

**PUBLIC AND PRIVATE RESOURCE MANAGEMENT
AND PROTECTION ISSUES IN THE NATIONAL
FOREST SYSTEMS**

HEARING

BEFORE THE

SUBCOMMITTEE ON FOREST AND FOREST HEALTH

OF THE

COMMITTEE ON RESOURCES
HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTH CONGRESS

FIRST SESSION

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MAY 18, 1999, WASHINGTON, DC
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PUBLIC AND PRIVATE RESOURCE MANAGEMENT AND PROTECTION ISSUES IN THE NATIONAL FOREST SYSTEMS

TUESDAY, MAY 18, 1999

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON FORESTS AND FOREST HEALTH,
COMMITTEE ON RESOURCES,
Washington, DC.

The Subcommittee met, pursuant to notice, at 2:01 p.m., in Room 1334, Longworth House Office Building, Hon. Helen Chenoweth [chairwoman of the Subcommittee] presiding.

STATEMENT OF HON. HELEN CHENOWETH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF IDAHO

Mrs. CHENOWETH. The Subcommittee on Forests and Forest Health will come to order.

The Subcommittee is meeting today to hear testimony on public and private resource management and protection issues in the National Forest System.

Under rule 4(g) of the Committee rules, any oral opening statements of hearings are limited to the chairman and the Ranking Minority Member. That will be afforded to the Ranking Minority Member when he arrives at the Committee. This will allow us to hear from our witnesses sooner and help members keep to their schedules as well as facilitate your keeping to your schedules. Therefore, if other members have statements, they will be included in the hearing record.

Today's oversight hearing will focus on the public and private resource management issues in the National Forest System. This broad title allows us to hear from normal, hard-working citizens from outside the Washington, DC beltway about a wide range of issues dealing with our national forests where those citizens live and work.

Our first panel will focus on law enforcement challenges within the National Forest System, and partially services as a follow-up to a hearing this Subcommittee held on June 23 of last year in the Forest Service's law enforcement activities. That hearing, which included only Forest Service and GAO witnesses, included extensive testimony from the Forest Service's Director of Law Enforcement and Investigations, William Wasley, and I welcome Director Wasley here today as a witness.

At last year's hearing, members were concerned about the Forest Service's concentration of law enforcement activities in the Wash-

ington office and the need to devolve more power to local law enforcement agencies through block grants. As chairman, I was very concerned about the agency's apparent failure to document citizens' complaints against law enforcement personnel. Now, in general, this Subcommittee was alarmed that very poor written records appeared to be kept on law enforcement.

That hearing, nearly one year ago, I requested that Director Wasley submit to the Subcommittee a report on eco-terrorism on the national forests and what the Forest Service has done to combat those terrorists, including the use of conspiracy or RICO statutes. The response to this request, dated November 10, 1998 is a one-page long document and begins with the sentence, "Although the term 'anti-timber terrorist group activities' is unclear, we assume you are referring to unlawful acts committed by persons who oppose the harvesting of timber from public lands." This response, frankly, is an insult to this Subcommittee, and it illustrates how seriously the Forest Service is combating eco-terrorism.

By having two private citizens as witnesses on our first panel, we will be able to put a human face on eco-terrorism within the National Forest System and how law enforcement officials are dealing with it. I am particularly interested in hearing from my constituent, Andy Hairston, about his long-running feud with terrorists who have made every effort to prevent him from making a livelihood in northern Idaho. In talking with Mr. Hairston before the hearing, I am disturbed about the Forest Service's unwillingness to aggressively bring these terrorists to justice.

Our final panel is composed entirely of citizens whose communities and livelihoods depend on their local national forests. Among them are constituents of Subcommittee members John Peterson and Rick Hill, and I look forward to their candid testimony about what the changes the Forest Service needs to make to improve their local community.

[The prepared statement of Mrs. Chenoweth follows:]

STATEMENT OF HON. HELEN CHENOWETH, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF IDAHO

Today's oversight hearing will focus on Public and Private Resource Management Issues in the National Forest System. This broad title allows us to hear from normal hard-working citizens from outside the Washington, DC beltway about a wide range of issues dealing with the national forests where they live and work.

Our first panel will focus on law enforcement challenges within the National Forest System and partially serves as a follow-up to a hearing this Subcommittee held on June 23 of last year on the Forest Service's law enforcement activities.

That hearing, which included only Forest Service and GAO witnesses, included extensive testimony from the Forest Service's Director of Law Enforcement and Investigations William Wasley. I welcome Director Wasley here today as a witness.

At last year's hearing, members were concerned about the Forest Service's concentration of law enforcement activities in the Washington Office and the need to devolve more power to local law enforcement agencies through block grants. As Chairman, I was very concerned about the agency's apparent failure to document citizen's complaints against law enforcement personnel. In general, the Subcommittee was alarmed that very poor written records appeared to be kept on law enforcement.

At that hearing nearly one year ago, I requested that Director Wasley submit to the Subcommittee a report on eco-terrorism on the national forests and what the Forest Service has done to combat these terrorists, including the use of conspiracy or R.I.C.O. statutes. The response to this request, dated November 10, 1998, is one page long and begins with the sentence, "although the term 'anti-timber terrorist group activities' is unclear, we assume you are referring to unlawful acts committed

by persons who oppose the harvesting of timber from public lands." This response is an insult to this Subcommittee and it illustrates how seriously the Forest Service is combating eco-terrorism.

By having two private citizens as witnesses on our first panel, we will be able to put a human face on ecoterrorism within the National Forest System and how law enforcement officials are dealing with it. I am particularly interested in hearing from my constituent Andy Hairston, about his long- running feud with terrorists, who have made every effort to prevent him from making a livelihood in northern Idaho. In talking with Mr. Hairston before the hearing, I am disturbed about the Forest Service's unwillingness to aggressively bring these terrorists to justice.

Our final panel is composed entirely of citizens whose communities and livelihoods depend on their local national forests. Among them are constituents of Subcommittee members John Peterson and Rick Hill. I look forward to their candid testimony about what changes the Forest Service needs to make to improve their local communities.

Mrs. CHENOWETH. I will now introduce our first panel. Mr. William Wasley, Director of Law Enforcement and Investigations with the U.S. Forest Service; welcome, sir. Mr. Andy Hairston, Highland Enterprises, Incorporated, Grangeville, Idaho; welcome, sir. And Ms. Teresa Platt, executive director, Fur Commission USA, Colorado, California; welcome, ma'am.

As explained in our first hearing, it is the intention of the chairman of the Committee to place all outside witnesses under the oath. Now, this is a formality of the Committee that is meant to assure open and honest discussion and should not afford the testimony given by witnesses and shouldn't affect the testimony at all, and I believe that all of the witnesses were informed of that before this hearing today, and each of you have been provided with a copy of the Committee rules.

Now, if you will please stand and raise your right hand, I will administer the oath.

[Witnesses sworn.]

The Chair now recognizes Mr. Wasley for his testimony.

STATEMENT OF WILLIAM F. WASLEY, DIRECTOR, LAW ENFORCEMENT AND INVESTIGATIONS, UNITED STATES FOREST SERVICE

Mr. WASLEY. Thank you, Madam Chairman.

Madam Chairman and members of the Subcommittee, my name is Bill Wasley, and I am the Director of the Forest Service Law Enforcement and Investigations Program. I am pleased to appear before you today to discuss Forest Service law enforcement.

The key elements of the Forest Service Law Enforcement and Investigations Program are protecting and serving the public and our employees, protecting natural resources and other property under the jurisdiction of the Forest Service, and cooperating with other law enforcement agencies. We accomplish these key goals by applying the common sense crime prevention elements of education, engineering, and enforcement.

I appeared before this Subcommittee on June 23, 1998 to discuss the Forest Service LE&I—Law Enforcement Investigations—program and structure, authorities, cooperation with State, local, and other Federal agencies, and the unique and special challenges facing our program. As follow-up to the hearing, we also provided information and documents to the House Resources Committee on various law enforcement matters and the reorganization of LE&I

within the Forest Service. I will briefly discuss each of the key elements of the LE&I Program.

Protection of visitors and users of the national forests and Forest Service employees in the performance of their duties is the primary mission of law enforcement and investigation. Crime is increasing, at least on some national forests, and LE&I has responded to the increasing workload in apprehending criminals and acting on criminal activity within the confines of current staffing and cooperative support.

Security is important to the public. Criminal activity, such as personal assault, gang activity, and the theft of property negatively impact visitor experiences. Vandalism and theft at recreation facilities decrease public enjoyment and divert limited recreation dollars. Law enforcement personnel also operate as full partners with the Forest Service in carrying out the Forest Service mission.

LE&I provides protection for natural resources, including timber, water, soils, special forest products and archeological sites. Resource damage from arson and human-caused fires can be substantial. Unauthorized use of the national forest can damage natural resources and property and cause irreversible impacts.

Timber theft remains a top priority of the Forest Service LE&I staff. In 1998, there were over 35 cases dealing with timber theft. The LE&I staff coordinates closely with the Forest Management staff on all timber theft cases involving timber sale contracts.

Illicit drug labs and marijuana cultivation on national forest lands continue to be a major concern. With adverse effects on natural resources and on public and employee safety. Toxic chemicals used on illicit labs and marijuana gardens leach into soil and waterways causing negative impacts to vegetation, wildlife, and drinking water. Working cooperatively with our State and local law enforcement partners, the Forest Service eradicated over 330,000 marijuana plants last year and found 105 meth-amphetamine labs and lab dumps on National Forest System lands, an increase from 1997 totals. Officers made over 2,800 arrests and seized over \$4.8 million in assets.

Each year, increases in public use of National Forest System lands cause increases in crimes against people and resources. Other Federal, State, and local law enforcement agencies are similarly faced with increasing crime trends that tax their abilities to accomplish their work with limited resources.

The Cooperative Law Enforcement Act authorized the Forest Service to reimburse local law enforcement agencies for expenses associated with law enforcement services on National Forest System lands. In 1998, the Forest Service maintained some 530 cooperative agreements with State and local agencies for performance of routine law enforcement patrol activities and 163 drug enforcement cooperative agreements. Over \$6 million were provided through these agreements to local law enforcement agencies. We are currently developing a standardized cooperative agreement to be used nationwide. Upon implementation, we will assess the level of funding provided to each cooperative to cover their extraordinary expenses incurred while working on National Forest System lands.

The Senate Appropriations Committee report for the Fiscal Year 1999 Department of Interior and Related Agencies Appropriations

Act directed the Forest Service to evaluate the comparative costs of Forest Service uniformed law enforcement officers to those of county enforcement officials and other uniformed Federal natural resource oriented law enforcement officers. As part of this evaluation, an analysis will be conducted regarding the ability of local enforcement officials to enforce Federal statutes, give priority to such statutes within the constraints of local priorities, attain Federal training standards, prevent increased liability under the Federal Tort Claims Act, and retain independence from external influence. Initial findings should be completed near the end of May, 1999. In addition, we will be conducting a random survey of country sheriffs to assess their ability to undertake this activity. We expect those results back this summer.

In summary, with the expectation that we will have one billion visitor days on our national forests this year, the Law Enforcement and Investigations Program is critical to protecting and serving the public and our employees, protecting natural resources and other property under the jurisdiction of the Forest Service, and cooperating with other law enforcement agencies. The job is immense, and we are working hard at providing these services with the resources we have available to do the job.

Thank you, Madam Chairman and members of the Subcommittee for allowing me the opportunity to speak before you today. I am ready to answer any questions you may have.

[The prepared statement of Mr. Wasley follows:]

STATEMENT OF WILLIAM F. WASLEY, DIRECTOR, LAW ENFORCEMENT AND INVESTIGATIONS, FOREST SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE

Madam Chairman and members of the Subcommittee, my name is Bill Wasley, and I am the Director of the Forest Service Law Enforcement and Investigations program. I am pleased to appear before you today to discuss Forest Service law enforcement.

