



# SLEEPING WITH THE INDUSTRY

The U.S. Forest Service and Timber Interests



Steven T. Taylor

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*The author wishes to dedicate this study to his parents, Richard and Sara Taylor, who have always offered their unconditional support and generosity. And, in loving memory of James Thomas Lundy, who lived a life of kindness, love and devotion to his wife, family and Nature.*

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"What is government itself but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels **were** to govern men, neither external nor internal controls on government would be necessary. In **framing** a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself."

*-James Madison  
The Federalist Papers (No. 51)*

"A lot of people characterize them as being in bed together. But I don't think there is as much equality there. I'd say the Forest Service is the bed of the industry."

*-Joe Mehrkens  
former Forest Service land-use planner, hydrologist and economist*

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## SUMMARY

Many Americans may not think of the U.S. Forest Service as a conduit for timber industry activities and profits. Many believe that its chief duties are to extinguish forest fires and to guide visitors through national forests.

However, for years the Service has been one of the most **mismanged**, poorly led, **politically manipulated**, and corrupt agencies in the federal government. Its real purpose is no secret to most who examine the agency. "Forest Service bureaucrats serve the goals of special interest groups - in this case the timber industry - and not those of the public, taxpayers, or conservationists," wrote John Baden for the conservative think tank, The Heritage Foundation. That assessment was written in 1986 during the presidency of Ronald Reagan.

Things have not markedly changed under the Clinton Administration.

After 12 years of policies that depleted much of the nation's federal forest reserves at a cost of billions in taxpayer dollars, environmental activists, some members of Congress and the public, and many **rank-and-file** Forest Service employees held high hopes that the Clinton Administration would change course. They believed that the incoming officials would revitalize the Forest Service, which had lost virtually all credibility with Congress and the public; the agency is considered a "laughingstock," according to one congressional aide.

Through extensive research and interviews, the Center for Public Integrity has examined the **Forest Service's** recent record, various aspects of the Clinton policy, and congressional action or inaction. What the Center has found is a **White House** that is failing to reform effectively, a Congress whose legislative agenda is substantially set by timber industry interests, and an agency that is at war with itself and nature - one that mistreats and muzzles its own employees, routinely breaks the law, places its own budget over its mission to care for the land, and in general sleeps with the industry.

A year into the **Clinton-Gore** tenure, reform of the agency and its policies has come slowly, or in many areas, has failed to materialize at all — often because of the Administration's unwillingness to stand up to powerful timber-state politicians.

Perhaps the most glaring example of acquiescence in the face of political pressure is seen in the Clinton Administration's about-face on phasing out the economically and environmentally ruinous policy of **below-cost** timber sales, once described by even the Heritage Foundation as "**destructive.**" Such sales are, in essence, **multibillion** dollar subsidies to timber companies.

In February 1993, the Administration announced that it would gradually **phaseout** such sales. It needed no congressional approval to do so. But in the early spring of last year, timber industry lobbyists, Senators Max **Baucus (D-MT)** and Ted Stevens (**R-AK**), House Speaker Thomas **Foley (D-WA)**, and several other members of Congress exerted pressure on Clinton. He folded. And now, in April 1994, the notion of eliminating **below-cost** sales is nowhere on the horizon. The timber industry and its supporters in Congress have won.

Indications that timber interests dominate nearly all discussion and action within the Forest Service and Congress can be found in the **numbers**. The agency spends on average 70 percent of its annual total resource management budget on timber operations, and only 5 percent on fish, wildlife, soil, and water preservation. In 1992, **the** Forest Service budget included **\$1.17 billion** to fund activities on national forests.

Of **that** total, more than half — or **\$583.4** million - was spent on preparing trees for logging, which is a typical annual expenditure.

From 1991 to 1994, timber industry political action committee contributions to members of the House of Representatives totaled \$3,047,934. From 1987 to 1994 in the Senate, timber industry interests poured **\$2,547,176** in members' coffers. In addition, three of **the top timber and paper companies** — **Georgia-Pacific Corp., Louisiana-Pacific Corp., and International Paper Co.** — **gave** a total of **\$ 182,720** in soft money contributions to the political parties from 1991 to 1994.

The White House has supported federal timber operations over other concerns, and over reform. Beginning with the Administration's reversal on **below-cost** sales, continuing with its much-publicized "Forest Summit" in April 1993, the subsequent Clinton timber plan in July, and culminating in February 1994 with the ouster of environmental reformer **Jim Baca** - the director of the Bureau of Land Management, an Interior Department agency that's related to the Agriculture Department's Forest Service - those wanting change have felt more and more betrayed. As a reformed-minded activist told the Center, "We've been stabbed **in the back.**"

The Administration has taken one important step forward. In November 1993, it named Jack Ward Thomas to be the chief of the Forest Service. Thomas is a well-respected biologist with 27 years of experience in the agency. It says as much about the Forest Service as Thomas himself that in his first memo to agency employees, he implored them all to "**obey the law.**" It is unclear, however, just how much latitude Thomas will have to deliver reform.

There are several notable areas in which Administration inaction or unwillingness to attempt reform is particularly poignant and striking:

- \* While promising to reform such land resource issues as mining and grazing, the National Performance Review, championed by Vice President **Al Gore**, conspicuously failed to recommend implementation of **Clinton's** pledges to "reinvent" the Forest Service, and **phase-out** timber subsidies.
- \* The misleading budget process, which fosters **unaccountability** by the Forest Service to the American people, as well as agency collusion with the industry, continues **unreformed** into the mid-Nineties.
- \* The Clinton administration, after vowing to end abuses within the Forest Service, ignored calls for help and allowed a dedicated forester to be railroaded out of the agency because he disagreed with illegal and environmentally unsound logging practices.
- \* Clinton, Gore and Forest Service officials bent to the demands of House Speaker **Thomas Foley (D-WA)** and other Northwest congressional members, who received **thousands** of timber political action committee dollars each year. For example, House **Speaker Foley** and his staff twisted arms in the Clinton administration - including those of Interior Secretary Bruce Babbitt — to exclude any discussion during the Forest Summit of decreasing logging on the fragile forests of the east side of Washington and Oregon. Over the past decade, Foley has accepted more Big Timber money than nearly any other House member.

\*In setting policy after the Forest Summit, the Administration ignored glaring evidence that timber industry log exports, automation, and unwise fiscal strategies in the 1980s — not environmental legislation - caused unemployment in **the** Northwest. The failure to acknowledge these causes of joblessness produced the **Clinton** plan, known as Option 9, a controversial policy that calls for damaging timber harvest levels.

## A Track Record of Agency Violations

From allegedly breaking the law in specific instances such as Tongass National Forest in southeast **Alaska**, to **illegally** transferring airplanes intended to fight forest fires to the CIA, we found an agency **frequently** out of bounds from generally accepted norms and practices, not to mention existing laws and regulations:

- \* The Forest Service has allowed its reforestation contractors to hire and then mistreat illegal aliens, feeding them dog food for sustenance, forcing them into squalid living conditions, and ignoring their medical problems.
- \* An independent **whistleblower** group has pegged the Service as among the worst of **all** government agencies for abridging the free speech of its own employees and hitting them with **career-ending** reprisals for merely questioning timber policies.
- \* The Service has skirted environmental **laws** by opening protected forests to salvage logging, perhaps more appropriately called "loophole logging," even after alleged industry-sponsored arson has burned old-growth stands. This policy essentially follows the dictum: We had to destroy the trees to save them.
- \* The agency reportedly has asked some of its employees to fabricate environmental statistics - "grabbing numbers from thin air," as one source told the Center - and to enter them into a computer so the outcomes **allowed** for high **timber-cutting** levels.
- \* In a surprising legal move, a Tongass National Forest forester known for his willingness to "get out the cut" has filed an affidavit charging the government with grossly **overharvesting**, violating the Tongass Timber Reform Act, and wasting taxpayer **money**. He had hoped that his action would halt a damaging timber sale, but Service Chief Jack Ward Thomas recently ordered the sale to proceed.

## Sleeping with the Industry

The driving forces behind all of these conditions are the timber industry's thirst for short-term profits and the inherent flaws in the Forest **Service's** budget process. In reporting and conducting research for this study, the Center asked interviewees to characterize the relationship between the Forest Service and the timber industry. It was called "**symbiotic**" and "too cozy." Here are some other characterizations:

- \* "The Forest Service is the alter ego of the industry."  
— *Jeff DeBonis*, a former Forest Service employee who worked in the timber sale program for 12 years
- \* "The Forest Service is the handmaiden of the industry."  
— *Walt Rule*, a retired Forest Service forester with 40 years of experience

\* "The [Forest Service] official who threatened me [with reprisals] was among those enjoying timber industry-financed '**all-expenses-paid**' trips to Lake **Tahoe** for himself, as **well** as other Forest Service employees and wives. Forest Service officials are on the board of **industry-dominated** scaling bureaus that get [their] own price tag by assessing the value of timber purchased in government sales."

- Dennis **Shrader**, a **14-year** Forest Service **special agent**

\* "Major timber companies and association groups have enough power and influence to pick up the phone and call high-level Forest Service headquarters **officials** to express concerns about policy they believe is adverse to their best interest. These calls are effective, often resulting in the dilution of actions taken at the regional level which are perceived to be detrimental to the timber **industry**."

- a retired "high-level" Forest Service official, as told to the staff of the House Appropriations Committee

\* "The industry and the Forest Service settled rurally together, in a very rural and wild environment where resources were plenty. Our kids went to school with industry kids, churches together. We grew up and lived together in the Wild West. And so culturally we're geared that **way**."

- Hank **Kashdan**, the director of the Forest Service Timber Task Force, which is responsible for investigating timber theft

As a result of this relationship, ancient old-growth trees are sheared like suburban shrubbery, unnecessary roads are **built** through virgin forests, and endangered wildlife are forsaken. Abuses on the forest floor are irreparable. As one source told the Center, "You can't grow an old-growth forest."

## INVESTIGATIVE METHODOLOGY

This study is the result of a year-long investigation. In that time, the Center interviewed dozens of Forest Service employees and retirees, timber industry officials, members of congressional staff and subcommittee staff, and members of the environmental community.

The Center also examined thousands of government documents, newspaper, magazine and journal articles, campaign spending records, and congressional testimony.

The author and a research assistant conducted field research during June and July **1993**, traveling to Alaska, Colorado, and California to see the effects of logging on national forest land, both from the ground and from the air, and to interview subjects knowledgeable about the Forest Service and the timber **industry**.

In the late summer of 1993, the Center made numerous calls to arrange interviews with both Jim Lyons, the assistant secretary of Agriculture responsible for overseeing the Forest Service, and Dale Robertson, then the chief of the Service. We were told that Robertson was not available for an interview. Finally, in mid-September, Lyons agreed to an interview. He canceled the day before the scheduled appointment. Subsequent requests by the Center, including a formal letter from the executive director, to reschedule the interview were ignored. The author made repeated calls to arrange an interview with Jack Ward Thomas in early 1993. These calls were not returned.

Every attempt was made to name sources quoted in the study. However, some congressional staff asked not to be named. In addition, some Forest Service employees asked to remain anonymous for fear of reprisal from agency management.

## INTRODUCTION

### The U.S. Forest Service: **Grasping For Credibility**

"The Forest Service has gone from being the pride of the federal civil service to a **laughingstock.**"

*- a congressional aide who has written books on national forests*

**Smokey** Bear turns SO this year. With its lovable, protective "spokesman" warning that "Only You Can Prevent Forest Fires," the U.S. Forest Service touts itself as the guardian of America's treasured **national** forests. Yet in reality, the Forest Service, a branch of the Department of Agriculture, is a business. The commodity: trees.

Although the Forest Service does fight forest fires, preserve wildlife, and perform other functions, its chief mission - one to which most of its time, money, and resources go — is to prepare trees for logging. In 1992, the Forest Service budget included **\$1.17** billion to fund activities on national forests. Of that total, more than half — or \$583.4 million — was spent on preparing trees for logging, which is a typical annual **expenditure.**<sup>1</sup>

At first glance, there would seem to be nothing wrong with the federal government farming trees on 120 national forests, provided that it also protects the forests, as its charter mandates. But its timber operations budget far exceeds any other resource management funding levels, including fish and wildlife and soil and water protection. Traditionally, timber reaps an average of 70 percent of the agency's total resource management **budget.**<sup>2</sup>

At the birth of the Forest Service in 1905 under the conservation-minded Theodore Roosevelt, midwife **Gifford Pinchot** sought to swathe the infant agency in a blanket of protectionist yet utilitarian philosophy. National forests should be managed, the first Forest Service chief said, with careful consideration for future generations of both people and trees.

Pinchot was a practical man who **realized that** the nation needed a renewable supply of **wood**. 'Trees may be grown as a crop just as corn may be grown as a **crop**,'' Pinchot **said**. "The farmer gets crop after crop of corn . . . the forester gets **crop** after crop of **logs.**'"<sup>3</sup>

Pinchot knew that the reckless **cut-and-run** practices of **19th-century** loggers needed to be checked. But the newly created forest preserves also needed to be logged - responsibly and economically - to bring profits into the federal treasury.

The problem is that Pinchot's modest philosophy has disappeared. The government is failing to protect adequately the national forests, and the Forest Service is not making a profit. In fact, it loses millions of dollars a year - to the financial gain of major timber corporations. In the 1980s, the federal government spent \$5.6 billion, in what amounted to subsidies to the timber industry, **while** harvesting the forests at a pace reminiscent of the **1890s.**<sup>4</sup>

During the Reagan and Bush **Administrations**, ancient forests - some with **2,000-year-old** trees dating to the time of Julius Caesar — were cut at a rate of 70,000 acres a **year.**<sup>5</sup>

The Forest Service did not sit by idly and watch the devastation that was so emblematic of the Greed Decade. Government officials pushed for high timber targets. Indeed, the Forest Service literally paved the

way for timber company trucks to haul out logs at high, unsustainable levels. The agency's rationale for this complicity is not hard to figure: The more timber sales the Forest Service generates, at a profit or **not**, the more money it **receives**.

## **Pinchot's Lost Intentions**

**Gifford** Pinchot directed the control of resource management to rest with the government employees closest to the forests they were entrusted to oversee. The idea was that those working on-site could best determine the ecological needs and **timber-cutting** levels of their own "backyard" forests.

But over the years, with the needs of the nation changing, particularly during and immediately following World War II, **Pinchot's** intentions were forsaken. And eventually, in 1976, reform-minded legislators reaffirmed his original philosophy by passing the National Forest Management Act.

One of the law's basic tenets is that local Forest Service teams should work with the public to decide how to run the national forests. Like so many well-meaning laws before and since, however, the purpose behind the National Forest Management Act has been lost - local control of the forests has vanished. Congress, the Forest Service headquarters in Washington, and senior officials at regional offices have usurped virtually all the power.

Retired **40-year** Forest Service veteran Walt Rule, whose gentle, distinguished looks betray his strong convictions, said he believes that this power drain has caused ecological calamity. "In most cases, the people making important forest decisions have never set foot on the land," he told the **Center**.<sup>6</sup> "Philosophically, you have to get the management of the Forest Service out of Washington," he said, "because what's driving it there are political decisions and economics."

Rule is one of many retired Forest Service employees who lament the sharp change in the agency's attitude and conduct, particularly its **target-driven** timber policies. "The Washington **office** staff generate targets, and that's not sound, economically or **environmentally**," said Von Johnson, who worked for the agency for 25 years. "[Target quotas] should be made at the woods **level**."<sup>7</sup>

Johnson's friend and fellow retiree **Neil Edstrom** agrees. "When I first started, the Forest Service was **a** like a **family**," Edstrom, a 30-year Forest Service veteran, said. "But things changed when production and commodities became **all-important**."<sup>8</sup>\*

Edstrom remembers a time when Forest Service officials told him that they needed a particular sale plot to meet a timber target. The sale required a road to be built through a fragile ecosystem. "I said no way," he told the Center. "You'll cut that over my dead body." Edstrom blocked the road - and the sale. Today's Forest Service employees, he said, need to choose their battles, stand firm and say to industry and agency officials in Washington alike, "Hey, I don't need your damn timber money."

But that just doesn't happen anymore. A troika of powerful interests - the Forest Service's upper management, timber-state lawmakers, and the industry - will not let a conscientious Forest Service employee challenge orders and successfully fight for environmental integrity. In fact, the Center has learned that would-be reformers in the Forest Service are branded troublemakers and quieted, and, failing that, purged.

Many of those who want to reform the system say that they will bide their time until they climb

the agency ladder and are in a position of power. The problem is, by the time they have reached the top rungs, often their values have shifted. "I know colleagues who have said, 'I'll wait until I rise in the organization and have enough power to do **something**,'" Rule said. "But by the time they get there, they are not **philosophically** inclined to do **it.**'"<sup>9</sup>

With the growing public perception that ancient forests **can't** be replaced and need protection immediately, the seeds of change have recently been planted. Unfortunately, as in reforestation, many seedlings die an early death.

## The Industry

In recent years, the timber industry has come under much fire from the news media and the public for what many consider to be its placement of sales and profits over responsible regard for the nation's natural resources. Timber officials respond **that** most companies have gotten **a** bad rap, **that** many companies have embraced environmental principles and policies.

"We have professional foresters on staff who will tell you they are the first environmentalists," Richard **Rohrbach**, the director of national **affairs** for **Boise Cascade Corp.**, told the Center. "They were environmentalists before it became hip. Our guys will **tell** you we have been good stewards of the land, the water, and yes, the trees. But trees die. Old-growth [forests are] a wonderful thing, but the fact is those trees are going to rot and fall over unless **they're harvested.**"<sup>10</sup>

Industry officials can point to benefits from harvest practices that even the most moderate environmental activists would classify as ecologically harmful.

The industry, for example, has defended the practice of clearcutting, an economical form of harvesting in which loggers cut entire stands of trees, leaving behind barren tracts of land. "There are some species of wildlife, **like** the gray wolf, that are aided by clearcutting Aspin [**trees**]," Kent Robinson, **a policy** and programs analyst for the American Forest and Paper Association, told the Center. The practice clears ground so the wolf can more easily spot prey, he said."

Although this may be true, it is also true that before timber harvesting stripped many forested areas in the United States, the wolf was not in danger.

But of course, the industry parries most criticism of its **policies** by arguing that it is a major employer and therefore deserves the unfettered right to harvest off of federal land. The American Forest and Paper Association's 400 members within the forest products industry employ **1.7 million** people, with combined annual sales of more than \$200 billion and facilities in all 50 states. The association is "producing goods and nurturing a resource which enhances the daily lives of all **American**," association official Doug **Crandall** told members of the House Committee on Natural **Resources**.<sup>12</sup>

The industry's biggest players, ranked in order of 1993 sales as reported by *Forbes* magazine, are: International Paper Co., headquartered in **Purchase, N.Y.**, with sales of \$13.7 billion and 69,000 employees; Atlanta-based Georgia-Pacific Corp., with sales of \$12 **billion** and 60,000 employees; Weyerhaeuser Co., **Tacoma, Wash.**, with sales of \$9.2 billion and 40,600 employees; Champion International Corp., Stamford, **Conn.**, with sales of \$5 billion and 28,500 employees; The Mead Corporation, Dayton, Ohio, with sales of \$4.7 billion and 21,600 employees; and Boise Cascade Corp., Boise, Idaho, with sales of \$3.86 billion and 19,800 **employees**.<sup>13</sup>

Two other top manufacturers are Willamette Industries, **Inc.**, headquartered in Portland, **Ore.**, with sales of \$2.5 billion and **10,275** employees; and Portland-based Louisiana-Pacific, Corp. and 13,000 employees, with sales of \$2.4 billion, according to *Forbes Magazine*.

Over the years, all of these companies have benefited from access to timber on national forests. They argue that lowering national forest harvest levels would hurt them, and, by extension, harm the national economy. Curtailing national forest sales "would mean a greater cost to the company manufacturing the product and that would be passed on to the consumer," **Georgia-Pacific's** John Turner told the Center. "And, if a company **couldn't** get enough volume, [it] would cease to exist as a business entity."<sup>14</sup>

But even with recent court injunctions which have temporarily **limited** some access, the industry's median return on equity for 1993 was 5.4 percent, and "profitability in 1994 should be even better than in 1993," according to a *Forbes report*.<sup>15</sup>

Naturally, the companies with the largest private land holdings - Georgia-Pacific, Weyerhaeuser, Boise Cascade and Louisiana-Pacific - fare better than those with fewer private holdings. This is not to say that these companies do not cut substantial amounts of timber from national forest land. For instance, Boise Cascade, traditionally one of the top harvesters of federal land, cut \$59.7 **million** board feet from the Forest Service's Region 6 (the Pacific Northwest) alone in fiscal 1992 - the most among **all** companies cutting off Forest Service land in that region, according to data from an independent timber statistics company.<sup>16</sup>

(Oddly, the Service does not have a sophisticated enough computing system to track comprehensive sales figures by company from all regions. It relies on data from outside sources. When asked about this apparent flaw in public **accountability**, an agency timber sale administrator told the Center: "I know; it's too bad, but we just don't have a very good accounting **system.**'")<sup>17</sup>

Louisiana-Pacific, Georgia-Pacific, and the other top companies and their subsidiaries all cut from national forest land. Therefore, it's not surprising that they spend much time and resources to persuade the government from curtailing federal timber sales. And that means contributing to members of Congress and the political parties. From 1991 to 1994, Georgia-Pacific and Louisiana-Pacific ranked second and third, according to the Center's analysis of top timber industry contributions to the Democratic and Republican parties. Georgia-Pacific contributed \$92,720 and Louisiana-Pacific contributed \$55,000 during this time period, according to Federal Election Commission records. (The United Brothers of Carpenters and Joiners ranked first. See appendices for more on timber industry contributions.)

Timber officials bemoan attempts by environmental activists, some members of Congress, and the courts to restrict their ability to log. They also say, though, that their relationship has deteriorated with some of the new breed of reform-minded Forest Service employees who are slowly and in few numbers climbing the ranks.

"A lot of the old foresters have left," said Boise Cascade's **Rohrbach**. "And they're being replaced by dedicated **environmentalists**, who say, 'My job is to save the **resources**, to conserve. And we don't want any more [timber] operations **out here**.' Their concept is that the land should be used by the public - if you're a backpacker and you don't stay overnight."

## The Old Guard

Bill Clinton campaigned in part on a pledge to restore **environmentalism** in America. For the

**national** forests, in practical, political terms, the first step toward restoration seemed to be replacing members of the Old Guard and their anachronistic policies.

In the late spring of 1993, Jim Lyons took over as assistant secretary of Agriculture in charge of overseeing the Forest Service. Initially, conservationists breathed a sigh of relief, feeling this was someone with whom they could work. The timber industry viewed Lyons as a threat to their interests. As this study shows, however, the optimism of environmental groups has begun to wane and the industry is finding some of its initial fears allayed.

For several months after Lyons took office, Forest Service observers waited for him to replace Dale Robertson, who was the chief of the Service. The calls for **Robertson's** head had resonated for years - from Forest Service employees, retirees, members of Congress, and newspaper columnists. The industry-friendly chief reigned over seven years **filled** with scandal - from environmental law violations to cost-accounting fiascos. If the Clinton Administration was serious about reforming the agency, reformers said, Robertson should be the first among the **Old** Guard to go and he should go quickly.

"Dale Robertson is a disaster for the agency," a congressional aide **who's** familiar with the Forest Service told the Center. "He is incompetent and inept, and **he's** hurting **the** already damaged reputation of the Forest **Service.**"<sup>18</sup>

Dozens of people the Center interviewed for this report expressed similar sentiments, saying that the Service suffers from a huge credibility gap, largely as a result of mismanagement by its chief and other top officials.

Finally, in November 1993, Lyons removed Robertson and named as his replacement Jack Ward Thomas, a 27-year veteran Forest Service biologist who is greatly respected in his field and by many within the agency. The mere fact that Thomas is a scientist, not a timber planner or Washington bureaucrat, adds layers of hope to those wanting reform.

During the campaign and since his election, President Clinton vowed to nominate appointees who "look like America," that is, women and minorities as **well** as white males. For many positions, the President has done so. But not the Forest Service, the largest land management agency in the federal government. A year after Clinton's election and more than half a year after **Lyons's** appointment, the Forest Service "looks like" a 1940s corporate board of directors. Of the 17 top-ranking officials in Washington, all are white males. Of the **58** senior executive service officers across the nation, three are **women**, one is Hispanic and one is Native American.

Integrating the Forest Service is not a new idea. In fact, in testimony before Congress in 1990, former Service Chief R. Max Peterson, who served in the early 1980s, said, "I believe a diversified work force much more representative of our society by race, culture, sex, and national origin is something we should **welcome.**"<sup>19</sup> Yet despite the passage of four years and a change in leadership, such diversification has not materialized.

Reform within the agency won't come easily. Thomas will face institutional challenges that, to many, seem insurmountable. Some say that he may not be allowed to control the direction of the Forest Service. Others are looking at his actions in the first few months in office and question whether he will live up to his billing as a reformer.

Many senior officials, for example, have demonstrated they will resist any shift in existing policies.

