

Appendix

Tree Spiking Incident

Tree spiking is intended to prevent logging by risking damage to saws – and to the loggers and sawmill workers using them – if the tree is cut. A logger or sawmill worker may suffer serious injury or even death if his or her saw cuts into a tree spike and breaks.

For example, an article published in the *Washington Post* on March 5, 1990 entitled “Tree Spiking An ‘Eco-Terrorist’ Tactic,” reported on the maiming of George Alexander, a third-generation mill worker in Cloverdale, California:

“It was May 1987, and Alexander was 23. His job was to split logs. He was nearly three feet away when the log hit his saw and the saw exploded. One half of the blade stuck in the log. The other half hit Alexander in the head, tearing through his safety helmet and face shield. His face was slashed from eye to chin. His teeth were smashed and his jaw was cut in half.

“Alexander had never heard of a sabotage tactic called tree spiking until he became a victim of ‘eco-terrorism.’ Someone who objected to tree cutting had imbedded a huge steel spike in the log that violently jammed the saw.”

Woodland firefighters are also at risk from tree spikes. An article published in the *Greensboro News and Record* on March 17, 1990 reported that U.S. Forest Service rangers discovered trees that were spiked in the Pisgah National Forest southwest of Asheville, North Carolina. They were responding to an anonymous letter informing the Forest Service that the trees were spiked. The article quoted Art Rowe, District Ranger for the Pisgah Ranger District, as explaining that the Forest Service would carefully cut down any trees that were spiked because of the threat to firefighters. He stated: “The reason for that is there’s a potential safety hazard in the future. Somebody could cut that tree down for firefighting, or maybe it becomes a hazard tree later on, and the chain saw operator would not be aware of the spike in there. He’s facing the same hazards the logger might today.”

In 1993, John Blount and Jeffrey Fairchild were convicted of tree spiking in Idaho’s Clearwater National Forest in March 1989 by a federal jury in the U.S. District Court for the Eastern District of Washington in Spokane, Washington. Conspiracy charges against a third defendant, Daniel LaCrosse, were dismissed. Alvin Hartley and Neil McLain, who had previously pleaded guilty to misdemeanor tree spiking, testified against Mr. Blount, Mr. Fairchild, and Mr. LaCrosse.

Ms. Stone-Manning was a key witness in the case. She was granted immunity from the government using her testimony against her in a subsequent criminal case in return for her testimony against Mr. Blount, Mr. Fairchild, and Mr. LaCrosse. According to an article published in *The Missoulian* on May 21, 1993 entitled “Woman trades her testimony for immunity in spiking case,” Ms. Stone-Manning “said she could have been charged with conspiracy because she mailed the letter for Blount, were it not for her agreement with the U.S. attorney.” During the trial, she testified that Mr. Blount handed her a letter informing the U.S. Forest Service that trees had been spiked in the Clearwater National Forest and asked her to mail it. She testified that she waited a “couple of days,” rented a typewriter from the university,

retyped the letter, and mailed the letter on behalf of Mr. Blount. This happened at approximately the end of April 1989.

Ms. Stone-Manning testified that she first met Mr. Blount, Mr. Fairchild, and Mr. LaCrosse at the end of August 1988, and that they were in her “circle of friends.” She testified that she lived “a couple weeks” at “Sherwood House – it’s a house on Sherwood Street” in Missoula, Montana with Mr. Blount, Mr. Fairchild, and others for a period of time beginning in August 1988. The May 21, 1993 article in *The Missoulian* reported: “The letter [retyped and mailed by Ms. Stone-Manning] prompted federal law enforcement officials to search a home on Sherwood Street in Missoula where several Earth First activists lived.” An earlier article published on October 5, 1989 in the *Montana Kaimin*, the University of Montana’s official student newspaper, entitled “UM professor subpoenaed in tree-spiking incident” reported: “After authorities found several spiked trees in the timber sale, a house in Missoula located at 834 Sherwood St., which was being rented by [Jake] Kreilick, [John] Lilburn, and [Jennifer] Johnson, was raided in April [1989]. All of their possessions were confiscated.”