Key elements of the Forest Service Law Enforcement and Investigations (LE&I) program are:

1. protecting and serving the public and our employees;
2. protecting natural resources and other property under the jurisdiction of the Forest Service; and
3. cooperating with other law enforcement agencies.

We accomplish these key goals by applying the common sense crime prevention elements of education, engineering, and enforcement.

I appeared before this Subcommittee on June 23, 1998, to discuss the Forest Service LE&I program and structure, authorities, cooperation with State, local, and other Federal agencies, and the unique and special challenges facing our program. As follow-up to the hearing we also provided information and documents to the House Resources Committee on various law enforcement matters, and the reorganization of LE&I within the Forest Service.

I will briefly discuss each of the key elements of the LE&I program.

PROTECTING AND SERVING THE PUBLIC AND OUR EMPLOYEES

Protection of visitors and users of the National Forests and Forest Service employees in the performance of their duties is the primary mission of law enforcement and investigation.

Crime is increasing, at least on some national forests, and LE&I has responded to the increasing work load in apprehending criminals and acting on criminal activity within the confines of current staffing and cooperative support. Security is important to the public. Criminal activities such as personal assault, gang activity and theft of property negatively impact visitor experiences. Vandalism and theft at recreation facilities decrease public enjoyment and divert limited recreation dollars.

PROTECTING NATURAL RESOURCES

Law enforcement personnel also operate as full partners within the Forest Service in carrying out the Forest Service mission. LE&I provides protection for natural resources, including timber, water, soils, special forest products, and archaeological sites. Resource damage from arson and human-caused fires can be substantial. Unauthorized use of the national forests can damage natural resources and property and cause irreversible impacts.

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COOPERATION WITH OUR PARTNERS

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SUMMARY

In summary, with the expectation that we will have one billion visitor-days on our national forests this year, the law enforcement and investigations program is critical to protecting and serving the public and our employees, protecting natural resources and other property under the jurisdiction of the Forest Service, and cooperating with other law enforcement agencies. The job is immense, and we are working hard at providing these services with the resources we have available to do the job.

Thank you Madam Chairman and members of the Subcommittee for allowing me the opportunity to speak before you today. I am ready to answer any questions you may have.

Mrs. CHENOWETH. Thank you, Mr. Wasley.

Mr. Hairston, the Chair recognizes you for testimony. Before you begin, I want to explain our light system. It is just like traffic lights—green means go, and yellow means step on it—

[Laughter.]

[continuing] and red means stop. So, we welcome your testimony. Mr. Hairston.

**STATEMENT OF ANDY HAIRSTON, HIGHLAND ENTERPRISES,
INCORPORATED, GRANGEVILLE, IDAHO**

Mr. HAIRSTON. Madam Chairman and respected members of the Subcommittee, I thank you for the opportunity to speak before you today.

My name is Andy Hairston. I am the corporate treasurer and general manager of Highland Enterprises, Incorporated, a road building and rock crushing company based in Grangeville, Idaho who has been in business since 1976. Over the last decade, Highland has specialized in timber sale access road construction on the national forest lands and private timber lands. We have strived to build ecologically sound roads to prevent erosion and to provide safe access for the harvesting of timber. These roads also provide access for fire fighting, recreation, hunting, fishing, and many other activities enjoyed by people visiting the national forests.

During the summer of 1992, while working on a timber sale road construction project in the Cove Mallard area of the Nez Perce National Forest, we came into contact with members of the radical environmental group, Earth First, who were there to protest—

Mrs. CHENOWETH. Mr. Hairston?

Mr. HAIRSTON. Yes?

Mrs. CHENOWETH. I wonder if you could pull the mike closer to you?

Mr. HAIRSTON. Yes, ma'am. We came into contact with members of the radical environmental group, Earth First, who were there to protest the timber sale. The Cove Mallard has been open for logging by the Forest Service to help improve forest health by removing dead and dying timber. The protesters have since used this area as a focal point for their cause.

At the time, the Earth First protesters were not very organized and did not present a significant safety threat to the employees of Highland Enterprises. The next year, the protesters were very organized and presented a real safety threat. The activists progressed from being just protestors to being environmental terrorists. They severely vandalized road building equipment, locked themselves to gates and trees, pulled up and destroyed construction stakes, plugged culverts, set up tripods on roadways, and threw spikes, slash, and rocks into the roadway to prevent vehicles from using it. These events occurred on a daily basis and severely limited Highlands road building activity. As a result, we were forced to hire security personnel to watch the equipment when not in use. The additional cost along with the cost from lost production and vandalized equipment became a large financial burden.

During these protests, many arrests were made by both the Idaho County Sheriff Department and Forest Service law enforcement. The Sheriff's Department and Idaho County prosecuting attorney aggressively prosecuted these environmental terrorists resulting in jail time and a small amount of restitution for Highland, but Federal law enforcement prosecution was far less aggressive, usually resulting in a misdemeanor with little jail time for the activist and no restitution for Highland.

The next timber sale road construction in the Cove Mallard area began in 1995. The terrorists were very organized and prepared for battle. In addition to the types of vandalism used in years before,

the environmental terrorists had developed more sophisticated ways to stop road construction. For example, they buried concrete blocks in the roadway and chained themselves to the blocks below the ground level forcing law enforcement to hand dig out the activists. They also began to adopt other names for their causes—The Ancient Forest Bus Brigade, the Native Forest Network, and Friends of the Cove Mallard. This was done in an attempt to allude prosecution and project to the media that many organizations were protesting this timber sale and road building when in fact only one organization was involved—Earth First. Again, the efforts of the environmental terrorists to stop the road construction resulted in the loss of considerable amounts of monies due to the lost production and the cost of hiring of extra manpower to provide security.

In 1995, the law enforcement participation also changed. Federal law enforcement became more involved, while the Sheriff's Department became less involved. This resulted in longer delays. Many times up to six hours waiting for Federal officers to remove the terrorists because of bureaucratic change of command which began with the law enforcement officers on site, then to the district ranger in Elk City, Idaho, then to the supervisor's office in Grangeville, Idaho, then to the region one office in Missoula, Montana, and, finally, to the chief of Forest Service law enforcement in Washington, DC. According to the Forest Service's own records, the agency spent over \$250,000 trying to monitor and apprehend these radical environmentalists. It was at this time that Highland owner's decided to sue Earth First in a civil court. Individual activists, as well as the Earth First organization and their affiliated sub-components were named as defendants. Highland won this case and was awarded the judgment of over \$1 million, of which Highland has collected less than \$200, and, to date, our legal bills are over \$200,000.

The confrontations have continued on our road construction projects in the Cove Mallard area. Protestors then moved their destructive activities to a timber sale road construction project well separated from the Cove Mallard area. The Otter-Wing timber sale is over 45 miles from the Cove Mallard protest area. The activists, again, used their same techniques along with tree sitting and vandalism to equipment to stop the road building. The Forest Service dispatched law enforcement officers in large numbers but with little effectiveness. The law enforcement officers provided one on one protection for the timber workers but were reluctant to make arrests of the activists who violated the area closure. Highland hired a professional security company to guard our equipment and materials at the job site. Highland then requested to be reimbursed for this additional security through a claim on the contract, but the Forest Service denied the claim. Through the Freedom of Information Act, I also requested records from the Forest Service law enforcement for denying the claim.

Mrs. CHENOWETH. We would like to give the witness another minute.

Mr. HAIRSTON. Thank you—but this Freedom of Information Act request was also denied. Both the claim for the reimbursement for the security cost and the Freedom of Information Act request are now being appealed through the appropriate channels.

I feel that a large portion of the problems we have encountered could have been solved if local law enforcement would have been in the lead position to take control of the situation. The Federal law enforcement efforts on the Forest Service were riddled with bureaucracy and delayed action that cost valuable production time. It is my opinion that local law enforcement provides a much faster response to the environmental terrorists and when prosecuted in local courts, it keeps them incarcerated so they do not return to the protest site.

I believe that the United States Forest Service has done a very poor job in providing protection for our employees and equipment while we working on these Federal timber sale road construction projects. Daily, the workers encountered environmental terrorists who threw sticks and rocks at our workers, yelled and screamed at workers, and tied themselves to equipment and trees. These actions put the lives of Highland employees and the lives of environmental terrorists in danger. Building logging roads is very dangerous to begin with, and when you introduce a group of people whose sole purpose is to intimidate, disrupt, and distract the workers, it is inevitable that someone is going to become injured or, even worse, killed.

I hope that by becoming aware of the situation that is occurring in the forests of north central Idaho, that you can help us fix these problems before someone is seriously injured or killed.

Thank you for the opportunity to speak before you today.

[The prepared statement of Mr. Hairston follows:]


HIGHLAND ENTERPRISES, INC.

Highway 95 North - Box 356 Grangeville, Idaho 83530 Phone (208) 983-2933

May 14, 1999

U.S. House of Representatives
Committee on Resources
Subcommittee on Forests and Forest Health
Washington, DC 20515

Madame Chairman and Respected Members of the subcommittee, I thank you for the opportunity to speak before you today. My name is Andy Hairston, I am the Corporate Treasurer and General Manager of Highland Enterprises, Inc., a road construction and rock crushing company, based in Grangeville, Idaho, which has been in business since 1976. Over the last decade, Highland has specialized in timber sale access road construction on National Forest lands and private timber lands. We have strived to build ecologically sound roads to prevent erosion and provide safe access for the harvesting of timber. These roads also provide access for fire fighting, recreation, hunting, fishing, and many other activities enjoyed by people visiting the National Forests.

During the summer of 1992, while working on a timber sale road construction project in the Cove Mallard area of the Nez Perce National Forest, we came into contact with members of the radical environmental group, Earth First!, who were there to protest the timber sale. The Cove Mallard roadless area has been opened up for logging by the Forest Service to help improve forest health by removing dead and dying timber. The protesters have since used this area as a focal point for their cause. At this time the Earth First! protesters were not very organized and did not pose a significant safety threat to the employees or equipment of Highland Enterprises. The next year, the Earth First! protesters were much more organized and presented a very real safety threat. The activists progressed from being just protestors to being environmental terrorists. They severely vandalized road building equipment, locked themselves to gates and trees, pulled out and destroyed construction stakes, plugged culverts, set up tripods on roadways, placed spikes in trees and threw spikes, slash, logs and rocks into the roadway to prevent vehicles from using it. These events occurred on a daily basis and severely reduced Highland's road building productivity. As a result, we were forced to hire security personnel to watch the equipment when not in use. This additional cost along with the cost from lost production and vandalized equipment, became a large financial burden.



GENERAL CONTRACTING



During these protests many arrests were made by both the Idaho County Sheriff's department and Forest Service law enforcement officers. The Sheriff's department and Idaho County's Prosecuting Attorney aggressively prosecuted these environmental terrorists, resulting in jail time for some and a small amount restitution for Highland. The federal law enforcement's prosecution was far less aggressive, usually resulting in a misdemeanor with no jail time for the activists, and no restitution for Highland.

When the next timber sale road construction in the Cove Mallard area began in 1995 the Earth First! terrorists were very organized and prepared for battle. In addition to the types of vandalism used the years before, the environmental terrorists had developed more sophisticated ways to stop the road construction. For example, they buried concrete blocks in the roadway and chained themselves to the blocks below ground level forcing the law officers to hand dig out the environmental terrorist. They also began to adopt other names for their cause, the Ancient Forest Bus Brigade, the Ecology Center, the Native Forest Network, Friends of the Cove Mallard, and many other aliases. This was done in an attempt to elude prosecution and project to the media that many organizations were protesting the timber sale and road building, when in fact, only one organization was involved, Earth First!. Again, the efforts of the environmental terrorists to stop the road construction resulted in the loss of a considerable amount of money due to lost production and the cost of hiring extra manpower to provide security for the employees and equipment.