"He's going to have to clean **house**," Jeff DeBonis, **the** executive director of Public Employees for Environmental Responsibility, told the **Center**.<sup>20</sup>

But in late November, 1993, as Thomas was about to take office, he said that "there's no purge on the way" in the agency's management **ranks**.<sup>21</sup>

Reformers, though, were encouraged by another of **Thomas's** statements. He said that agency employees must "**tell the truth**" about Forest Service practices. "That's probably the single most important thing he could have said," a former congressional aide **familiar** with the agency told the **Center**.<sup>22</sup>

But reformers are waiting to see if he'll back his rhetoric with action. "We know he can talk the talk, but the real question is can he walk the walk," said Jeff Ruch, an attorney and policy director for the Government Accountability Project, which has represented Forest Service employees who have filed grievances against the **agency**.<sup>23</sup>

Early in his tenure, Thomas walked the walk on one controversial issue regarding the nation's largest national forest, the Tongass in Southeast Alaska. He canceled a long-term contract that had been awarded to a timber company in Alaska known for its environmental transgressions and poor treatment of its employees. (See Chapter VII.)

**Thomas**, however, seemed only to talk the **talk** on another issue in Alaska. After agreeing to review a mammoth timber **sale** on the Tongass - what was described by some foresters as "ecologically devastating" - he allowed the sale to proceed. (See Chapter VII.)

Even if Thomas attempts to change agency policies, there is likely to be resistance from elsewhere in the Administration and Congress. Many have viewed the recent ouster of Interior Department Bureau of Land Management Director Jim **Baca** as a sign that the Clinton Cabinet bows easily to **political** pressure. **Baca** was seen as a reform-minded administrator who met opposition from powerful western senators and from his boss, Interior Secretary Bruce Babbitt.

"One of the agency heads in resource management who had been making advances in reforming a troubled agency **has** already been removed, and this sends a **chilling** message to Jack Ward Thomas," DeBonis told the Center. "What kind of message will that send to the anti-reformers in the agency? That they can virtually usurp his power."

If Thomas is given the political authority and latitude by Lyons and others, sources familiar with the agency told the Center, he actually could begin to shake out abuse of the system, sever improper ties with industry, foster open expression within the Forest Service's ranks, steer **timber-cutting** policies more toward ecological impact consensus views of the scientific community, and bolster the large number of Forest Service employees within the agency who, frustrated by years of oppression, want to do the right thing.

There clearly is a need to improve the morale and pride of the Forest Service's **employees**. As retiree **Neil Edstrom** said: "The esprit de corps has been ruined. In the old days you know what your number one job was? Public service. And by God, you'd better believe that creed or you're going to sink. That was what it was all about."

## I. AN AGENCY AT WAR WITH ITSELF

Walk into the Forest Service visitors center in **Ketchikan, Alaska**, and you will find samples of moss, lichen and forest river water, walls of forest maps, a video screening room, a small library of pamphlets, and a friendly staff willing to answer questions. Open up one of the pamphlets and you can read the Forest Service **mission**: “**We** are Forest Service people. **We care** for the Nation's forests and **rangelands**. We serve the needs of the people who own **them**. . .”<sup>1</sup>

The pamphlet goes on to boast about the Forest Service's ability to foster teamwork and cohesion to advance its mission. The agency prides itself on gaining strength and innovation from its some 36,000 employees. **As** the brochure **puts** it: “Recognizing **that** our greatest strength **is** our people, **we will be a** more effective and productive organization. We will promote a management climate which fosters teamwork, esprit de corps, innovation, creativity, common sense, and the open expression of ideas.”

Sounds good.

Unfortunately, it is too good to be true, according to those who wear — or have worn — the green and khaki uniforms of the Forest Service. Jackie Canterbury, a Forest Service biologist at **the** Tongass National Forest in southeast Alaska, recently responded to the statements in the brochure. “That's so misleading, it's **fraudulent**,” she told the Center. “The Service stifles creativity, crushes expression, and ignores innovation. It's a real **shame**.<sup>2</sup>”<sup>2</sup>

One of the many former employees who left the agency for ethical reasons agrees. “The agency has lost its **mission**, and now it's more interested in perpetuating itself rather than managing natural **resources**,” said **Joe Mehrkens**, a former Forest Service economist “**The way [it has] done that is** by gaining higher and higher timber budgets through Congress” and, be added, by purging **dissidents**.

**Duane** Fisher, a **wildlife** biologist on the team that oversees the Tongass Land Management Plan, isn't a **wild-eyed** environmentalist, but a **down-to-earth** woodsman who does not spout anti-industry rhetoric. “In fact, we need timber harvests,” he said. But Fisher takes issue with the promotional material published by his employer. “The Forest Service is not into caring for the land and serving the **people**,” he said. “The emphasis is on getting out the cut. We're out there to meet our timber **targets**.<sup>3</sup>”<sup>4</sup>

Based on the Center's examination of dozens of cases, it is clear that if someone within the Forest Service raises tough questions or in any way impedes timber harvests, he or she is silenced, discredited, or discarded — one way or the other.

Jack Ward Thomas, the new chief of the Forest Service, has said he will not tolerate such oppression and intimidation. This is a new direction for the agency but one that will have to be proved by deed.

As Jeff Ruch, of the Government Accountability Project, put it in testimony before Congress: “[**Thomas**] has made some encouraging pronouncements about ... a new openness and freedom of expression. Unfortunately, this new message of candor has not reached the '**troops**' on the ground. The rhetorical commitment to change must, in order to be effective, be matched by direct action in individual cases — **i.e.**, rescinding retaliatory discipline imposed against conscientious employees and holding responsible managers accountable.” Ruch said that retaliation against **whistleblowers** is “**continuing**.<sup>5</sup>”

## Gagging the Whistleblowers

Muzzling Forest Service personnel is a matter of "longstanding **policy.**" These public servants are instructed not to talk to the national media without first "notifying the Department [of **Agriculture**]."<sup>6</sup>

In what can only accurately be described as "gag orders," the Forest Service's Washington office has issued **memos** outlining the policy to its employees. In an October **8, 1992** memo obtained by the Center, J. **Lamar** Beasley, a deputy chief of the Forest Service, wrote: "**We have** been receiving increased attention from national **media**, and reporters from national news organizations calling employees at all **levels**. . . . We remind you of the long-standing **policy** that the Department must be notified before an employee at any level can grant an interview with national **media**—This policy is vital to avoiding surprises in the **media.**"<sup>7</sup>

Another memo signed by **then-Chief**Dale Robertson and dated February **4, 1992**, urged employees who are asked to be interviewed to check in with the public affairs office for a briefing. The memo stated that "misinterpretation and misrepresentation can be prevented if the person being interviewed has more information about the issue and its **interrelationships.**"<sup>8</sup>

Forest Service employees who exercised their First Amendment rights and spoke to the Center did so knowing that they may be risking their careers. Jackie Canterbury, for instance, who has suffered intimidation and **reprisal** from the agency for speaking out, said, "I **don't** mind if I lose my **job.**" She said that reforming the agency and saving natural resources is more important to her than her career.

The Forest Service is one of the worst of all federal agencies in the number of **whistleblower** complaints, according to GAP's **JeffRuch**. In 1992 **alone**, GAP worked with 100 or so clients from within the Forest Service, and those constitute only the most egregious cases worthy of GAP's involvement. In 1993, GAP worked with 90 such **individuals.**<sup>9</sup>

In 1992, the Association of Forest Service Employees for Environmental Ethics, a whistleblower support group, directly dealt with 34 Forest Service employees regarding their free speech rights, according to the Association's **Cheri Brooks**. Through March **1994**, **64**employees have asked the Association for **help.**<sup>10</sup>

If a complaint generated by a Forest Service employee reaches the Agriculture Department's Office of Inspector General, often it is turned back for "internal" examination.

"The supposedly independent U.S. Department of Agriculture Office of Inspector General consistently washes its hands of whistleblower disclosures by passing the buck back to the Forest Service, sometimes with the explanation that the cases are not worthy of the OIG's attention," said former Forest Service investigator John **McCormick**, who has 30 years of law enforcement experience, including 16 years with the Forest Service, and was in charge of the "whistleblower desk" until he retired in January **1992.**<sup>11</sup>

Regional foresters are often given the task of investigating "subordinates named in the alleged wrongdoing in whistleblower disclosures," resulting in "predictable **conflicts-of-interest,**" **McCormick** said. "Once identified by their supervisors, the whistleblower becomes the subject of harassment and discrimination."

The report of the Agriculture Department's Inspector General for the first half of fiscal 1993 articulates several instances of "employee **misconduct.**"<sup>12</sup> But there's no mention of Forest Service **whistleblowing**, despite the plethora of alleged violations. (The Inspector General did report two cases of

**timber** theft.) The conspicuous exclusion seems to validate McCormick's view: **Something's** amiss and in need of reform.<sup>4</sup>

**Nonetheless**, the National Performance Review, spearheaded by Vice President Albert Gore Jr. to "reinvent **government**," concluded that Inspectors General need to lighten up enforcement of every nuance of government activity. "**Heavy-handed** enforcement - with **the IG** watchfulness compelling employees to follow every rule, document every decision, and fill out every form - has had a negative effect in some agencies," the report said.

But the "negative effect" on the morale of Forest Service's employees is a result of the opposite: the Inspector General's enforcement record.

When a Forest Service employee complains about impropriety or speaks out against an agency policy or against timber industry objectives, retribution is swift. Sometimes it comes insidiously, sometimes audaciously. And at no level within the agency is a "wayward" employee sacrosanct from retribution, as the celebrated case of John **Mumma** clearly demonstrates.

**Mumma** was the regional forester of Region One, which is composed of 25 **million** acres in 13 national forests in **Montana**, northern **Idaho**, parts of Washington, and North and South Dakota. He worked for the Forest Service for 32 years before he was forced out in **1991** by timber industry executives, Forest Service officials, and members of Congress because he did not meet his timber **targets**, according to a report in *The New York Times*.<sup>15</sup>

In testimony before Congress, Mumma said that there was no feasible way to comply with environmental regulations and still meet harvest quotas. "I have done everything I can to meet all of my targets," he testified. "I have failed to reach the quotas only because to do so would have required me to violate federal law."<sup>16</sup>

Mumma was also a relatively outspoken agent of change within the Forest Service. But in **mid-1991** he was transferred to a paper-pushing job in Washington. He refused the reassignment and took early retirement.

Lorraine **Mintzmeyer**, a former regional director of the National Park Service who was forced out of her position for similar reasons, worked with Mumma on a report that detailed the effects of timber-cutting on the Greater Yellowstone area's ecosystem and grizzly bear habitat. Because the report criticized the government's activity in the area, it was deemed a "political disaster" and rewritten or "deep-sixed," Mintzmeyer told the Center. She said that both she and Mumma were ousted from their jobs because they didn't conform to the government's interest in "commodity **extraction**".<sup>17</sup>

## **Victims of Vendetta**

The news media spotlighted the Mumma case as a classic example of the problems within the Bush Administration's Forest Service. But **another** case that germinated in the Bush Administration and evolved into President Clinton's first year has not received such attention.

Working under Mumma were two Montana forest supervisors, each with 30 years of Forest Service experience, who have recently become among the latest to fall from grace and into early retirement. The Forest **Service's** top officials launched a bizarre investigation that eventually shoved the two out of the agency. Many believe that the two supervisors were ousted because of their association with Mumma and

because **they** signed a **letter** urging a reduction in timber harvesting.

In 1990, acting on orders **from Mumma**, Curt Bates, the supervisor of Custer National Forest, and Ernie **Nunn**, the supervisor of Helena National Forest, solicited private contributions for the apparently innocuous purpose of sending a team of mules to the 1991 Rose Parade in Pasadena, **California**. The solicitation became part of a two-year Forest Service probe into the **agency's** horse program. "This is what the Inspector General's Office is spending its time **investigating**," Jeff Ruch, one of **Nunn's** attorneys, told the **Center**.<sup>18</sup>

Although federal prosecutors examined the **allegations** against Bates and **Nunn**, cited lack of evidence, and declined to pursue the case, the Forest Service's enforcement division pressed on.

A second charge **against** Bates focused on his private sale of horses to the National Park Service. Bates was not charged by prosecutors for the sale. In an unrelated horse sale, **however**, another forest ranger was charged with conflict of interest and sentenced to one year of **unsupervised** probation. U.S. District Judge Lewis **Babcock**, who heard the case and knew of Nunn's and Bates's, said that the entire horse investigation "smacks of personal **vendetta**."<sup>19</sup>

Even though they had survived the federal probe unscathed, Nunn and Bates still faced **interagency** disciplinary action. They were suspended without pay, and, in April 1993, received transfer orders out of their respective forests to positions in Washington. Those directives came from then-Chief Dale Robertson's office, Regional Forester David Jolly told **local reporters**.<sup>20</sup>

Rather than take desk jobs in Washington, Bates and Nunn both decided to resign from the Forest Service. In a letter to his **fellow** employees at the Custer National Forest that explained his decision to resign, Bates wrote: "For reasons that I don't understand yet, you're guilty until proven innocent in the **U.S. Forest Service**."<sup>21</sup>

Nunn and Bates said they believe the investigations were prompted by their association with Mumma and their signatures on a 1989 letter to Robertson that asked the Forest Service to reduce timber-cutting levels and better manage wildlife and other natural resources. The letter **also criticized** the agency for straying from its mission to serve the people and care for the land.

Thirteen foresters signed the "**Sunbird Letter**," so named for the **Arizona** resort where it was presented to Robertson. Of the thirteen, all but four have left their jobs, through retirement, transfer, or reassignment.

Some Forest Service employees have said that the exodus is not coincidental - that because officials in the Washington headquarters still feel stung by both the letter and Mumma's actions, they are after revenge. Nunn stated in a confidential memo obtained by the Center that on January 4, 1993, he discussed his situation with Brian Stout, a Forest Supervisor from Wyoming. Stout had just returned from Washington, where he'd discussed the **Nunn-Bates** investigation.

"Brian said that they are still **after 'Mumma's Boys'** and we are the few that [sic] is [sic] **left**," Nunn wrote in the memo. Stout also warned Nunn, the memo stated, that if he and Bates went public with the case, they were likely to take some "hard hits." Stout **told** Nunn that "someone very close to the chief had suggested that Nunn and Bates should avoid "causing attention or embarrassment to the agency," the memo added.

"Most of the people on **that** [Sunbird] letter] list **have** been affected one way or the other," Bates told Michael **Milstein**, a **reporter** for Montana's *Billings Gazette*.<sup>23</sup> Including **Nunn** and himself, "that's two more off the list," Bates added.

Association of Forest Service Employees for Environmental Ethics officials called the **investigation** part of a concerted effort at "politically cleansing" Forest Service employees who resist **timber-driven** policies.

Forest Service officials have denied that they tried to remove any of the foresters who signed the letter. Speaking for the agency, Regional Forester Jolly also said that the two supervisors were not ordered to keep quiet about the **case**.<sup>24</sup>

Despite 30 years of service to an agency that awarded him numerous **top-grade evaluations**, Nunn said, he was forced to suffer indignities at the hands of Forest Service **investigators**. In an April 25, 1993 **on-the-record** statement about the case, **Duane Moe**, a special agent with the Forest Service, said that Nunn had complained to him about the course of the **investigations**.<sup>25</sup>

From July 12 to 17, 1991, two Forest Service investigators interviewed Nunn about his alleged wrongdoings. Nunn told Moe, according to the statement, "that the two investigators had come in after quitting time, entered his office, and closed the door behind them. They positioned themselves around his desk in such a way that he did not feel free to leave ... [and] accused him of wrongdoing at several points during the **interview**.<sup>26</sup> Moe said he thought that at the very least Nunn should have been given Miranda warnings but apparently was not.

In an October 9, 1991, memo to Moe, Nunn wrote: "It was apparent that these investigators enjoyed the intimidations placed upon **me**. . . . At one point [one of the investigators] told me that I was on my own and that no one was looking out for me and this situation **could** place me in jail for two **years**.<sup>27</sup>

According to **Nunn's** memo, the investigators also told him that he should hire an attorney and that "to fight this in the courts it is expected to cost approximately \$100,000." Nunn also wrote that he was "very disappointed with the attitude, professionalism, and the way this investigation was conducted by our own Forest Service and **OIG investigators**."

By this time, however, Nunn was accustomed to **pressure**, as the horse incident was not the first time **that** Forest Service had tried to transfer him. In 1991, three months after **Mumma** was ousted and moments after Nunn had spoken with congressional investigators about Forest Service activities, he was informed that he was being transferred from Helena to Missoula.

The congressional investigators talked to Nunn as part of their efforts to determine the extent to which Forest Service employees are pressured to meet timber targets. Nunn was told by then-Regional Forester John Hughes that it was simply "time for a change in leadership on the Helena **Forest**".<sup>28</sup>

But the timing of the transfer raised questions on Capitol Hill. In a letter to then-Secretary of Agriculture Edward **Madigan** and copied to Dale Robertson, two members of the House Post Office and Civil Service **Subcommittee -- Gerry Sikorski (D-MN)**, and **Constance Morella (R-MD)**, wrote: "Mr. Nunn was notified of his upcoming reassignment within minutes after speaking with the Subcommittee's investigators . . . . the sequence of events leading up to Mr. Nunn's reassignment raises the issue of **retaliation**.<sup>29</sup> Sikorski and Morella also reminded them of statutes protecting the rights of **civil servants** to speak to Congress.

Additionally, in the previous **year**, **Nunn** had not met timber targets. "Unlike many of the foresters out here, Ernie Nunn **wasn't** the timber **industry's** slave and it looks as if he's paid a heavy price for that," Bob Decker, the conservation director of the Montana Wilderness Alliance, said when it looked as if Nunn would **go**.<sup>30</sup>

But Nunn didn't go. Widespread support from the Helena community and heavy media attention **made** the Forest Service **back** off, and **Nunn kept his job on** the Helena Forest. In 1993, however, **the** agency finally "cleansed" itself of him.

The actions against Bates and Nunn came amid signs that the Clinton Administration was planning to open up the Forest Service and protect the rights of employees to speak out and criticize government policies without fear of reprisal. Tom **Amontree**, a public affairs officer for the agency, told the Center, "We are doing everything we can to stop the abuses that occurred under the Bush **Administration**."<sup>31</sup>

As the Clinton Administration settled into office, a moratorium against **high-level** personnel transfers within the Forest Service was instituted. But the agency found an exception to move on the two Montana supervisors. And when Jim Lyons, the assistant Agriculture secretary who oversees the Forest Service, had the chance to at least **slow** down the transfers and give careful consideration to what was happening to the careers of two dedicated Forest Service employees, he declined.

"We went to Jim Lyons before and after he was confirmed," said lawyer Jeff Ruch. "Our request of him was that he not decide the merits of this case, but that **he** put it on **hold**. There seemed to be an unseemly haste in getting these guys off the forest. But Lyons decided not to intervene."<sup>32</sup>

Ruch pointed to the case as an example of how a change in administration has failed to usher in a change in the modus **operandi** of the Forest Service. "[Forest Service officials] were making sure that they had their own people in place in Region One [which includes **Montana**]," he said. "**It's** one of the timber breadbaskets."

The Nunn and Bates cases send a strong message to lower-level Forest Service employees, Ruch added. "Neither one of these guys were radical reformers," he said. "They were perceived as good-guy moderates. And if there is no room left for them, it becomes clear to the basic biologist or botanist that if it can happen to these [high-ranking officials], it can happen to them."

### **"Combat Biologists"** Battling for Truth

The Forest Service employs hundreds of biologists, **hydrologists**, and other specialty scientists. Many come from the nation's finest universities with multiple degrees and years of in-field experience.

Sadly though, the "**ologists**," as they are called, often are not allowed to conduct sound science. When they prepare environmental impact statements and other studies required by law before land can be readied for a timber sale, and the findings are not suited to the needs of the industry, their superiors — sometimes in the Forest Service's highest offices — direct them to change their reports to be industry-friendly. If they refuse to **bastardize** their own work, they are often intimidated or demoted.

The pressure is applied to scare Forest Service employees into "rubber-stamping ecologically damaging projects and excessive timber cutting," said Jeff DeBonis, a former Forest Service employee who runs Public Employees for Environmental **Responsibility**, the umbrella group of the Association of Forest Service Employees for Environmental Ethics (AFSEEE), which he founded."

Among **environmental** activists inside and outside the Forest Service, **DeBonis** is regarded as a living legend, “**a hero of forestry in the tradition of Gifford Pinchot**, the forestry pioneer in our **country**,” Michael **Frome**, a professor at Western Washington University, told the *The Seattle Times*.<sup>34</sup>

But to the Service management and the timber industry, the **42-year-old** activist is a nemesis and a **whiner**. He is “a professional disgruntled Forest Service employee, as opposed to a disgruntled professional Forest Service **employee**,” said Mark Rey, the executive director of the American Forest Resource Alliance, an industry **group**.<sup>35</sup>

DeBonis worked for the Forest Service for 12 years as a timber sales administrator and planner at various national forests, where for **much of that time he** toed the agency line in getting **out** the cut. But slowly he began to question what he was **doing**.<sup>36</sup>

“I became increasingly more frustrated at the fact that the Forest Service was the alter ego of the timber industry, constantly pushing its people to **overcut** and pressuring its own biologists and **other** scientists to falsify reports or remove information that would jeopardize timber sales,” DeBonis told the Center.

In 1989, his frustration reached a boiling point.

DeBonis was working at the Willamette National Oregon Cascades as a timber sales officer. The agency sent him out to look at a sale plot that had already been planned. What he saw — environmental devastation from previous cuts in the area - disgusted him. “There were roads that **weren’t** needed,” he recalled. “They were built for the sole purpose of lowering costs for the timber industry. The **Service’s** own scientists said [the roads] would probably fall off the hillside and pour tons of sediment into fishery streams. I found units in spotted owl habitats which were supposed to be **inviolate**. I found numerous washouts and erosion.”

DeBonis knew that more logging on this already damaged area would be disastrous. So he prepared a cumulative effects study that documented all the damage. His superiors, however, told him that he had just written the “appeal for the environmentalists.” He **was** “invited to change my **report**,” as he described it to the Center. He reluctantly complied but leaked the original report to environmental activists, who challenged and eventually stopped the sale.

DeBonis said **that** the experience deepened his transformation of values, and broadened his activism. He wrote **memos** on the Forest Service computer system to management complaining of agency-industry collusion. “Those memos got leaked to the industry and they tried to get me fired,” he said. “One industry official called up my boss and said: ‘**This** guy is an **Earth-Firster**. How can we have this environmentalist in your timber planning shop? You should fire **him**.’”

In a letter to Willamette Forest Supervisor Mike **Kerrick**, Troy **Reinhart**, the executive director of Douglas Timber Operators, called for disciplinary actions against the man the industry considered a troublemaker. “**As I** am sure you realize, the only moral high ground the preservationist community wishes to reclaim is putting the forest-products industry and forest managers six feet under,” Reinhart **wrote**.<sup>37</sup>

While still working for the Forest Service, DeBonis started organizing AFSEEE. “I was a timber beast by day,” he recalls, “and an environmental zealot by night.” Although the Forest Service higher-ups initially supported **DeBonis’s** right to speak out - in part because of the media attention he had created — he was privately warned that his job was in jeopardy if he continued to push his complaints in a public

forum. In early 1990, before any disciplinary action was taken, **DeBonis** resigned to devote all of his energies to AFSEEE.

## Pervasive Intimidation

At **Kootenai** National Forest in Idaho, Forest Service scientists have been "browbeaten and intimidated to follow the leader, and their professional judgment was discredited and discarded when it did not meet with management's approval," **Marynell Oechsner**, a Forest Service **biologist**, told a congressional subcommittee in March 1992. "For me, 'dissension,' in the form of speaking up for the resources, taking a stand for wildlife, precipitated a threat of 'removal, reassignment or demotion.'"<sup>38</sup>

In her **testimony**, Oechsner offered several examples of how the Forest Service has subverted sound science in the interests of timber sales, for the benefit of the industry. In one instance, a formal notice of a proposed timber sale was published stating that the cut would have no effect on threatened, endangered, and sensitive species, when in fact Oechsner had written an assessment reporting that the action would harm the grizzly bear.

Oechsner complained to the district management that its notice was in error. Management ignored her until she finally took the matter to the National Environment Policy Act coordinator, who forced the order to be **rescinded**.

In another case, in September 1990, Oechsner objected to a proposed road that would have sliced through ancient tree stands and given loggers access to ten acres of old-growth forest. The half-mile road, Oechsner **argued**, would constitute very poor land use and "totally and negatively" alter the wildlife habitat and a creek. Nevertheless, the district ranger insisted on going forward.

The road was finally dropped only after Oechsner organized all the other scientists in the Forest supervisor's office. "As a result of going over the district manager's head, I became a marked 'ologist,' and friction escalated between myself and the district manager," she said.

After another case of doing her job in what she believes was a responsible and ethical way, the wrath of **higher-ups** at the Forest Service rained down on her. "Constant, often subtle assaults on my credibility and professionalism, along with unrealistic work assignments, continued to make my professional and personal life unbearable," Oechsner said. She filed an Equal Employment Opportunity complaint and threatened to sue.

Eventually, Oechsner requested and was granted a transfer to another district that, she said, acts in a professional and ethical manner.

Although there are many outstanding employees within the Forest Service's ranks, the agency seems to rue their ethical behavior if it gets in the way of the cut. In a recent letter to Vice President **Gore**, 23 forest and wildlife academicians deplored the Forest Service's conduct.

