is recommending as Biden Administration appointees. To assist with our oversight activities, please provide the following documents as soon as possible, but no later than 5:00 p.m., October 5, 2021:

1. A document listing all PPO employees who participated in processing the recommendation of, evaluated, interviewed, or advised Ms. Stone-Manning for her nomination.
2. A document sufficient to describe the date PPO became aware of Ms. Stone-Manning's connection to tree spiking and the manner in which the information became known to PPO staff.
3. A document sufficient to describe PPO's review of Ms. Stone-Manning's involvement in the U.S. Forest Service's investigation of tree spiking in Clearwater National Forest.
4. All documents and communications referring or relating to Ms. Stone-Manning's connection to tree spiking.

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<sup>15</sup> Scott Streater & Jennifer Yachnin, *Convicted Tree Spiker: Stone-Manning Knew Plans In Advance*, E&E NEWS (July 15, 2021), <https://subscriber.politicopro.com/article/eenews/2021/07/15/convicted-tree-spiker-stone-manning-knew-plans-in-advance-179983>; Rachel Frazin, *McConnell Calls For Withdrawal Of Biden Public Lands Nominee*, THE HILL (July 16, 2021), <https://thehill.com/policy/energy-environment/563420-mcconnell-calls-for-withdrawal-of-biden-public-lands-nominee>; Letter from Rep. Bruce Westerman, Ranking Member, H. Comm. on Nat. Res., et al to The Honorable Joseph R. Biden, President of the United States (July 28, 2021) (on file with Comm.).

<sup>16</sup> Valerie Richardson, *Obama's BLM Director Pulls Support for Tracy Stone-Manning Over Tree-Spiking Incident*, THE WASHINGTON TIMES (June 20, 2021), <https://www.washingtontimes.com/news/2021/jun/20/obama-blm-director-tracy-stone-manning-should-with>.

<sup>17</sup> Patrick Abdalla, *From Reading to the White House: Biden Taps Former Ambassador Cathy Russell For His Team*, THE KEYSTONE (Nov. 20, 2020), <https://keystoneneewsroom.com/story/meet-cathy-russell/>; *see also White House Offices*, THE WHITE HOUSE – PRESIDENT GEORGE W. BUSH, <https://georgewbush-whitehouse.archives.gov/government/off-descrp.html>; *Presidential Dep't Descriptions*, THE WHITE HOUSE – PRESIDENT BARACK OBAMA, <https://obamawhitehouse.archives.gov/participate/internships/departments#OPP>.

<sup>18</sup> James Pfiffner, *The Office of Presidential Personnel*, THE WHITE HOUSE TRANSITION PROJECT (Report 2021), available at <https://whitehousetransitionproject.org/wp-content/uploads/2020/08/WHTP2021-26-Office-of-Presidential-Personnel.pdf>.

5. A document sufficient to describe the date PPO became aware of Ms. Stone-Manning's \$100,000 loan from Mr. Goldberg and the manner in which the information became known to PPO staff.
6. All documents and communications referring or relating to the \$100,000 loan Ms. Stone-Manning and her husband received from Mr. Goldberg.
7. A copy of all documents reviewed during Ms. Stone-Manning's vetting process.

Please contact the Natural Resources Minority staff at (202) 225-2761 with any questions about this request, and to coordinate the delivery of your response to room 1329 of the Longworth House Office Building.

An attachment contains additional instructions for responding to this request. Thank you for your prompt attention to this matter.

Sincerely,



Bruce Westerman  
Ranking Member  
Committee on Natural Resources



James Comer  
Ranking Member  
Committee on Oversight and Reform



Jim Jordan  
Ranking Member  
Committee on the Judiciary

cc: The Honorable Raúl Grijalva, Chair, House Committee on Natural Resources  
The Honorable Carolyn B. Maloney, Chair, House Committee on Oversight and Reform  
The Honorable Jerrold Nadler, Chair, House Committee on the Judiciary

Enclosure