In 1995 the type of law enforcement participation changed. Federal law enforcement became more involved while the Sheriff's department became less involved. This resulted in longer delays, many times up to six hours, waiting for the federal officers to remove the environmental terrorists because of bureaucratic chains of command, which began with the law enforcement officers at the site, then to the district ranger in Elk City, Idaho, then to the supervisor office in Grangeville, Idaho, then to the region one office in Missoula, Montana, and finally to the chief of the Forest Service law enforcement in Washington, D.C.. According to the Forest Service's own accounting, the agency spent over two hundred fifty thousand dollars trying to monitor and apprehend the radical environmentalists. It was at this time that Highland's owners decided to sue the Earth First! environmental terrorists in district Court in Idaho County, Idaho. Individual activists as well as the Earth First! organization and other affiliated sub components were named as defendants. Highland won the case and was awarded a judgement of over one million dollars, of which Highland has collected less than two hundred dollars. To date, Highland's legal bills are over two hundred thousand dollars.

The confrontations with the Earth First! Activists have continued on all road construction projects in the Cove Mallard area, and in 1998 the protesters moved their destructive activities to a timber sale road construction project well separated from the Cove Mallard area. The Otter-Wing Timber Sale is over 45 miles from the Cove Mallard protest area. The activists, in order to stop the road construction tried many tactics, such as burying themselves in the roadway, tree sitting, vandalism to equipment and materials. The Forest Service dispatched law enforcement officers in large numbers but with little effectiveness. The law enforcement officers provided one on one protection for the timber workers, but were reluctant to make arrests of the activists who violated the area closures. The area closure was a corridor that extended 300 feet from the center line of the road in each direction. The area closure enacted by the forest supervisor was designed to protect the safety of the men working on the project and the public. Highland hired a professional security company to guard our equipment and materials at the job site. Highland requested to be reimbursed for the added security, through a claim on the contract, but the Forest Service denied the claim. Through a Freedom of Information Act I request records from the Forest Service Law Enforcement for evidence of their denying Highland's security and requesting that the company provide their own security. This Freedom Of Information Act request has been denied. Both the claim for reimbursement for the security costs and the Freedom Of Information Act requests are now being appealed through the appropriate channels. But these requests are being bogged down in bureaucratic paper work and red tape.

I feel that a large portion of the problems we have encountered could have been solved if local law enforcement would have been in the lead position and taken control of the situations by enforcing the state laws that are in place and set to deal with these radical environmental terrorists. The federal law enforcement efforts of the Forest Service were riddled with bureaucracy which delayed action and cost valuable production time. It is my opinion that local law enforcement provides a much faster response to the environmental terrorist and when prosecuted in local courts, it keeps them incarcerated so that they do not return to the protest site within hours.

In speaking with Idaho County's Sheriff, Gene Meinen, he agreed that local law enforcement should be in the lead position for these confrontations with the environmental terrorists. A concern that Sheriff Meinen has is whether or not the necessary funding will be available for the local law enforcement to assume the lead position in these matters.

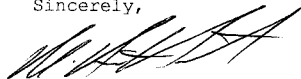
I believe that the United States Forest Service has done a very poor job in providing protection for our employees and equipment while we are working on these federal timber sale road projects. Daily, the workers encountered the environmental terrorist, who threw sticks and rocks at our workers, yelled and screamed at the workers and tied themselves to equipment and trees. These actions put the lives of Highland employees and the lives of the environmental terrorist in danger. Building logging roads is very dangerous to begin with, and when you introduce a group of people whose sole purpose is to intimidate, disrupt and distract the workers, it is inevitable that someone is going to become injured, or even worse, be killed.

I hope that by becoming aware of the situation that is occurring in the forests of North Central Idaho that you can help us fix the problems before someone is seriously injured or killed.

While I agree that protecting the environment is extremely important, there must be a way for it to happen without costing lives or our livelihoods.

Thank you for the opportunity to speak before you today.

Sincerely,



M. Andy Hairston
General Manager of
Highland Enterprises, Inc.



HIGHLAND ENTERPRISES, INC.

Highway 95 North - Box 356 Grangeville, Idaho 83530 Phone (208) 983-2933

May 14, 1999

Costs due to lost production on a six hour shut down due to Earth First! obstructing the roadway.

Equipment:	Hourly Rate x Six hour delay =	Loss per Day
D9 Bulldozer	\$144.17	\$ 856.02
Excavator	\$155.33	\$ 931.98
Grader	\$ 39.58	\$ 237.48
Roller	\$ 49.67	\$ 298.02
Water Trucks (2)	\$ 46.07	\$ 552.84
Bellydumps (5)	\$ 39.80	\$1194.00
Logging Trucks (4)	\$ 30.60	\$ 734.40
Log Loader	\$117.17	\$ 703.02
Front end Loader	\$ 98.44	\$ 590.64
Load-Out Bunker	\$ 40.05	\$ 240.30
skidder	\$109.82	\$ 658.92
Support truck (3)	\$ 7.56	\$ 136.08

		\$7133.70
Labor:		
19 operators	\$ 12.00	\$1368.00
3 Timber Fallers	\$200.00	\$ 600.00
2 Foremen	\$150.00	\$ 300.00
Payroll Burden		\$ 646.38
		\$2914.38
Total loss:		\$10048.08



GENERAL CONTRACTING



Mrs. CHENOWETH. Thank you, Mr. Hairston.
And the Chair now recognizes Ms. Platt.

**STATEMENT OF TERESA PLATT, EXECUTIVE DIRECTOR, FUR
COMMISSION USA, CORONADO, CALIFORNIA**

Ms. PLATT. Thank you, and I will try to keep my comments to five minutes. I have submitted lengthier backup information and testimony, if you could put that in the record, please.

Chairwoman Chenoweth, Committee members, and concerned citizens, thank you for allowing me to address you today.

I am Teresa Platt with Fur Commission USA. I represent 600 fur farming families on 400 farms in 31 States. Our farmers take the leftovers from food production and turn them into clothing, and I would like to contribute to this discussion of what happened on Forest Service lands last year with Vail, Colorado and as Mr. Hairston is discussing what is happening to him on a daily basis, because the fur industry has been coping with this for many, many years.

We call this eco-terrorism and animal rights terrorism. We have found that, like the incident at Vail, we have been subjected to this along with the beef, poultry, dairy, timber, mining, and recreation industries, wildlife managers, research scientists, zoos, aquariums, and many others have been victimized in the name of saving the Earth or saving animals.

As everyone is aware, Earth Liberation Front, or ELF, took credit for the Vail action. This is the sister group of Animal Liberation Front, or ALF. What many people don't know is that the next action after Vail was against a fur farming family in Powers, Michigan. Mr. and Mrs. Pipkorn, the Pipkorn Mink Farm, has been in business for over 60 years. ELF left Vail and released 5,000 animals from the Pipkorn Mink Farm the next week. If it weren't for the response of neighbors in that area, the Pipkorn Mink Farm would have been out of business by now. Sixty years of toil and sweat on a family farm would have been for nothing. The ELF statement after that release stated, "As corporate destroyers burn in the West, wildlife nations will be liberated in the North."

There was another statement in 1997 where ELF took credit for releasing foxes from a farm, and they stated, "that ELF's resistance against the capitalist death machine will not stop."

On October 21, 1998, fur farmers received a death threat from the ultimate enforcement arm of ALF and ELF, something called the Justice Department. The Justice Department threatened that any fur farmers or "animal abusers" who "use violence against activists will suffer full retribution. The ALF have a clear policy of adherence to non-violence; we do not."

The Justice Department has claimed credit for hundreds of actions in the United Kingdom, Canada, and the United States resulting in millions of dollars in damages. A London paper, the Independent, said that their campaign was the most sustained and sophisticated bombing campaign in mainland Britain since the IRA was at its height. They said that a more accurate role model of the Justice Department's relationship to ALF might be the extremely violent Irish National Liberation Army, which broke away from the IRA.

These people believe that by using a combination of economic sabotage and live liberations of domesticated animals, that they can achieve what others cannot through the political channels and non-violence. Anyone can search the Internet and find these statements. "Animal abusers" or "Earth abusers" to those using the terminology—to groups like ALF and ELF and Justice Department—are anyone who depends directly or indirectly on the environment, which is all of society.

I don't want to give you a laundry list of all these terrorist actions, because the FBI has these. They are on the Internet; you can see pages and pages of these actions. Many people think they are a recent import, that they are an export from the United Kingdom, but I have found actions in the United States that go back at least 20 years.

One of the most public ones that we probably haven't thought about for a long time was when Squeaky Fromme tried to assassinate President Ford in order to save the Earth. Her roommate, Sandra Good, spent 10 years in prison for sending out death threats to corporations who she saw as killing the Earth, death threats that went to the San Diego Tuna Fleet. My family owned a tuna fleet, and I know about it, because the FBI came and gave us guidelines on how to open our mail. I have been very carefully opening my mail for 20 years now.

In 1997, the State of California granted non-profit status to a group called ATWA, Air, Trees, Water, and Animals. Sandra Good is an officer in that corporation. If you go on their web site, the logo incorporates a swastika, and the information on that site, which is from Charles Manson, promotes Hitler and the agenda of the Nazi regime.

I have no problem with free speech, but I do have a problem as a taxpayer with giving non-profit benefits to a corporation that puts forward this sort of information under educational and scientific 501(c)(3) status. Is the government not watching? You are creating an atmosphere that promotes these sort of actions.

In Salt Lake City, the Straight Edgers have engaged in a spree, a green and fuzzy crime spree that has resulted in over \$800,000 worth of damage to our farmers' co-op; it has attacked leather stores, butcher shops, and anyone who deals with animals or the Earth. Several young men are now spending many years of their lives in jail over the promotion of this flawed philosophy.

There is a group called National Animal Interest Alliance that is spearheading a call for action asking for government to establish a joint agency task force. We need to stop looking at these things as isolated incidents and work across State lines and agency lines. We need to look at the 501(c)(3) tax code which is giving non-profit status to groups that are romanticizing these actions.

I don't have a problem with civil discourse and peaceful protest, but I do have a problem with eco-terrorism and animal rights terrorism, and I am happy to help you with a little more information on how we can work a little bit more effectively on this.

Thank you.

[The prepared statement of Ms. Platt follows:]

Committee on Resources, Subcommittee on Forests and Forest Health,
Oversight Hearing on "Public and Private Resource Management
And Protection Issues in the National Forest Systems"

Tuesday, May 18, 1999, 2:00 p.m., Committee Room 1334, Longworth HOB

Testimony of Teresa Platt, Executive Director of Fur Commission USA

Chairwoman Chenoweth, Committee Members and Concerned Citizens:

Thank you for allowing me to address you today. Fur Commission USA is a non-profit trade association representing over 600 mink and fox farming families on over 400 farms in 31 states. Fur farmers, along with trappers, retailers and our support industries, have been subjected to persistent terrorist attacks by the same kinds of people claiming responsibility for 1998's destruction at Vail, Colorado, in which resulted in \$12 million of damage on Forest Service land. As victims of terrorism, either in the name of animal rights or the environment, we join the ranks of the beef, poultry, dairy, timber, mining and recreation industries, wildlife managers, research scientists, zoos, aquariums and all others who have been victimized.