"[I]nstead of adhering to scientifically sound principles, the Forest Service has, in several instances, attempted to alter the findings of scientists and resource professionals in order to meet commodity targets set by the agency or Congress," they wrote. "Furthermore, Forest Service employees who persist in their efforts to dispatch responsibilities with integrity and conscience are sometimes subjected to harassment or **reprisal**."<sup>39</sup>

As of this writing, Gore has **not** responded.

The instances of what can only accurately be described as organized scientific fraud and crass intimidation **are** not isolated. They occur at virtually every national forest in nearly every forest state. Many biologists received so much pressure, **DeBonis** said, that they refer to themselves as "combat biologists."

In **California**, biologist Francis Mangels began noticing that his reports warning of ecological harm were suddenly "lost." He was also pressured to change other reports to allow timber sales in very sensitive wildlife **habitat**, including areas inhabited by the bald eagle.

"In early 1989, a bald eagle nest was disturbed by [Forest Service] timber management staff who acted contrary to agency **policy**," Mangels told Congress. "**The** district ranger took no action to discipline responsible parties and blocked my efforts to file a report documenting harassment of the nest. He persisted in trying to harvest the nest grove until pressure was applied by the **Audubon** Society." \*

When Mangels took this case and other egregious violations to the Agriculture **Department's** Inspector **General's** Office in 1991, he said he was already a "blacklisted **nonperson**" who'd suffered harassment, demotion, and intimidation for his **whistleblowing**. The Inspector General's Office did not investigate his **complaints**. Instead, it sent them back to the Forest Service for an internal **investigation**. "**In** other words, this is an example of the police policing the **police**," Mangels said. "Not surprisingly, this investigation could not confirm nor rebut my charges."

**At** the North Carolina **National** Forest, botanist **Karin Heiman** was placed on probation for resisting efforts to change reports and was fired because she would not perform endangered plant surveys during the winter, as her supervisor had directed. Winter surveys fail to discover as many endangered plants and are used to **minimize** such classifications to decrease **on-the-record** ecological harm, smoothing the way **for** timber **cuts**.<sup>41</sup>

At Medoc National Forest in California, wilderness ranger Thomas Lake was harassed after he informed his superior of the misuse of wilderness funds and various other illegal activities. His complaints resulted **in** his being branded a troublemaker. "[My supervisor] accused me of**being 'confused'** and having misunderstood what was expected of me," he **said**.<sup>42</sup>

Lake was demoted and silenced. "To remedy what [my supervisor] considered to be a serious problem, he severely curtailed my **duties**," Lake recalled. "He forbade **me** from communicating any work-related information to anyone except himself. . . . I received more than eight threats of everything from disciplinary action to removal."

Shortly after the threats, Lake was dismissed. The reason given: lack of funds. Lake, however, is convinced that the real reason was that he blew the whistle. "Through my own **investigation**," he said, "I have learned that the Wilderness fund has more money now than it ever has **had**."

**Jeff DeBonis** told the Center that the Forest Service often uses the ruse of belt-tightening to dismiss employees who ruffle feathers. "Right now, [it] is a great excuse for them," he said. "It provides great **cover**." He added that, to a certain extent, budget constraints are a legitimate issue, but that the Forest Service is using fiscal austerity as a way of "weeding out **troublemakers**."<sup>43</sup>

Sometimes the harassment exacts an emotional **toll**. Take the case of a Forest Service scientist who asked not to be identified for fear of additional retribution. He was asked to conduct a thorough examination

of the **habitat** of a bird of prey. He concluded that a failure to curb timber cutting **would** threaten the rare bird's habitat and, ultimately, its survival.

Subsequently, Forest Service officials intimidated and abused him to the point where today he **is** a shaken man. Once extremely articulate, according to those who know him, this scientist now starts sentences, stops, restarts, and forgets where he is. Some speculate that he is on the verge of a nervous breakdown - all because his work displeased Forest Service officials. "He was crucified, isolated, and bad-mouthed by his peers," Jackie Canterbury, a Forest **Service** colleague, told the **Center**.<sup>46</sup>

Forest Service employees can also be punished for the actions of members of their families, according to Canterbury. She described a botanist in southeast Alaska who is married to an environmental activist. "Her husband chained himself to a tree in **Sitka [Alaska]**," Canterbury recalled. "As a consequence, she was taken off the job she loved in the forest and put on campgrounds."

### Numbers from Thin Air

Forest Service scientists apparently aren't the only employees asked to alter or fabricate information. In some instances, according to sources, agency employees simply make up scientific data to enable a timber sale to go through.

John **Sisk**, the former director of the Southeast Alaska Conservation Council, an environmental watchdog group **in** Juneau, Alaska, said that Forest Service personnel have told him **that** they have fabricated such **data**.

"I've had forest **planners** sit there in the office and say, 'Well, this computer model has the best numbers we could grab out of thin **air**,'" Sisk said. "They are trying to make the computer run. You've got a zillion boxes and you can't run the program unless every box has a number in it. I'm not sure all of this is malevolent. Still, much of the data is extrapolated **unscientifically** from some other data. I don't have any faith in what comes out of these floor **plans**. . . . On **the** Tongass [National Forest], they've done a great job of making these computers say they can log more than they can."<sup>47</sup>

Other critics of the Forest Service are even blunter. "The Forest Service doesn't just manipulate data — they make it **up**," said **Ronn** Dick, a professor of natural resources at Sheldon Jackson College in Sitka, **Alaska**.<sup>48</sup>

When Forest Service employees are preparing a timber sale, they must estimate the types and numbers of species living in the sale area. "They don't know how many different types of species they have," Dick said. "But they write it into the system. They don't go into the field."

That, in fact, seems to be a common complaint. "The art of observing is dead," said retired scientist Von Johnson, a 25-year veteran of the Forest Service. "We used to walk through the woods and say, 'Gee, that plant is out of place here. Where did it come **from**?' Or 'Gee whiz, that deer shouldn't be **here**.' Good foresters observe things — from the ground. They don't do that **anymore**."<sup>49</sup>

Instead, the Forest Service seems to be too busy observing and keeping in line its own scientists. Against this backdrop, it's no wonder that the agency is coming under greater scrutiny from Congress, a perceptive public, and **rank-and-file** employees.

## II. THE CLINTON PLAN

"President Clinton promised a legally responsible, scientifically sound, and ecologically credible plan. This **isn't** even legally responsible. We feel it's a **backstab**."

—Jim Owens, *Western Ancient Forest Campaign*

Historians are already chronicling the 1980s as a feast for corporate America. U.S. businesses in nearly every industry, including timber, ate up profits in huge bites. Timber companies saw their revenues soar largely because of the **hands-off** policies of Republican **Administrations**. But they can also thank legislation that was written and pushed through Congress in 1984 by two Oregon "liberals," Republican Sen. Mark **Hatfield** and Democratic Rep. **Les AuCoin**.

The 1984 Timber Sales Modification Act requires the Forest Service to engage in business practices that by most standards would be considered financially **ludicrous**. With the intention of fortifying a sagging timber **market**, the law required the Forest Service to buy back many timber sales it had already made to the industry and to resell them at much lower prices. It also stipulated high timber targets for Oregon and Washington.

The legislators' efforts were rewarded. In the 1984 election cycle, timber industry political action committees poured \$7,650 into AuCoin's reelection coffers. **Hatfield's** campaign raked in \$23,330 in contributions from timber **PACs**.<sup>1</sup>

John **Crowell**, then the assistant Agriculture secretary responsible for overseeing the Forest Service, went a step further to boost timber production by ordering R. Max Peterson, who was then the chief of the agency, to set timber targets at an inflated level of 20 billion board feet.

And the timber companies responded by ripping into the national forests with abandon.

The timber industry's feeding frenzy - with the Forest Service and timber-state congressional delegations setting the table — came to a **halt**, however, when environmental activists sued to stop what they considered to be a devastating rape of natural resources. In several legal actions, conservationists argued that the government was violating environmental laws and needlessly disrupting countless wildlife habitats in its push to get out the cut. They won many small battles.

Then, in May 1991, the environmental community **won** a major victory in the famous "**spottedowl**" decision handed down by Judge William Dwyer of the U.S. District Court in Seattle. **Dwyer** excoriated the Forest Service and the Fish and Wildlife Service in his ruling, which resulted in an extensive logging injunction.

"The most recent violation of the National Forest Management Act exemplifies a deliberate and systematic refusal by the Forest Service and the Fish and **Wildlife** Service to comply with the laws protecting wildlife," Dwyer wrote. "This **is not the doing of the scientists**, foresters, rangers, and others **at the working levels of these agencies**. It reflects decisions made by higher authorities in the executive branch of government."<sup>2</sup>

This decision hit Forest Service officials even harder because Dwyer is not known as an environmental extremist. As a Capitol Hill staffer told the Center, "Judge Dwyer is not some **radical**. He's a nice, solid Republican appointed by a Republican President. He just expects the federal government to abide by the same laws as the people of this **country**."<sup>3</sup>

**Dwyer's** injunction turned the timber world, as loggers and **the** Forest Service knew it, upside down. The industry was temporarily shut out of some forest areas. Consequently, the Forest Service lost revenues.

The decision also deepened the antagonism between loggers and their families on one side and environmental activists on the other. Forget that the timber industry's 1980s Wall Street mania created a situation in which many logging companies needed to lay off workers to pay for acquisitions. Forget that mechanization eliminated thousands of other jobs. Unemployed loggers focused their rage at the spotted owl and those who wish to protect it.

## Options on the Stump

Dwyer's injunction set the stage for the Forest Summit (later downgraded to the "Forest Conference") in Portland, Oregon. On April 2, 1993, President Clinton, Vice President Gore, and a cast of representatives on each side of the timber conflict gathered to discuss the volatile situation.

The conference represented an unprecedented attempt by a President to negotiate a compromise between environmentalists, who wished to protect the last remaining old-growth forest groves, and industry officials, who argued that a reduction in timber harvesting **would** trigger dramatic unemployment and devastate local timber-dependent economies.

Clinton and Gore vowed to find common ground among loggers and environmentalists, to simultaneously protect the economy and the forests - a formidable task.

Many forest and economic experts had already pointed out, however, that environmental protections weren't at the root of high unemployment in the Pacific Northwest. From 1979 to 1988, before environmentalists finally fought for and **won** some restrictions on logging, **more than** 26,000 timber workers lost their jobs, according to figures from the Oregon and Washington State **Employment Departments**.<sup>4</sup>

During the 1980s, corporate acquisitions and logging automation, a decreased demand for timber in the United States, and a rise in exports (mainly to timber-starved Pacific Rim nations, where companies can sell wood at inflated prices) all caused the employment dropoff. Job losses were also the inevitable effect of decades of industry and Forest Service mismanagement of the resources - a shortsighted, **cut-now-pay-later** arrogance.

Despite these statistics, some politicians have persisted in arguing that **environmentalism** costs jobs. Although Clinton and Gore must be credited for bringing together the warring factions for **roundtable** talks, they could have acted more valiantly. They could have accurately pinpointed the true causes of unemployment in the Pacific Northwest. Doing so, however, would have expended considerable political capital and rankled the region's important congressional delegation.

At the conference, Clinton and Gore - as well as Interior Secretary Bruce Babbitt, Labor Secretary Robert Reich, Agriculture Secretary Mike Espy and other members of Clinton's Cabinet — heard scores of experiences and opinions. From these discussions, a White House timber plan for the Northwest was to emerge.

In his opening remarks to conference participants, Clinton said, "Whatever your views, everyone who will speak today comes from the Northwest and will have to **live** with the results of whatever decisions we all **make**."<sup>5</sup> That the negotiations were convened to examine only the timber-related issues in the

Northwest is a critical point.

Only the Northwest and only forests on the west side of the Cascade Range would be considered.

**Environmental** activists had tried to get forests on the east side of the Cascades included in the conference. They were particularly concerned about the **Colville National** Forest in eastern Washington and its heavily timbered, fragile ecosystem.

Forest ecosystems do not operate within a vacuum. They do not fall within **human-configurated** borders. "The **east-side** forests are just as important as [those on] the west side, and, they affect the west-side forests," Jim Owens, the executive director of the capital office of the Western Ancient Forest Campaign, told the Center. "Many salmon streams, for instance, run from east to the west." Species migrate from the **Colville** and other east-side national forests across the Cascades.

But the Colville falls within the domain of House Speaker Thomas **Foley**. The Washington **Democrat**, a staunch supporter of the timber industry, made it clear to the Administration that east-side forests should be left off the conference agenda, sources told the Center.

"The Colville Forest is Foley's and he's holding it hostage," Owens said. "We tried to **get** the east-side forests at the table, but agency officials said: '**That's** going to be a **problem**, because Mr. Foley is not receptive to us **dealing** with the east side. We're getting a lot of phone **calls** from Nick Ashmore about **this**.'"<sup>7</sup>

**Ashmore** is Foley's top legislative aide on natural resource issues. Other Capitol Hill staffers say that he wields enormous clout. "He's a Senator and committee on his own," Owens quoted one of them as saying.

Asked whether Foley and his staff pressed the Administration to limit the discussion to west-side forests, JeffBiggs, Foley's press secretary, told the Center: "The **reality** was **that** the conference was already oversubscribed in terms of participation. And, the ecosystem on the east side is much different than on the west **side**.<sup>7</sup>"

In addition, the Forest Service did not need much persuading. Agency officials were more than happy to limit the debate to the west side.

Nor did the Clinton Administration want to sweep too broad a swath. The national media focused on the west side and the spotted owl. And Dwyer's injunction covered only the west side. As Biggs told the Center, "[The conference] was limited to some degree because it was in response to a federal court order." Obviously, opening up the process would have exposed the Administration to a whole other set of problems.

Clinton said that his day-long meeting with Russian President Boris Yeltsin, which was to occur the day after the forest conference, would be easy compared to the timber negotiations. He predicted that the final timber plan "will probably make everybody **mad**.<sup>8</sup>"

When the conference ended, Clinton instructed officials of the Forest Service to devise a responsible plan that protected both the ecosystem and jobs. Owens said that the environmental community held high hopes from this Administration, whose **second-in-command** had written a book that is considered an environmental harbinger.

The Forest Service, as directed, put **together** a team of scientists led by Jack Ward Thomas, who is well-respected and, of course, is now its chief. The team devised eight options for a timber plan that it deemed would be ecologically sound and would not be rejected by the courts.

"Every **one** of those options except for one - which was a **throwaway** -- called for cutting **less** than a billion board feet per year," said Mike Francis, The Wilderness **Society's** national forest specialist. "**And** the politicians **said**: 'Oh no, we **can't** do that. We have to have more than a billion feet. Go back and do it **again**.'"<sup>9</sup>

They did and produced "Option 9," which called for an annual timber level of **1.2** billion board feet. In a February 1994 move, the administration lowered that level to **1.1** billion board feet.

### Foley's Big Sleep

About the time that the scientists were ordered back to the drawing board, environmental activists were making **a last push** for limits **on the** east side. In June, just before the **final** announcement of the Clinton plan, Jim Owens and other environmental activists scheduled a meeting with Interior Secretary Bruce Babbitt. Babbitt was late.

"Mr. Babbitt's chief of staff explained to us that the secretary would be a little late because he was **on the** Hill meeting with Speaker **Foley**," Owens recalled. When Babbitt arrived, "he was shaking his head and turned to us and said: '**You** know, I saw Mr. **Foley**, and you don't want to hear what he said to **me**.' Foley made it clear [to Babbitt] that the east side would not be a part of the forest **plan**."<sup>10</sup>

Foley has been generously rewarded for his support of the timber industry. From 1991 to 1994, timber interests contributed at least \$24,499 to Foley's campaign war chest. (See appendix **F**).

Meanwhile, Foley's fellow Washington Democrats, Jim **McDermott** and Gary Nelson (who lost his 1992 reelection bid) collected only \$1,500 and \$2,000 respectively, from timber-industry **PACs**.<sup>11</sup>

Foley's take from the timber industry has been consistently high. In the 83-84, 85-86 and 87-88 election cycles, he collected timber-industry PAC contributions of \$13,746, \$16,250, and \$24,365. Only in '89-'90, did he collect less - **\$2,500**.<sup>12</sup>

Foley's press secretary Jeff Biggs **told** the Center that these contributions "absolutely do not sway the Speaker's opinion. Speaker Foley is trying to find some middle ground between two sides which are diametrically opposed."

The Wilderness Society's Francis said that he doesn't believe the timber companies need to supply Foley with PAC money. The industry is, in effect, preaching to the converted. "Foley wholeheartedly supports development [of national forest **land**]," Francis told the Center. "He is part of that philosophy and that generation. They think they can have it **all** and they refuse to wake up."<sup>13</sup>

A recent story about Foley suggests that he may not hear the wake-up call.

In the summer of 1993, Tom **Kenworthy**, a reporter for **The Washington Post**, recounted an anecdote that speaks volumes about Foley's concern for the effects of logging on the environment.

"Last August, after being repeatedly urged by environmental activists in his eastern Washington

**district**, House Speaker **Thomas S. Foley (D)** climbed aboard a **twin-engine** plane for an aerial view of the effects of logging on the **Colville** National Forest," **Kenworthy** wrote. "Once airborne, Foley fell **asleep**."<sup>14</sup>

**Foley's** staff denies that the Speaker fell asleep on the flight. "Kenworthy was not on that trip," Biggs told the **Center**. "**And if you think** for one minute **that** the timber interest people **and** the environmental people [who flew with Foley] were going to allow Foley to fall asleep while flying over that forest, that's crazy. Each side peppered him with questions."

Kenworthy stands by his story. "The information [that Foley slept] came from someone who was on that trip," he told the **Center**.<sup>15</sup>

Although the Clinton Administration took care to exclude east-side forests, Foley wasn't satisfied. After the release of Clinton's plan, he stood up for the industry and organized labor and registered objections to Option 9. At a news conference in June 1993 in Spokane, Washington, Foley said, "Many in Congress feel there has to **be** a plan which provides significantly larger than **1.2 billion** board feet of allowable timber cut in order for any kind of forest products industry to survive on federal plans."<sup>16</sup>

Foley is chief among the "many in Congress" who object to the timber level set in Option 9.

As it turned out, Clinton's prediction was right: His plan pleased no one.

Industry officials argued that the Clinton Administration had betrayed them, that Option 9 would ruin the logging economy. "It's **basically** going to devastate the wood products industry," said Mike Draper, the executive secretary of the Western Council of Industrial Workers, told the *Washington Post*."

On the other side of the fence, Mike Francis fumes when he talks about the plan. "The way they came up with Option 9 is no different than what **Bush** and Reagan did," he said. "It wasn't a recognition of what science was telling them. The Clinton plan doesn't cut it [**ecologically**]."

But many editorial writers, perhaps unaware of the planning process, seemed to disagree with Francis's assessment. A July 6, 1993 editorial in the *Washington Post*, for example, heralded Clinton's effort. "**The plan** is scientifically based — **no games**," itsaid. "**It seeks to stay within the law — no gimmickry in that regard either.**"

The plan sets a ten-year timber level of 12 billion board feet for the Northwest woods, a reduction of \$ billion board feet per year during the cutting frenzy of the 1980s. It establishes 3.7 million acres in wildlife habitat, stream, and watershed reserves. It mandates the use of buffer strips along streams, designates ten areas for ecosystem management "**experiments**," and, at least as initially proposed, calls for compliance with environmental laws without requesting from Congress exemptions from those laws — known as "sufficiency language" legislation (more on this below). It also provides money to retrain those who may lose their jobs.

One thing is certain: The plan pushes the limits of the law as far as it can. The Administration acknowledged that it sought and - after ordering the scientific team back to devise the ninth option — gained a plan with the highest timber-cutting levels allowed by law, according to an Administration memo leaked to the press in June.

Although the Administration knew that the proposal would be attacked from all sides, it still felt **confident**that it had forged a difficult, balanced, and sincere compromise. "President Clinton's plan reflects

his **commitment** to break gridlock with a courageous, new approach that balances economic and environmental concerns," the Administration announced."

It is expected that during the spring of 1994, Judge **Dwyer** will rule on whether Option 9 meets the requirements he set forth in issuing his injunction. The Clinton administration worried that it **wouldn't**. So when it appeared the logging level, originally set at **1.2** billion board feet, would not pass **Dwyer's** legality **test**, the Administration lowered the amount to be cut by 100 million board feet, enraging lumber industry officials who already felt burned by the plan. The environmental community said the move was a step in the right direction but still falls far short - both legally and ecologically.

Beyond their frustration over ecologically damaging logging levels, environmental activists say that the plan contains at least one major flaw: It gives the Forest Service much discretion in implementation.

"With this **proposal**," said Carl Pope, the executive director of the Sierra Club, "the fate of the forests **will** stay in the hands of the very agencies that pushed them to the point of collapse."<sup>19</sup>

**Environmentalist** Owens voiced similar misgivings: "Who is going to implement this plan? It calls for implementation by the same agency which has mismanaged our plans in the past. It's the same people who have given us **clearcuts**."

Their concerns are well-founded. Judge Dwyer's injunction, after all, was a clear judicial response to the Forest Service's blatant disregard of the law. Furthermore, as AFSEEE has pointed out, the Forest Service has "**downsized**" its staff on the Northwest forests, leaving fewer eyes to supervise and safeguard fragile, protected areas. Vague language in Option 9 allows the Forest Service to determine which functions in old-growth reserves will "reduce risks of large-scale **disturbances**."

Perhaps most dangerous to protected reserves are loopholes that allow for salvage logging and for **timber-cutting** in roadless areas. "Option 9 tries, but it **falls** short of the mark," Pope said. "It leaves open so many loopholes that it is taking a gamble with the last 10 percent of our ancient forests."

And the plan endangers many fragile species, including the spotted owl it was designed to protect, according to Andy **Kerr**, the conservation director of the Oregon Natural Resources Council. "Option 9 puts not only the spotted owl and the marbled **murrelet**, but salmon and hundreds of other species at significant risk - 403 at our latest count," he told *The Business Journal of Portland*.<sup>20</sup>

- Before the ink had even dried on Option 9, the Forest Service embarked on efforts to **sidestep** even the most tenuous of its ecological protections. Within two days of the President's signing of the plan, for example, decisions were made in the Northwest to log "critical watersheds which had been identified for two years," according to Owens.

## **The Backstab**

Additionally, the Center has learned that soon after the plan was unveiled, Jim Lyons, the assistant Agriculture secretary who oversees the Forest Service, threatened to push for legislation that would suspend environmental laws that restrict logging in the Northwest, a tactic that has been used before to soothe timber companies. "The trendy words '**dysfunctional**' and '**gridlock**,' do a fair job of describing the Forest Service of the '90s,'" said Doug **Crandall** of the American Forest & Paper Association. "As a result of our national forests being managed less by the professional foresters than the courts, we are seeing the ability of the

Forest Service to achieve its mission of "caring for the land and serving the **people**" severely **restricted.**<sup>21</sup>

Known as "sufficiency-language" legislation, Lyons' threat is a "declaration that the official government timber harvest plans are immune from lawsuit," Jeff **Ruch**, an attorney for the Government Accountability Project, told the **Center.**<sup>22</sup>

Such a move would allow the Forest Service and industry to harvest timber - unchecked by environmental groups that often provide, through appeal or lawsuit, the only protection of sensitive forested areas.

In a memo to Kathleen **McGinty**, the White House's director of environmental policy, Lyons wrote, "One of the major reasons for you to ask Congress to legislate in this area [the forest management plan] is to speed up the implementation of your program so that the injunctions can be lifted and timber sales commenced as soon as possible."<sup>23</sup>

Sufficiency language has **been** used before to make end runs around environmental laws — nine times from 1984 to 1989, according to a coalition of environmental groups including the National **Audubon** Society, the National Wildlife Federation, the Sierra Club, the Wilderness Society and the Western Ancient Forest Campaign. But that was under the Reagan and Bush Administrations.

Owens said that **Clinton** Administration **officials** approached the Western Ancient Forest Campaign and other groups and threatened sufficiency action. "The Administration is trying to blackmail the environmental community by suggesting that the best way to get timber out is to suspend environmental laws," Owens said. "President Clinton promised a legally **responsible**, scientifically sound, and ecologically credible plan. This **isn't** even legally responsible. We feel it's a **backstab.**"<sup>24</sup>

In the fall of 1993, the Administration backed off its threat of sufficiency action. But clearly the threat diminished at least some of the faith the environmental community held for the new Administration.

A recent development has eroded, and angered, conservationists even further. With the support of the Forest Service, Interior Secretary Bruce Babbitt issued a preliminary rule exempting private lands, including those adjacent to federal wildlife habitat reserves, from a section of the Endangered Species Act that prohibits logging within 2,000 acres of protected land.