Prior to her testimony before the U.S. District Court for the Eastern District of Washington in June 1993, Ms. Stone-Manning was granted immunity to testify before a grand jury in Boise, Idaho in March 1993, according to the May 21, 1993 article in *The Missoulian*. Three and a half years before that, in October 1989, Ms. Stone-Manning was subpoenaed along with six other residents of Missoula, Montana (Timothy Bechtold, Ron Erickson, Jake Kreilick, Bill Haskins, John Lilburn, and Jennifer Johnson) to provide evidence before a grand jury in Boise, Idaho. The May 21, 1993 article in *The Missoulian* reported that Ms. Stone-Manning and the others were required “to appear before the grand jury to provide physical evidence, including handwriting and hair samples.” Another article published on November 10, 1989 in the *Montana Kaimin* entitled “Professor and students haven’t heard from FBI since Oct. 4” reported that Ms. Stone-Manning and the others were required “to submit fingerprints, palm prints, handwriting samples, and hair samples to a Grand Jury in Idaho on Oct. 4.” That article confirmed: “All of the people submitted the evidence to federal agents.” The earlier October 5, 1989 article in the *Montana Kaimin* cited Tom King, a U.S. Forest Service law enforcement officer, who “confirmed that the subpoenas resulted from an investigation into a tree spiking incident that took place in the spring of 1989 near Powell, Idaho.” According to that article: “FBI Agent Mike Merkely, who delivered the subpoenas, would not say whether Erickson or the others are suspects in the case. But Jake Kreilick, one of the students, said the subpoenas ask for fingerprints, palm prints, handwriting samples, and hair samples. ‘That indicates to me that I’m a suspect,’ he said.” An article published in Spokane, Washington’s *Spokesman-Review* on August 5, 1990 entitled “Tree spiking probe of professor still open after a year” recirculated a *New York Times* report that quoted one of Ms. Stone-Manning’s professors at the University of Montana recalling that in August 1989 the Federal Bureau of Investigation “told me that I was under investigation for tree spiking.” The article stated that Ms. Stone-Manning was “subjected to the same routine as her professor” and “remains angered by her experiences with the FBI.” The article quoted Ms. Stone-Manning: “It was degrading. It changed my awareness of the power of government. Yes, this was happening to me and not someone in Panama. And, yes, the government does do bad things sometimes.” The article noted that, according to the U.S. Attorney in Boise, Idaho handling the tree spiking case, “the investigation continues.”

A June 25, 2021 article in *E&E News* entitled “Agent: BLM nominee was an early target in tree-spiking case” confirmed that Ms. Stone-Manning was investigated for her role in the conspiracy to spike trees in the Clearwater National Forest in Idaho. According to the article:

“A retired federal law enforcement agent who investigated the 1989 tree-spiking incident...said investigators suspected [Ms. Stone-Manning] of knowing about the crime before she began to cooperate with the probe.

“The official, who agreed to talk on the condition he not be identified, said she did not initially help authorities identify two men who were eventually convicted of spiking hundreds of trees in an Idaho national forest. This initial lack of cooperation with law enforcement set the investigation back by several years, he said.

“‘She absolutely refused to do anything,’ to advance the investigation, the retired officer said...

“The federal investigator said he considered her a target of the grand jury investigation.

“Stone-Manning, a graduate student at the University of Montana at the time, was required to submit hair samples, fingerprints, palm samples and a writing sample.

“That’s because investigators found a sweater at the tree-spiking site, along with a hair sample and short, handwritten note. The origins of the sweater and note were never identified, the former investigator said...

“The case went dormant until 1992, when Blount’s former common-law wife reached out to the FBI to identify Blount and Fairchild as the men who spiked trees. The woman also told investigators that Stone-Manning is the one who sent the letter to the Clearwater National Forest, the retired investigator said...

“The former investigator said that Stone-Manning agreed to testify after this information was presented to her.

“‘The only reasons that Tracy Stone-Manning became a cooperator, if you want to call it that, is because she was caught,’ he said.”

Testimony before the U.S. District Court for the Eastern District of Washington in the June 1993 trial established that at least one sawmill suffered damages when it processed a tree spiked in connection with the conspiracy by Ms. Stone-Manning and her friends. Robert Wayne Moderie, the head sawyer at Plum Creek Manufacturing in Pablo, Montana, identified for the court “some of the teeth off one of the band saws that was run through the mill that had hit some spikes, and the saw blew up and pieces flew around.” Mr. Moderie testified: “I put the log on the carriage, and I was going through the log when the saw hit the spike; and in the process the saw come out through the side of the log, and it stretched the saw and broke the saw, and the pieces flew all over...I was sitting up above the log...looking down on it. The band saw was running right here alongside of me. It was – probably the saw is about four or five feet from me...[T]he saw blade stayed on the wheel, but there was about two-thirds of it that just a big ribbon come out the outside of it and it all busted and flew all over inside the saw box...[P]ieces of it hit – I got plexiglass, oh, it must be quarter inch – it’s that high-temp plexiglass – on the side of the saw box – well, three sides of me; and there were teeth marks in that plexiglass where that saw hit.” Mr. Moderie explained that the plexiglass was “probably two feet” away from him.