As everyone is aware, Earth Liberation Front (ELF), the sister group of Animal Liberation Front (ALF), took credit for the fires at Vail, claiming its intention was to "save" the Canada lynx, which is, of course, native to Canada and under the management of the Canadian government. Many people are not aware that ELF's next action, after the arson attack in Vail, was directed at the family farm of Tom and Carol Pipkorn of Powers, Michigan. On October 26, between 3 and 5 a.m., ELF terrorists claimed responsibility for releasing 5,000 domesticated mink. Over a hundred neighbors helped collect the animals, minimizing the damages. If not for the efforts of these good neighbors, sixty years' of sweat and toil in building this family business would have come to naught. [Letter from Tom and Carol Pipkorn and USA Today article attached.]

In claiming responsibility for the release, ELF stated, "As corporate destroyers burn in the west, wildlife nations will be liberated in the north, Earth Liberation Front." [Animal Liberation Frontline-News, www.animal-liberation.net]

Over the last decade, fur farmers have suffered dozens of attacks with ALF and ELF taking credit, either individually or jointly. Thursday, August 20, 1998, cages were opened on a domesticated fox farm in Guttenberg, Iowa. ALF took credit, stating, "This action was done in solidarity with the warriors of the Chatham 3" in reference to three people arrested in connection with a 1997 incident at a fur farm in Chatham, Ontario, Canada. ALF's "communiqué", as it calls its public announcements, ends with "Our brothers' and sisters' forced inactivity will not abate the ALF's resistance against the capitalist death machine."

On October 21, 1998, our fur farmers received a threat from the ultimate enforcement arm of ALF and ELF, the so-called "Justice Department," which stated "Any fur farmers or animal abusers who use violence against activists will suffer full retribution. The ALF have a clear policy of adherence to non-violence. We do not." [www.animal-liberation.net/news/98/981021c1.html]

The Justice Department has claimed responsibility for hundreds of actions in the United Kingdom, Canada and the United States resulting in hundreds of millions of dollars in damages. A London newspaper, *The Independent* characterized the Justice Department's

bombing campaign as, and I quote, "...the most sustained and sophisticated bombing campaign in mainland Britain since the IRA was at its height", end quote and even speculated that, quote, "a more accurate role model of JD's relationship to ALF might be the extremely violent Irish National Liberation Army, which broke away from the IRA."

According to an Animal Liberation Frontline Justice Department Fact Sheet [www.animal-liberation.net/about/media/jd.html],

"By utilizing a combination of economic sabotage, and live liberations, the Animal Liberation Front achieved what other methods have not while adhering to nonviolence. A separate idea was established that decided animal abusers [responsible animal owners included – editor] had been warned long enough. Animals had suffered long enough—the time has come for abusers to have but a taste of the fear and anguish their victims suffer on a daily basis.

"The Justice Department first sent devices to bloodsport supporters [that's hunters and fishermen – editor] on Oct. 6, 1993, which was only the beginning. The Justice Department fully supports The A.L.F. in nonviolent direct action. However, they see another path open to directly change the fate of animals slated to die. That path involves removing any barriers between legal and illegal, violent and nonviolent. As convicted Justice Department activist, Gurj Aujla, explains, "I think we need to all ask ourselves what works, and then go from there, let's not start from a position that violence is wrong, or law-breaking is wrong. Let's just honestly examine what works. These examples clearly prove that the Justice Department does work..."

"The Justice Department in Canada, began a campaign against hunting guide outfitters across B.C. and Alberta starting January 1996. 65 envelopes with rat poison covered razor blades, taped inside the opening edge were sent to these hunting guides. The success of this campaign can be measured with the following sentence; David Fyfe, a Vancouver Island big-game guide outfitter, has stopped abusing animals after receiving the devices."

"Animal abusers" and "Earth abusers", to use the terminology of ALF, ELF and their terrorist ilk, are anyone who owns, uses or depends on animals or the Earth, directly or indirectly. That is ALL of society.

Background and fertile ground

I do not want to spend time giving you a laundry list of terrorist actions that are easily found on the Internet and through any FBI office. I do, however, want to point out that although we tend to think of animal rights terrorism and eco-terrorism as being recent English exports, actions in the U.S. go back over twenty years.

One of the most public actions, little investigated by the press, was the 1975 assassination attempt on President Ford by Lynette "Squeaky" Fromme, supporter of Charles Manson. Reason? Saving the Earth. Fromme had a hit list of corporate targets in her apartment when she was arrested. Her roommate, Sandra Good, served time for sending death threats to the heads of corporations she felt were responsible for destroying the Earth. [*American Assassins: The Darker Side of Politics* by James W. Clarke.]

In 1997, the State of California granted 501c3 non-profit status to a group called ATWA, Air, Trees, Water, Animals. Articles of Incorporation state ATWA is organized for "scientific and education purposes," to "proactively engage ecological and environmental issues in the public interest." In 1998, Sandra Collins, a.k.a. Sandra Good, joined the group as an officer.

ATWA's website includes a logo with a swastika incorporated into it. On the home page, Charles Manson laments, "Life is dying faster each day and there is zero, no one who will pick it up to. The last people who picked it up to fix it was killed (swastika)."
[www.atwa.com/atwa.htm]

Although we all support the right to free speech in this country, I question why the citizens of the United States have given tax exempt benefits to this corporation. Is the I.R.S. not watching?

Straight Edgers, those who eschew drinking, alcohol, and the use of animal products, found fertile ground for this philosophy in Salt Lake City, Utah. Straight Edge spawned Hate Edge, an offshoot gang, whose intolerant members attacked anyone who was not "pure" enough. Salt Lake City has found itself the center of a crime wave that includes the 1997 fire bombing of our farmers' feed co-op with over \$800,000 in damages plus attacks on leather shops, restaurants and minorities. Several young men are now spending time in jail for embracing a flawed philosophy that is gaining a following in urban areas across the land as people lose contact with the Earth.

After years of violent acts committed in the name of saving the Earth, we need to question what causes industrial societies to foster a movement that attacks the producers who provide us with food, clothing and shelter.

Putting it in perspective

Often when reviewing press reports on the actions of animal rights terrorists and environmental terrorists, I hear law enforcement and government representatives state, "We agree with their goals but disagree with their tactics."

So what are the goals of these terrorists, and how desirable are they in reality? Although much has changed in the last million years, some things have remained constant. Water, undrinkable salt water to boot, still covers 75% of the Earth's surface. About 10% of the landmass - or just 2.5% of the planet - can support agriculture to feed and clothe us. The other 97.5% of the planet can support grazers and predators and birds and fish, animals which consume what are to us inedible plants and animal life and convert them to food and clothing for our use - but we must take the lives of these animals to reap these benefits. The domestication of animals over the last ten thousand years has contributed greatly to the Earth's ability to provide for us all.

Animal rights terrorists are concerned with all animals while eco-terrorists are concerned with wildlife and habitat. These terrorists are working hard to ensure that humans abandon most of the Earth's surface but we are as dependent today as we were in the Stone Age on animals for food and clothing - all 6 billion of us and counting. Even vegetarians, who oppose the direct harvesting of animals, are unwittingly supporting the taking of animal life in the production of food and clothing. Agriculture is a leading cause of wildlife habitat loss worldwide, and hundreds of millions of animals die in fields each year to pesticides and at harvest time. So much for cruelty-free pasta and veggies.

To survive we need access to more than the 2.5% of the Earth's surface that can support monoculture crop production. Modern, urban, civilized, moral man must recognize himself for what he really is: the human animal. Man is the only animal that appreciates and values the rest of the world's animals. Man is the only animal able to manage and domesticate, the only animal capable of applying a moral code in his treatment of other animals. We must reject the tactics and the goals of the extremists.

What government can do

There is overwhelming evidence that we are in the midst of an international green and fuzzy crime wave. In some instances, governmental bodies have given non-profit status to groups romanticizing violence. For these reasons, we have joined the National Animal Interest Alliance (NAIA), a non-profit educational animal welfare organization of people involved in animal-based enterprises, in their "Call for Action" against animal rights terrorism and eco-terrorism. [www.naiaonline.org]. Over a thousand organizations have signed on including Alliance for America, several Farm Bureaus, American AgriWomen, United Kennel Club, Cat Fanciers' Association, national research organizations, associations representing livestock producers, rodeo, farmers, ranchers, groups representing hundreds of thousands, possibly millions, of U.S. citizens who are concerned at the threat posed by terrorism to our society. The Call for Action continues to gather support here and abroad and states:

"WHEREAS the leadership of many animal rights organizations conspire to promote activity by their followers that violate national policy as it concerns public health (medical research), nutrition (abolition of milk and meat), wildlife management (disruption of hunting, fishing and trapping), commerce and trade (destruction of businesses engaged in interstate commerce), destruction of government property and the exportation of animal rights terrorism to foreign countries and WHEREAS many animal rights organizations, their leaders and followers routinely assemble and conspire to interfere with interstate commerce, business, public policy and government-approved programs via the use of force, extortion, coercion, threats, violence, arson and destruction of government property; (a violation of The Hobbs Act)., NOW THEREFORE, we respectfully request that the United States Senate Judiciary Committee:

- 1.) Direct the Department of Justice to establish a National joint task force, which includes the FBI, B.A.T.F. and I.R.S. to investigate, apprehend and prosecute individuals and animal rights organizations involved in the following:
 - a.) Conspiracy to prohibit and disrupt interstate commerce;
 - b.) Intentionally interfering with, and disrupting interstate commerce;
 - c.) Arson;
 - d.) Destruction of government property;
 - e.) Violations under The Hobbs Act;
 - f.) Conspiracy to violate public policy;
 - g.) Violations of 501-C-3 tax code."

The Call to Action also asks for the government to study and report to Congress on the impact of "domestic and international terrorism on enterprises using animals for food or fiber production, agriculture, research or testing, exhibition, entertainment or sport, including animal breeders and animal shelters."

What can this committee do

This committee can start to address the impact of animal rights terrorism and eco-terrorism by directing the governmental agencies to do an accounting of the response costs of animal rights terrorism and eco-terrorism and report back to this committee within a reasonable time frame. We need to assess the scope of this problem and its impact on the Forest Service, the Bureau of Land Management (B.L.M.), the Department of Justice, the FBI, the Bureau of Alcohol, Tobacco and Firearms (B.A.T.F.) and on local law enforcement. It is impossible to attack this issue without a clear, across the country analysis of the scope of the problem.

This committee can support the efforts of NAIA to establish a fully funded multi-agency task force to work together and with local law enforcement on this problem.

In conclusion

Domestic terrorism has victimized small family farms, food producers, research scientists, loggers, miners and is now threatening the millions of Americans who recreate in the great outdoors and on Forest Service lands. Government must respond and investigate and prosecute animal rights terrorists and eco-terrorists. The policy makers of this country must make an effort to understand why industrialized society is experiencing this negative symptom. Society must address the cause and cure the disease. *Political will* is what it takes.

Peaceful protest and civil discourse are welcome. But we must find out how we, as a society, can stop an international crime spree driven by a poorly conceived and fundamentally flawed philosophy -- a confused amalgam of animal rights and environmentalism.

Teresa Platt
Executive Director
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furfarmers@aol.com
www.furcommission.com

EXHIBITS

DECEMBER 1998

After the \$12 million arson fire at Vail Resorts in Colorado, the Earth Liberation Front (ELF) turned its attention to the Pipkorn Mink Ranch in Michigan. The following letter ran in three local papers.

An Open Letter to Our Neighbors from Pipkorn Mink Ranch

IN THE EARLY HOURS of October 26th, our family became victims of the most cowardly sort of violence. As we slept in our safe beds, animal rights extremists "bravely," like modern day disgruntled "Ramboes," released five thousand of our mink. This act was not done in front of us, in daylight hours, but rather during one of the darkest, foggiest nights of the year. These criminals had stealthily "cased" our property using airplanes and scouting techniques, probably provided for by the more affluent radicals in our society. Not once, in all the sixty years the Pipkorns have been in the farming business, has this kind of assault been experienced. People in the community have freely come and gone from our premises without suspicion throughout those years. Some would call us naïve for being so trusting, but my husband and I prefer, instead, to consider ourselves simply good neighbors among many other good neighbors.