The move is seen by some as a concession to industry officials who are incensed over what they perceived as a short shrift on Option 9. Logging near such federal land is disruptive to endangered species and violates not only the law, but also the philosophy of ecosystem management, which is a major policy strategy of the Clinton administration and Jack Ward Thomas. "But if this mantra is to be taken as anything more than a pillager's catch phrase," wrote a magazine columnist who follows Forest Service activities, "it means that ecosystems do not stop at artificial boundaries, like the edges of federal forests. It means you can't narrow a restriction from 2,000 to 70 acres and still bray emptily about **'ecosystem management.'**"<sup>25</sup>

### III. THE ECONOMICS OF GIVING AWAY TREES

"Suddenly, the Forest Service was going to grow trees 650 feet tall. That's how much wood would have to grow to make those [reforestation] assumptions **true.**"  
*- a high-level congressional subcommittee aide*

Countless ancient trees on millions of acres of federal land, scores of well-intentioned Forest Service employees, conservation and environmental organizations, and, ultimately, the American public are all hijacked each year by the Forest **Service's** complex and bizarre budget process.

The Center interviewed dozens of people who are in some way involved in national forest policy. Nearly all of them singled out the Forest Service's budget as the linchpin of its outdated political philosophies, gross **mismangement**, ecological ruin, and annual financial catastrophes. The **budget**, which averages about \$3.4 billion annually, is both the umbilical cord that connects the agency to the timber industry and the noose by which politicians hang responsible forest management.

**Time and** time again, in interviews and in published **works**, economists, policy analysts, and would-be Forest Service reformers have cited unrealistic timber targets as the specific aspect within the budget that causes environmental upheaval and economic failure.

As a congressional aide told the Center, "All the corruption, all the money thrown to the industry - as a subsidy, really, in the form of **below-cost** sales - and all the mismanagement can be linked to one thing: the **commodity-driven** forces manifested in timber **targets.**" The aide, familiar with the budget process and Forest Service policy, added that too often Congress and the agency set **unrealistically** high **targets.**<sup>1</sup>

A lot rides on the targets. High annual cuts allow the Forest Service to maximize its budgets, retain jobs, and sustain its political clout. High annual cuts allow members of Congress to tell their constituents **that** they are protecting - and creating - **jobs**. Perhaps more important, high cuts please the timber industry, **which** in turn rewards lawmakers with reelection money.

In essence, rather than setting the targets within a biological framework - what forests can sustain ecologically - the Forest Service sets them strictly within a political context.

"Timber targets are a political decision," David **Alversworth**, an official of the **National** Wildlife Federation's public lands and energy division, said. "But timber targets are the most important annual decision made by Congress in regards to the **national** forest system. [Targets are derived from a] **political** process, not a scientific process based on the concepts of sustained **yield.**"<sup>2</sup>

The **1976** National Forest Management Act dictates that harvests of federal lands be managed by what's called "sustained-yield." The law requires the Forest Service to "ensure that timber be harvested only where there is assurance that such lands can be adequately restocked within **five** years."

Federal lands, in short, must be reforested. When marking off land to be logged, however, Forest Service timber planners have both inflated the amount of timber available for an environmentally legal harvest and used unfathomable estimates for reforestation. In some tree stands, for example, the Forest Service has authorized **clearcuts** by projecting that the replanted trees would grow to gigantic heights and gargantuan girths.

A congressional aide **recalled** for the Center a story told by forestry expert Alan McQuillan. "McQuillan went out to the woods to inspect a timber sale," the aide said. "He discovered that the Forest

Service was **using** a set of **assumptions that** would have required a blank stand of trees to replace a current stand of trees that would grow to **650** feet. Now, we've known since about 1886 that the highest a tree can **grow**, because of the law of physics, is somewhere in the range of 300 feet. And yet suddenly, the Forest Service was going to grow trees 650 feet **tall**. That's how much wood would have to grow to make those assumptions **true.**<sup>3</sup>

To arrive at "allowable sale **quantity**," the Forest Service uses a computer model -- a model, sources said, that is subject to undue manipulation.

"I have had a lot of experience with the Forest Service and can attest that it is their common practice to make repeated computer runs, varying the input data until they come up with yield tables to justify the quota coming down from Washington, D.C., for their **ASQ**," a former forester for the Southern Pacific timber holdings, **said.**<sup>4</sup>

Consequently, timber targets are often based on fiction and serve as the motivating dictum for much of the Forest Service's staff - from officials in Washington **all** the way down to timber planners on the forest floor. If the agency hits its **targets**, regardless of how much money it loses in timber sales, Congress replenishes its budget.

## Boosting its Budget

Because of a law that many say is in need of repeal or serious revision, the Forest Service is, to a certain extent, allowed to increase its own budget.

Here's how. In 1930, Congress passed the **Knutson-Vandenberg** Act, which gave the Forest Service the right to keep virtually all of its timber sale receipts (currently more than \$250 million a year). This is in addition to what Congress **authorizes**.

Sometimes **the** timber sale receipts, or "**K-V** funds," are used to buy new equipment and to finance special projects like reforestation, **wildlife** protection, and trail-building. But usually they are used for new timber preparation — at the expense of neglected and underfunded wildlife programs. "We often have to try to do a wildlife project as **cheap[ly]** as we can because of the emphasis on timber," **Duane** Fisher, a Forest Service employee in **Alaska**, told the **Center**.<sup>5</sup>

The Knutson-Vandenberg Act does not specify how much in timber sale funds the agency can keep, only that it must return a certain amount to the Treasury each year. But that amount - 50 cents per 1,000 board feet - was prescribed in 1930, when timber sale preparation cost only about 50 cents per 1,000 board feet, according to Randal O'Toole, one of the nation's premier timber **economists**.<sup>6</sup>

Preparation for timber sales is more than 100 times costlier in the 1990s. But while costs have changed, the amount returnable has become frozen in time. The Forest Service can use either K-V funds or congressional allocations from the tax base to cover the costs of laying out a sale. So although timber companies pay more than preparation costs, timber sales lose money for the Treasury because the Forest Service keeps the receipts.

Because of this economic structure and the way Service uses it, the agency has little incentive to bring money back into the federal bank or even to be accountable for the burden on taxpayers, according to congressional sources.

"The Forest Service's top people are not responsible for their actions - financial, physical or

anything **else**," said a high-level congressional aide. "No company could ever stay alive operating the way the Forest Service does. You know, they say the best thing about private business is **you're** punished for your mistakes and rewarded for your successes. In the Forest Service, **you're** rewarded for your failures and you're rewarded for your **mistakes**."<sup>7</sup>

Congress has failed to reform the K-V trust fund. And the Forest Service, under its current management team, is not about to ask for reform.

The Wilderness Society's Mike Francis understands but disagrees with the economic high jinks. "What's the incentive for the Forest Service to say to Congress, '**Hey** we're losing a quarter of a billion dollars a year and we're destroying an irreplaceable resource in the **process?**'" he asked in an interview with the **Center**.<sup>8</sup>

### **Reinventing Commitments**

The **Knutson-Vandenberg** Act is one of the factors spurring the promotion of **below-cost** timber sales," according to **O'Toole**. "The more **below-cost** timber sales, the bigger the [**Forest** Service] managers' **budget**.<sup>9</sup>"

Much has been said and written about **below-cost** sales, and deservedly **so**, because they are essentially subsidies to timber companies that rob the Treasury and encourage environmental abuse.

Over the past decade, **below-cost** sales have cost the nation's taxpayers billions of dollars. From fiscal 1978-91, the Forest Service lost more than \$7.27 billion on 133 billion board feet of timber logged from national forests.<sup>10</sup>

According to the Forest Service's own estimates, the timber sale program lost money on **83** of 120 forests, or more than **three-fourths** of the national forest timber programs, in fiscal 1992. Losses on financially **deadbeat** forests totaled **\$ 175 million** in **fiscal 1992**, with a net loss of **\$50 million** when counting all the forests **together**.<sup>11</sup>

The Wilderness Society, however, using raw data from the Forest Service, **usually** comes up with much different figures. It reported **that** the Forest Service actually lost money on 101 forests in fiscal 1992, at a cost to the government of **\$352 million**.<sup>12</sup>

With the national debt continuing its skyrocket ride, it's no wonder that the Clinton Administration initially committed itself in its fiscal 1994 budget recommendations to phasing out **below-cost** sales, much to the delight of the environmental community. (The Bush Administration considered a similar **phase-out** and then backed off amid strong pressure from the timber industry.)

But the Clinton Administration seems to have broken that vow. "I don't think Bill Clinton has a commitment to stopping **below-cost** sales," Jim Owens of the Western Ancient Forest Campaign told the Center. "The Administration has lost interest in pursuing this **issue**.<sup>13</sup>"

In a recent budget battle, the House halted some funds to cut below-cost sales but the Senate restored them. "Sen. [Robert] Byrd (D-WV) said these sales have value," Owens said. "The Administration was not there to oppose that." Byrd received \$12,300 in timber industry contributions in 1988 during his last Senate reelection bid, according to the Center for Responsive Politics.

But surely Vice President **Gore**, the environmentalist and fiscal conservative, would push for ending

**below-cost sales**, a reform-minded conservationist would **think**. Not so.

In **the much-heralded** report of the National Performance Review, which Gore championed, there is no mention of "reinventing" the **policy** of **below-cost** timber sales. Under the Agriculture Department in the "major recommendations by agency" section, the report takes on subsidies. "End the Wool and Mohair Subsidy," it proclaims. "Eliminate Federal Support for Honey," it declares. **What's** missing is a proclamation to "End the **Below-Cost Timber Sale Subsidy**."<sup>14</sup>

Turn to the section on the Interior Department, under which some Forest Service activities are handled, and still there is no mention of timber. Usually, when discussing land resource reform, the Clinton Administration has grouped timber sales with mining and grazing issues. Within the recommendations for Interior, the report states: "Obtain a Fair Return for Federal Resources. The federal government should institute reforms to guarantee a fair return for federal resources such as livestock grazing and hard-rock mining."<sup>15</sup>

Timber is conspicuously left out.

Despite this glaring omission, Chief Jack Ward Thomas told a congressional subcommittee in February 1994 that "through the National Performance Review, the Clinton Administration is working to redirect government energy away from a preoccupation with process to a focus on customer service."<sup>16</sup> Many believe that "customers" would be better served if the Administration would resist, rather than bend to, political pressure from western politicians and phase out **below-cost** sales.

The industry steadfastly maintains that **below-cost** sales are a complex issue, and that curbing such sales would do irreparable harm to its business, the Forest Service, and ultimately, the national economy. "**It's** not a black-and-white thing," the American Forest & Paper **Association's** Kent Robinson told the Center. "Not all **below-cost** sales are bad. In fact, they give the Forest Service flexibility to fund other programs. And some people are incredibly dependent on national forest land. If you cut out all **below-cost** sales, they are really going to suffer."

The industry lobbies against every proposal to ban **below-cost sales**. "**Current** law directs the Forest Service to follow management techniques which simultaneously produce a variety of resource benefits while not necessarily generating the greatest return to the Treasury," Frank **Gladics**, the vice president of the National Forest Products Association's Public Timber Council, said in testimony before **Congress**.<sup>17</sup>

Gladics cited "long-term investments in timber stand health" and "capital improvements such as roads" as some of the benefits of **below-cost** sales.

The suggestion that losing money in harvesting trees promotes forest "health" is predicated on a false premise: that humankind's thinning of forests works better than Mother Nature's organic ebb and flow. New forestry techniques demonstrate that the forest is healthiest when left alone.

The notion that roads through the forest justify **below-cost** sales is echoed by many advocates of such sales. "A new road not only makes it possible to remove timber in the immediate sale area, but also may provide access to adjacent areas for management, protection, recreation, and possible future timber sales," wrote timber **lobbyist John Beuter** of Mason, **Bruce & Girard, Inc.** in his "**Overview** of Below-Cost Timber Sale **Issue**".<sup>18</sup>

That roads improve forests by allowing greater public access may have been true several years ago. But in 1993, plenty of roads cut through American forests.

## The Misleading Budget Process

The Forest Service also gets operating **funds** through the more traditional appropriations route. An examination of the federal budget process shows **how** the agency has survived and even prospered from what any business and most any government agency would consider system failure.

Forest Service officials in Washington propose its annual budget, which recommends funding levels for timber extraction for the entire forest system. It's this stage where **Gifford Pinchot's** notion of local control is first **bastardized**. **Hands-on** forest managers are rarely asked to provide serious input **on** the budget and timber targets.

"**Though** this Forest Service budget proposal is never released to the public, many informed people believe that it reflects the **timber-cutting** levels set in the various forests plans around the country," wrote Tom **Ribe**, the former editor of **AFSEEE's Inner Voice**.<sup>19</sup>

While institutional incentives pave the way to high timber targets and consequently to higher Forest Service budgets, they thwart efforts to finance wildlife and wilderness protection programs. As economist **O'Toole** put it: "**Any** organization will work to boost its budget and the Forest Service is no different. Such **budget-boosting** may benefit the Forest Service but it also helps promote an institutional bias toward timber cutting . . . while discouraging other '**multiple use**' managements."<sup>20</sup>

After the Forest Service has increased its budget as much as it can by using "optimistic harvest targets" (as the agency's management has called them), the proposal continues its way through the federal labyrinth at the Agriculture Department.

The Agriculture Department juggles numbers, makes adjustments, and incorporates it into the Department's entire budget. Then it is **sent** to the White House, where the Office of Management and Budget gets a crack at it.

In the Reagan and Bush Administrations, environmental protection of national forests was, to put it mildly, **not a priority**. The White House, through OMB, was quite conscious of "**political** considerations" vis-a-vis the budget process. Or, as one congressional aide told the Center, "The [Reagan/Bush] White House wants to take care of its **friends**."<sup>21</sup>

In the Clinton Administration, the OMB, under its director Leon **Panetta**, appears to be genuinely concerned about the demise of the nation's forest system, according to environmentalists. The optimism, **however**, is beginning to wear thin.

In a letter to Panetta dated February 19, 1993, for example, six environmental groups asked him for "guidance in eliminating the massive federal subsidies that support the U.S. Forest Service's program to liquidate the old growth rainforests of our largest national forest [the Tongass in Alaska]."<sup>22</sup>

Among other things, the letter urged Panetta to curtail **below-cost** sales on the Tongass in the fiscal 1994 budget. The environmental **groups** got no response from him, according to The Wilderness Society's Francis, one of those who signed the letter.

From the executive branch, the proposed budget moves to Congress. First, the authorizing committees - the Senate Agriculture Committee and the House Interior Committee — review the budget, make changes, and establish limits on program expenditures. The budget is then sent to the influential Senate

and House Appropriations Committees, **which** set specific funding levels for all of the Forest Service's programs.

In setting these funding levels, the committees use numbers provided by the Forest Service — and that's a problem.

Among many in Congress and the environmental community, the Forest **Service's** accounting system is legendary for underestimating costs. It is this system that allows for below-cost timber sales. It enables the Forest Service to show gains or at least minimal losses when it chronically **loses** substantial sums of taxpayers' money. In the 1980s alone the government spent \$5.6 billion in what amounted to subsidies to the industry.

"For a long time, the Forest Service hid the economics of timber very successfully," said Anne **Vickery** of the Colorado Mountain Club, a politically moderate conservation group. "I **think** [the agency] can no longer hide. . . The public is demanding a **change.**"<sup>23</sup>

Vickery is partially right. The public is beginning to learn of the accounting magic show that the Forest Service **performs**. But few **know** the extent to which the system enables the agency to "[spin] sawdust into gold," as Rep. Mike **Synar (D-OK)** said. "Instead of objective analysis and **useable** information, Congress and the taxpayers are getting reports and plans from the Forest Service that consistently overstate the financial benefits of the federal timber program and understate its costs in both fiscal and natural **resources**," Synar **said.**<sup>24</sup>

Until Congress mandated the Forest Service in **1984** to devise a reliable accounting system, its cost outlays were nebulous at best. "We've been extremely critical of the accounting system," a **House** subcommittee aide said. "Let's face it, **some** of the biggest scams of the century have been accounting scams - Teapot Dome, the railroads, and the **S&L** crisis."<sup>25</sup>

The same kind of **sleight-of-hand** that created those scandals has been used by the Forest Service. In other words, there is a failure to apply rational rules of accountability. As the Capitol **Hill** aide told the Center, "Government just can't operate this way."

About three years after the congressional order, beginning in fiscal 1988, the Forest Service implemented a new accounting system, **the** Timber Sale Program Information Reporting System (TSPIRS). That helped. But unfortunately, the agency continues to use "creative" accounting.

"The accounting system created by the Forest Service falls far short of what is needed by Congress and the public," according to The Wilderness Society, "and is not useful in identifying the uneconomic lands that should by law be eliminated from the timber base in the forest land management plans."<sup>26</sup>

The Forest Service uses TSPIRS "to mask the financial consequences of the timber program and dress it up to make it look **like** it makes money when it loses money," a congressional aide told the **Center.**<sup>27</sup>

One way the Forest Service tinkers with its balance sheet is by neglecting to count as costs what it pays to states. By law, it must compensate states for land used by the **federal** government. **It's** a sort of **federal-to-state** tax refund. State and local governments use this money in a variety of ways, and the system is generally considered reasonable.

When the Forest Service excludes these costs from its balance ledger, it fails to accurately portray the whole picture. "The Forest Service takes the rather unusual notion of displaying timber results before

it deducts the money that goes to states," a congressional subcommittee aide said. "It would be like you or I saying: '**I** really did well this year — I made 25 percent more than I did last year. Of course, I **didn't** pay **taxes**.'"<sup>28</sup>

## Roads to Ruin

But the Forest **Service's** most glaring accounting shenanigan is the way in which it handles road expenditures. There is what's called a **purchaser-credit** program for timber sales. In a nutshell, this means **that** a timber company buys a road and, instead of charging for the road, the Forest Service surrenders trees. There is no exchange of money, but the Forest Service counts roads as income, saying that the taxpayers got something — gravel and pavement on the forest **floor**.

For decades, the Forest Service was able to amortize roads for literally thousands of years. "For a long time the Forest Service counted roads [as] expenditures and wrote them off over a very long period of time - 1,800 - 2,400 years," a congressional aide **explained.**<sup>29</sup>

Now, under a recently implemented system - a system with "new gimmicks," according to Mike Francis — the Forest Service amortizes bridges and culverts over 50 years and road surfaces over 10 years; road base costs are not amortized at all. The agency just assumes that all roads are improvements. "It takes a lot of gall to say a road is an improvement on the forest," Francis said.

If roads are improvements, national forests are about as "improved" as they could be. There are some 360,000 miles of roads in national forests - roughly seven times the interstate highway system, and enough to stretch around the globe 14 **times.**<sup>30</sup>

Roads are, to a degree, a necessary evil. Loggers, after all, need to get themselves and their heavy equipment to timber sites.

But roads slice through America's ancient forests like varicose veins. They stain the wilderness, destroy fragile ecosystems, speed up soil erosion, disrupt habitats, and clog waterways.

Despite objections from some lawmakers, Congress continues to appropriate funds to build roads through pristine, roadless forested areas. In **1992, 4,437** miles of roads were constructed in national forests.

In the summer of 1993, in one of the many congressional debates that go virtually unnoticed by the public, an environment-friendly and **cost-conscious midwestern** Republican led an effort to protect from bulldozers and gravel trucks those few remaining untouched forest **areas**. His work was thwarted by an industry-friendly northwestern Democrat.

On July 14, 1993, backed by an unusual, rare coalition of Republican and Democratic House members, the National Taxpayers Union, the Council for Citizens Against Government Waste, Friends of the Earth and several other environmental groups, Rep. John Porter (**R-IL**) introduced an amendment to an Interior Appropriations bill that would have cut **\$18** million in Forest Service funds for road construction in roadless areas. Because logging in roadless areas is so expensive, the amendment also would have helped to eliminate **below-cost** timber sales.

The Western Ancient Forest Campaign led the search for a sponsor of the amendment. "It was hard to find people who were willing to stick out their noses," said the campaign's Jim Owens. "Mr. Porter, who is a fiscal conservative and concerned about the environment, said he'd be happy **to.**"<sup>31</sup> Democrats

Mike **Synar** of **Oklahoma** and Lynn **Schenck** of California **co-sponsored** the amendment.

On the House floor, Porter asked his colleagues, “**[W]hy** would we knowingly build roads and harvest timber in areas where it is uneconomic and environmentally damaging to do so?”<sup>33</sup>

A lawmaker from a timber state found an answer.

Privately, Rep. Norman Dicks (**D-WA**), a powerful member of the Appropriations Subcommittee on the Interior, apparently was angered by the proposal. “I was told that the Northwest delegation got wind of [the amendment] and Mr. Dicks went **berserk**,” Owens told the Center.

Publicly, Dicks said, “This is going to cost us jobs. This is going to be another hit on the timber industry that has already been salvaged, because of the Endangered Species Act. You have got to have some of these **roads**.<sup>34</sup>”

Rep. Ralph **Regula** (**R-OH**), who supported Dicks in blocking the measure, appealed to the nation’s wallet, specifically to the housing industry. He said the American people “need access to these timber resources, in an environmentally responsible manner, for housing in this **nation**.<sup>35</sup>” He warned that cutting funds for roads would deprive senior citizens and the disabled of access to the woods.<sup>36</sup>

“We are ignoring the **multi-use** feature of our national forests,” Regula said. “As I mentioned earlier, **271** million visitor days **last** year, 41 percent of the recreation on federal lands, was in the national forests, and if you restrict through the absence of roads, you are keeping out **the** senior citizens, you are keeping out the handicapped, you are keeping out the people who have difficulty getting access to enjoy these **assets**.<sup>37</sup>”

This type of rhetoric angers environmental **activists**. “There are enough roads in the forest system to go to the moon and halfway back,” Owens said. “Building more roads to accommodate senior citizens or the handicapped makes a mockery of the **truth**.<sup>38</sup>”

Mike Francis agrees, saying that plenty of roads for recreational purposes already exist. Moreover, Francis said, many of the timber roads are gated and in disrepair. **What’s** more, before buying the argument that timber roads provide recreational enjoyment, he said, one must consider what’s at the end of the road: “Who the hell wants a road to a **clearcut**? Those roads serve a single purpose: timber harvesting.”

Although Porter was well-intentioned, according to Owens he was outplayed and **outpositioned** by Dicks and Regula, who used savvy parliamentary maneuvers to defeat the amendment. Dicks also had the support of all of the Washington state **delegation**, including House Speaker **Foley**. Foley’s press secretary Jeff Biggs told the Center, “The Speaker opposed [the Porter amendment] because the Forest Service needs to have flexibility to build roads,” Biggs said. “What do you do if you don’t provide enough flexibility? **You overharvest**.<sup>39</sup>”

Porter’s staff was frustrated that the proposal failed, particularly because Congress was looking for ways to trim the federal budget. “They wanted to cut the budget, but they **didn’t** want to do it with this,” said **Vicki Elkins**, an aide to Porter. “It makes no sense.”<sup>40</sup>

From 1991 to 1994, Dicks received \$26,200 in contributions from timber PACs. He also voted against **the** Porter amendment like most of the other top recipients of timber industry contributions. In fact, 13 of the top 15 recipients of timber money voted against the **amendment**.<sup>41</sup> (For more on campaign and soft money contributions, see appendixes.)

#### IV. STEALING THE TREES FROM THE FOREST

Beyond the thousands of miles of forest roads lay pockets of crime. In the Forest Service's zeal to hike its budget by preparing tree stands for the cut, its officials neglect - and sometimes collude in — the insidious side of human nature: greed and thievery.

**Each** year, millions of dollars of timber are stolen, in broad daylight, by big-time timber companies and small-scale operators **alike**. Perhaps no other Forest Service activity has received as much congressional and news media **attention** as timber theft enforcement. And although Congress has surveyed theft in several comprehensive reports and recommended numerous safeguards, the agency seems at a loss to stem this illegal drain of federal resources.

Worse, evidence suggests that the Forest Service often manipulates data that allow thieves to plunder - often in protected wildlife **habitat**. “**In** some cases, Forest Service officials actively censor reports and doctor data to permit illegal harvesting of trees in habitats necessary for endangered species such as the spotted owl and the bald eagle,” said John **McCormick**, a retired Forest Service law enforcement official, in testimony to the House Government Operations Subcommittee on Environment, Energy and Natural **Resources**.<sup>1</sup>

And in some instances, the agency has even warned offending loggers of impending criminal investigations. Dennis Shrader, a special agent for the Forest Service who's been threatened by higher-ups for probing “favored timber companies,” told a House **subcommittee** of a forest supervisor who “provided advance warning to an industry giant that we were investigating theft. He explained that otherwise the agency's good working relationship with the company could be threatened.” -

On October 5, 1993, the General Accounting Office released a scathing report on the Forest Service's law enforcement of timber theft and other crimes on national forests. The GAO solicited and received responses from 60 Forest Service criminal investigators and 50 retired or current Forest Service employees and others familiar with the agency. From these **110** responses came 180 allegations of political interference or retaliation in criminal **investigations**.<sup>3</sup>

Charles Turner, a former U.S. attorney in Oregon who has prosecuted **five** felony cases of timber theft, said, “Anybody who thinks the Forest Service is the protector of the public domain is sadly **mistaken**.”<sup>4</sup> Turner is now a **circuit** court judge in Portland.