The Post Office Sale in the Clearwater National Forest in Idaho which was spiked in connection with the conspiracy by Ms. Stone-Manning and her friends has trees still standing that have tree spikes in them. At a June 17, 2021 hearing of the U.S. Senate Committee on Energy and Natural Resources (Committee) to examine President Biden’s fiscal year 2022 budget request for the U.S. Forest Service, the Chief of the U.S. Forest Service testified that she was not “specifically, personally aware of” any program the Forest Service has to address spiked trees that still stand in the forest.

False and Misleading Statements in Recent Sworn Statement to the Committee

In connection with her nomination process, Ms. Stone-Manning completed and submitted the standard *Statement for Completion by Presidential Nominees* (Committee Questionnaire) required of all nominees referred to the Committee. Specifically, on May 27, 2021 Ms. Stone-Manning signed the following affidavit before a commissioned Notary Public for the State of Montana: “I, Tracy Stone-Manning, being duly sworn, hereby state that I have read the foregoing Statement for Completion by Presidential Nominees, including all attachments thereto, and that the information provided therein is, to [the] best of my knowledge and belief, current, accurate, and complete. I understand that the Statement and its attachments may be made public.”

Question 17(c) of the Committee Questionnaire regarding legal proceedings asked: “Have you ever been investigated, arrested, or charged by any federal, state, or local law enforcement authority for the violation of any federal, state, or local law, regulation, or ordinance, other than a minor traffic offense? If so, please fully and completely explain the details and circumstances of each such violation and include the case number or other information to identify the public record of the proceeding.” Ms. Stone-Manning responded: “No, I have never been arrested or charged and *to my knowledge* I have never *been the target of* such an investigation. In 1989, I testified before a federal grand jury in Boise, Idaho, as part of an investigation into an *alleged* tree-spiking incident related to a timber sale. I later testified in a trial that resulted in the conviction of a responsible individual.” (Emphasis added.)

Ms. Stone-Manning responded “No” to the question of whether she had “ever been investigated,” which was not current, accurate, and complete, and constituted a material false statement to the Committee. Ms. Stone-Manning’s statement that “to my knowledge I have never been the target of such an investigation” was not current, accurate, and complete, and deceived the Committee with regard to the question of whether she had “ever been investigated.” The public record evidences the fact that Ms. Stone-Manning had been investigated – and knew or should have known that she had been investigated – by federal law enforcement authorities for the violation of federal law. She was issued a subpoena to provide physical evidence to a federal grand jury, including fingerprints, palm prints, handwriting samples, and hair samples. According to the U.S. Department of Justice, a federal grand jury is charged with, among other things, “the investigation of crime” – a fact Ms. Stone-Manning conceded in her response to Question 17(c) in the Committee Questionnaire. In that response, she characterized her appearance before the federal grand jury “as part of an investigation.” The grand jury subpoena Ms. Stone-Manning and the others received was an investigatory tool that law enforcement authorities used to compel the production of physical evidence associated with a potential crime. A U.S. Forest Service law enforcement officer confirmed that the subpoena Ms. Stone-Manning received “resulted from an investigation” into the tree spiking incident, according to the October 5, 1989 article in the *Montana Kaimin*. The article reported that another individual who was also compelled to appear before the same grand jury and provide the same physical evidence stated at

the time that his receipt of the subpoena “indicates to me that I’m a suspect.” The August 5, 1990 article in the *Spokesman-Review* quoted Ms. Stone-Manning’s professor as saying that he had been told that he was “under investigation” and noted that Ms. Stone-Manning herself was “subjected to the same routine as her professor.” The article quoted her as stating that the experience was “degrading.” It noted that the U.S. Attorney handling the case said that the grand jury was still impaneled and “the investigation continues.” The June 25, 2021 article in *E&E News* cited a retired federal law enforcement agent who investigated the tree spiking incident as explaining that Ms. Stone-Manning was “a target of the grand jury investigation.”

Ms. Stone-Manning’s characterization of the tree spiking incident as “alleged” was not current, accurate, and complete. The public record evidences the fact that the tree spiking incident occurred. Mr. Blount and Mr. Fairchild were convicted of, and Mr. Hartley and Mr. McLain pleaded guilty to, the tree spiking incident in federal court. The Sherwood Street house was “raided” and “possessions were confiscated” after authorities received a letter informing them of the tree spiking incident and “found several spiked trees in the timber sale,” as reported by the October 5, 1989 article in the *Montana Kaimin*. The U.S. Court of Appeals for the Ninth Circuit, which was considering an appeal from Mr. Blount relating to the tree spiking incident, found in September 1994: “In April 1989, after an area in the Clearwater National Forest was designated by the United States Forest Service for selective harvesting of old growth trees, the Clearwater National Forest headquarters was notified that trees in the designated area had been spiked with 500 pounds of 8 to 10 inch metal nails. Investigation by Forest Service workers revealed that 284 trees had been spiked with 384 nails. Most nails were marked with paint.” Ms. Stone-Manning herself rented a typewriter, retyped the letter, and mailed the letter on behalf of Mr. Blount that informed the U.S. Forest Service that trees were spiked.