After an attack such as this, it would be very easy to surrender to our first feelings of anger and indignation. It would be natural to become distrustful and even vengeful. However, seeing the close to one hundred friends, family and citizens of Powers, Hermansville, Bark River, Wilson, from Channing and Gladstone, all working so hard to save our livelihood, gives us hope and enthusiasm to go on.

A few people committing a crime under the guise of heroism managed to make heroes out of all who came to assist us. Law breaking individuals only elevated the integrity and compassion of all those law-abiding friends and neighbors who worked for hours on end catching defenseless mink that are unused to surviving in the wild.

We'll always be indebted to the people who helped us in so many ways on that day. Those who come to this area to destroy the camaraderie we share should be aware that they are crossing into a new territory, a place where people do not submit to threat or violence because of our commitment to one another.

Tom and Carol Pipkorn
Powers, Michigan

USA TODAY

November 12, 1998, Thursday, page 3A

Terror on the beasts' behalf

Loose coalition of extremists championing animal rights steps up a national campaign of destructive raids against fur, leather and meat businesses

By Traci Watson

Attacks in the name of animal rights are on the rise across the country, according to both the animal activists who commit such acts and those whom they target.

Raids on fur, leather and meat businesses have grown in the last few years, say those in the businesses, while raids on laboratories have fallen as labs have tightened security.

"I've never seen anything like this, affecting all animal industries on a nationwide basis," says Carol Wynne, executive director of the Fur Information Council of America, which represents fur retailers.

In response to the recent activity, fur farmers are beefing up security; some are even sleeping by their sheds, says Teresa Platt of the Fur Commission USA, which represents mink and fox farmers.

Last week, the FBI held a meeting on animal-rights crimes, after one of the most brazen animal-rights crimes of the '90s. On Oct. 19, arson destroyed ski-slope buildings and damaged chair lifts in Vail, Colo.

A little-known group called the Earth Liberation Front (E.L.F.) claimed responsibility. It said it set the fires to protest the destruction of potential habitat for the endangered lynx.

Splashy though the Vail event was, it is not the E.L.F. that people in the animal industry worry about. Their fears are reserved for the Animal Liberation Front (A.L.F.), the E.L.F.'s big brother.

The groups have cooperated on some protests, and some law-enforcement officials say the groups have overlapping membership. The A.L.F.'s spokesperson acknowledges that the groups have overlapping goals.

But the E.L.F.'s resume pales in comparison to that of the older and larger group. A look at the A.L.F.'s activities in the past few years reveals damage to hundreds of butcher shops, fast-food restaurants, fur stores, and other facilities that use animals. Examples: -- In March, A.L.F. activists etched anti-fur graffiti into the windows of a fur store in Washington, D.C. -- In May, A.L.F. members set fire to a Wimauma, Fla., slaughterhouse that processes veal calves. The flames did \$ 500,000 worth of damage. -- In August, the A.L.F. opened the pens at a fur farm near Rochester, Minn. Out scampered 3,000 minks, most of which were hit by cars or caught by neighbors.

No action on behalf of animals seems too grand or too trivial for the A.L.F. Its activities range from the 1997 firebombing of a plant in Sandy, Utah, that produces feed for fur farms, causing \$1 million in damage, to the "rescue" in August of four turkeys from a petting zoo in Timonium, Md.

At least five people are in jail for crimes committed in the name of the A.L.F., and a dozen or more await trial. But most perpetrators of A.L.F.-claimed crimes have never been caught.

In truth, the A.L.F. is not really an organization. It can't be joined, and it has no budget or office. Anyone who wants to can spray paint anti-meat slogans on the local McDonald's and sign them with the telltale three letters.

Some activists work alone, but most operate out of small cells that act independently of one another. Groups usually include three to 10 long-standing animal-rights activists, says one A.L.F. member in jail for setting fire to a slaughterhouse.

Then, he says, "You always have . . . people who've read about (the A.L.F.) and think it's cool and go and do stuff. Sometimes they mess up."

With no membership rolls, there is no way to identify A.L.F. members. They communicate through faxes or e-mail to the media and to their spokesperson, Katie Fedor, who calls the Animal Liberation Front "the Underground Railroad for the '90s."

The A.L.F. is an import from Europe, where animal activism is more radical and frequent. The A.L.F.'s first U.S. action was in 1979, when five lab animals were set loose from New York University Medical Center. Incidents were few at first but escalated this decade. As part of "Operation Bite Back," launched in the early 1990s, militants have attacked hundreds of fur stores and farms, breaking windows, gluing locks, spray-painting slogans and releasing animals.

These crimes, and the radical beliefs that motivate them, may not spur an outpouring of public sympathy, but to A.L.F. members, that's just fine.

"I don't think the people who take illegal direct action . . . are looking for popular support," says former A.L.F. activist David Barbarash, who served four months in jail in Canada for releasing cats from a lab. "They do it because they know in their hearts that it's right."

A.L.F. activists justify their crimes by saying change is too slow and the political process too ineffective. "I wish I had never had to do these types of things," says Rod Coronado, who is serving time in federal prison in Tucson, Ariz., for an attack on a lab at Michigan State University. "People like to think the political system can work, but the evidence doesn't prove that."

The A.L.F. members may think of themselves as freedom fighters, but the other side thinks of them as common felons who are out of step with most Americans' thinking.

"I have nothing against someone having an opinion, and there's nothing wrong with peaceful protest," says Steve Frye, whose mink farm in Crystal Lake, Ill., was raided last year. "But if you break the law, you're a criminal. It's terrorism."

Frye says the attack, in which activists released 4,000 minks and destroyed breeding records, cost hundreds of thousands of dollars.

Activists vow that such criminal acts will continue. Attacks may become more widespread when the A.L.F. gears up its new Internet brigade, which Fedor says is intended to harass the animal industries by deluging companies with e-mail and hacking into their computers.

Photos: Fur Flees: Adam Olson, left, and Scott Stevens chase one of 3,000 minks that were released from a fur farm by animal-rights activists in August in Rochester, Minn. Stevens co-owns the fur farm with his brother. E.L.F. attack: The Earth Liberation Front claimed responsibility for a chair-lift arson in Vail, Colo., last month

SEATTLE POST-INTELLIGENCER
June 24, 1998

**ANIMAL ACTIVISTS APPLAUD 2 FIRES ;
CREDIT ALL BUT TAKEN FOR USDA SITE BLAZES**

SCOTT SUNDE and PAUL SHUKOVSKY P-I REPORTERS

The Animal Liberation Front, a radical and loosely organized group associated with fires, break-ins and other crimes of protest, has applauded the arson that destroyed two Olympia-area U.S. Agriculture Department buildings, and it all but took credit for the blazes.

"Most certainly I believe this is an ALF action," said Katie Fedor, an Animal Liberation Front spokeswoman in the Minneapolis area. But she said that couldn't be determined for certain without a "communique" from those responsible, which seems unlikely to occur.

"It would be very, very risky for these people to claim full credit," Fedor said.

Federal investigators probing the weekend fires at a USDA research laboratory and an administrative office for a wildlife eradication program are skeptical of the claims.

"We're investigating it with an open mind," said Jim Provencher, a spokesman for the Bureau of Alcohol, Tobacco and Firearms in Seattle. "Many suspect that (animal rights activism) is the motive to these fires. Is that true? It possibly could be true. We're not

limiting our focus to that."

Another federal law enforcement official noted that nothing links the fires to the Animal Liberation Front except a press release the group faxed to news media this week. No physical evidence has been found at the fire linking it to the group, the source said. Investigators found no animal rights graffiti or literature at the scene.

The Animal Liberation Front operates in cells independent of each other, Fedor said. The organization is so security-minded that it urges people who send e-mail to the group to use encryptions, and re-mailers to allow the e-mail to be sent anonymously.

"Their operational security is excellent," the federal law enforcement official said. "They do surveillance in advance, pay cash for things purchased at various out-of-town locations, and only talk to those who need to know."

The Animal Liberation Front was once listed by the FBI as a terrorist group, but has since been removed from the list because "it is so difficult to categorize as a group, so amorphous," said Charles Mandigo, assistant special agent in charge of the Seattle FBI office.

The Animal Liberation Front has taken credit for a number of crimes in the Northwest, most notably a fire in 1991 at an Edmonds cooperative that made food for mink farms, and a break-in and vandalism that year at Washington State University laboratories. Federal prosecutors later linked those crimes to Rodney Coronado, an Arizona man who saw himself as an Animal Liberation Front spokesman.

In 1995, he pleaded guilty to firebombing offices at Michigan State University and was sentenced to nearly five years in prison. As part of his plea bargain, he acknowledged responsibility for the Edmonds fire at the Northwest Farm Food Cooperative, said Tim VerHey, who prosecuted Coronado in federal court in Michigan.

The cooperative has since moved to a new location in Snohomish County and has tighter security, said Dale Lawson, its comptroller.

"In reality, there is no ALF," Lawson said. "It is people who belong to other animal-rights groups or have animal-rights ideas. They use ALF to take the blame or credit for something. . . . There is no membership organization."

Fedor said there would be no communique from those responsible for the Olympia fires because federal investigators and others will be monitoring Animal Liberation Front activities. "They did this to save as many animals as possible. They are not able to save animals sitting in prison," Fedor said.

Yesterday, federal investigators completed going through the remains of the fires and will send evidence off to a government laboratory in San Francisco for analysis.

The arson fires began outside two USDA facilities:

-- A lab near Littlerock, south of Olympia, where the U.S. Forest Service does research in ways to keep wildlife from damaging trees.

-- An administrative office of the Agriculture Department's Wildlife Services near The Evergreen State College. The division was until recently known as Animal Damage Control. It is involved in getting rid of unwanted wildlife - Canada geese in the

Seattle area, birds that are a hazard around Sea-Tac Airport, and predators on ranches and farms like coyotes.

In some cases, division personnel kill wildlife.

The fires occurred before dawn Sunday and caused injuries to neither people nor animals.

The two fires together caused about \$750,000 in damage, said Gary Oldenburg, state director for Wildlife Services.

His office has been the focus of at least one protest a year, he said from temporary offices. Its next offices will have tighter security.

In a news release, the Animal Liberation Front called the two facilities "vivisection laboratories" and said the fires were "a perfect example of the type of non-violent, professional action that the ALF is known for around the world."

It says its aims in such actions are no injuries, freeing animals from farms or laboratories, hurting economically "those who profit from the misery and exploitation of animals," and revealing the "horror and atrocities" against animals.

The Animal Liberation Front's Web page includes tips to "fur farm raiders." Among other things, it suggests wearing gloves, though "unfortunately, leather is the only real option."

The Web page also includes dozens of crimes in the name of animal liberation. This month, it highlighted the destruction of livestock and dairy trucks in Great Britain and Sweden, a break-in at a Utah mink farm and the Olympia fires.

In 1997, a group claiming to be the front's Puget Sound unit took credit for pouring paint and acid in a chicken-processing plant in Seattle and taking away three of the birds, which "were placed in loving homes."

That year an Oregon group took credit for releasing several thousand mink from a farm near Cle Elum.

P-I reporter Scott Sunde can be reached at 206-448-8331 or scottsunde@seattle-pi.com

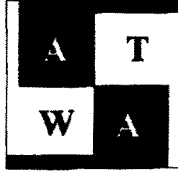
Other acts of sabotage

The Animal Liberation Front has claimed credit or been linked to sabotage, break-ins, fires and others crimes in the name of helping animals around the world. Its presence in the Northwest surfaced in 1991 when:

- An arson fire in June caused extensive damage to the Northwest Farm Food Cooperative in Edmonds. The cooperative supplied food to mink farms.
- An arson fire in June struck a mink research laboratory at Oregon State University.
- Animals were freed and equipment was damaged in August at labs at Washington State University.

