

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

January 20, 2022

The Honorable Tracy Stone-Manning
Director
Bureau of Land Management
1849 C Street, N.W.
Washington, D.C. 20240

Ms. Heather Gottry
Director and Designated Agency Ethics Official, Departmental Ethics Office
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Mses. Stone-Manning and Gottry,

Senior leaders at federal agencies are responsible for fostering cultures of ethical conduct.¹ Employees unable to act impartially are not qualified to perform their role in government.² To ensure appropriate conduct, the U.S. Office of Government Ethics (OGE) issues ethical standards by which all executive branch employees must abide.³ OGE standards require employees to “place loyalty to the Constitution, the laws, and ethical principles above private gain”⁴ and “act impartially and not give preferential treatment to any private organization or individual.”⁵ Transparency is key to ensuring federal employees’ compliance with OGE’s standards.⁶

Ms. Stone-Manning’s nomination to serve as the Director of the Bureau of Land Management (BLM) revealed information that casts serious doubts about her ability to act within OGE’s ethical parameters. Ms. Stone-Manning’s connection to tree spiking incidents which led to calls for the withdrawal of her nomination,⁷ not only exposed her affiliation with ecoterrorism,

¹ *Nomination of Emory A. Rounds III Nominated to be Director of U.S. Office of Government Ethics, Kelly A. Higashi Nominated to be an Associate Judge, Superior Court for the District of Columbia, and Frederick M. Nutt Nominated to be Controller, Officer of Federal Financial Management, Office of Management and Budget: Hearing before the S. Comm. on Homeland Security and Governmental Affairs*, 115th Cong. (2018) (statement of Emory A. Rounds III, nominated to be Director of U.S. Office of Government Ethics).

² *Id.*

³ 5 C.F.R. Part 2635 (2017).

⁴ *Id.* at 101(b)(1).

⁵ *Id.* at 101(b)(8).

⁶ U.S. OFFICE OF GOV’T ETHICS, *The Ethics Program, Transparency, and You* (June 7, 2018), <https://www.oge.gov/web/oge.nsf/Resources/The+Ethics+Program,+Transparency,+and+You>.

⁷ *See, e.g.*, Letter from Rep. Bruce Westerman, Ranking Member, H. Comm. on Nat. Res. et al., to The Hon. Joseph R. Biden, Jr., President, United States of America (July 28, 2021) (on file with Comm.).

but also the lack of truthfulness in her responses to the U.S. Senate.⁸ Additionally, the nomination process raised ethics concerns related to Ms. Stone-Manning's personal finances.⁹ Her Public Financial Disclosure Report included a 2008 business loan, eventually converted to a personal loan in 2009, from a regular donor to Democratic campaigns.¹⁰ Concerningly, no written documentation of the loan exists.¹¹ Instead, the terms were established verbally, including an interest rate that was nearly half the average rate for a 24 month personal loan in 2008.¹² Despite serving as a Senate staffer at the time of receipt, Ms. Stone-Manning failed to consult with or report the loan to the Senate Ethics Committee.¹³ These revelations do not inspire confidence in Ms. Stone-Manning's commitment to ethical obligations in her role as Director of BLM.

Prior to joining the BLM, Ms. Stone-Manning served as senior advisor for conservation policy at the National Wildlife Federation (NWF).¹⁴ While at NWF, she advocated for raising BLM's royalty rates and rental fees,¹⁵ supported the withdrawal of mineral rights near the Boundary Waters Canoe Area Wilderness,¹⁶ and opposed drilling in the Arctic National Wildlife Refuge.¹⁷

Recently, Ms. Stone-Manning detailed her plans for BLM, including altering the agency's oil and gas leasing system, climate change policy, and changes to grazing leases.¹⁸ As

⁸ *Id.*; Press Release, S. COMM. ON ENERGY & NAT. RES. REPUBLICAN NEWS, *Barrasso: Tracy Stone-Manning Lied to the Senate* (June 28, 2021), <https://www.energy.senate.gov/2021/6/barrasso-tracy-stone-manning-lied-to-the-senate>.

⁹ See Letter from Rep. Bruce Westerman, Ranking Member, H. Comm. on Nat. Res., Rep. James Comer, Ranking Member, H. Comm. on Oversight & Reform, and Rep. Jim Jordan, Ranking Member, H. Comm. on the Judiciary to Mr. Andrew Wallace, Dir., Office of Cong. And Leg. Affairs, Dep't of the Interior (Sept. 28, 2021) (on file with Comm.).

¹⁰ EXEC. BRANCH PERSONNEL PUBLIC FINANCIAL DISCLOSURE REPORT (OGE FORM 278E) FOR TRACY STONE-MANNING (2021) at 11; *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 8-9, available at <https://www.energy.senate.gov/services/files/DA849E0B-08A4-4E03-B094-F79C49F29F69>.

¹¹ *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 8-9; *supra* note 9.