Ms. Stone-Manning’s statement that she “testified before a federal grand jury in Boise, Idaho, as part of an investigation into an alleged tree-spiking incident related to a timber sale” was not current, accurate, and complete. She omitted material facts that would have been responsive to the Committee Questionnaire’s instruction to “fully and completely explain the details and circumstances of each such violation and include the case number or other information to identify the public record of the proceeding.” These material facts were necessary for the Committee to fully understand her participation in the grand jury proceeding. Ms. Stone-Manning did not provide the case number or other information to identify the public record of the October 1989 grand jury proceeding in which she provided physical evidence. She did not represent that she received a subpoena to appear before the federal grand jury. She did not represent that she was compelled by the subpoena to provide physical evidence to the grand jury, including fingerprints, palm prints, handwriting samples, and hair samples. She did not provide the case number or other information to identify the public record of the March 1993 grand jury proceeding in which she testified. She did not represent that she received immunity in return for her testimony. She stated that she appeared before a federal grand jury “as part of an investigation;” but she did not represent her role as an active participant in the activities associated with the tree spiking incident that were under investigation. She did not represent her role in agreeing to mail the letter, retyping the letter, mailing the letter, and taking steps to make the letter untraceable on behalf of one of the individuals who was later convicted of the crime that was being investigated. She did not represent her personal relationship with the others who received subpoenas, appeared before the grand jury, provided physical evidence, and were otherwise being investigated. As noted, she failed to fully and completely explain the details and circumstances and include the case number or other information to identify the public record of the proceeding.

Ms. Stone-Manning's statement that she "later testified in a trial that resulted in the conviction of a responsible individual" was not current, accurate, and complete. She omitted material facts that would have been responsive to the Committee Questionnaire's instruction to "fully and completely explain the details and circumstances of each such violation and include the case number or other information to identify the public record of the proceeding." These material facts were necessary for the Committee to fully understand her participation in the trial proceeding. She did not provide the case number or other information to identify the public record of the proceeding. Ms. Stone-Manning did not represent that she received immunity in return for her testimony against the individuals who were convicted. She did not represent the fact that she "could have been charged with conspiracy because she mailed the letter for Blount, were it not for her agreement with the U.S. Attorney," as reported in the May 21, 1993 article in *The Missoulian*. She did not represent her role as an active participant in the activities associated with the tree spiking incident that was the subject of the trial. She did not represent her role in agreeing to mail the letter, retyping the letter, mailing the letter, and taking steps to make the letter untraceable on behalf of one of the individuals who was later convicted of the crime that was the subject of the trial. She did not represent her personal relationship with the defendants and other witnesses who were the subjects of and appeared in the trial. As noted, she failed to fully and completely explain the details and circumstances and include the case number or other information to identify the public record of the proceeding.

Participation in Tree Spiking Conspiracy

The U.S. Forest Service learned of the tree spiking in the Clearwater National Forest in April 1989 when it received a threatening letter. The letter stated:

"The project required that eleven of us spend nine days in God awful weather conditions spiking trees. We unloaded a total of five hundred pounds of spikes measuring 8 to 10 inches in length. The sales were marked so that no workers would be injured and so that you assholes know that they are spiked. The majority of trees were spiked within the first ten feet, but many, many others were spiked as high as a hundred and fifty feet.

"I would be more than willing to pay you a dollar for the sale, but you would have to find me first and that could be your WORST nightmare."

The letter included a postscript: "You bastards go in there anyway and a lot of people could get hurt."

The letter was signed with a pseudonym: "George Hayduke."

George Hayduke is a character in the *Monkey Wrench Gang*, a fictional novel written by Edward Abbey and published in 1975. In the novel, George Hayduke collaborates with fictional eco-terrorists in attacking developers in the American Southwest. The group sabotages bulldozers and trains, drives quarry trucks over canyon dams, blasts power lines, and blows up the Glen Canyon Dam, all while escaping law enforcement. An article published in *The Guardian* on September 25, 2009, entitled "Rereading: Robert Mcfarlane on The Monkey Wrench Gang" reported: "Earth First! was openly inspired by Abbey's novel... In March 1981, the Earth Firsters unrolled a 300ft-long black plastic 'crack' down the side of the Glen Canyon Dam, thereby accomplishing – at least metaphorically – Hayduke's dream of its demolition. Abbey had been tipped off about the event, and was there to see it happen."