Since 1997, the group has taken credit for several incidents in the Northwest, including:

- Vandalism at a chicken-processing plant in Seattle in March 1997.
- Freeing 10,000 mink at a farm in Mount Angel, Ore. The group claimed it was the "largest-ever fur farm raid."
- Setting free several thousand mink at a farm near Cle Elum.
- Destroying a slaughterhouse in Redmond, Ore., by fire in July 1997. The plant



ATWA

ATWA -- Air, Trees, Water, Animals. ATWA is your survival on earth. It's a revolution against pollution. ATWA is ATWAR with pollution -- a holy war. You are either working for ATWA -- life -- or you're working for death. Fix it and live or run from it and die.

Quotes from Manson -



All we say to each other can be true, right, and reassuring, but what good is it without ATWA? ATWA is like an earth ship and pollution is a hole in it and it is sinking as we are all playing ego roles of games that do nothing for ATWA. All live for ATWA or no one lives. All must have a one world government, money, army, all in order to bring order in fast and reset all to ATWA for life itself and all life support systems set in order, balance, and God's will. Real of it is who would want the job? No one, no one. But zero knows that without one there will be no one. Someone must pick up the one and that's what we did and it is running and rolling now. If a man stood and yelled all the names of all the bugs and bushes, wildlife and birds that are becoming extinct, gone from earth, he would be yelling all day and all night. Life is dying faster each day and there is zero, no one who will pick it up to try. The last people who picked it up to fix it was killed (swastika). Japan was running out of space and Germany's only got 15 eagles left and money cuts billions of trees each day.

Your planet is dying and so-called humans can't forgive the kids of the 60s for trying to warn you to bring change, stop the war and turn it around.

When I seen the end of life on earth I set a circle of love and it set me; love for the air, trees, water,

and animals. ...

Ecology, ecology, ecology is god, for without it we are dead forever - no life on earth.
 ...God's coming is not for the glory of people but the kingdom of life and that's bugs, birds, bees,
 wildlife, trees, fish.

When you live for what others think, you're not ATWA. You're not alive.

WAR on the pollution, WAR on the problem, not war on life.

... We've got to start all over again. And that's what we did in 1967, we started a rebirth movement. I got out of the penitentiary and I started all over. And I said, "I'm not going to break the law." And I did not break the law. What needs to be done, and the judgments that came from me, is on any computer that has any data that's substance. You ask that computer what are we going to do to stop those polar caps from melting? What are we going to do to keep those ozones in proportion? How are we going to save the North Sea? Why ain't we fishing? Why are all the seals gone? Where's the birds at? You dig?

ATWA has a karma of its own. Law's vortex rolls on pure survival. Anyone who has distorted my life with their greed or reasons for promotions, jobs, or excuses has distorted and taken time from the karma of ATWA and in order for ATWA to survive all balance must be paid to the perfection of numbers 666 or there just won't be no life. God is a perfect balance of all. Good and evil got little to do with it.

All the rivers let's water is only one water --

All the trees and bushes are but one green --

All air is but one air --

All life bug fish bird dog cat rat are but one life --

The same order for Earth that the Germans started on for the new 1000 years.

You got X amount of time to save ATWA....Bottom line is anyone who sins against ATWA must pay it back or get on trains to the death camps or Russian Front.

An interview with Charles Manson, Lynette Fromme, and Sandra Good

Can you tell those who don't otherwise know about ATWA it's goals, outlooks and purposes.

CM: Survival.

SG: ATWA stands for Air, Trees, Water, Animals. It's also for All The Way Alive. ATWA is your survival on earth. You are either working for ATWA - life - or you're working for death. Fix it and live or run from it and die. As Manson woke up, he brought everyone at the ranch into the thought of one world, one mind, one peace on earth. He wrote, "I won't sell my Soul 4 it's for ATWA. That's the only way life on earth can be alive. The will of God is life. Get in God's will or die. Die can be done in the mind's thought pattern and new life can be brought in focus."

...

Are you familiar with, or in contact with the more radical environmental groups - Earth First!, Sea Shepherds, ALF, etc?

CM: We started the root thoughts for most or a lot.

LF: We aren't part of a group. We're related to air, trees, water, and animals. Groups I've seen perpetuate the paperwork to sustain themselves. "Environmental groups" get a name, a following, and, if they're not mean enough, a lot of politically, racially, and sexually motivated people take over their forums. The word "environment" itself has a technical sound implying some place out there away from where we are. Point blank: you can live about seven to ten minutes without air, about seven to ten days without water, about seven to ten weeks without food. Trees and vegetation make air. Animals - the entire spectrum of creatures commonly called 'animals' - fertilize, aerate, pollinate, clean, and give land and water its vitality and health.

How does ATWA perceive a change coming?

CM: Do or die.

...

It seems as though many people are sympathetic with ATWA. Do you think our days are reflective of the late 60's? Lots of interest, a small amount of real action, followed by an apathetic transgression into a blind form of acceptance?

CM: FUCK people they are the problem.

SG: The movements of the late 60's/early 70's were in a large part people selling "revolution", "peace", and "love". The for real people were what the media tagged as "The Manson Family". That's why the people who fake for money have for 27 years been covering us up with lies and distortions. A lot of people sell anything they can, including concern for life on earth. Part of my 15 year sentence was for telling all the environmental groups "Quit faking!". We gave our lives for brother and for ATWA and after all these years none of those groups saw or responded. They can't see our real because they are fakes. They play all that, "It's wrong to kill or go to war to save your own life on earth." I'd say: This is a war on pollution, on the problems, a war for life. People can say that the "enemy" is all that is in the human psyche that sets it against itself -- self destructiveness: that which moves one to defeat one's self, one's life on earth, one's peace, one's love, one's joy in the experience of living, one's soul, one's creativity, one's children, family, kin, and kind. Millions of trees are cut to print more and more books analyzing the human condition and how to deal with the worldwide breakdown of order, health and sanity. More cups, posters and shirts are sold showing what has and is becoming extinct. You can name the human condition however you will -- alienated, wrongly conditioned, inherently good or evil, in need of... etc. There are countless people to tell us what is wrong and to sell us their physical, metaphysical, or spiritual cures. You can attempt to stave off the creeping poisoning of one's own body. Air and water are life. If your air and water are full of the emissions of millions of cars and factories, your life is poisoned. So you can try all kinds of things to stave off the nightmare that each knows in his soul is growing worse each day -- a world with no order, no leadership, no trees, 100's of millions of cars, brown, smelly skies, and frenzied two-legged creatures mindlessly ravaging the earth till there's nothing left.

...

It seems as though CM is reappearing in the public again quite a bit recently. Could this gain support for ATWA if put out where everyone can see it (or maybe they don't want to see it)?

SG: If people can't see by now that their own lives on earth are dying each day in the air and water, in the trees and in the wildlife, then they are truly the walking dead and nothing will wake them up. Let the dead bury the dead. The mass of people are sheep and move whichever way the money or the biggest fear tells them to move. When air and water get bad enough people will do as they are told. It doesn't matter what people think. It's what is. Do you want to live? Then fix your air and water. Save your trees and wildlife. Those who war upon any part of nature are warring upon themselves and their children. ATWA is ATWAR with pollution. ATWA is a revolution against pollution. ATWA is a holy war.

LF: Manson is new thought, old soul, and still right.

What is ATWA's view on the population explosion? What can be done to stop the weeds?

CM: Survive at all cost. When it comes to the dead heads there is no game no slack, not an act: real or death will be a reality.

SG: It is impossible for the natural resources of the planet to sustain the burgeoning human population. Even if lifestyles were to change worldwide to have minimal impact on ATWA the sheer numbers cannot be supported. What can be done to stop the weeds? Chemical spraying, widespread and intensive, has been going on for decades. I was in federal prison for ten years because I warned of the consequences of such pervasive poisoning. I warned that cancers and all kinds of social breakdown would be epidemic as a result of pollution. So you see, peoples' own death wishes are taking care of some of the population problem. However, laws in accord with need for survival will have to be made and enforced. Such laws will not be forthcoming from the ball-less money minds that call themselves public servants. The destruction of ATWA and over-population are world problems and must be dealt with on a world level in a world court.

LF: Many animals, by God, reproduce and care for what the food and water supply will support. If they can do it we can do it.

www.atwa.com/atwa.htm

processed horse meat.

-- Freeing several thousand minks and some foxes at a fur farm in Preston, Idaho, in October 1997.

The Times (London)
May 4, 1999, Tuesday

New style terrorist is a lone fanatic
By Michael Binyon, diplomatic editor

TODAY'S terrorist is likely to be a loner, driven by religious or personal motives and with access to chemical and biological weapons. He could cause destruction on a far larger scale than the politically motivated terrorists of the 1970s, and is far more dangerous.

This assessment is given today in the annual report of the London-based International Institute of Strategic Studies. It says that there is a danger that the new terrorist could acquire nuclear weapons, "which they might not hesitate to use".

It states that old-style terrorist groups inspired by Marxism-Leninism are on the decline in the West, their prospects dimmed by the collapse of communism. Their place is being taken by fanatics who are less disciplined and are driven by religious or millenarian beliefs or by motives such as revenge and punishment. For two decades until the early 1980s, politically inspired terrorists restrained their use of violence to pursue ideological or national-separatist goals, the report says. Although these old-style terrorists are still operating, they might soon be eclipsed by a new variety.

"The new terrorists are likely to be more indiscriminate and more lethal than the old. Some are more sophisticated in technological, operational and other terms than earlier terrorists." They are often loners or working in small, loose-knit groups. It cites as examples the Unabomber campaign, run by Theodore Kaczynski for 20 years, and the informal terrorist-financing network of Osama bin Laden, the Saudi exile in Afghanistan.

They are often inspired by single issues, such as environmental degradation, animal rights or abortion. Doctors and abortion clinics across America have been the target of action, including a number of anthrax hoaxes and a bombing in North Carolina. Attacks on tourists are also growing: the massacre of 58 tourists at Luxor in Egypt, the kidnapping and killing of tourists in Yemen and Uganda are recent examples.

Terrorist weapons range from the improvised and primitive to the highly technical and sophisticated. But despite a wider range of technological possibilities, today's terrorists, as in the past, favour old-fashioned guns and bombs, the report says. Bombings, such as those in Oklahoma City, Nairobi and Omagh, are the most common acts. They are also the deadliest.

Alarming, terrorists are also using more efficient weapons than before. Bombs have more sophisticated fuses and higher-energy explosives, and guns include automatic and plastic weapons. Surface-to-surface and surface-to-air missiles are also in their hands.

The report adds: "Fears that new patterns of terrorism threaten acts of mass destruction and mass disruption are not entirely out of place." It says that America has become increasingly concerned about threats from nuclear, biological and chemical terrorism and "cyber-terrorism".

As in the past, terrorists carry out attacks for publicity, money, to extract revenge or to inflict punishment. These actions are a way for weaker states to challenge the West. The report gives a bleak assessment of Western responses to today's terrorists, questioning the effectiveness of diplomacy, international co-operation and occasional use of military force. "These new-style terrorists are more difficult to identify, and they have no territory to defend or to be attacked."

Mrs. CHENOWETH. Thank you, Ms. Platt.

And the Chair will now recognize the members as they arrived, and we will alternate between each side of the dais, and we will begin with Congressman Hill for questions.

Mr. HILL. Thank you, Madam Chairman, and I want to thank the panelists for being here and their testimony.

Mr. Wasley, what is the total budget for the U.S. Forest Service for law enforcement?

Mr. WASLEY. This year, it is approximately \$66 million.

Mr. HILL. Sixty-six million?

Mr. WASLEY. Approximately.