When confronted with the GAO report and other critical assessments of theft enforcement, then-Forest Service Chief Dale Robertson ducked. “Because of the increasing workload [in combating forest-related crime] and for efficient application of limited resources, law enforcement has to be a part of everyone's job,” he told a House **subcommittee**.<sup>5</sup>

Amazingly, instead of getting tough on timber theft, the Forest Service has channeled considerable time and resources to yanking out plots of forest-grown marijuana. In the face of damning allegations of corruption involving theft, Robertson hailed the agency's “**cannabis eradication**” record. Since 1987, when **cannabis** growing became a “crisis situation,” the Forest Service has increased pot-patrol funding 50 percent, with 600 law enforcement officers working either part-time or full-time, he **said**. “Last year we made about 1,000 arrests [and] confiscated over 575,000 cannabis plants from more than 8,500 sites,” he **said**.<sup>6</sup>

Meanwhile, timber thefts may exceed \$100 million annually, according to House Appropriations

Committee investigators **who** issued a report on theft that was completed in 1992 and released in 1993 after the Forest Service had responded to **it.**<sup>7</sup> Although more than 100 cases of alleged theft are under investigation, the agency has obtained few convictions.

## Failure of a "Trust-Us" System

Stealing mammoth, **centuries-old** trees may sound difficult. But **it's** not. With lax Forest Service supervision, loggers can cut outside the boundaries of the sale area. They can expand boundaries by using counterfeit **tree-paint** markings. They can simply neglect to pay their **truckload** "tickets" at a timber site. Or, more often, they can **falsify** measurements of the size and quantity of logs at the site where they are scaled.

Trees are stolen at all of the national forests, but Northwest and Alaskan forests are the hardest hit. The Tongass National Forest in Southeast Alaska is particularly prone to theft, and it is where enforcement is weakest.

"**If** you were going to steal timber, there would be no better place to do it than in Southeast **Alaska,**" environmental activist John Sisk told the Center. "It's remote. There are hundreds and hundreds of little isolated coves and waterways that logs are stored **in** and towed through. And the weather's inclement. The Forest Service has no effective oversight of what goes on there. It's all done on the honor system, a **trust-us basis.**"<sup>8</sup>

The Forest Service acknowledges that theft is **problem** — and one that is difficult to track — but its annual estimates are much lower than those of Congress. "There's no way at **all** of knowing how much," Hank **Kashdan**, the director of the Forest Service's Timber Task Force (which was established in 1991), told the Center. "My estimate is \$12 million to \$14 million a **year.**"<sup>9</sup>

Forest Service officials say that theft persists because the agency is understaffed and underfunded. As noted earlier, the timber sale program is the first priority in budget allocations. Theft enforcement is low on the list. "We don't have a **line-item** budget for law **enforcement,**" Kashdan said. Because **the** Timber Task Force is an "experiment, we have to show some successes before they give us more **[money],**" he added.

Not surprisingly, timber industry officials play down theft, despite reams of evidence to the **contrary.** "I don't think it's a very big problem at **all,**" Chris West, a spokesman for the Northwest Forestry Association, **told** Lance Robertson, a reporter for the **Register-Guard** in Eugene, **Oregon.** "**There have** been very few cases, small cases. There's a ton of self-policing done in this area by the industry."<sup>10</sup>

But independent observers say that allowing the industry to police itself is a classic case of the fox guarding the chicken **coop.** And they add that the fox has an all-too-willing accomplice — namely, the Forest Service.

In a January **6, 1992**, internal memo, Forest Service officials said **that** they intended to discuss their plans for timber theft enforcement with industry representatives. When the testing of an evidence tracking system is finished, "we can meet and discuss with industry" the test results, the memo **said.**"

When a theft is detected, the Forest Service classifies it as a contractual rather than criminal violation and frequently settles the case with a slap on the wrist.

Consider this case, as recounted by Judge Charles Turner in testimony to Congress. In 1989, Circle De Lumber Company was caught taking 49 **truckloads** of logs, worth tens of thousands of dollars, from the **Winema** National Forest in Oregon. “[T]his activity was discovered only by a happenstance visit by a Forest Service representative,” Turner testified. “The United States Attorney’s Office in Oregon was never notified of the incident, and the Forest Service made the unilateral decision to resolve the matter by issuing \$250 petty offense citations to Circle De and two of its employees, with the company paying these minimal fines through the mail.”<sup>12</sup>

At the very **least**, Turner suggested, the Forest Service should have canceled Circle De’s timber contracts. But the company was **allowed** to continue to **log** on national forests. Subsequently, Circle De was again caught **red-handed**. This time it was hauling 18 loads of wood chips to a mill without paying the government. Even after the second offense, the **company’s** contract was not canceled.

In a 1988 **report**, the House Appropriations Committee recommended several steps to curtail theft, including tighter measurement systems, **stiffer** penalties, and a change in the bidding process. None of these recommendations have been adopted, according to a 1992 House study.

The **Forest** Service has also rebuffed **other** efforts to reform its law enforcement **operations**. In 1988, the Agriculture Department’s inspector general recommended that the Forest Service revise its management structure so that criminal investigators could conduct their work independently without directly reporting to those who may, in effect, be violating the law.

The GAO, however, reported that “senior Forest Service officials told the Congress that a new law enforcement structure, which was to be implemented by October 1, 1993, would comply with the PCEE [President’s Council on Integrity and Efficiency] Standard for Independence. Our review indicates **otherwise**. ”<sup>13</sup>

Congress has also questioned the on-site inspection practices of Forest Service employees. Inspectors are simply not getting their boots muddy by walking through timber sale areas. In its response to the 1992 House report, the Forest Service agreed “that it is highly desirable to increase the presence of timber sale contract officials on sale **areas**. ”<sup>14</sup>

But the agency offered no assurances that more officials would be getting out of their government trucks to inspect logging sites. “That’s a performance problem,” Kashdan said. “It needs to be dealt **with**. ”<sup>15</sup>

In what could be considered a perfect example of collusion between the Forest Service and the industry it is supposed to regulate, timber companies often take agency **employees** aboard **company-owned** helicopters for timber site inspections. The potential for abuse is obvious: A pilot could simply steer his craft around areas where theft-logging occurs.

Kashdan acknowledged that this may be too cozy a relationship for any enforcement effort. “It would definitely seem where that would not be keeping an **arm’s** length,” he said. But the Forest Service has no policy forbidding such chopper rides with industry. “We haven’t made any specific recommendations, saying, ‘Don’t ride on helicopters **anymore**,’” Kashdan **added**.<sup>16</sup>

### In His Own Words . . .

**Kashdan’s** law enforcement office is a modern office building in Sacramento, California, and is protected by **heavy-duty** doors and surveillance cameras. Kashdan told the Center that theft has been a

problem for, "Oh, say, the last two decades."

His remark prompted this question: "If it's been a problem for the last 20 years, why has the Forest Service been slow to, finally by 1991, put together a task force with someone like yourself in charge?"

Because **Kashdan's** answer illuminates many aspects of Forest Service management, the Center has included it unedited and without **analysis**:

"It took time to recognize. Forest Service employees historically - and again **we're** going to get into the cultural issues, so let me espouse on that. We came west together. We followed the railroads west. The industry and the Forest Service settled rurally together, in a very rural and wild environment where resources were **plenty**. Our kids went to school with industry kids, churches together. **We grew** up and lived together in the Wild West. And so, culturally we're geared that way.

"You'll find a tremendous amount of loyalty in the Forest Service. For example, everybody who worked for the Forest Service who came to this task force. So **there's** a true love of the Forest Service. Well, what builds that - this love of the land, love of the environment? I guess what **I'm** getting at is, we tend not to be business people. Plus you're dealing on a regular basis with the people we grew up with culturally. So to accept possibly that those people are dishonestly dealing with us in some cases - please add '**in** some cases' because I believe the vast majority of operators are honest - that's a cultural transition.

"Mentally, we have to be a thinking business, keeping an **arm's-length** relationship and allowing for that possibility, that that could occur. Theft was investigated before the task force. Several other cases were investigated. What contributed to the task force was the recognition that theft took on a **white-collar** crime, fraud kind of air about it. And that required experts, **home-grown** experts to develop the expertise to investigate. These - and historically we dealt, we pulled from another job here and another job there. Did that and went back and you had to start over again. You had to reinvent the wheel when you looked at a complex fraud case.

"**Well, one of the** key ideas **of this** task force **was to** be interregional, independent. **And have** a ready-made expertise to deal with fraud. And so it's not like theft was not dealt with before. It's just that with the task force, it's being dealt with more effectively. And being able to deal with the most complex cases. But it was dealt with before. Now the question is, how well was it dealt with? Certainly there are examples of where theft occurred and it didn't even get **investigated**. But for the most part, **well**, theft dealt with before the task force. [But] we're probably missing some [theft cases] **now.**"<sup>17</sup>

## V. DESTROYING TREES TO SAVE THEM

"In this age of managerial euphemisms, '**salvage**' is a convenient label to tack onto activities that the public might otherwise **call** destructive."

- *Erika Zavaleta, a part-time employee of AFSEEE*

The **much-ballyhooed** controversy over protecting the northern spotted owl has forced **the** timber industry to find other ways to cut trees and maximize profits, particularly in the Northwest. With the Forest Service opening doors, the industry waltzed right through.

Timber companies discovered that by stepping up their "**salvage** logging" they could harvest sick or damaged timber, sometimes in federally protected areas and sometimes with healthy trees. Often, trees considered to be at risk of fire or bug infestation can also be cut. The Forest Service determines just what "at risk" means.

The Forest Service has a financial incentive to open areas for salvage logging. Reserves from salvage sales do not have to be returned to the **Treasury**. They stay on the forest where the sale and harvest occurred.

Salvage logging has been a common practice for about a century, and nearly every forester the Center talked to agreed that it can be beneficial to the forest. When properly performed, salvage logging halts the spread of disease and purges the forest of rotting trees. In some instances, taking wood to the mills before it decomposes also makes economic sense to taxpayers.

Some decomposing matter, of course, adds nutrients to the forest floor and provides shelter for wildlife, a view that most "Old School" foresters fail to realize, according to some "New School" Forest Service employees.

But salvaging has become more rampant. And, as an added bonus, it carries with it the public relations benefit of appearing to improve the health of the forest. "In this age of managerial euphemisms, '**salvage**' is a convenient label to tack onto activities that the public might otherwise call **destructive**," stated **Erika Zavaleta**, a part-time employee of **AFSEEE**.<sup>1</sup>

According to Roy Keene, a forestry consultant and the director of the Public Forestry Foundation, "[W]hen the cut in **westside** Region 6 was temporarily stymied by the **spotted-owl** injunctions, industry took a sudden interest in **in-land** forest health and the **Sierran** forest **fire hazard**.<sup>2</sup>"

A congressional aide could not resist sarcasm in characterizing efforts by the Forest Service and industry to boost salvage sales and harvests. "The salvage program was originally intended to be a rather small part of the entire program," he said. "And now, gee, all these timber beasts are forest **ecologists**."<sup>3</sup>

The aide, who has written books about forestry and timber-related legislation, told the Center that he finds it "twisted" that those responsible for destroying the environment are now salvaging trees supposedly to protect forests. "They're **the** ones who wrecked the ecology with their irresponsible practices, and now it's rather bizarre for them to want to come in and clean it up," he said.

Since the concern over endangered species began slamming the window for cutting shut, salvage sales have steadily risen. In 1988, salvage sales accounted for 20 percent of the timber logged in national forests. By 1992, after Judge **William Dwyer**'s celebrated ruling froze harvesting in **spotted-owl** areas,

salvage cuts accounted for 55 percent of all Forest Service **sales**.<sup>4</sup>

In 1993, a congressional friend of the timber industry tried to push a measure through the Senate that would open hundreds of acres to salvage logging in spotted owl habitat. Senator **Slade Gorton (R-WA)** pressed for the amendment, which was ultimately defeated. Gorton was second among all Senators in collecting timber PAC contributions from 1987 to 1994, with a total of \$70,014. Only Senator **Mark Hatfield (R-WA)** collected more (\$89,786). **Hatfield** voted with Gorton in favor of the amendment. (For more on this vote and timber PAC contributions, see Appendix G.)

## Opening Loopholes

In a **1992** campaign stop in the Pacific Northwest and after many forest fires in the region, President Bush issued an emergency executive order that further increased the annual amount of timber that can be salvage-logged - from 100,000 board feet to 1 million board feet a **year**.<sup>5</sup>

Bush's order, in the form of a "categorical exclusion," or loophole, in the 1969 National **Environmental** Policy Act, allows the quick extraction of timber without the usual, **time-consuming** environmental impact statements. The Forest Service needs only a one-to-two-page document to salvage damaged tree stands, according to a Forest Service employee who asked not to be identified for fear of **reprisal**.<sup>6</sup> (The employee has already been demoted and reprimanded for speaking to journalists.)

"**[S]alvage** logging has been protected from normal public forestry reviews and controls," Keene said. "It has often become an excuse to '**draw** from the **forest**' without normal levels of social, economic, or biological protection."<sup>7</sup>

The idea is to get the wood out quickly before it rots — and before environmental activists can raise objections. But new research indicates that damaged wood, particular from Douglas Fir trees, can lie on the ground without deteriorating for much longer than foresters once thought. There's no need to rush in with chain saws blazing, without adequately reviewing the possible environmental harm that logging teams inevitably do, the Forest Service employee said.

But timber companies don't want that message to get out. Bush's emergency executive order answered a call by the **industry**. As journalist Mike Weiss reported, the industry had launched a newspaper advertising campaign that begged for such action. Its **full-page** ads said: "Salvage **the** dead and dying timber. Before time runs **out**."<sup>8</sup>

But Bush, in an obvious attempt to win over voters in the economically depressed Northwest, was not solely responsible for the new zeal to salvage. Steve Paulson, the assistant director for timber sales in the Forest Service's Portland office, told the Center that he and his colleagues were already emphasizing salvage logging. "Bush's directive reaffirmed what we were already doing," he **said**.<sup>9</sup>

Still, for some timber-hungry forest supervisors, Bush's order sped up and validated the urgency to "clean up" the forest under the salvage **label**. A December 1992 internal Forest Service memo to the staff of eastern Oregon's **Malheur** National Forest spells this out in no uncertain terms. The staff was told that virtually every sale should include salvage in the name. "[E]ven if a sale is totally green, as long as one board comes off that would qualify as salvage . . . it should be called Salvage. It's a political thing."<sup>10</sup>

The Forest Service employee acknowledged the budgetary value of salvaging. "The salvage sale fund is a big part of our budget and it forces us to do some things that are **counterproductive**," said the

employee, who is a timber team member. "But sometimes it's done to get money for **other** things [building trails, for **example**]. If it's the only way to get money, you do it. It's like prostitution. It's a moral crime."<sup>11</sup>

Salvage sales also justify new roads. In a practice called "**area salvage**," the Forest Service's timber teams go to areas far from existing roads to look for trees that are dead or at risk, an employee said. This way, a new road can be built to get to the dead **wood**. And whenever a new road is built, the area is unlikely to be protected as a wildlife sanctuary. This, then, opens up the area for additional logging in the future. "Area salvaging is wrong," the employee said.

## Burning Down the Woods

Indian summer outside of **Oakridge**, Oregon, was brutally hot and **bone-dry** in **1991**. Conditions in the Willamette National Forest were ripe for fire, and in mid-October a blaze ignited - or rather - was ignited. When firefighters had extinguished the last flames, some 9,200 acres had burned in the Warner Creek area, which had been protected from loggers as a **spotted-owl** habitat.

Before the coals had cooled, loggers were oiling their chain saws, eager to get in and salvage as soon as the Forest Service determined how many and which acres should be harvested. That turned out to be nearly two years later, thanks to environmental activists, conscientious biologists inside the Forest Service, and a loud public outcry — all citing new forestry research that indicates that fires can help wildlife habitat, while extensive salvage logging destroys it.

The decision on how much land to open up was slow in coming because this was a precedent-setting case: Never before had a designated **spotted-owl** habitat burned. Both **industry** officials and environmental activists knew that the case could set a standard by which other **fire-damaged** owl areas would be judged.

As the Forest Service's salvage experts began gathering information for that decision, its enforcement officials were investigating the cause of the Warner Creek fire. Investigators determined that an arsonist had set the blaze. Some of them suspected that loggers, in the belief that **environmental** laws were threatening their livelihoods, **intentionally** torched the woods to create salvage work.

When the Center asked about these suspicions, however, Steve Paulson of the Forest Service's Portland office gave this response: "There have been arson fires, and some environmental activists have made allegations that people within the industry have set them. But we have no data to support that. But some environmental activists have set fires. Some of them have a **pyro-affliction**. They get their jollies out of it."<sup>12</sup>

To date, no environmentalist has been implicated in forest arson.

As preliminary reports of arson leaked out, Eric **Forsman**, a biologist for the Forest Service, told reporter Lance Robertson of *The Register-Guard* that he was concerned that allowing salvage logging in **the** area would reward arson and encourage other timber workers to set fires.<sup>13</sup> With these remarks, Forsman sparked a bit of a firestorm himself.

Timber industry officials were livid. "[Forsman's] comments show a deep-rooted prejudice against timber workers," said Jackie Lang, a spokeswoman for the Oregon Lands **Coalition**.<sup>14</sup>

The industry demanded that Forest Service Chief Robertson discipline Forsman, one of the nation's

leading experts on the spotted **owl**. Robertson ordered the biologist to write a letter of **apology**. Foreman did. "I did not mean for my comments to be an indictment of loggers in general, and I certainly did not mean to imply that loggers were responsible for the fire near **Oakridge**," he wrote in a letter that was published in *The Register-Guard*.<sup>15</sup>

As this skirmish played out, Willamette Forest Supervisor **Darrel** Kenops, who did not return several telephone calls from the Center, was reluctant to acknowledge officially that arson had caused the fire. Some speculated that any such confirmation of arson would escalate the pressure to arrest a suspect - not an easy task - and plague efforts to salvage the area. "Kenops knew that if he came out and said an arsonist did it, **it'd** be harder to salvage Warner Creek," a Forest Service employee told the Center."

But Forest Service investigators, acting independently of the Willamette Forest staff, announced in December 1992 that arson was the cause of the Warner Creek blaze and probably the cause of several other fires in the area. Eventually, Kenops acknowledged it, too.

Under what is called a "preferred **alternative**" plan, Kenops **initially** offered 40 million board feet for salvage logging, a level ten times greater than a team of scientists had determined was ecologically feasible. The scientists had recommended cutting only a series of "fuel breaks" that would help restore the habitat reserve and prevent future devastating fires.

When the draft of the preferred alternative came out, several biologists said that it was "**a** bad decision," according to a Forest Service source. "Many people thought that by allowing a large area to be cut, you are encouraging arson," the source said. "It was also crappy forestry."

Many believed that the Kenops plan was based on politics - acquiescence to industry, not science. "You can't look at the scientific evidence that's been gathered and not come to a conclusion that a political decision has been made," said Mark **Hubbard** of the Oregon Natural Resource Council. "Once again, the courts are going to have to tell the Forest Service what to do."<sup>17</sup>

But the courts didn't have to, because the public - and many on Kenops's own staff — did. His "reasonable" plan to cut 40 million board feet on nearly **1,200** acres sparked a demonstration in December 1992 in downtown Eugene, Oregon, in front of the city's Federal Building. Some 25 protesters performed street theater and sang songs that satirized **Darrel** Kenops, including, "Come On, **Darrel**, Light My Fire."<sup>18</sup>

Finally, bowing to the pressure, Kenops backed off his plan and in October 1993 announced a compromise level of 12.5 million board feet. "He really got his butt kicked on this one," said a Forest Service staff employee who worked on the plan that recommended a cut of only 4 million board feet. "We thought that level was biologically **sound**."<sup>19</sup>

But according to a Forest Service employee, biological concerns were in fact low on the list of Kenop's decision-making criteria. Money and politics were at the top.

## VI. AIRPLANES AND ILLEGAL ALIENS

"I have personally encountered people working 12- to **14-hour** days, seven days a week, with no **time-and-a-half**, living in tents with six to ten **people** sleeping in them. They have no sanitation, no ability to refrigerate food or maintain any kind of personal **hygiene.**"

— *a Forest Service special agent*

The mismanagement of Forest Service resources and abuse of the agency's authority **apparently** aren't limited to within U.S. borders. Because of an odd — and perhaps illegal — exchange, some of the agency's equipment surfaced in, of **all** places, Kuwait, and was operated by the Central Intelligence Agency.

In November 1992, investigators for the Agriculture Department reported that the Forest Service had given to private firefighting companies 28 military aircraft, valued at \$67 million, that had been intended for use in fighting forest fires. In return, it received 28 historic airplanes worth much less, according to Rep. Charles Rose (**D-NC**), who chairs a House Agriculture subcommittee that **held** hearings on the case in August **1993.**<sup>1</sup>

The deal raised eyebrows when two of the aircraft were seen flying Kuwaiti skies, apparently hauling cargo, shortly after the Persian Gulf war, according to a 1992 report of the Agriculture Department's inspector general. The Agriculture Department turned the case over to the Justice Department, which is currently investigating it.

Gary Eitel, an aviation consultant and pilot who said that he has worked with the CIA, helped the Agriculture Department investigators to uncover the suspicious **giveaway**. Eitel discovered that an associate of his was involved with the operations of the two aircraft caught flying in Kuwait. "I was shocked to learn there were CIA footprints **everywhere,**" Eitel said at a subcommittee hearing on the **case.**<sup>2</sup>

The Forest Service used aircraft consultant Roy Reagan to broker the deal, according to Assistant Inspector General James Ebbitt. Reagan received "about \$1 million" for his work and formerly worked for one of the firefighting contractors, Ebbitt **said.**<sup>3</sup>

The deal wasn't just a bizarre **government-to-private-industry** transfer under the Forest Service's Historic Airplane Exchange Program. Apparently it was against the law. **What's** worse, the Forest Service had been told that the program was illegal.

"It's pretty clear it was illegal," Keith Pitts, an aide to the House Agriculture Committee, told the Center. Pitts said that Congress wants to know "why this program continued, or why was the Forest Service interested in promoting such a program even after the Office of General Counsel said it was an illegal **program?**"<sup>4</sup>

The possible illegality of the deal, however, **will** not be confirmed until the Justice Department completes its investigation.

Rose seems incensed over the whole affair. "This was not the '**great** airplane **robbery**' or the airplane exchange that went awry," he said. "This was far more than that. This was a systematic plan worked out with the cooperation of numerous people over a number of years that no one was **willing** to **stop**. Nobody could have gotten away with this without the government looking the other **way**. As a whole, this stinks to high **heaven.**"<sup>5</sup>

In testimony before **Congress**, then-Forest Service Chief Robertson acknowledged that the program, administered under his **authority**, was poorly managed and may have violated the Federal Property and Administrative Services Act. "Clearly, management oversight was not sufficient, resulting in decisions which caused us to be in **noncompliance** with these regulations," he **said.**<sup>6</sup>

Assistant Agriculture Secretary Jim Lyons said that steps are being taken to change **the** way in which the Forest Service contracts for airplanes, and that if an investigation finds that the agency violated the law, he will push for prosecution. "If it is determined any illegal activity occurred," he told **the Associated Press**, "we are going to encourage the Justice Department to prosecute to the fullest extent of the **law.**"<sup>7</sup>

## **Exploiting Illegal Aliens**

Negligence and abuse under the watch of the Forest Service seem to rear their ugly heads in the strangest places — like Kuwait with the airplane fiasco — and involving the most improbable players — like illegal aliens from Mexico and Central America.

For more than a decade, the Forest Service has turned its back on the unethical and illegal hiring and labor practices of its reforestation contractors, the companies that help it replant timbered forests.

The reforestation industry has hired thousands of illegal immigrants, many of them from Mexico and Central America, to work in subhuman conditions. The U.S. Border Patrol estimates that **50-60** percent of all reforestation workers are illegal aliens! They are hired by companies that, as a way of shaving overhead, have created an oppressive underground economy.

Living in cardboard boxes or overcrowded tents on the forest floor, these undocumented workers are overworked, underpaid, eat dog food or poach wild forest animals for sustenance, and suffer parasitic infestations and other illnesses without medical attention, according to a congressional subcommittee report that was published in August 1993.<sup>8</sup>

An article in the *Sacramento Bee* by reporters Chris Bowman and Maria **Campopesco** quoted a Forest Service special agent who works at the **Shasta-Trinity** National Forest in California: "I have personally encountered people working 12 to 14-hour days, seven days a week, with no **time-and-a-half**, living in tents with six to ten people sleeping in them. They have no sanitation, no ability to refrigerate food or maintain any kind of personal **hygiene.**"<sup>9</sup><sup>10</sup>

"A sordid tale like this would ordinarily prompt public outrage and cries of '**What** is the government going to do about **it**,'" the congressional report **said**. "However, in this case, the outrage would be misdirected. The U.S. government is a principal beneficiary of these unscrupulous employers through the U.S. Forest Service's Reforestation Program."<sup>11</sup>

What makes this "sordid tale" even more shameful is that Forest Service officials have known that these illegal and immoral **practices** occur on the public lands they are entrusted to oversee. Some of their own law enforcement agents have told them so.

Forest Service agents — like Jacob Riis investigating the sweatshops of **turn-of-the-century** New York — infiltrated contractors' work camps, documented the plight of the illegal aliens, and reported their findings to their superiors. "The agents even provided a videotape featuring workers complaining of violations of federal contracting law by their employers," according to the congressional report.

Yet the agents were ordered off these cases by Forest Service supervisors and threatened with **retribution** if they tried to prosecute the contractors for breaking labor and immigration laws.