In 1980, an anonymous author began writing and publishing a series of books under the pseudonym “George Hayduke.” The anonymous author wrote twenty-three books from 1980 to 2006 detailing pranks and practical jokes focused on vengeance, including promoting activities that were illegal and dangerous. Early titles included – *Get Even: The Complete Book of Dirty Tricks* (1980); *Get Even 2: More Dirty Tricks from the Master of Revenge* (1981); *Up Yours!: Guide to Advanced Revenge Techniques* (1982); *Getting Even 2* (1983); *Revenge: Don’t Get Mad, Get Even* (1984); *Make ‘em Pay!: Ultimate Revenge Techniques from the Master Trickster* (1986); *Screw Unto Others: Revenge Tactics for All Occasions* (1986); *Make My Day!: Hayduke’s Best Revenge Techniques for the Punks in Your Life* (1987); *George Hayduke’s Kickass!: More Mayhem from the Master of Malice* (1988); *The Hayduke Silencer Book: Quick and Dirty Homemade Silencers* (1989); *Payback! Advanced Backstabbing and Mudslinging Techniques* (1989); *Sweet Revenge: A Serious Guide to Retribution* (1989). The anonymous author’s book, *Get Even: The Complete Book of Dirty Tricks*, published under the pseudonym of “George Hayduke,” was found in the locker of a man accused of the USS Iowa turret explosion, which killed 47 people. Navy investigators reported that the book contained instructions on how to construct a bomb.

When presented with the letter during the 1993 trial, Ms. Stone-Manning confirmed that she recognized the letter as “a letter that I typed and mailed to the Forest Service.” She also confirmed that she recognized “the envelope that I mailed the letter in.” She testified: “Mr. Blount asked me – handed me a letter and asked me to read it, which I did; and then he asked me if I would mail it to the Forest Service.” According to her testimony, instead of mailing the letter that Mr. Blount handed her: “I took the letter and I thought about it overnight, and then I decided to mail it, but I decided to retype it first.” She continued: “Within the next couple of days after I received the letter, I went to the university library, rented a typewriter, and I typed the letter and then I mailed it.” She testified that she “changed some spelling errors,” took out “some of the profanity,” and “typed it pretty much word-for-word.” Ms. Stone-Manning’s characterization that she lightly edited the letter was at odds with Mr. Blount’s testimony that the letter she mailed (and that Ms. Stone-Manning and Mr. Blount were both presented with during the 1993 trial) was “a couple paragraphs shorter than I remembered it being originally.” Ms. Stone-Manning testified that she mailed the letter: “Because I wanted people to know those trees were spiked. I didn’t want anybody getting hurt as a result of trees being spiked.”

When asked why she retyped the letter, Ms. Stone-Manning responded, “Because my fingerprints --,” before an objection to her answering was sustained. Separately, Mr. Blount testified that Ms. Stone-Manning had agreed with him that “she’d mail [the letter] without any fingerprints.” Mr. Blount testified that he did not want the letter to be traced because “it would give [the U.S. Forest Service] more to think about if they had to look around for whoever done it” and “they spend a lot of money messing stuff up and I was going to make them spend a little bit of money looking around for whoever did this.” Ms. Stone-Manning was later quoted in the May 21, 1993 article in *The Missoulian* as stating: “I retyped [the letter] because my fingerprints were all over the original and I was scared.” She testified that she rented a typewriter because “I only had a computer at my disposal and I didn’t want it on my personal computer.”

On its face, the letter Ms. Stone-Manning retyped and mailed on behalf of Mr. Blount to the U.S. Forest Service constituted a serious threat to the federal government and was not the act of a Good Samaritan. By mailing the letter, Ms. Stone-Manning may have exposed herself to federal charges for sending a threatening communication through the U.S. mail in addition to other federal charges she may have faced for conspiring with Mr. Blount to write and mail the letter

and cover-up its origins. If Ms. Stone-Manning truly wanted to inform the U.S. Forest Service that the trees were spiked because she did not want anybody to get hurt, she would have immediately contacted law enforcement authorities and reported Mr. Blount and others associated with the tree spiking incident. Instead, Ms. Stone-Manning voluntarily waited a “couple of days” after receiving the original letter, rented a typewriter from the university to make the letter untraceable, and retyped and mailed the threatening letter to the U.S. Forest Service. According to the May 21, 1993 article in *The Missoulian*, Ms. Stone-Manning only offered her testimony against Mr. Blount in the tree spiking incident after she read a newspaper account of his arrest in February 1993 – approximately four years after she agreed to mail the letter, retyped the letter, mailed the letter, and took steps to make the letter untraceable. Aware of her own culpability, Ms. Stone-Manning did not contact law enforcement authorities to offer her testimony. As she told *The Missoulian*, “she immediately contacted a lawyer.” According to the June 25, 2021 article in *E&E News*, a retired federal law enforcement agent who investigated the tree spiking incident explained that Ms. Stone-Manning’s “initial lack of cooperation with law enforcement set the investigation back by several years.” The article quoted the retired agent as stating that Ms. Stone-Manning “absolutely refused to do anything” to advance the investigation, and that “[t]he only reasons that Tracy Stone-Manning became a cooperator, if you want to call it that, is because she was caught.”