Mr. HILL. And about \$6 million of that goes to local law enforcement under cooperative agreements? Is that what your testimony says?

Mr. WASLEY. That is correct.

Mr. HILL. And that is 530 agreements?

Mr. WASLEY. Plus another 163 drug agreements. We have cooperative patrol agreements and drug agreements.

Mr. HILL. So, it is \$10,000 or less per cooperative agreement that goes to local law enforcement?

Mr. WASLEY. On the average, but you should understand that the range is much greater than that. It could be a couple of hundred to—

Mr. HILL. What is the highest, the largest sum?

Mr. WASLEY. I don't really have that information. I think it is somewhere around \$50,000 probably.

Mr. HILL. Fifty thousand? And where is that?

Mr. WASLEY. I couldn't tell you. I don't know.

Mr. HILL. How many people are employed in law enforcement within the U.S. Forest Service?

Mr. WASLEY. Approximately 600.

Mr. HILL. And why would the Forest Service want to directly employ people rather than contract with local law enforcement folks for the general law enforcement needs on the force?

Mr. WASLEY. The first reason would have to do with jurisdiction. Not all law enforcement would be empowered to enforce Federal laws on National Forest System lands; that is first.

Mr. HILL. But they could be.

Mr. WASLEY. They could be, of course, but at present, they are not.

Mr. HILL. There is nothing in Federal law that prohibits a local law enforcement official from being authorized to enforce Federal law, is there?

Mr. WASLEY. I am not sure if that is correct or not. It may take an act of Congress to empower them to enforce Federal laws.

Mr. HILL. Okay. I am sorry, I interrupted you. You were—

Mr. WASLEY. The other thing—there is a myriad of other reasons having to do with Federal law enforcement on National Forest System lands. Standardized training, for example, standardized equipment, funding, mobility between forests, jurisdictional disputes are almost non-existent. For example, if you had local law enforcement on one forest serving under certain county guidelines, they may not be empowered to go into the next county, much less the next State,

to assist other Forest Service employees in another State on another forest.

Mr. HILL. You have heard testimony here about terrorist organizations, and you are aware of those organizations, I am sure.

Mr. WASLEY. Yes.

Mr. HILL. Does the Forest Service have a specific strategy for identifying members of these groups and investigating them and prosecuting them?

Mr. WASLEY. Our strategy is simple: we recognize the FBI as the lead investigative agency in this matter. We collect information through various means and furnish the FBI this information.

Mr. HILL. So, your work in dealing with these groups is strictly investigatory work?

Mr. WASLEY. I wouldn't say investigatory. I would say it is more of a collection at this point.

Mr. HILL. You mean that that is less than investigation or more than investigation?

Mr. WASLEY. I say that it is less than investigation on some areas. It is relatively simple to collect information. It may be as simple as noting a license plate numbers and then forwarding them on. Investigation might imply collecting the license plate numbers, running the Department of Motor Vehicle checks, doing criminal checks of the owners, and so on.

Mr. HILL. You hear Mr. Hairston's testimony—is it Hairston?

Mr. HAIRSTON. Yes, sir.

Mr. HILL. [continuing] with respect to the problem that he experienced in trying to pursue people who vandalized equipment. What do you say to that. I mean, would you say that you don't have adequate resources to do that to cooperate with local law—what created that circumstance, would you say?

Mr. WASLEY. I would say, first of all, we have limited resources. As you well know, we are spread over 192 million acres with only 600 people. We have limited budget, limited staffing. That said, in Mr. Hairston's case, as I am informed, these issues were handled at a local level. I will tell this Committee that I made no decisions on the deployment of persons at Cove Mallard at all. It did not come to my level, because the local people felt there was no need to elevate it to my level.

Mr. HILL. That is a little bit in conflict, I think, Mr. Hairston, with your testimony, is it?

Mr. HAIRSTON. Yes, sir, in the fact that we were always told that the decisions were coming from much higher above, and the response time was just extremely slow.

Mr. HILL. That contrasted with local law enforcement where the circumstances were different?

Mr. HAIRSTON. Yes, sir. Local law enforcement were very quick to respond. They had officers within the area and would many times be there within the hour on a call. We have several cases where we waited over six hours with a full crew of people, road building employees, to go to work and couldn't get to work, because activists were chained to a gate or buried in a roadway.

Mr. HILL. Mr. Walsey, you said earlier that you were not aware of whether or not you could delegate the authority to local law enforcement to enforce the Federal law. If you don't have the ability

to do that, would you support legislation that would allow you to do that?

Mr. WASLEY. I would have to think about that. You have caught me flat-footed.

Mr. HILL. What would your objections be? I mean, if it broadened your authority and made it easier to enforce the laws in the national forests, why would you oppose—can you think of any reason, at this point, why you would oppose that?

Mr. WASLEY. I am not saying I would oppose it; I am saying I would need more time to think about it.

Mr. HILL. Okay, thank you.

Thank all the panelists, and thank you, Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Hill.

The Chair would oppose that, though, because I think, Mr. Wasley, you know that the county sheriffs, under State law, have all the authority to provide law enforcement for gang activities, for thefts, and even drug activities so long as it is grown within the State boundaries. However, there is ongoing cooperative agreements regarding the growing of drugs and marijuana. But I would detect that is why you are hesitant to answer Mr. Hill, because the county sheriffs do have the authority to enforce the law within their counties. Isn't that true?

Mr. WASLEY. Certainly, they have the authority to enforce all State laws and no doubt city ordinances and county ordinances. I question whether or not they can enforce all Federal laws particularly the Federal regulations under which we operate as promulgated by the Secretary of Agriculture. I am not sure they can enforce those statutes as it currently exists.

Mrs. CHENOWETH. Most activity regarding theft and gang related activities and abuse of property, contract law can be carried out. That kind of protection can be carried out by the local country sheriff. Isn't that correct?

Mr. WASLEY. That is correct, and most often is.

Mrs. CHENOWETH. Good. The Chair now recognizes Mr. Mark Udall for questions.

Mr. UDALL OF COLORADO. Thank you, Madam Chair. I wanted to welcome the panel today.

I had a question for Director Wasley. As you know, I am from Colorado and have watched with great interest the arson in the Vail area. I would like to hear an update, at this point, as to where that investigation stands.

Mr. WASLEY. I am not begging the question when I say the FBI is the lead investigative agency on that. The Forest Service is playing a supporting role like we do in most investigations that we have with other Federal agencies. They rely on us for topographical, geographical, and local knowledge, but they are in fact the primary investigative agency. So, I don't have an update on that at this time.

Mr. UDALL OF COLORADO. So, I need to find out where the FBI is testifying, and I can maybe get some answers from them.

[Laughter.]

Mr. WASLEY. That is right.

Mr. UDALL OF COLORADO. Let me move to another topic. I have the impression in Colorado that one of the major law enforcement

challenges facing the Forest Service is unauthorized use of off-road vehicles in sensitive areas. Would you agree, and would you elaborate a little bit on that if you have a position?

Mr. WASLEY. Yes, off-road vehicles represent a tremendous challenge to the law enforcement. As you know, they create tremendous resource damage. I was only recently on the Uwharrie National Forest in North Carolina that has but 16 miles of roads, and I saw first-hand the damage that off-road vehicles do. They compress the ground so nothing can grow; they create mud bogs; they create damage to streams; it is a tremendous problem for law enforcement. We tried to combat this type of problem, of course, by engineering roads and trails to keep the four-wheelers or the two-wheelers on those roads. We try to educate people on the roads that are available, and if all else fails, we write tickets.

Mr. UDALL OF COLORADO. I would certainly lend my emphasis to the effort to educate people. I think everybody on the Committee would agree that there are some good efforts going on in the off-road use community, but there are still some pretty bad actors out there that have a very negative impact on the resource.

Let me ask you another question. Again, in Colorado, we have got enormous cultural and archeological resources on public lands, and they are becoming more and more a part of our economy, frankly; people come to see those cultural and archeological treasures. I am concerned we are not providing you with enough resources to manage those treasures. Do you care to comment on that and whether you need additional help in that regard?

Mr. WASLEY. I would like to explain that one of our four investigational priorities, certainly, is the Archeological Resource Protection Act—we call it ARPA. Along with cannabis eradication, timber theft, and wild land arson, those are the four major investigational areas we have, and of course we could use more assistance there. I would point out that last year, members of the Forest Service made the largest ARPA case, I believe, in United States history in—I believe it was in Utah, and wherein we brought a series of charges against some individuals there for desecration of sites and actual theft from archeological sites. It remains a top investigational priority for us.

Mr. UDALL OF COLORADO. Were these so-called pot hunters that you were able to apprehend or do you know the particulars of that case?

Mr. WASLEY. I don't recall the particulars of that case, but, generally, a lot of folks tend to think that these are just minor thefts with people with shovels, but sometimes they have employed backhoes, dynamite, blasting. In this case in Utah, if memory serves, they actually desecrated a cave, which was a cultural site for some Native Americans.

Mr. UDALL OF COLORADO. Let me move to timber theft enforcement. I have run across some interesting documents that had talked about this being a significant problem. Chief Robertson back in the eighties had suggested that financial impacts to all of us, to the taxpayers, range, perhaps, between \$10 million and \$100 million. How significant a problem is this, and what kinds of methods do people and corporations, in some cases, use to literally steal trees?

Mr. WASLEY. It is a large problem, the extent of which is almost impossible to determine. One of the reasons that it is difficult to determine the nature of the problem or the extent of the problem is the fact that Forest Service is shrinking in size. Several years ago, we had 40,000 employees; now we have in the low thirties. That gives us many, many fewer eyes and ears in the forest to look for these illegal cuts of timber. We have less people out there seeing people performing illegal activities, hence, less comes to us.

I would also point out that there is less timber being cut. Only a few years ago, we cut 11 billion board feet of timber; now, we cut 2 billion board feet of timber or a little over 2 billion board feet. The simple amount—reduction in amount would thereby shrink the universe of criminality. Certain types of timber theft would be the shifting of boundary lines and stake-out lines; delineating the size of the timber cut—move it out 100 yards, suddenly you have a large timber theft with the simple moving of boundary lines; scaling problems; unauthorized cuts, the whole myriad of things, plus contract fraud.

Mr. UDALL OF COLORADO. Was this your number one priority, a top priority or in your top three? I hear you say you don't maybe have all the resources you need to handle this problem.

Mr. WASLEY. I would say it is in the top four.

Mr. UDALL OF COLORADO. Top four? Losses from timber theft—do you account for those in the receipts from timber sales? How does this show up on, if you will, the taxpayers' balance sheet?

Mr. WASLEY. There again, it is very difficult to determine actually the amount of loss for the reasons I have stated.

Mr. UDALL OF COLORADO. So, you can't even determine, really the losses so that you can then quantify—

Mr. WASLEY. We are working on—constantly working on methods to improve our timber theft investigational capacities or capabilities. Right now, I cannot give you a definitive answer on the extent of the loss.

Mr. UDALL OF COLORADO. One last question on another topic. I know there are concerns expressed here about so-called eco-terrorists, but I know that on the other side of the equation some Federal employees—Forest Service people, BLM employees—have been intimidated, been harassed, and in some cases violence has been directed towards them. What is the status of your investigations into those situations where public employees have been subject to that kind of treatment?

Mr. WASLEY. We have numerous attacks against our own. I believe the year was 1997—the last year that I have figures for—I believe there was 355 assaults against Forest Service employees. They run the entire gamut of verbal assaults, to physical assaults, to threats, intimidations, and on and on, to actually a kidnap and a rape.

Mr. UDALL OF COLORADO. Thank you very much. Thank you, Madam Chair.

Mrs. CHENOWETH. Thank you, Mr. Udall.

The Chair now recognizes Mr. Sherwood for questions.

Mr. SHERWOOD. Thank you, Madam Chairman.