Rep. Gary Condit (**D-CA**), the chairman of the House Committee on Government **Operations's** Subcommittee on Information, Justice, Transportation, and Agriculture, reported that Forest Service agents had told his subcommittee that they "were discouraged from, forbidden to, or even punished for investigating the practices of these rogue **contractors**."<sup>12</sup>

Special Agent Gordon Gregg testified that in the late 1980s, he and other government agents investigated a temporary reforestation work camp at **Tahoe** National Forest in eastern California, where he found malnourished illegal aliens. Gregg went to the forest district ranger and district **silviculturist**, neither of whom was named in the report, and "described the criminal violations, the squalid living conditions, as well as the number of undocumented workers," he **said**.<sup>13</sup>

The silviculturist expressed concern that a raid on the camp would interrupt work and that hundreds of seedlings would die or be killed by surrounding brush. He said "words to the effect [that] '**All** I can think about are those poor trees out there that are being choked to **death**,'" Gregg testified. "Shortly after that we were essentially directed not to conduct any further **investigations**.<sup>14</sup>"

According to an August 1992 memo written by special agent Joan Kushner, who works in Forest Service Region Five in California, another attempt to **alert** Forest Service officials of the **illegal** immigrant problem fell on deaf ears. Kushner wrote to fiscal management director Mike **Duffey** of the reforestation **program's** "continuing and unresolved problems, which include the **employment** of illegal aliens, squalid temporary camps operating under special-use permits, mistreatment of laborers, and **noncompliance** with wage and hour **requirements**.<sup>15</sup>"

Whether Duffey ever forwarded the complaints up the Forest Service's chain of command isn't clear. But one thing is certain - "nothing happened," Kushner said.

The Forest Service has personnel in charge of overseeing its contract procedures. Contracting officers are responsible for overall management of contracts, and contracting officer representatives are located on-site to monitor the activities of contractors and their crews on a daily basis. How could contracting officer representatives fail to notice these internment-like labor camps? (Last year, at Mendocino National Forest, Forest Service agent Mike Dennis found that a foreman of a contracting crew was holding workers hostage by confiscating their identification cards.)<sup>16</sup>

"I have never had a violation of any law reported to me by a contracting officer or contracting officer's representative," special agent Ken Carlton **told** Rep. **Condit**.<sup>17</sup>

Condit asked: "Do you **find** it unusual that they have never reported any of these incidents at **all**?"

"Well, I **find** it disturbing," Carlton replied, "but we are sort of getting used to it."

## **Timber Targets Shape Neglect**

What would be the possible long-term benefit of thwarting efforts to rid forests of contractors who knowingly break the law and cruelly abuse their illegal employees?

It all boils down to timber targets — to getting out the cut. The Forest Service is required by law

to replant before it can cut more timber, which in turn beefs up the **agency's** budgets. When special agent **Carlton** took his videotape of the conditions within reforestation camps - where many of the workers had been stranded without adequate food and water — to his superiors, they cited targets and budgets as the reasons why they **couldn't** take any action.

"We were told our budget would be cut because we would no longer meet targets," Carlton testified. "So our law enforcement budget would be cut, and, subsequently, it **was.**"<sup>18</sup>

Fortunately, Carlton and Gregg took it upon themselves to feed the starving workers. "It got to the point in [his] and my case, that we ended up just feeding the undocumented workers that [sic] had been left up in the woods," Carlton said. "Some of them hadn't eaten for three days, and we started using the local food banks in the county . . . to get the people some **food.**"

In addition to these incidents of abuse, a strong case could be made that the illegal hiring of aliens eliminates jobs for U.S. workers in timber communities, where the cries for jobs undermine environmentally responsible logging.

"At a time when many of our own citizens are unemployed and searching for work, it is unacceptable to permit this massive influx [of illegal aliens] to **continue,**" Rep. Craig Thomas (**R-WY**) said. "It is especially troubling when one of the major industries hiring these individuals is so closely associated with the United States **government.**"<sup>19</sup>

Moreover, these contractors exploit undocumented workers by paying the lowest possible wages. As a result, they undercut the competitive bidding process because they are able to substantially underbid companies that abide by the law, Thomas said.

This could be another reason, of course, that the Forest Service looks the other way: low bids save the agency money. Although some reforestation is paid for by the timber companies that harvest the trees, other projects come from the Forest Service's budget.

Forest Service officials have said that the problem is not pervasive. "We do not believe that the hiring of undocumented workers is a widespread practice among the many contractors that we use," said Charles R. **Hartgraves**, the associate deputy chief of the Forest Service, in congressional testimony on June 30, 1993. "For example, we have awarded almost 300 reforestation contracts this fiscal year, and as far as we are aware, less than 5 percent of the contractors had undocumented **workers.**"<sup>20</sup>

In a June 29, 1993, meeting with his staff, **Hartgraves** coyly said that he couldn't understand how district rangers got the impression that targets are related to funding. "Somehow the message has been passed down that if the targets are not met, funding will be cut," he **said.**<sup>21</sup>

In that same meeting Hartgraves acknowledged that "part of [Forest Service employees'] performance rating is how well they did with the financial aspects of the forest."

Robertson defended his agency against allegations that it closes its eyes to contractor violations. In the June **25, 1993**, edition of the Forest Service's weekly internal newsletter, Robertson wrote: "**We** do not condone use of undocumented workers by Forest Service contractors. When we are aware of possible violations, we report the contractors to the proper **authorities.**"<sup>22</sup>

To defend the Forest Service's **vigilance**, the former chief also cited the same enforcement case that

Hartgraves noted before the subcommittee. The case dates to 1988, when the Forest Service and the Immigration and **Naturalization** Service raided “**the** camp of a contractor who had repeatedly been cited by the INS for **violations.**” **The** contractor was eventually barred from bidding on government contracts.

In the Forest Service's weekly internal newsletter, Robertson dismissed reports that the agency has discouraged law enforcement agents from pursuing illegal alien cases. But Walt Rule, a retired forester for the Forest Service, **criticized** Robertson's questioning of the veracity of such reports. "Where there's smoke, there's fire - a good adage for the Forest Service to recall," Rule **wrote.**<sup>24</sup>

In the newsletter, Robertson also praised the agency for its moral fortitude. "Although we have certainly made mistakes," he wrote, "the Forest Service has an excellent record for integrity and ethical **conduct.**"<sup>25</sup>

## VII. ABUSING THE LAST FRONTIER: A CASE STUDY OF ALASKA

"Alaska is everything wild it has ever been said to be. Alaska runs off the edge of the imagination, with its **tracklessness**, its **beyond-the-ridge** surprises, its hundreds of acres of wilderness — this **so-called 'last frontier'**, 'which is certainly all of that, yet for the most part is not a frontier at all but immemorial **landscape** in an **all but unapproached state.**'"

—John McPhee, in *Coming into the Country*, 1976

In southeast Alaska, stretching 500 miles in a relatively thin strip composed of more than 1,000 islands, lies Tongass National Forest. At 17 million acres, it is America's largest national forest and the continent's only temperate rainforest. Bald eagles, **grizzly** and black bears, mountain goats, wolves, and more than 300 other species of wildlife live in the forest. Inside Tongass's boundaries are breathtaking mountains, majestic fjords, and mammoth icefields with glaciers making their **slow-but-determined** crawls.

And, of course, there are trees. They grow in high-volume stands that timber companies lust after and traditionally have had access to, and in scrubby thickets that are all but commercially worthless.

In the past decade or so, the coveted trees in the Tongass have been political hot potatoes for the Forest Service. Loud and adamant environmental activists have sought to slow logging on the forest, and equally loud and adamant loggers have pushed for their industry to expand.

With the complicity of the Forest Service, the industry did **expand—too** much, too quickly, and too irresponsibly, according to Congress. And in 1990 Congress passed the Tongass Timber Reform Act to force the Forest Service — and by extension the industry — to clean up its act and protect the forest and its vulnerable wildlife before it was too late.

President **Bush** signed the act into law in November 1990. After a long and hard struggle, environmental activists believed that they had won a victory for the forest, which, they said, was being decimated by years of reckless timber **cutting**.

But the environmental activists may have popped their victory corks too soon. In examining the Forest Service's activity in the Tongass, observers **find** blatant disregard for the law, **overcutting** of protected old-growth stands, political and financial chicanery, suppression of information, and abusive treatment of the agency's employees.

The **Tongass** National Forest is perhaps the most damning example of the Forest Service at its worst, and of collusion between the agency, the timber industry, and the state's congressional delegation. The collusion has contributed to the forest's annual **multimillion-dollar** timber program loss caused by industry subsidies in the form of **below-cost** sales.

According to an independent report by **timber economist** Randal O'Toole, the forest **lost \$64 million** in 1992. That's more than "any national forest in the history of the Forest Service," O'Toole noted.<sup>1</sup>

In its ledger sheet on the Tongass, however, the Forest Service reported that the forest lost a little more than \$23 million in 1992. Other losses are tucked into the appendix of the report. Other losses are hidden completely.

"What gives them the right to portray to the **public** in Volume One, the only part that most people

read in any of **this**, that the timber program cost \$23 million in losses?" a congressional aide asked in an **interview** with the **Center**. "It's just deceptive. That's the kind of thing they do - manipulate numbers to the point where few people in Congress trust the Forest **Service**."<sup>2</sup>

The environmental community has also lost trust in the Forest Service. **Early** in 1993, several environmental groups that have monitored the Tongass - including the National Resources Defense Council, the Sierra Club, and the Wilderness Society - sent a letter to the Clinton Administration in which they urged it to clamp down on both environmental violations and financial bungling.

"[T]he intent of Congress to **abolish** economically and environmentally irresponsible logging practices was virtually ignored by the very Administration which signed the reforms into law," the groups wrote **in** the February **18, 1993** letter, which was addressed to Agriculture Secretary **Mike Espy** and copied to President **Clinton**, Vice President Gore, and Forest Service Chief F. Dale **Robertson**.<sup>3</sup>

A year later, the Administration — which campaigned on promises to protect the environment - has not done much to check abuses on the Tongass, with the important exception of canceling a long-term contract of **one of** the local pulp mills. Despite that action, the Forest Service seems **to** be conducting business as usual, with its typically brazen attitude.

As a congressional aide **who's** familiar with the Tongass and was instrumental in the passage of the reform act bluntly put it: "**There** is no evidence whatsoever that anyone in the Forest Service has changed the way they approach things post-Tongass act. They seem [to be saying], 'Screw the endangered species and screw the Tongass **act**'."<sup>4</sup>

The Forest Service has clearly violated the reform law - by cutting ancient and valuable "high-grade" stands, by logging corridors of trees along streams known as "buffer strips," and by failing to monitor the effects of timbering and cutting outside legal boundaries, for example.

Forest Service officials, however, deny that they have violated the act.

### Forester Lifts the Lid of Silence

Bill Shoaf, a 15-year Forest Service veteran who's earned several "outstanding" performance evaluations, thinks that the agency has broken the law. Shoaf has accused the Forest Service of violating the reform act, wasting **taxpayers'** money, overestimating the amount of timber that can be legally harvested, and abusing its authority in managing the Tongass.

Shoaf filed his complaints with the Office of Special Counsel, an independent government agency that investigates **whistleblower** complaints. In late August 1993, the OSC found merit in **Shoaf's** claims and directed Agriculture Secretary Espy to investigate the **charges**.<sup>5</sup>

Shoaf was the leader of a team that was responsible for researching and writing an environmental impact statement for the largest timber sale currently proposed for any national forest. The sale area is located on Southeast Alaska's Prince of Wales Island and is to be harvested by **Ketchikan** Pulp Co.

Using computer data, the Forest Service determined that 99.8 percent of the targeted land could be logged. The agency's timber planners arrived at that figure without looking at aerial photographs or setting foot on the ground, according to **Shoaf**.<sup>6</sup>

**Shoaf's** team, **however**, determined that only 44 percent of **the land was harvestable and** that logging the other 56 percent of the timber base would seriously disrupt wildlife or, because of the area's steep terrain and remoteness, would be economically unfeasible. The team proposed a cut level of 57 million board feet because of the logging devastation the island has suffered. "**This area** has been hammered," Shoaf told the **Center.**"<sup>7</sup>

But the report did not sit well with Forest Service officials.

**First**, local Forest Service managers told Shoaf to keep quiet about his **findings**, Shoaf reported in a **28-page** affidavit. When Shoaf raised objections to the plan, including the agency's intentions to clear-cut above allowable levels and its presentation of inflated timber targets, Forest Service officials tried to discredit his team's eight-month analysis.

As Shoaf noted in his affidavit, "The prevalent management posture seemingly is to disregard or discredit any information which would lead to a reduction **of ASQ [allowable sale quantity]** calculations, because this would expose the unsustainable level of harvest which local Forest Service managers seem determined to perpetuate as long as **possible.**"<sup>8</sup>

When Shoaf continued to question the Forest Service's policy, he has alleged, he was hit with **reprisal**. **He said that** he was subjected to a campaign of discrimination, intimidation, and harassment. Under the direction of **Ketchikan** Area Forest Supervisor David **Rittenhouse**, Shoaf's official duties were cut and he was ordered not to talk to journalists. For the first time in his career, he received an "**unacceptable**" performance rating.

In an obvious attempt to quiet discontent about the timber sale on Prince of Wales Island, Shoaf's supervisor, David **Arrasmith**, sent a warning to Tongass team leaders and members. The Center has obtained an internal memo, dated January 7, 1993, and entitled "Media Contacts," in which Arrasmith states **that** he "**want[s]** to avoid placing employees in a position of expressing personal opinions on government time, which could create a concern for **conflict of interest.**" He asks that if any team members "are contacted by any member of the media, please refer them to me first as the primary contact. . ."<sup>9</sup>

When it became apparent that Shoaf might, at risk to his career, go public, the Forest Service clamped down even harder. On June 14, 1993, Arrasmith issued an official gag order: Shoaf was not to tell the public about the information his team had discovered; furthermore, he was to include in his report the inflated **timber-cut levels.**<sup>10</sup>

That did it for Shoaf. He broke his silence, filed the affidavit, and went public. He said that he did so because he feared the damage that unsustainable timber harvests would do to **local timber-dependent** communities. "If Southeast Alaska is to avoid the kind of community disruption and human suffering now plaguing the Pacific Northwest, harvest levels on the Tongass National Forest must be reduced immediately," he said.

Despite Shoaf's efforts, the Forest Service set the final timber level at 267 million board feet, nearly five times as high as the 57 million board feet recommended by Shoaf's **team.**<sup>11</sup>

When Jack Ward Thomas took office in December, he **ordered** a review of the proposed sale on Prince of Wales Island. Environmentalists and Forest Service employees who agreed with Shoaf were encouraged. In early February 1994, however, Thomas issued an order allowing the sale to go through as

planned. The new chief did **tell** the regional forester on the Tongass to be more careful in reviewing future sales. “[Thomas] expects all ongoing and future projects on the Tongass National Forest to be based on verified information obtained by field **reconnaissance [sic]**,” according to an agency summary of the decision obtained by the Center. “He said he wants the region to ensure the **sustainability** of all forest **resources**.<sup>12</sup>

In an interview with the Center, Shoaf reflected on the actions of his agency. “As a whole I love the Forest Service, but some of the local managers are doing a great disservice,” he said. “Not only are they not being wise about the resources, I don’t even think they’re being **legal**. They are going to hurt the local people and the whole agency.”<sup>13</sup>

Shoaf said he wants as an outcome of his actions “**responsible** management on the Tongass and, as a minor corollary, to continue my career. I’ve been removed and am no longer a **[interdisciplinary]** team leader. I’ve got a little subservient position. I’m embarrassed because I go to work and I have nothing to do.”

“This is the most blatant attempt by the agency to violate the public trust that I have yet seen,” Buzz Williams, a regional director of AFSEEE, said. “Despite a change in presidential administration, some managers within the Forest Service continue to ignore the advice of their own experts and punish employees who tell the truth . . . We ask Secretary Espy to hold accountable Forest Service managers who have lied to the **public**, broken the law, and continue to mislead **timber-dependent** communities. Shoaf is a courageous employee who is willing to risk his career in order to protect the resources for future generations.”<sup>14</sup>

### **Contracts Offer Blue-Light Specials**

In the 1950s, the Forest Service entered into a unique agreement with two timber companies, **Ketchikan** Pulp Company, which is owned by Louisiana-Pacific Inc., and the Alaska Pulp Corporation, a **Japanese-owned** firm. The agreements gave the companies 50-year contracts that assured access to the forest’s timber resources — at bargain-basement prices.

In January, in perhaps the most significant change of course in the Clinton Administration’s Forest Service policy, Chief Thomas ordered that Alaska Pulp’s contract be canceled. The company had closed its **Sitka** pulp mill, thereby breaching the terms of the contract, which called for continuous employment for area workers. Alaska Pulp executives, saying that the company has suffered financially as a result of **environmental** laws; sued the agency and are now trying to derail the closure order.<sup>15</sup> As of this writing, it appears the cancellation directive will stand.

A look at the record shows that the Forest Service - and consequently American taxpayers - are the ones who have suffered financially. According to a 1983 study by the Library of Congress, the Forest Service **will** have spent \$316 million from 1970 to 1984 on timber preparation in the Tongass. Furthermore, after all collections and payments to states, taxpayers will have lost \$313 million over that 15-year period.<sup>16</sup>

The contracts were originally designed to provide a stable economy to the inhabitants of a region where seasonal fishing and government jobs were about all there were. (Juneau, the capital of Alaska, is located within the Tongass and **provides** many government jobs.)

At first, many people who lived in these virgin wilds welcomed industry. “The long-term contracts **were** a positive thing in the beginning because they got some kind of industry to come to **Alaska**,” said **Duane Fisher**, a Forest Service **biologist**.<sup>17</sup>

But over **the** years, **the** contracts have seemed to many to be licenses for the companies — with the complicity of the Forest Service and the politicians who run the state — to rip apart the woods **and**, by destroying scenic beauty and salmon streams, rip into other economies, such as tourism and fishing.

Some believe that provisions in the contracts that grant to **the two mills** an overall volume of timber, which the government must furnish at very low rates, have kept them financially afloat. The contracts were scheduled to expire in 2004 for **Ketchikan** Pulp Company and in **2011** for Alaska Pulp Corporation.

Certainly, the contracts have dominated all discussion of timber management in the Tongass. Moreover, many Alaskans **feel that they are** the source of environmental **and** political chaos. “**The** contracts **are** the **root** of just about every forest problem in **Alaska**,” Joe Mehrkens, a resident of **Juneau** and a former Forest Service economist, told the Center. “I **don’t** think they started out that way. But essentially what they’ve done is [create] monopolies on the forest.” <sup>18</sup>

History proves Mehrkens right. Thanks to the **50-year** contracts, Ketchikan Pulp and Alaska Pulp have controlled the woods - at the expense of small timber operators. Some 102 small loggers and mills were either bought out or forced out by the timber giants, according to a **1981** federal court decision in an antitrust suit brought by Reid Brothers Logging Co. A federal judge ruled that the contracts had enabled the two companies “to control the Alaska timber market, to eliminate the competition, and to maintain and exercise monopoly **power**.<sup>19</sup>

While the contracts have obviously worked to the advantage of **the Big Two**, they **have** also benefited the Forest Service by ensuring that millions of board feet of timber will be cut each **year**. “The more timber they cut, the more engineers they hire, the more bureaucrats they **manage**,” a Capitol Hill aide said of the Forest Service. “The key to all this is the **long-term** contracts, because that’s their [the Forest **Service’s**] excuse. No matter what the management issue, they simply say, ‘Well, we can’t do anything that is reasonable because we have to provide timber until 2004 and 2011.’”

When executives of Alaska Pulp announced that they would indefinitely suspend operations at the **Sitka** pulp **mill** beginning September 30, 1993, they cited timber shortages caused by environmental regulations. This claim was the basis of the company’s suit against the government.

But a Forest Service spokesman said, “We **have . . . kept** them in what we think is sufficient wood.” <sup>20</sup> To placate the industry, the agency has lowered the price of timber, according to a congressional aide.

Environmental activists believe that Alaska Pulp Corporation closed its mill — which cost **400** jobs — because of weak world pulp markets. “Alaska Pulp presently has an adequate log supply,” said John Sisk, the director of the Southeast Alaska Conservation Council. Sisk contends that the closing was a “business **decision**.<sup>21</sup>

The closing may also have political **underpinnings**. The message: **Don’t** limit our access to the forest or we’ll pack up and take our jobs with us.

The Wilderness Society’s Mike Francis viewed the plant closing as an opening for the Forest Service to cancel the long-term contract. In September 1993, when it looked as though the agency would do nothing about the plant closing, he told the Center: “This is a breach of contract. **This** would be a perfect opportunity for the Forest Service to break the contracts, to support small **businesses**.<sup>22</sup>

A congressional aide was more **caustic**. “**When** the Forest Service gets sued by a conservation group

to preserve an ancient stand of **trees**, [agency officials do] **everything** they can to bust them," the aide told the Center. "The Forest Service gets sued by a company saying they [sic] **don't** have enough timber and [the Forest Service] lower[s] the price. [Alaska Pulp Corporation is] suing the Forest Service to get out of the obligations of the contracts but keep the privileges. And the Forest Service is helping **them.**"<sup>23</sup>

In a report **on** the Tongass commissioned by AFSEEE, author David **Katz** summarized the effect of the contracts between the timber industry and the Forest Service. "Over the years," he wrote, "a symbiotic relationship has developed between the Forest Service and the two long-term contract-holders, creating a situation in which resource decisions made on the Tongass are dominated by the dictates of the contracts and the needs of the **contractors.**"<sup>24</sup>

Many Capitol Hill lawmakers **saw** that as a result of this "symbiotic relationship," the largest, most pristine, and perhaps most enchanting forest in the United States was being **chainsawed** down, **clear-cut** harvest by **clear-cut** harvest. They realized that the Forest Service was not about to change without tough **regulations** staring into the faces of then-Forest Service Chief Dale Robertson, then-Associate Chief George Leonard, and Alaska Regional Forester Mike Barton - all of whom had lost credibility with respect to the Tongass, according to a congressional aide.

"All of these guys did the same thing," the aide told the Center. "They came in [to hearings about the Tongass], and time and time again refused to acknowledge in any respect the obvious public interest in their management and the public concerns about their **performance.**"

Despite glaring evidence to the contrary (which resulted in congressional **intervention**), Robertson contended that the agency has managed both the wildlife and timber resources of the Tongass well. As recently as May 21, 1993, he said, "We believe our management, both before and after enactment of **TTRA** [the reform act], has emphasized protecting all of the resources of the Tongass and meeting the needs of society **for** forest **products.**"<sup>25</sup>

### **Letters-for-a-Meal Lobbying**

The Tongass Timber Reform Act was introduced in Congress in November 1987. After several aborted efforts, it was passed and enacted in 1990. In that long process, all the affected factions fired up their lobbying machines.

**In the** mill town of **Sitka**, the battle lines are clearly marked - timber ideologies define social cliques. Timber foes don't drink at mill-supportive bars, and vice versa. In a **small** nondescript room above The Old Harbor Bookstore - which sells Sierra Club books, Wilderness Society calendars, and posters with Ralph Waldo **Emerson** quotes - several environmental activists would meet in the evening to form strategies to help pass the reform act. The meetings were **only half-clandestine.**

"Every time the lights went on up here, we knew that they knew that we were meeting," said Larry Edwards, an activist with Greenpeace, who in the late 1970s worked at the mill for one short but turbulent **year.**<sup>26</sup>

On the other side, the mill's managers - who contended that the proposed law could force them to close shop - and many of their employees plotted their own lobbying efforts. One of the most bizarre strategies was directed by the mill's public relations office. It became known as the "**letters-for-a-meal**" campaign.

In January 1990, as the Senate prepared to hold hearings on the TTRA, the mill offered free lunches to workers who sent letters of opposition to their Senators. In an internal memo obtained by the Center and dated January 19, 1990, the Alaska Pulp Corporation management wrote: "Beginning Monday January 22, those employees wishing to participate in the Senate letter-writing program will receive a lunch meal by delivering at least two letters at the cafeteria register during lunch . . . Suggestions for letters can be found in the personnel department . . ." <sup>27</sup> The memo listed as a "rule" that "envelopes must not be sealed."

**Florian** Sever — a legendary mill worker and union activist who two years earlier had been fired for testifying before Congress in support of the TTRA and later won a lawsuit against the company - wrote to Sen. Timothy Wirth (D-CO), saying that the company was trying to censor employees' opinions.

"It was a crazy scheme, completely unethical," Sever told the Center. "But I guess it generated a lot of letters, because they gave out a lot of free lunches."<sup>28</sup>

**Rollo** Pool, a public relations officer for the mill, has said that there was no such coercion or censorship. The rule requiring envelopes to be unsealed was to ensure only that "there's a letter in the envelope," Pool said.<sup>29</sup>

The mill's campaign ultimately failed. The bill became law over the vehement objections of Alaska's congressional delegation, including Republican Senator Ted Stevens, a powerful legislator with strong ties to the timber industry.

Stevens was not about to let the new law slow down the cut. On April 19, 1991, within months of its enactment, he wrote a letter to then-Associate Chief George Leonard in which he asked the agency to create a backlog, or pipeline, of available timber for the Alaska Pulp Corporation and Ketchikan Pulp Company mills.<sup>30</sup>

The agency promptly responded to Stevens by amending the long-term contracts to require three-year timber supplies, essentially guaranteeing a steady flow of timber.