Association with Earth First!

Ms. Stone-Manning testified that she was affiliated with Earth First! at the time of the tree spiking incident. She testified that Mr. Blount, Mr. Fairchild, and Mr. LaCrosse were also affiliated with the group. The May 21, 1993 article in *The Missoulian* described the Sherwood House in which Ms. Stone-Manning lived when she arrived in Missoula, Montana as the home “where several Earth First activists lived.”

According to an article entitled “Earth First!” published in *Encyclopaedia Britannica* on January 8, 2019: “The only way to become a member of Earth First! was to participate directly in the group’s activities.” Ms. Stone-Manning did so on various occasions.

Ms. Stone-Manning testified that she would sometimes edit a newsletter called the *Wild Rockies Review* for the group. She was listed on the masthead of the *Wild Rockies Review* as providing “Assistance” to the winter 1988 issue and spring 1989 issue under her maiden name of “Stone,” which she was known by at that time.

An article in the winter 1988 issue entitled “Livestock Grazing in America: The Last Chapter” recommended the following: “Lets work together to shut down the livestock industry, taking care of the vast bulk of our problems...”

The masthead in the spring 1989 issue adjoined the lead editorial which tacitly endorsed and glorified “monkeywrenching” and tree spiking. The editorial stated:

“One tool in particular, monkeywrenching, garners much attention, and fosters much debate – both within and outside of the movement. Some criticize those who spend their time writing for being hypocritical, and not getting out into the field to do something directly related to the terrorism that our politicians and military-industrial complex are wreaking. This is all well and good, as the hand that writes need not necessarily be the hand that spikes. What binds us is our common goal to put the Earth First!...

“We can, as a group make no statement condoning or denying monkeywrenching. As individuals we accept its presence among those who believe it to be an appropriate response to the destructive and suicidal policies of industrial terrorists. Those who practice the fine art of tree spiking or culvert plugging must also realize that monkeywrenching is a personal decision, and that they are responsible for their actions.”

The spring 1989 issue included an article entitled “The Vegetarian Connection” and subtitled “How YOU can keep cattle off public lands.” The article stated:

“Naturally, we’re concerned and furious about the cattle industry’s devastation of free and wild areas of ‘publicly-owned’ land. We’ve seen some of the effects of overgrazing rangeland and forests: the invasion of non-native grass species, absence of native wildlife, senseless killing of ‘problem’ predators, land partitioning with barbed-wire fences, erosion and trampling of vegetation, and desertification and lowering of the water table. Indeed, it has been said that ‘no industry or human activity on Earth has destroyed or altered more of Nature than the livestock industry.’”

The spring 1989 issue also included an article entitled “WREF! Ignites Cody.” The article reported on the testimony of several Earth First! members at a federal wildfire policy hearing in Cody, Wyoming. It stated:

“Polyester Pete from the Cody Chamber of Capitalists pontificated about the horror and destruction caused by the fires and on how the poor people of Cody suffered. About ten similarly nauseating presentations followed before EF! injected sanity into the stagnant air...

“In contrast, the EF! testimonials applauded the fires as a sure sign that man is not in total control and, as Boo said, we should ‘let it burn, let it rot, let it revegetate.’ Jagoff and the Forge gave a fabulous singing testimony, using Greg Keeler lyrics, that was totally misinterpreted by the dull-witted press. Colorado Brad did a silent testimony for all the species facing extinction that made the cowboys and rednecks squirm. Bill Bob perhaps said it best, comparing Cody to a barnacle on a whale’s back and reminding people that Yellowstone does not exist to prop up Cody.”

Ms. Stone-Manning was listed as a member of the Editorial Collective for the June 21, 1991 edition of Earth First!’s *The Radical Environmental Journal*. The issue included an article entitled “Clearwater Inactive,” which ridiculed the federal government’s investigation into the tree spiking incident in the Clearwater National Forest in Idaho in 1989 – the same tree spiking incident with which Ms. Stone-Manning was personally involved and about which she had already been withholding material information from federal investigators for more than two years. The article stated:

“The Forest Service has finally given official word that the investigation of a tree spiking in the Clearwater National Forest is officially ‘inactive.’ That means it’s still in their filing cabinets, but no one is paid to look at it.