¹² *Id.*

¹³ *Id.*

¹⁴ Press Release, BUREAU OF LAND MGMT., *Tracy Stone-Manning Sworn in as Dir. of the Bureau of Land Mgmt.* (Oct. 27, 2021), <https://www.blm.gov/press-release/tracy-stone-manning-sworn-director-bureau-land-management>.

¹⁵ *Modernizing Energy Development Laws for the Benefit of Taxpayers, Communities, and the Environment: Hearing Before the Subcomm. on Energy and Mineral Res., H. Comm. on Nat. Res.*, 117th Cong. (2021) (Testimony of Ms. Tracy Stone-Manning, Senior Advisor for Conservation Policy) available at https://www.nwf.org/-/media/Documents/PDFs/Press-Releases/2021/03-09-21_Stone-Manning-Testimony.

¹⁶ Mary Jo Brooks, *Protecting America's Most Popular Wilderness Area*, THE NAT'L WILDLIFE FEDERATION (Jan. 15, 2020), <https://www.nwf.org/Latest-News/Press-Releases/2020/01-14-20-McCollum-Boundary-Waters>.

¹⁷ Paul Tolmé, *Sacred Ground*, THE NAT'L WILDLIFE FEDERATION (Aug. 1, 2020), <https://www.nwf.org/Home/Magazines/National-Wildlife/2020/August-September/Conservation/ANWR>.

¹⁸ David McCumber, *Montana's Tracy Stone-Manning: BLM Director Has Lots of Acres and a Big To-Do List*, MONT. STANDARD (Jan. 3, 2022), https://mtstandard.com/news/state-and-regional/montanas-tracy-stone-manning-blm-director-has-lots-of-acres-and-a-big-to-do/article_310fbffb-dd41-5655-add9-1a4972af3c7f.html.

Director of BLM, however, Ms. Stone-Manning is subject to President Biden's ethics standards. Therefore, for two years, Ms. Stone-Manning is prohibited from participating in "any particular matter involving specific parties that is directly and substantially related to [her] former employer or former clients, including regulations and contracts."¹⁹

Ms. Stone-Manning's known position on issues she is now tasked with deliberating along with her demonstrated inability to act in the highest standards of ethics raise serious doubts about her impartiality during the decision-making process. The OGE advises federal employees to "not act on a Government matter if a reasonable person . . . could legitimately question [the federal employee's] impartiality."²⁰ Therefore, based on OGE guidance and President Biden's ethical requirements, transparency related to Ms. Stone-Manning's work while at the NWF is as critical as related disclosures about her meetings and involvement in policy decision-making processes as the senior-most BLM employee.

To confirm Ms. Stone-Manning's compliance with ethical standards and to assist with our oversight activities, please provide the following documents as soon as possible, but no later than 5:00 p.m., January 27, 2022:

1. A copy of Ms. Stone-Manning's signed ethics pledge.
2. A copy of Ms. Stone-Manning's Ethics Guidance and Recusal Obligations and all related attachments, including, but not limited to, her List of Recusal and Quick Reference Chart.
3. A document sufficient to describe all ethics waivers granted to Ms. Stone-Manning.
4. A document listing the decisions, deliberations, and actions that include Ms. Stone-Manning's participation as a DOI employee from September 30, 2021 through January 20, 2022.
5. A copy of the information Ms. Stone-Manning provided to DOI's Ethics Office describing her work at the National Wildlife Federation.
6. A document sufficient to describe Ms. Stone-Manning's role in the ongoing review of oil and gas leasing on federal lands.
7. A document sufficient to describe Ms. Stone-Manning's role in the evaluation of BLM's subsurface rights in the Superior National Forest, decision to prohibit the issuance of new federal mineral leases within the Rainy River Watershed, and study of potential impacts of mining near the Boundary Waters Canoe Area Wilderness.

¹⁹ Exec. Order No. 13989, 86 Fed. Reg. 14, 7029 (Jan. 20, 2021).

²⁰ U.S. OFFICE OF GOV'T ETHICS, STANDARDS OF ETHICAL CONDUCT: SUMMARY FOR EXEC. BRANCH EMPLOYEES at 12, *available at* [https://www.oge.gov/web/oge.nsf/0/7E9C8E62D239E7C0852585B6005A180E/\\$FILE/Intro%20to%20Standards.pdf](https://www.oge.gov/web/oge.nsf/0/7E9C8E62D239E7C0852585B6005A180E/$FILE/Intro%20to%20Standards.pdf).

Mses. Stone-Manning and Gottry

January 20, 2022

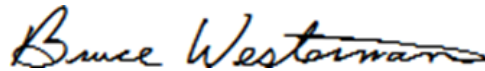
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8. A copy of Ms. Stone-Manning's calendars, including, but not limited to participants, meeting length, travel records, and objectives, from September 30, 2021 through January 20, 2022.

Please contact the Oversight and Investigations Subcommittee Minority staff at HNRR.Oversight@mail.house.gov 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,

A handwritten signature in cursive script that reads "Bruce Westerman".

Bruce Westerman
Ranking Member
Committee on Natural Resources

cc: The Honorable Raúl Grijalva, Chair, House Committee on Natural Resources

Enclosure