The TTRA was intended to end such backlogs, Rep. Ralph Regula (R-OH) noted in questioning Robertson about the Forest Service's compliance with the law. Robertson said that the agency acted only to fulfill its commitments to the mills. "The Forest Service does not perceive this commitment as building a backlog of timber volume," Robertson said.<sup>31</sup>

In fact, to fulfill its "commitment" and keep the pipeline loaded, the Forest Service brought in 50 temporary workers in 1991 to outlay timber sales. With the spotlight off the Tongass, the agency worked at a frantic pace to prepare the sale areas — often neglecting to conduct adequate environmental reviews, according to the AFSEEE report.

In a review of those areas, the Forest Service's environmental coordinator, Julie Riber, wrote, "[We] have heard many people believe the goal is to meet the weekly release volume regardless of [standards and guidelines]."<sup>32</sup>

The goal of getting out the cut superseded everything - and at harvest levels that some of the Forest Service's own forest supervisors said would be impossible to meet without straining the environment. In October 1991, three supervisors told Steve Brink, the Tongass Forest Service's timber planning team leader, that the proposed cut level of 418 million board feet per year wasn't realistic and said that a sustainable level would, at its highest, be 273.<sup>33</sup>

Their recommendation was ignored on orders from Washington.

Nearly a year later, on July **29, 1992**, Carol Hale and John **Lindell**, two biologists with the Interior Department's Fish and Wildlife Service, met with Brink and other Forest Service timber planners, according to **a** memo obtained by the **Center**. The biologists told Brink and his colleagues **that** the rate of cutting would seriously harm species living within the old-growth habitat.

"Mr. Brink said we were talking to the wrong group," the memo said. "**The decisionmakers** have already decided to maximize timber **harvest** . . . He cited political pressures. . . .It is apparent that the directorate of the Tongass National Forest has made a conscious decision to maximize timber harvest in southeast Alaska with little, if any, regard for consequences to plant or animal species or populations . . ." \*

The Forest **Service**, however, already knew that many species would be harmed — from its own scientists. But in one of the most egregious examples of suppression of scientific evidence on the Tongass, those warnings were buried.

In October 1990, Forest Service timber officials in Southeast Alaska assembled a team called the Viable Population Committee to conduct research and draft a report to determine how to maintain wildlife species in the old-growth forest.

In February **1991**, the committee finished its report, recommending that certain areas of forested land be set aside to protect wildlife. This meant, of course, that many acres of **harvestable** land would be off-limits to loggers. Timber planners and even wildlife officials on the Tongass disagreed with their **colleagues'** conservation plans and set about **discrediting** the report as faulty science and refusing to include it in their environmental impact **statements**.

Jack Capp, the regional director of wildlife and fisheries told Lowell Suring, the Viable Population **Committee's** team chairman, that the report was not to be published.

Capp also suppressed positive reviews of the report by other Forest Service scientists who had gotten copies of it. Dr. Bruce **Marcot** of the Pacific Northwest Forest Experiment Station, for example, wrote a memo to Capp in which he said that the Viable Population Committee's "proposed conservation strategy is scientifically **sound**." "35

But Capp hid that and another review praising the committee's work. "It was kept so quiet," wrote David **Katz**, "that even the VPC biologists themselves never knew that this superlative review of their work had been **completed**." "36

Word finally leaked out about the existence of the report and some of its findings, most notably **in** a December 1992 article in the *Anchorage Daily News*. In the story, Capp and Deputy Regional Forester Bob Williams were quoted as saying that the report lacked adequate **information**."<sup>37</sup>

### Stevens Flexes Political Muscles

While employees of the Forest Service were subverting both the recommendations of the agency's own scientists and violating the **TTRA**, Senator Ted Stevens was blurring the necessary lines of separation between governmental branches and corrupting proper relations between the public and private sectors.

The Center contacted Stevens both by telephone and in writing in an effort to obtain his side of the story. He declined to respond.

The Center has learned that Stevens demanded that Forest Service officials on the Tongass send him weekly reports on timber harvesting. The Center has obtained copies of such faxed reports. If the cut gets low or if the **Ketchikan** Pulp Company, which also receives the Forest Service timber updates, complains about operations to Stevens, the Senator calls and pressures Regional Forester Mike Barton in Juneau or officials in Washington, to step up logging, sources said.<sup>38</sup>

"If that's not oven pressure, I **don't** know what is," a congressional aide said **of** Stevens's role. "I **don't** think it's fair to say that he was breaking the law, but [his actions are] certainly not consistent with **the** Tongass act."

"It's normal for a Senator to intervene somewhat, but this is to the extreme," said environmental activist John Sisk. "This is empowering a private corporation to employ the power of the Senate Appropriations Subcommittee [of which Stevens is an influential member] to direct **on-the-ground** management in a way that is much different than what the public planning process tells people is **happening**." Sisk said that the **micromanagement** of the forest floor by Stevens and Ketchikan Pulp Company included changing road layouts.

Stevens has close ties to the industry. Bill Phillips, a lobbyist for Ketchikan Pulp Company, used to work on Stevens's staff. "It **almost** makes it the Stevens Pulp Company," Sisk said.

Although Stevens angers many who push for the lower logging **levels**, he is revered by his opponents for his political acumen. "Stevens is a very cagey and tenacious Senator who fights for what he believes is important in Alaska," a congressional aide told the Center.

And Stevens does fight back. When the House proposed a low cut on the Tongass for fiscal 1994, he lashed out. "[The House committee staff] has been fed all this baloney by protesters in Southeast Alaska," the *Juneau Empire* quoted him as saying. "This is not the view of the people who live there."<sup>39</sup>

**Certainly**, lower harvest levels do not represent the view of the industry. And Stevens has traditionally been able to reverse House proposals and to boost board-feet figures back to levels that are agreeable to the two pulp mills. "Each year, [House proposals] go to Senate conference and they get rolled by **Stevens**," a House source said.

**Alaska's** other Senator, Republican Frank Murkowski, may not wield as much clout as Stevens, but his alliance with Big Timber is just as strong. "Murkowski is very closely aligned with the **[industry]**, personally, politically, and even financially," a Hill aide said. Before entering the Senate, Murkowski was a banker in Ketchikan and arranged loans for the timber companies. Jim Clark, a lobbyist for the Alaska Loggers Association and general counsel of Alaska Pulp Corporation, at one point handled **Murkowski's** blind trust, the aide said. "I don't want to color this with opinion, but the fact is Murkowski thought enough of Jim Clark to entrust him with his personal money," the aide said. "To me, that suggests a very close personal relationship between the two."

## Troika Threatens Economy and Environment

The triangle of power embodied in the Alaska congressional delegation, the two pulp companies,

and the Forest Service has placed **the** Tongass National Forest and its virgin beauty on the brink of becoming the **clear-cut** Northwest. Because of its reckless self-interests, the troika has also threatened the livelihood of the very economies it professes to protect.

**Florian** Sever, the mill worker who was fired for speaking his opinion and fought to win his job back, gets out into the woods and sees firsthand the careless cutting by his employer. He told the Center in June 1993, before Alaska Pulp **closed** its mill in **Sitka**, that his job and those of his **coworkers** are endangered by irresponsible timber harvesting.

"My job is threatened because there is no **sustainability** in logging as it is done today on the Tongass," Sever **said**. "The Forest Service said it would use **50-year** rotations and keep the mill running by logging an area again. Well, I can show you places that have been logged 50 years ago where you can break down the [replanted] trees with your hands. They just don't grow right."

Sever blames Forest Service officials for not obeying the law and failing to protect the woods. "I would lay the greatest blame for **violations** of the [reform] act at the feet of the United States Forest Service," he said. "They have the duty to implement the terms of the **law**, and they turn a blind eye to **them**."

Sever also said he hopes that the Clinton Administration stops the abuses and acts to save the Tongass. "I don't know if Clinton and Gore are serious about helping," he said. "So far I **haven't** seen any action." That was in the summer of 1993. In April 1994, as the Center releases this study, Flo Sever and thousands of others are encouraged by Chief Thomas's move to cancel the Alaska Pulp contract, but they are still waiting for more real change to help protect their livelihoods and their environment.

## **ENDNOTES**

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## APPENDIX A

### THE U.S. FOREST SERVICE AND TIMBER INTERESTS INDEX\*

Number of dollars in the annual Forest Service: \$3.4 billion

Acres of land the Forest Service manages: **191 million.**

Acres of trees cut on federal land per year from 1981 to 1992: 70,000

Total timber industry PAC contributions to Representatives from 1991 to 1994: \$3,047,934

Total timber industry PAC contributions to Senators from 1987 to 1994: \$2,547,176

Number of dollars in government subsidies paid to the timber industry during the **1980's: \$5.6 billion**

Number of national forests - out of a total of 120 which harvest timber - that lost money in the fiscal year 1992: 101

Estimated number of dollars in millions the government lost in harvesting these **national** forests in the fiscal year 1992: 352

Number of miles of road cut through national forest land — an amount that encircles the globe 14 times and seven times the size of the national highway system: 360,000

Percentage of the nation's endangered wildlife and **fish** species that live on national forest land: 33

The number of times over the last nine years in which Congress has suspended environmental laws — aimed at protecting endangered habitats — to allow timber cutting: 9

Percentage of remaining U.S. ancient forests: 10

Percentage of the above amount not protected from timber harvesting by the Clinton administration forest plan: 33

Estimated number of employees working for the Forest Service: 36,000

Number of Forest Service employees who, over the last two years, sought legal help from the Government Accountability Project lawyers concerning alleged reprisals levied against them by the Forest Service management: 190

\* *Inspired by the Harper's Magazine Index.*

## **APPENDIX B**

### **TOP FIVE SOFT MONEY CONTRIBUTIONS FROM TIMBER INTERESTS TO THE PARTIES 1991 to 1994**

Timber and Related Industry Groups	Total Contributions
Carpenters Legislative Improvement Committee (United Brothers of Carpenters and Joiners)	\$108,825
Georgia-Pacific Corporation	\$92,720
Louisiana-Pacific Corporation	\$55,000
Voluntary Contributors for Better Government (International Paper Company)	\$35,000
Build PAC of the National Association of Home Builders	\$23,800

*Source: Available Federal Election Commission records*

Appendices C through G **were** largely compiled by the National Library on Money and Politics in Washington D. C. and released in a September 1993 report by The Western Ancient Forest Campaign (**W AFC**) and the United States Public Interest Research Group (**USPIRG**) called "**American** Taxpayers' Forests Destroyed: Members of Congress Reap the **Benefits**." The Center for Public Integrity compiled the 1993 to 1994 figures from available reports at the Federal Election Commission (**FEC**). All figures are based on Political Action Committee (**PAC**) contributions.

## APPENDIX C

### **TOP 15 HOUSE RECIPIENTS OF TIMBER PAC MONEY 1991-1994**

NAME	STATE	CONTRIBUTION
Stephen Buyer	Indiana	\$35,498
Jack Reed	Rhode Island	\$34,500
Charles Taylor	North Carolina	\$32,500
Jim McCrery	Louisiana	\$27,473
Toby Roth	Wisconsin	\$26,400
Norman Dicks	Washington	\$26,200
Olympia Snowe	Maine	\$25,673
Thomas Foley	Washington	\$24,499
Larry LaRocco	Idaho	\$24,250
Victor Fazio	California	\$23,800
Michael Crapo	Idaho	\$23,200
John Doolittle	California	\$22,950
Pat Williams	Montana	\$22,500
William Ford	Michigan	\$21,350
Steny Hoyer	Maryland	\$21,250

## APPENDIX D

### TOP 10 SENATE RECIPIENTS OF TIMBER PAC MONEY: 1987 TO 1994

NAME	STATE	CONTRIBUTION
Mark Hatfield	Oregon	\$89,786
Slade Gorton	Washington	\$70,014
Trent Lott	New Jersey	\$67,040
Dirk Kempthorne	Idaho	\$60,000
Howell Heflin	Alabama	\$55,500
Bob Packwood	Oregon	\$55,500
Hank Brown	Colorado	\$53,500
Connie Mack	Florida	\$49,650
Max Baucus	Montana	\$42,757
Bennett Johnston	Louisiana	\$41,500

## **APPENDIX E**

### **TIMBER INDUSTRY CONTRIBUTIONS TO SENATORS ON COMMITTEES WITH JURISDICTION OVER FOREST LANDS FROM 1987 TO 1994**

COMMITTEE	CONTRIBUTIONS
Committee on Energy and Natural Resources	\$562,326
Committee on Agriculture, Nutrition and Forestry	\$456,321
Committee on Appropriations	\$857,978

### **TIMBER INDUSTRY CONTRIBUTIONS TO REPRESENTATIVES ON COMMITTEES WITH JURISDICTION OVER FOREST LANDS FROM 1991 TO 1994**

COMMITTEE	CONTRIBUTIONS
Committee on Natural Resources	\$328,049
Committee on Agriculture	\$300,445
Committee on Appropriations	\$447,599

**APPENDIX F: Timber PAC Contributions to Members of the House of Representatives, 1991 to 1994**

MEMBER	COMMITTEE*	PORTR VOTE**	CONTRIBUTION
<b>Crapo, Michael (R-ID)</b>		no	\$23,200
<b>Cunningham, Randy (R-CA)</b>		yes	\$3,500
<b>Danner, Pat (D-MO)</b>		no	\$14,500
<b>Darden, Buddy (D-GA)</b>	AP	no	\$6,250
<b>De La Garza, Kika (D-TX)</b>	AG	no	\$500
<b>Deal, Nathan (D-GA)</b>	NR	no	\$6,600
<b>Defazio, Peter (D-OR)</b>	NR	no	\$17,600
<b>DeLauro, Rosa (D-CT)</b>	AP	yes	<b>\$15,500</b>
Delay, Tom (R-TX)	AP	no	\$500
Dellums, Ronald (D-CA)		no	\$4,500
<b>Derrick, Butler (D-SC)</b>		no	\$1,500
<b>Deutsch, Peter (D-FL)</b>		yes	\$8,500
<b>Diaz-Balart, Lincoln (R-FL)</b>		no	<b>\$11,500</b>
<b>Dickey, Jay (R-AR)</b>	NR, AG	no	\$500
<b>Dicks, Norman (D-WA)</b>	AP	no	\$26,200
Dingell, John (D-MI)		no	\$17,000
<b>Dixon, Julian (D-CA)</b>	AP	no	<b>\$1,000</b>
<b>Dooley, Calvin (D-CA)</b>	NR, AG	no	\$6,000
<b>Doolittle, John (R-CA)</b>	NR, AG	no	\$22,950
<b>Doman, Robert (R-CA)</b>		no	<b>\$1,500</b>
Dreier, David (R-CA)		no	\$4,750
Duncan, John (R-TN)	NR	yes	\$6,599
<b>Dunn, Jennifer (R-WA)</b>		no	<b>\$15,118</b>
<b>Durbin, Richard (D-IL)</b>	AP	no	\$7,500
Edwards, Don (D-CA)		yes	\$6,500
Edwards, Thomas (D-TX)		no	\$6,000
Emerson, William (R-MO)	AO	no	\$17,981

MEMBER	COMMITTEE*	PORTR VOTE**	CONTRIBUTION
<b>Engel, Eliot (D-NY)</b>		no	\$8,500
<b>English, Glenn (D-OK)</b>	AG	no	\$1,000
<b>English, Karan (D-AZ)</b>	NR	no	\$500
<b>Eshoo, Anna (D-CA)</b>		yes	\$5,000
<b>Evans, Lane (D-IL)</b>	NR	yes	<b>\$11,500</b>
Evreclt, Terry (R-AL)		no	\$2,000
<b>Ewing, Thomas (R-IL)</b>	AG	yes	\$10,500
<b>Fawell, Harris (R-IL)</b>		no	\$5,000
Fazio, Victor (D-CA)	AP	no	\$23,800
<b>Fields, Cleo (D-LA)</b>		no	<b>\$3,500</b>
Fields, Jack (R-TX)		no	\$14,102
Filner, Bob (D-CA)		no	\$13,000
<b>Fingerhut, Eric (D-OH)</b>		yes	\$8,500
<b>Fish, Hamilton (R-NY)</b>		yes	\$5,000
Flake, Floyd (D-NY)		no	\$500
<b>Foglietta, Thomas (D-PA)</b>	AP	no	\$8,500
<b>Foley, Thomas (D-WA)</b>		0	\$24,499
Ford, Harold (D-TN)		yes	\$5,000
Ford, William (D-MI)		no	\$21,350
<b>Fowler, Tille (R-FL)</b>		no	\$1,000
<b>Frank, Barney (D-MA)</b>		yes	<b>\$3,500</b>
<b>Franks, Gary (R-CT)</b>		yes	\$14,350
Franks, Robert (R-NJ)		yes	<b>\$1,500</b>
<b>Frost, Martin (D-TX)</b>		no	<b>\$18,500</b>
Furse, Elizabeth (D-OR)		yes	\$2,500
<b>Gallegly, Elton (R-CA)</b>	NR	yes	\$9,500
<b>Gallo, Dean (R-NJ)</b>	AP	yes	\$10,250

**APPENDIX F: Timber PAC Contributions to Members of the House of Representatives, 1991 to 1994**

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
<b>Abercrombie, Neil (D-HI)</b>	NR	no	\$7,500
<b>Ackerman, Gary (D-NY)</b>		no	\$14,000
<b>Allard, Wayne (D-CO)</b>	NR, AG	<b>yes</b>	\$5,850
Andrews, Michael (D-TX)		yes	\$8,550
Andrews, Robert (D-NJ)		no	\$20,400
Andrews, Thomas (D-MB)		yes	\$9,750
Applegate, Douglas (D-OH)		yes	0
Archer, Bill (R-TX)		no	0
Armey, Richard (R-TX)		no	\$5,500
Bacchus, Jim (D-FL)		no	<b>\$12,000</b>
Bachus, Spencer (R-AL)		no	<b>\$3,000</b>
<b>Baesler, Scotty (D-KY)</b>	AG	no	0
Baker, Richard (R-LA)	NR	yes	\$7,400
Baker, William (R-CA)		no	\$3,850
<b>Ballenger, Thomas (NC)</b>		no	\$6,250
<b>Barcia, James (D-MI)</b>		no	\$6,000
<b>Barlow, Thomas (D-KY)</b>	NR, AG	no	<b>\$2,500</b>
Barrett, Thomas (D-WI)	NR	yes	\$3,500
Barrett, William (R-NB)	AG	no	\$4,800
<b>Bartlett, Roscoe (R-MD)</b>		yes	\$6,500
<b>Barton, Joe (R-TX)</b>		yes	\$3,700
<b>Bateman, Herbert (R-VA)</b>		no	<b>\$10,000</b>
<b>Becerra, Xavter (D-CA)</b>		<b>yes</b>	0
Beilenson, Anthony (D-CA)		yes	\$1,000
Benley, Helen (R-MD)	AP	no	\$6,900
<b>Bereuter, Doug (R-NE)</b>		no	\$1,500
<b>Berman, Howard (D-CA)</b>	NR	yes	<b>\$11,500</b>

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
<b>Canady, Charles (R-FL)</b>	AG	no	<b>\$2,000</b>
<b>Cantwell, Maria (D-WA)</b>		no	\$12,000
<b>Cardin, Benjamin (D-MD)</b>		yes	<b>\$2,500</b>
<b>Carr, Bob (D-MI)</b>	AP	no	\$11,500
Castle, Michael (R-DE)		no	\$3,500
Chapman, Jim (D-TX)	AP	no	\$2,500
Clay, William (D-MO)		no	\$5,000
Clayton, Eva (D-NC)	AG	no	\$8,500
<b>Clement, Bob (D-TN)</b>		no	\$7,500
Clinger, William (R-PA)		no	\$3,200
<b>Clyburn, James (D-SC)</b>		no	\$8,250
Coble, Howard (R-NC)		no	<b>\$4,250</b>
<b>Coleman, Ronald (D-TX)</b>	AP	no	\$8,250
<b>Collins, Barbara Rose (D-MI)</b>		no	\$15,500
<b>Collins, Cardiss (D-IL)</b>		no	<b>\$1,000</b>
<b>Collins, Michael (R-GA)</b>		no	<b>\$10,000</b>
<b>Combest, Larry (R-TX)</b>	AO	no	\$250
Condit, Gary (D-CA)	AG	no	\$500
Conyers, John (D-MI)		0	\$13,500
<b>Cooper, Jim (D-TN)</b>		yes	0
<b>Coppersmith, Sam (D-AZ)</b>		yes	\$500
<b>Costello, Jerry (D-IL)</b>		yes	\$5,000
Cox, Christopher (R-CA)		no	<b>\$2,500</b>
<b>Coyne, William (D-PA)</b>		no	\$8,500
Cramer, Robert (D-AL)		no	\$7,350
<b>Crane, Philip (R-IL)</b>		no	0

## APPENDIX F: Timber PAC Contributions to Members of the House of Representatives, 1991 to 1994

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
<b>Inslee, Jay (D-WA)</b>	AG	no	\$500
hlook, Emeat Jim (R-OK)	AP	yes	0
<b>Jacobs, Andrew (D-IN)</b>		yes	0
<b>Jefferson, William (D-LA)</b>		no	\$3,100
Johnson, Don (D-GA)		no	\$3,750
Johnson, Eddie (D-TX)		no	0
<b>Johnson, Nancy (R-CT)</b>		yes	\$14,600
<b>Johnson, Sam (R-TX)</b>		no	\$10,500
<b>Johnson, Tim (D-SD)</b>	NR, AG	yes	<b>\$5,500</b>
<b>Johnston, Harry (D-FL)</b>		no	\$2,000
<b>Kanjorski, Paul (D-PA)</b>		yes	\$4,000
<b>Kaptur, Marcy (D-OH)</b>	AP	no	\$17,100
Kaslich, John (R-OH)		no	\$2,850
<b>Kennedy, Joseph (D-MA)</b>		yes	\$9,000
<b>Kennelly, Barbara (D-CT)</b>		yes	\$7,500
<b>Kildee, Dale (D-MI)</b>		no	<b>\$19,485</b>
Kim, Jay (R-CA)		yes	\$5,500
King, Peter (R-NY)		yes	\$2,500
<b>Kingston, Jack (R-GA)</b>	AG	no	\$9,350
<b>Kleczka, Gerald (D-WI)</b>		no	<b>\$11,100</b>
Klein, Herb (D-NJ)		yes	\$13,500
<b>Klink, Ron (D-PA)</b>		no	\$8,500
<b>Klug, Scott (R-WI)</b>		yes	<b>\$17,100</b>
Knollenberg, Joe (R-MI)		yes	<b>\$4,500</b>
<b>Kolbe, Jim (R-AZ)</b>	AP	no	\$3,750
<b>Kopetski, Mike (D-OR)</b>		no	\$10,402
<b>Kreidler, Mike (D-WA)</b>		no	<b>\$11,500</b>

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
<b>Kyl, Jon (R-AZ)</b>		no	\$5,559
<b>LaFalce, John (D-NY)</b>		yes	\$6,000
Lambert, Blanche (D-AR)	AG	yes	\$2,500
Lancaster, Martin (D-NC)		no	\$7750
<b>Lantos, Tom (D-CA)</b>		yes	0
<b>LaRocco, Larry (D-ID)</b>	NR	no -	\$24,250
<b>Laughlin, Greg (D-TX)</b>		no	\$10,250
<b>Lazio, Rick (R-NY)</b>		yes	\$1,000
<b>Leach, Jim (R-IA)</b>		0	0
Lehman, Richard (D-CA)	NR	no	\$16,000
Levin, Sander (D-MI)		no	<b>\$15,250</b>
Levy, David (R-NY)		yes	\$1,000
<b>Lewis, Jerry (R-CA)</b>	AP	no	\$6,000
Lewis, John (D-GA)		no	\$8,950
Lewis, Tom (R-FL)	AG	yes	\$2,500
<b>Lightfoot, Jim (R-IA)</b>	AP	0	<b>\$5,500</b>
Under, John (R-GA)		yes	\$10,528
<b>Lipinski, William (D-IL)</b>		no	\$3,250
Livingston, Bob (R-LA)	AP	no	\$1,500
Lloyd, Marilyn (D-TN)		no	\$7,500
<b>Long, Jill (D-IN)</b>	AG	no	\$3,500
<b>Lowey, Nita (D-NY)</b>	AP	yes	\$6,500
<b>Machtleby, Ronald (R-RI)</b>		yes	<b>\$6,500</b>
<b>Maloney, Carolyn (D-NY)</b>		yes	<b>\$11,500</b>
Mann, David (D-OH)		no	<b>\$4,750</b>
<b>Manton, Thomas (D-NY)</b>		no	\$7,000
<b>Manzullo, Donald (R-IL)</b>		yes	\$7,000