“You may remember that the feds raided the Sherwood House, former EF! contact in Missoula, in April, 1989, in relation to the alleged tree spiking. The following September,

seven people, including several EF!ers, were subpoenaed by a grand jury to present hair samples, fingerprints, palmprints and handwriting samples.

“Recently, the feds released the affidavit that allowed for the search. Apparently, a silver Honda was seen parked on the side of the road near Post Office Creek for a couple of days surrounding the alleged spiking time. A VW bus was also seen.

“The affidavit allows that a Forest Service investigator drove by the Sherwood House and saw a silver Honda parked outside, belonging, the affidavit said, to Lilburn. The investigator also saw a VW bus. The affidavit describes a male with long dark hair and a beard seen through a window standing in the Sherwood's kitchen. The investigator pegged that man to be Lilburn.

“Well, those spending your tax dollars were busily bungling facts. At the time, Lilburn drove a bright yellow Honda. The VW bus did not have an engine; it was more a lawn decoration than a vehicle. And if Lilburn was seen through the window, he must have been standing in front of the sink, which means he was doing the dishes. Clearly, the Grand Jury should have been called over Bikini doing the dishes, not over the handy mix up in car colors.

“Two years later, Bikini still loathes doing the dishes, and the feds still have no case. Life goes on in Missoula.”

The views Ms. Stone-Manning represented in her graduate thesis in 1992 and more recently in a tweet on September 5, 2020 aligned closely with the types of views espoused in the *Wild Rockies Review* and *The Radical Environmental Journal* in which her name appeared on the masthead at the end of the 1980s and beginning of the 1990s.

In her graduate thesis published by the University of Montana in 1992 entitled “Into the Heart of the Beast: A Case for Environmental Advertising,” Ms. Stone-Manning’s representations included the following:

Grazing is “destroying the West” and people will “have a cow” if they saw what grazing “does to our public land.”

“The origin of our abuses is us. If there were fewer of us, we would have less impact. We must consume less, and more importantly, we must breed fewer consuming humans.”

“When we overpopulate, the earth notices it more: Stop at two. It could be the best thing you do for the planet.”

Americans should “do the truly smart thing” and “stop at one or two kids.”

On September 15, 2020, Ms. Stone-Manning posted on Twitter: “Not a bad time to revisit this piece from my husband, Richard Manning, from two years ago. Clarion call. #ActOnClimate”. Her post included a link to her husband’s article published by *Harper’s Magazine* entitled

“Combustion Engines.” The article discusses some of the challenges associated with controlling and fighting wildland fires. It also states the following:

“But the federal government then needs to make fighting wildfires—a social process—subject to a social contract. Perhaps the feds should commit themselves to refusing to send in the troops to any county that has not taken such measures. Perhaps the solution to houses in the interface is to let them burn.”

“There’s a rude and satisfying justice in burning down the house of someone who builds in the forest...”

Ms. Stone-Manning testified about other activities she participated in with Earth First! In April 1989 – the same time period of the tree spiking incident that was the subject of the 1993 trial – she participated in an Earth First! street play in front of the federal building in Missoula, Montana called *Eco Rangers*. She continued: “It was a take-off of the *Lone Ranger*, and the audience was asked if they would, you know, take an oath – it was all very satirical – take an oath about protecting the earth and going to protests and appealing timber sales, and it was Earth Day.”

The March 5, 1990 article in the *Washington Post* described Earth First! as “the most radical arm of the environmental movement.” It quoted the group’s co-founder, Dave Foreman, as stating: “The purpose of tree spiking is not to hurt anybody; it’s to keep trees from being cut.” It described Mr. Foreman’s book, *Ecodefense: A Field Guide to Monkeywrenching*, as an underground bestseller and explained: “He borrowed the term ‘monkeywrenching’ from the late Edward Abbey, whose book, ‘*The Monkey Wrench Gang*,’ romanticized environmental sabotage.” The article continued: “Foreman’s book includes diagrams for tree spiking and instructions on how to cut down power lines, flatten tires, burn machinery, jam locks and set stink bombs. ‘This is where the ecoteur can have fun,’ Foreman wrote.” The article reported that Earth First! attracted scrutiny from the Federal Bureau of Investigation in the years after its formation in 1980 because of aggressive tactics by its followers, like chaining themselves to trees, lying down in front of bulldozers, and vandalizing machinery. It noted that Mr. Foreman was awaiting trial on a charge of conspiracy to tear down an electrical tower.

Earth First! was cited in *Hayduke Lives!*, a second novel written by Mr. Abbey in 1989 and published posthumously in 1990 in which the fictional character George Hayduke continues the sabotage initiated in the *Monkey Wrench Gang* under numerous aliases, including destroying the world’s largest walking dragline excavator. The novel depicts people active in Earth First! as wearing t-shirts and flying banners with slogans such as “BLM means bad luck, mother!” and “Save our canyons: SOC it to the BLM!”