## APPENDIX F: Timber PAC Contributions to Members of the House of Representatives, 1991 to 1994

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
<b>Gelderson, Sam (D-CT)</b>	NR	yes	\$11,750
<b>Gekas, George (R-PA)</b>		yes	\$6,000
Gephardt, Richard (D-MO)		no	<b>\$19,000</b>
<b>Geren, Pete (D-TX)</b>		no	\$7,500
<b>Gibbons, Sam (D-FL)</b>		<b>yes</b>	\$6,000
<b>Gilchrest, Wayne (D-MD)</b>		yes	\$2,000
Gillmor, Paul (R-OH)		yes	\$7,150
<b>Gillman, Benjamin (R-NY)</b>		<b>yes</b>	<b>\$12,325</b>
Gingrich, Newt (R-GA)		yes	\$18,250
<b>Glickman, Dan (D-KS)</b>	AG	yes	\$9,000
<b>Gonzalez, Henry (D-TX)</b>		no	0
<b>Goodlatte, Robert (R-VA)</b>	<b>AG</b>	no	<b>\$11,500</b>
<b>Goodling, Bill (R-PA)</b>		yes	0
Gordon, Bart (D-TN)		no	<b>\$12,350</b>
Goss, Porter (R-FL)		yes	\$500
Grams, Rodney (D-MN)		no	\$16,000
<b>Grandy, Fred (R-IA)</b>		no	\$3,000
Green, Gene (D-TX)		yes	<b>\$11,600</b>
Greenwood, James (R-PA)		yes	<b>\$19,750</b>
<b>Gunderson, Steve (R-WI)</b>	<b>AG</b>	no	\$4,200
<b>Gutierrez, Luis (D-IL)</b>		yes	\$9,000
Hall, Ralph (D-TX)		no	\$2,000
Hall, Tony (D-OH)		no	\$7,500
Hamburg, Dan (D-CA)		no	\$5,000
<b>Hamilton, Lee (D-1N)</b>		no	\$5,500
Hancock, Mel (R-MO)		no	\$4,000
<b>Hansen, James (R-UT)</b>	NR	no	\$4,000

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
<b>Harman, Jane (D-CA)</b>		<b>yes</b>	\$12,500
<b>Hastert, Dennis (R-IL)</b>		no	\$8,000
<b>Hastings, Alcee (D-FL)</b>		no	\$5,000
Hayes, James (D-LA)		no	\$16,705
<b>Heffley, Joel (R-CO)</b>	NR	yes	\$500
Hefner, W.G. (D-NC)	AP	no	\$1000
<b>Henry, Paul (R-MI)</b>		0	<b>\$500</b>
Herger, Wally (R-CA)		no	<b>\$12,450</b>
<b>Hilliard, Earl (D-AL)</b>	AO	no	\$4,750
Hinchey, Maurice (D-NY)	NR	yes	\$7,500
<b>Hoagland, Peter (D-NE)</b>		yes	<b>\$6,500</b>
Hobson, David (R-OH)	AP	no	\$3,800
<b>Hochbrueckner, George (D-NY)</b>		yes	\$7,300
<b>Hockstra, Peter (R-MI)</b>		no	0
Hoke, Martin (R-OH)		yes	0
Holden, Tim (D-PA)	AG	yes	<b>\$11,000</b>
<b>Horn, Steve (R-CA)</b>		yes	0
<b>Houghton, Amo (R-NY)</b>		yes	\$4,500
Hoyer, Steny (D-MD)	AP	no	\$21,250
Huffington, Michael (R-CA)		no	0
Hughes, William (D-NJ)		yes	\$6,000
Hunter, Duncan (R-CA)		no	<b>\$2,500</b>
Hutchinson, Tim (R-AR)		no	\$4,000
<b>Hutto, Earl (D-FL)</b>		no	\$10,500
Hyde, Henry (R-IL)		no	\$3,500
<b>Inglis, Bob (R-SC)</b>		no	0
<b>Inhofe, James (R-OK)</b>		no	\$2,700

## APPENDIX F: Timber PAC Contributions to Members of the House of Representatives, 1991 to 1994

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
Packard, Ron (R-CA)	AP	no	<b>\$2,500</b>
Pallone, Frank (D-NJ)		yes	<b>\$16,525</b>
Parker, Mike (D-MS)		no	\$10,000
Pastor, Ed (D-AZ)	AP	no	<b>\$11,500</b>
Paxton, Bill (R-NY)		yes	\$10,500
Payne, Donald (D-NJ)		yes	\$2,000
Payne, Lewis (D-VA)		yes	\$5,500
Pelosi, Nancy (D-CA)	AP	yes	0
Penny, Timothy (DFL-MN)	AG	yes	\$1,000
Peterson, Collin (D-MN)	AG	no	\$11,500
Peterson, Pete (D-FL)	AP	no	\$7,500
Petri, Tom (R-WI)		no	<b>\$14,700</b>
Pickett, Owen (D-VA)		no	<b>\$4,500</b>
Pickle, J.J. (D-TX)		no	\$500
Pombo, Richard (R-CA)	NR, AG	no	\$7,650
Pomeroy, Earl (D-ND)	AG	no	\$8,500
Porter, John (D-IL)	AP	yes	<b>\$8,000</b>
Poshner, Glenn (D-IL)		yes	0
Price, David (D-NC)	AP	no	\$1,850
Pryce, Deborah (R-OH)		no	\$8,500
Quillen, James (R-TN)		no	\$2,000
Quinn, Jack (R-NY)		yes	\$4,000
Rahall, Nick (D-WV)	NR	yes	\$4,000
Ramstad, Jim (R-MN)		yes	\$12,850
Rangel, Charles (D-NY)		no	\$7,000
Ravenel, Arthur (R-SC)		yes	\$5,300
Reed, Jack (D-RI)		yes	<b>\$34,500</b>

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
Regula, Ralph (R-OH)	AP	no	0
Reynolds, Mel (D-IL)		no	\$8,500
Richardson, Bill (D-NM)	NR	yes	\$1,750
Ridge, Tom (R-PA)		no	\$9,500
Roberts, Pat (R-KS)	AG	no	\$1,000
Roemer, Tim (D-IN)		no	\$12,000
Rogers, Harold (R-KY)	AP	no	\$11,000
Rohrabacher, Dana (R-CA)		yes	\$300
Ros-Lehtinen, Illeana (R-FL)		yes	<b>\$1,700</b>
Rose, Charlie (D-NC)	AG	no	\$8,500
Rostenkowski, Dan (D-IL)		no	\$15,500
Roth, Toby (R-WI)		no	\$26,400
Roukema, Marge (R-NJ)		yes	<b>\$12,750</b>
Rowland, Roy (D-OA)		no	\$9,050
Royal-Allard, Lucille (D-CA)		yes	0
Royce, Ed (R-CA)		no	\$6,000
Rush, Bobby (D-IL)		no	0
Sabo, Martin (DFL-MN)	AP	no	\$6,800
Sanders, Bernard (I-VT)		yes	\$5,500
Sangmeister, George (D-IL)		yes	<b>\$5,000</b>
Santorum, Richard (R-PA)		no	\$17,000
Sarpallus, Bill (D-TX)	AG	no	\$1,700
Sawyer, Tom (D-OH)		no	\$3,000
Saxton, Jim (R-NJ)		yes	<b>\$5,300</b>
Schaefer, Dan (R-CO)		yes	<b>\$5,000</b>
Schenk, Lynn (D-CA)		yes	\$14,000
Schiff, Steven (R-NM)		0	\$3,600

## APPENDIX F: Timber PAC Contributions to Members of the House of Representatives, 1991 to 1994

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
<b>Margolies-Mezvinsky, Marjorie</b> (D-PA)		<b>yes</b>	\$10,000
<b>Markey, Edward</b> (D-MA)	NR	yes	0
<b>Martinez, Matthew</b> (D-CA)		no	0
<b>Matsui, Robert</b> (D-CA)		<b>yes</b>	\$6,000
<b>Mazzoli, Romano</b> (D-KY)		no	0
<b>McCandless, Al</b> (R-CA)		yes	\$4,500
McCloskey, Frank <b>(D-IN)</b>		no	\$8,800
<b>McCollum, Bill</b> (R-FL)		yes	\$3,500
<b>McCrery, Jim</b> (R-LA)		no	<b>\$27,473</b>
McCurdy, Dave <b>(D-OK)</b>		yes	\$500
McDade, Joseph (R-PA)	AP	no	\$11,000
McDermotl, Jim <b>(D-WA)</b>		no	<b>\$1,500</b>
<b>McHale, Paul</b> (D-PA)		yes	\$5,000
<b>McHugh, John</b> (R-NY)		<b>yes</b>	\$5,000
<b>McInnis, Scott</b> (R-CO)	NR	no	<b>\$3,500</b>
<b>McKeon, Howard</b> (R-CA)		yes	\$6,000
<b>McKinney, Cynthia</b> (R-GA)	AG	no	\$8,800
<b>McMillan, Alex</b> (R-NC)		no	\$5,600
McNulty, Michael (D-NY)		no	\$1,000
<b>Meehan, Martin</b> (D-MA)		yes	0
Meek, Carrie (D-FL)	AP	no	\$6,500
Menendez, Robert (D-NJ)		no	<b>\$17,500</b>
<b>Meyers, Jan</b> <b>(R-KS)</b>		yes	\$2,500
<b>Mfume, Kweisl</b> (D-MD)		no	\$1,000
<b>Mica, John</b> (R-FL)		yes	<b>\$3,000</b>
Michel, Robert <b>(R-IL)</b>		no	<b>\$12,000</b>

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
Miller, Dan (R-FL)		yes	\$300
Miller, George (D-CA)	NR	yes	\$1,000
<b>Mineta, Norman</b> (D-CA)		no	\$6,500
<b>Minge, David</b> (DFL-MN)	AG	yes	<b>\$8,500</b>
Mink, <b>Patsy</b> (D HI)	NR	no	\$10,000
<b>Moakley, Joe</b> (D-MA)		no	<b>\$10,500</b>
<b>Molinari, Susan</b> (R-NY)		yes	\$3,500
<b>Mollohan, Alan</b> (D-WV)	AP	no	\$10,000
Montgomery, O.V. (D-MS)		no	\$5,000
<b>Moorhead, Carlos</b> (R-CA)		yes	\$3,500
<b>Moran, James</b> <b>(D-VA)</b>	AP	yes	\$8,000
Morella, Constance (R-MD)		yes	0
Murphy, Austin (D-PA)	NR	no	\$11,000
<b>Murtha, John</b> (D-PA)	AP	no	<b>\$12,600</b>
<b>Myers, John</b> <b>(R-IN)</b>		no	\$5,000
Nadler, <b>Jerrold</b> (D-NY)		yes	0
<b>Natcher, William</b> (D-KY)	AP	no	0
<b>Neal, Richard</b> (D-MA)		no	\$15,000
<b>Neal, Stephen</b> (D-NC)		yes	0
<b>Nussle, Jim</b> (R-IA)	AG	yes	\$14,600
<b>Oberstar, James</b> (DFL-MN)		no	<b>\$10,000</b>
<b>Obey, David</b> <b>(D-WI)</b>	AP	no	<b>\$7,000</b>
<b>Olver, John</b> (D-MA)	AP	no	\$22,500
Ortiz, Solomon (D-TX)		no	0
<b>Orton, Bill</b> <b>(D-UT)</b>		no	<b>\$13,500</b>
<b>Owens, Major</b> <b>(D-NY)</b>		no	0
Oxley, Michael (R-OH)		no	\$3,500

## APPENDIX F: Timber PAC Contributions to Members of the House of Representatives, 1991 to 1994

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
<b>Upton, Fred (R-MI)</b>		yes	<b>\$2,500</b>
<b>Valentine, Tim (D-NC)</b>		yes	\$4,000
<b>Velazquez, Nydia (D-NY)</b>		no	<b>\$10,000</b>
Vento, Bruce (DFL-MN)	NR	yes	\$6,000
<b>Visclosky, Peter (D-IN)</b>	AP	no	<b>\$12,000</b>
<b>Volkmer, Harold (D-MO)</b>	AG	no	<b>\$18,750</b>
<b>Vucanovich, Barbara (R-NV)</b>	NR, AP	no	\$7,500
<b>Walker, Robert (R-PA)</b>		yes	\$500
Walsh, James (R-NY)	AP	yes	<b>\$1,300</b>
Washington, Craig (D-TX)		no	\$3,000
<b>Waters, Maxine (D-CA)</b>		yes	0
<b>Watt, Melvin (D-NC)</b>		no	\$4,500
<b>Waxman, Henry (D-CA)</b>		yes	<b>\$1,000</b>
Weldon, Curt (R-PA)		yes	\$8,300
Wheat, Alan (D-MO)		no	<b>\$11,500</b>
<b>Whitten, Jamie (D-MS)</b>	AP	0	\$2,000
<b>Williams, Pat (D-MT)</b>	AO, NR	no	\$22,500
Wilson, Charles (D-TX)	AP	0	\$17,250
Wise, Bob (D-WV)		no	\$5,500
<b>Wolf, Frank (R-VA)</b>	AP	no	\$2,250
<b>Woolsey, Lynn (D-CA)</b>		yes	\$14,000
<b>Wyden, Ron (D-OR)</b>		no	\$3,000
Wynn, Albert (D-MD)		no	<b>\$12,500</b>
<b>Yates, Sidney (D-L)</b>	AP	no	0
<b>Yeakel, Lynn (D-PA)</b>		0	<b>\$1,000</b>
<b>Young, C.W. (R-FL)</b>	AP	yes	\$1,500
Young, Don (R-AK)	NR	no	\$28,500

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
<b>Zelliff, Bill (R-NH)</b>		no	<b>\$12,500</b>
Zimmer, Dick (R-NJ)		yes	• \$3,850

\* NR = Natural Resources Committee; AG = Agriculture Committee; AP = Appropriations Committee

\*\* The Porter Amendment to the Interior Appropriations bill in 1993 would have cut \$18 million for timber sales by preparation and road construction in roadless areas in the National Forests. Thirteen of the (op fifteen) representatives who received the most timber interest PAC contributions from 1991 to 1994 voted no on the Porter Amendment.

## APPENDIX F: Timber PAC Contributions to Members of the House of Representatives, 1991 to 1994

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
<b>Schroeder, Pat (D-CO)</b>		yes	<b>\$1,000</b>
<b>Schumer, Charles (D-NY)</b>		yes	0
<b>Scott, Robert (D-VA)</b>		no	<b>\$6,500</b>
<b>Sensenbrenner, F. James (R-WI)</b>		yes	\$2,250
<b>Serrano, Jose (D-NY)</b>	AP	no	\$400
<b>Sharp, Philip (D-IN)</b>	NR	no	\$8,000
Shaw, Clay (R-FL)		yes	\$5,500
Shays, Christopher (R-CT)		yes	\$4,000
<b>Shephard, Karen (D-UT)</b>	NR	yes	\$5,500
Shuster, Bud (R-PA)		no	\$4,500
<b>Sisisky, Norman (D-VA)</b>		yes	\$3,000
<b>Skaggs, David (D-CO)</b>	AP	no	\$7,500
Skeen, Joe (R-NM)	AP	no	<b>\$1,500</b>
<b>Skelton, Ike (D-MO)</b>		no	\$1,250
<b>Slattery, Jim (D-KS)</b>		yes	\$6,000
Slaughter, Louise (D-NY)		yes	<b>\$10,500</b>
Smith, Christopher (R-NJ)		yes	\$5,000
<b>Smith, Lamar (R-TX)</b>		yes	\$4,300
<b>Smith, Neal (D-IA)</b>	AP	0	\$8,000
Smith, Nick (R-MI)		yes	0
Smith, Robert (R-OR)	NR, AG	no	<b>\$14,850</b>
Snowe, Olympia (R-ME)		no	\$25,673
<b>Solomon, Gerald (R-NY)</b>		yes	\$10,600
Spence, Floyd (R-SC)		0	\$3,000
<b>Spratt, John (D-SC)</b>		no	<b>\$4,100</b>
<b>Stark, Pete (D-CA)</b>		yes	0
<b>Stearns, Cliff (R-FL)</b>		no	<b>\$2,500</b>

MEMBER	COMMITTEE*	PORTER VOTE**	CONTRIBUTION
<b>Stenholm, Charles (D-TX)</b>	AG	no	\$500
<b>Stokes, Louis (D-OH)</b>	AP	no	\$1,000
Strickland, Ted (D-OH)		yes	<b>\$10,000</b>
Studds, Gerry (D-MA)		no	\$2,000
<b>Stump, Bob (R-AZ)</b>		no	\$3,300
<b>Stupak, Bart (D-MI)</b>		no	<b>\$11,650</b>
Sundquist, Don (R-TN)		no	\$14,500
Swett, Dick (D-NH)		no	\$9,000
<b>Swift, Al (D-WA)</b>		no	<b>\$17,250</b>
<b>Synar, Mike (D-OK)</b>		yes	0
<b>Talent, James (R-MO)</b>		no	\$13,000
Tanner, John (D-TN)		yes	\$3,500
<b>Tauzin, W.J. (D-LA)</b>		no	\$8,350
Taylor, Charles (R-NC)	AP	no	\$32,500
<b>Taylor, Gene (D-MS)</b>		no	\$3,400
Tejeda, Frank (D-TX)		no	\$6,600
Thomas, Craig (R-WY)	NR	no	\$3,300
Thomas, William (R-CA)		no	\$10,500
Thornton, Ray (D-AR)	AP	no	\$2,600
<b>Thurman, Karen (D-FL)</b>	AG	yes	\$4,500
<b>Torkildsen, Peter (R-MA)</b>		yes	0
Torres, Esteban (D-CA)	AP	no	\$500
<b>Torricelli, Robert (D-NJ)</b>		yes	\$6,500
<b>Towns, Edolphus (D-NY)</b>		no	0
<b>Traficant, James (D-OH)</b>		no	\$2,500
Tucker, Waller R. (D-CA)		no	\$6,500
Unsoeld, Jolene (D-WA)		no	\$9,000

## APPENDIX G: Timber PAC Contributions to Members of the Senate, 1987 to 1994

SENATOR	COMMITTEE	GORTON VOTE**	CONTRIBUTIONS
Kemphorne, Dirk (R-ID)		0	\$60,000
Kennedy, Edward (D-MA)		no	\$7,000
Kerrey, Bob (D-NE)	AG, AP	no	<b>\$25,000</b>
Kerry, John (D-MA)		no	0
Kohl, Herb (D-WI)	AP	no	0
Lautenberg, Frank (D-NJ)	AP	no	\$38,000
Leahy, Patrick (D-VT)	AG, AP	no	\$9,250
Levin, Carl (D-MI)		no	\$17,000
Lieberman, Joseph (D-CT)		no	<b>\$7,000</b>
Lott, Trent (R-MS)	B	yes	\$67,040
Lugar, Richard (R-IN)	AG	yes	\$32,000
Mack, Connie (R-FL)	AP	yes	\$49,650
Mathews, Harlan (D-TN)	E	0	\$1000
McCain, John (R-AZ)		yes	\$21,900
McConnell, Mitch (R-KY)	AG, AP	yes	\$31,500
Metzenbaum, Howard (D-OH)		no	\$10,000
Mikulski, Barbara (D-MD)	AP	no	\$15,500
Mitchell, George (D-ME)		no	\$8,000
Moseley-Braun, Carol (D-IL)		0	\$5,000
Moynihan, Daniel P. (D-NY)		no	\$22,600
Murkowski, Frank (R-AK)	B	yes	\$17,500
Murray, Pat (D-WA)	AP	0	<b>\$10,000</b>
Nickles, Don (R-OK)	E, AP	yes	\$29,078
Nunn, Sam (D-GA)		no	\$27,950
Packwood, Bob (R-OR)		yes	\$55,500
Pell Claiborne (D-RJ)		no	\$20,000
Pressler, Larry (R-SD)		yes	\$4,000

SENATOR	COMMITTEE	GORTON VOTE**	CONTRIBUTIONS
Pryor, David (D-AR)	AG	no	\$14,000
Reid, Harry (D-NV)	AP	no	<b>\$16,000</b>
Riegle, Donald (D-MI)		no	\$36,000
Robb, Charles (D-VA)		no	\$32,000
Rockefeller, John D. (D-WV)		no	\$26,500
Roth, William (R-DE)		no	\$26,300
Sarbanes, Paul (D-MD)		no	\$30,500
Sasser, Jim (D-TN)	AP	no	\$40,000
Shelber, Richard (D-AL)	E	yes	\$27,822
Simon, Paul (D-IL)		no	\$10,000
Simpson, Alan (R-WY)		yes	<b>\$16,000</b>
Smith, Robert (R-NH)		no	\$31,350
Specter, Arlen (R-PA)	E, AP	no	\$56,000
Stevens, Ted (R-AK)	AP	yes	\$7,000
Thurmond, Strom (R-SC)		yes	\$22,000
Wallop, Malcolm (R-WY)	E	yes	<b>\$16,500</b>
Warner, John (R-VA)		0	\$30,000
Wellstone, Paul (D-MN)	E	no	\$11,000
Wofford, Harris (D-PA)		no	\$27,500

\* B = Energy Committee; AG = Agriculture and Forest Committee; AP = Appropriations Committee

\*\* The Gorton Amendment would have allowed salvage limber sales on northern spotted owl habitat. Seven out of the top ten Senate recipients of timber industry PAC contributions voted yes on the Gorton Amendment.

## APPENDIX G: Timber PAC Contributions to Members of the Senate, 1987 to 1994

SENATOR	COMMITTEE	GORTON VOTE**	CONTRIBUTIONS
<b>Akaka, Daniel (D-HI)</b>	B	no	\$16,000
<b>Baucus, Max (D-MT)</b>	<b>AG</b>	no	\$42,757
<b>Bennett, Robert (R-UT)</b>	B	0	<b>\$11,500</b>
<b>Biden, Joseph (D-DE)</b>		no	<b>\$17,500</b>
<b>Bingaman, Jeff (D-NM)</b>	B	no	\$24,000
Bond, Christopher (R-MO)	AP	yes	\$42,750
<b>Boren, David (D-OK)</b>	<b>AG</b>	no	0
Boxer, <b>Barbara</b> (D-CA)		0	\$5500
Bradley, Bill (D-NJ)	B	no	\$22,000
<b>Breaux, John (D-LA)</b>		no	\$28,558
Brown, Hank (R-CO)		<b>yes</b>	<b>\$53,500</b>
Bryan, Richard (D-NV)		no	\$26,000
Bumpers, Dale (D-AZ)	B, AP	no	\$26,000
Bums, Conrad (R-MT)	AP	yes	\$30,100
<b>Byrd, Robert (D-WV)</b>	AP	no	\$37,300
Campbell, Ben (D-CO)	B	0	\$18,800
<b>Chafee, John (R-RJ)</b>		no	\$22,500
Coats, Daniel (R-IN)		yes	\$74,000
<b>Cochran, Thad (R-MS)</b>	AO, AP	yes	\$23,500
Cohen, William (R-MB)		no	\$34,602
Conrad, Kent (D-ND)	AQ	no	\$14,689
<b>Coverdell, Paul (R-GA)</b>	<b>AG</b>	0	\$52,200
<b>Craig, Larry (R-ID)</b>	B, <b>AG</b>	yes	<b>\$51,300</b>
<b>D'Amato, Alfonse (R-NY)</b>	AP	yes	\$20,500
<b>Danforth, John (R-MO)</b>		yes	\$21,000
Daschle, Tom (D-SD)	AO	no	\$15,000
<b>DeConcini, Dennis (R-NM)</b>	AP	yes	\$27,550

SENATOR	COMMITTEE	GORTON VOTE**	CONTRIBUTIONS
Dodd, Christopher (D-CT)		no	\$22,500
Dole, Robert (R-KS)	AG	yes	\$21,000
<b>Domenici, Pete (R-NM)</b>	E, AP	<b>yes</b>	\$10,000
<b>Dorgan, Byron (D-ND)</b>		0	\$7,000
Durenberger, Dave (R-MN)		no	\$40,129
Exon, <b>Jim</b> (D-NE)		yes	\$21,450
<b>Faircloth, Lauch (R-NC)</b>		0	\$35,347
<b>Feingold, Russell (D-WI)</b>	<b>AG</b>	0	\$10,000
Feinstein, Dianne (D-CA)	AP	0	\$26,000
Ford, Wendell (D-KY)	B	no	\$25,500
Glenn, John (D-OH)		no	\$12,000
Gorton, <b>Slade</b> (R-WA)	AP	yes	\$70,014
Graham, Bob (D-FL)		no	\$16,000
<b>Gramm, Phil (R-TX)</b>	AP	yes	\$34,000
<b>Grassley, Charles (R-IA)</b>	<b>AG</b>	no	\$12,000
Gregg, Judd (R-NH)		0	<b>\$6,500</b>
<b>Harkin, Tom (D-IA)</b>	AO, AP	0	\$19,500
<b>Hatch, Orrin (R-UT)</b>		0	\$33,500
<b>Hatfield, Mark (R-OR)</b>	E, AP	yes	\$89,786
<b>Heflin, Howell (D-AL)</b>	AG	<b>yes</b>	\$55,500
Helms, Jessie (R-NC)	<b>AG</b>	0	\$27,125
<b>Hollings, Ernest (D-SC)</b>	AP	no	\$16,500
<b>Hutchinson, Kay (R-TX)</b>		0	\$28,500
Inouye, Daniel (D-HI)	AP	no	\$14,000
<b>Jeffords, James (R-VT)</b>		no	\$19,779
Johnston, Bennett (D-LA)	E, AP	no	\$41,500
<b>Kassebaum, Nancy (R-KS)</b>		yes	\$5,000