An article entitled “The Secret History of Tree Spiking – Part 1” that was originally published in the *Anderson Valley Advertiser* on February 17, 1993 and is currently available in the Industrial Workers of the World’s online historical archives notes that a few Earth First! chapters renounced tree spiking in the wake of sawmill worker George Alexander’s maiming caused by a tree spike in Cloverdale, California in 1987. “The rest of Earth First! still endorses spiking, and many of them even today react to our no-spiking policy by denouncing us as traitors and dismissing us as wimps.” The article continued:

“Earth First!... [displayed] practically no sympathy for this innocent man who had just been through such a terrifying ordeal caused by a spiked tree. And after advocating the tactic for years, even putting out a manual on how to do it and teaching tree spiking workshops at [the] Earth First! Rendezvous, when the shit came down they tried to disassociate themselves from it. ‘This is probably the first time we’ve made international news, and we weren’t even involved in it,’ was one comment attributed to Earth First! in the San Francisco newspapers. Dave Foreman came off sounding even more flippant, as he was quoted as saying, ‘I think it’s unfortunate that somebody got hurt, but you know I quite honestly am more concerned about old growth forests, spotted owls, wolverines, and salmon – and nobody is forcing people to cut those trees.’”

Inconsistencies in Public Statements

Ms. Stone-Manning’s public statements regarding the tree spiking incident have been inconsistent and misleading over the past thirty years.

Ms. Stone-Manning’s characterizations of her knowledge as to whether trees were in fact spiked have been inconsistent. In 1993, she expressed confidence before the U.S. District Court for the Eastern District of Washington that the trees were spiked: “I wanted people to know those trees were spiked.” As reported in the May 21, 1993 article, she told *The Missoulian* that the trees were spiked: “[Mr. Blount and Mr. Fairchild] were doing a lot of posturing and laughing and bragging... It was clear that they had really done this.” In 2013, she testified before the Montana State Legislature as a nominee to serve as Director of the Montana Department of Environmental Quality with an expression of doubt as to whether the trees were spiked: “I had no idea if what was in the letter was factually true or not. I had no idea if there was a tree sale in northern Idaho that had been spiked or not.” As reported in a February 26, 2013 article entitled “New Montana DEQ director eager for ‘daunting mission,’” she told *The Missoulian*: “The easy thing to do would have been to burn the letter and walk away and not be associated with it, but that was the wrong thing to do because trees were spiked...” On the Committee Questionnaire she submitted in May 2021, Ms. Stone-Manning again expressed doubt as to whether the trees were spiked when she characterized the matter as “an alleged tree-spiking incident.”

Ms. Stone-Manning’s characterizations of her relationship with Mr. Blount have been inconsistent. In 1993, she testified before the federal court that Mr. Blount was in her “circle of friends,” that she lived with him at the same time at Sherwood House, and that they were both affiliated with Earth First! In 2013, she testified before the Montana State Legislature as if she hardly knew Mr. Blount, stating that “a rather disturbed person that was not a student, handed me a letter one day on campus and said, ‘would you mail this letter’... The person who gave me that letter was, frankly, frightening.”

Ms. Stone-Manning’s characterizations of actions she took after she agreed to mail the letter on behalf of Mr. Blount have been inconsistent. In 1993, she testified before the federal court: “Mr. Blount asked me – handed me a letter and asked me to read it, which I did; and then he asked me if I would mail it to the Forest Service... I took the letter and I thought about it overnight, and then I decided to mail it, but I decided to retype it first... Within the next couple of days after I received the letter, I went to the university library, rented a typewriter, and I typed the letter and then I mailed it... I changed some spelling errors.” As reported in the May 21, 1993 article, she told *The Missoulian*: “I took the letter and thought about what to do for a few days... If I didn’t mail it, I was afraid someone would get hurt. If I gave it back to [Mr. Blount], though, I was

afraid he wouldn't mail it... I retyped it because my fingerprints were all over the original and I was scared... What I really feel, though, is that I reported a crime, although anonymously.” As reported in a February 26, 2013 article, her story seemed to change when she told *The Missoulian*: “I did not trust [that Mr. Blount] would notify the Forest Service if the letter was not sent. But now my fingerprints were all over it. The easy thing to do would have been to burn that letter and walk away and not be associated with it, but that was the wrong thing to do because trees were spiked and somebody could be hurt when the loggers were sent in. So I mailed the letter.” She seemed to double-down on her modified story when she testified before the state legislature later in 2013: “So, I mailed the letter and didn't say much about it.”