Mr. Wasley, I understand the educational mission and that the FBI is in charge of your investigative, even though I guess your

title is law enforcement and investigations, but I would like to ask—and I think you said your budget was \$600 million?

Mr. WASLEY. Sixty-six million.

Mr. SHERWOOD. Sixty-six million, thank you; that is quite an error on my part. Thank you for straightening me out.

Mr. WASLEY. I wish it was \$600 million.

Mr. SHERWOOD. I mean, that is a typical Washingtonese there. [Laughter.]

Did you pay close attention to Mr. Hairston's testimony? Do you have anything that you would like to question in his testimony?

Mr. WASLEY. I think Mr. Hairston has some valid points. I think that it is a matter of perspective and, perhaps, a matter of us communicating to him better the way that we work. I was struck with the fact that there was a six-hour delay in us arriving at a particular scene.

Mr. SHERWOOD. I was very struck by that; that is where I am going.

Mr. WASLEY. Right; I will head you off. We have 155 national forests that we patrol and police, and for us to collect personnel to focus on a particular area, like Cove Mallard, it takes us a while to get there. I am begging the question a little bit, but for us to mobilize our forces, sometimes we have to bring folks in from a substantial ways out.

Mr. SHERWOOD. Well, sir, I think you are begging that question quite a bit. After it happened the first time, I see no reasonable explanation that weren't ready for them the next time. I mean, this man had a legitimate job to do on a legitimate timber road building, and his people—the way it sounds to me—not only were intimidated and harassed but put in danger, and the whole project was endangered, and if you are the head of that organization, you have a \$66 million budget and all those employees, coming to this thing pretty new, it sounds to me like your agency didn't want to do much about that.

Mr. WASLEY. That is not my impression nor my direction to any of the folks who work for me.

Mr. SHERWOOD. Well, how do you explain, then, that after this happened the first day, you weren't there with the manpower and the firepower to keep it from happening again?

Mr. WASLEY. I would point out that we made 123 arrests there, and they had 262 charges filed in Federal court along with over 20 cases filed in State court for arrests and detention and tickets.

Mr. SHERWOOD. Over what period of time?

Mr. WASLEY. That would be over a four and a half-year period—five-year period.

Mr. SHERWOOD. So, apparently, nobody got them put away very well.

Mr. WASLEY. The process, as you know, is multi-staged. It is easy to allege; it is more difficult to investigate; it is more prosecute; to convict is yet another area, and then to sentence is in the purview of the courts.

Mr. SHERWOOD. Yes, I understand that, but I would assume your officers are pretty good witnesses. If they were there and they saw what was going on, I would assume that they would be pretty good witnesses in court.

Mr. WASLEY. I am sure my officers were very good witnesses in court. That doesn't always carry the day in court, unfortunately.

Mr. SHERWOOD. Do you feel that this is going to be a continuing problem?

Mr. WASLEY. I think that timber protests will be a continuing problem, yes.

Mr. SHERWOOD. Well, do you feel that you will be able to handle them?

Mr. WASLEY. We have very limited resources.

Mr. SHERWOOD. Sixty-six million dollars?

Mr. WASLEY. One hundred and fifty-five national forests.

Mr. SHERWOOD. But it doesn't seem to happen too many places.

Mr. WASLEY. We had over 700 arrests in Oregon.

Mr. SHERWOOD. What do you suggest, sir?

Mr. WASLEY. I suggest that we continue to cooperate with our local cooperators and vigorously enforce the law.

Mr. SHERWOOD. Do you think that will be more successful in the future than it has been in the past?

Mr. WASLEY. I don't know.

Mr. SHERWOOD. Because if I read this testimony and listen carefully, it was Mr. Hairston's thought that we were doing better when we had local enforcement and slower when we got Federal enforcement. I wasn't there; I am just listening to the testimony.

Mr. WASLEY. I think that is Mr. Hairston's perception. I don't think it is correct.

Mr. SHERWOOD. So, you don't think that it took six hours to respond?

Mr. WASLEY. Oh, it may well have taken six hours to respond.

Mr. SHERWOOD. Well, then——

Mr. WASLEY. In one instance.

Mr. SHERWOOD. In one instance but not as a matter of course?

Mr. WASLEY. I wouldn't know. Perhaps, not; perhaps—we were all on the scene for days on end.

Mr. SHERWOOD. Well, why wouldn't you know? You are the Director of that organization.

Mr. WASLEY. Some things I don't have at my fingertips. I will have to research it, and get back to you, if you wish.

Mr. SHERWOOD. But you did know what this was to be about today?

Mr. WASLEY. Oh, yes, I did.

Mr. SHERWOOD. Thank you very much.

Mrs. CHENOWETH. Mr. Wasley, I just wanted a point of clarification following up on the previous line of questioning.

There were 700 arrests in Oregon over what period of time?

Mr. WASLEY. Excuse me. I believe it was 1996.

Mrs. CHENOWETH. In one year, there were 700 arrests by——

Mr. WASLEY. Approximately.

Mrs. CHENOWETH. [continuing] Federal?

Mr. WASLEY. By Forest Service working in conjunction with local cooperators.

Mrs. CHENOWETH. Okay. Could you provide the Committee with the documentation, please?

Mr. WASLEY. I am sorry. I was just informed it was since 1992—since 1992, we have made 700 arrests in Oregon, and I will be happy to provide you with that documentation.

Mrs. CHENOWETH. Okay. I appreciate that. But last year, you were appropriated \$66 million.

Mr. WASLEY. Approximately.

Mrs. CHENOWETH. Yes, okay. Thank you.

The Chair now recognizes Grace Napolitano for questions.

Ms. NAPOLITANO. Thank you, Madam Chair.

Listening here to—and I came in a little late, so I didn't hear all the testimony—but one of the things that I am hearing is that there is an issue with vandalism and theft of timber, et cetera, et cetera. Is this problem getting worse?

Mr. WASLEY. Oh, I think so. If you look at the simple number of visitors to the national forests, which has gone from, several years ago, maybe 150 million to over 1 billion visitors, there is going to be a certain amount of criminality that follows that visitor usage.

Ms. NAPOLITANO. Okay. Then, I guess it leads into my next question which is, number one, what would be the solution? Certainly, you have gone from over 40,000 employees to the low thirties, you stated, and what is the reason for this? Is it the budgeting? Is it people not wanting to go into forestry service? What is that reason?

Mr. WASLEY. I believe, in my estimation, it is budget cuts. We have had to shrink the size to stay within budget.

Ms. NAPOLITANO. At the time you had 40,000 employees—and I understand there is not that much of a relevance—but what was your budget when you had 40,000 employees?

Mr. WASLEY. I really don't know, because my organization only took its current form in 1994, and, at that time, I think we had less than 40,000. So, my budget is pretty much flat for the last several years.

Ms. NAPOLITANO. Do you have a lot of openings right now for forestry? Is there a need for additional personnel?

Mr. WASLEY. I am going to speak only of law enforcement investigations, and we have many vacancies.

Ms. NAPOLITANO. You have many vacancies, okay.

Mr. WASLEY. That is correct.

Ms. NAPOLITANO. I was reading in some of the information that we were given that you have a lot of citizen complaints that are being filed against the Forest Service, and I am assuming it refers to all of Forestry, not necessarily the investigative area alone. Can you explain what the nature of those complaints might be, in general?

Mr. WASLEY. There again, the complaints range anywhere from not being treated with the due respect in a campground, for example, to allegations of theft, of mismanagement, of contract fraud, an entire range; everywhere from discourtesy to criminal violation.

Ms. NAPOLITANO. And in these criminal violations, has there been a follow-up to make sure that due process is followed and those people are punished?

Mr. WASLEY. Absolutely correct. We work in conjunction with the Office of the Inspector General in the Agriculture Department who has primary oversight responsibility for these investigations. Gen-

erally speaking, the Inspector General will refer those back to the Forest Service law enforcement investigations for follow-up.

Ms. NAPOLITANO. Is restitution required?

Mr. WASLEY. It depends on the court; that is the prerogative of the court.

Ms. NAPOLITANO. I see. Then, part of what I am gathering is that you have various problems—some being budget, some being staffing, and some, of course, the increase in your visitors to the national forests. What would you suggest might be an approach that might address being able to handle the multitude of visitors as well as having a trained and effective workforce?

Mr. WASLEY. I think that clearly budgetary increases would help an awful lot.

Ms. NAPOLITANO. It isn't always the budget.

Mr. WASLEY. No, that is true. With budgetary increases, however, I could give more money to local cooperators.

Ms. NAPOLITANO. But are you making any more money from these visitors in the certain areas where you have charges to access?

Mr. WASLEY. There is a program now called the Fee Demonstration Project, which I am not familiar how much it is making. It is clearly out of my area of expertise. I really don't know if—

Ms. NAPOLITANO. Could you get us that information, because we need to be able to understand the correlation between being able to provide the service and the cost to the taxpayer? Certainly, the rest of the taxpayers don't want to bear the burden for somebody else's recreation, and if some of those people that are abusing the land—those four-by-four vehicle users or two-wheelers—then, certainly, there may be something that we may be able to follow through, and that is if education doesn't work; if providing them with upfront information about them abusing the land and being able to have them pay for some of the repair of the some of the damage that the organizations may cause, because some of those organizations are doing their work for recreation, although I don't want to see that, but maybe that might help them respect the land and not cause the degradation of the forests.

Mr. WASLEY. Okay.

Ms. NAPOLITANO. Thank you.

Mrs. CHENOWETH. Thank you, Ms. Napolitano.

The Chair now recognizes Mr. Peterson for questions.

Mr. PETERSON. I thank the Chair. Welcome to the panelists. I missed some of the testimony, but I have been trying to catch up.

Mr. Walsey, you stated you recognized the FBI as your lead agency. Why the FBI?

Mr. WASLEY. I recognize the FBI as the lead agency in certain investigational areas. Certainly, the FBI would not necessarily have the lead in timber theft investigations, ARPA investigations, marijuana, cannabis eradication, or wild land fire, arson, investigations. They would be the lead investigative agency in echo-terrorism or domestic terrorism.

Mr. PETERSON. Okay. How do you involve them?

Mr. WASLEY. Generally, they would involve themselves.

Mr. PETERSON. But they are not out on the force.

Mr. WASLEY. Correct. They would become aware of an incident either directly from us—we may well give them a copy of our report, say; make a verbal report to them that this or that was happening on a national forest, and they would make a determination to enter the investigation.

Mr. PETERSON. Okay, so you have a problem going on. How far up your ladder does it go before it goes to the FBI?

Mr. WASLEY. It could go right from the local most basic level to the FBI.

Mr. PETERSON. They could make that call?

Mr. WASLEY. Absolutely.

Mr. PETERSON. Okay. And you mentioned that the Cove Mallard situation did not reach your level, so somebody locally could have involved the FBI there?

Mr. WASLEY. That is correct. Most likely—to specify, it would no doubt be a special agent working for me—one of 137 special agents I have, which would be on site at Cove Mallard or close by.

Mr. PETERSON. Do you utilize State police or local sheriff at all? Local police?

Mr. WASLEY. Oh, yes.

Mr. PETERSON. You do? When do you bring them in?

Mr. WASLEY. Well, as the chairman stated, they have primary jurisdiction over State laws on national forests. We are in close contact with most every county sheriff that has anything at all to do with the National Forest System.

Mr. PETERSON. I guess, my experience from the State level, I know there is nothing that I think that is more important than catching drug dealers especially to protect our kids, and yet I know that some attorney generals work with the State police and local police. Some have their own—some State police will work with local police; some don't. I mean, it is not as good out there as we would like it to be in cooperation, because everybody wants to take credit for the success, and, unfortunately, that is the downfall.

It just seems to me that an agency like yours—that I am very supportive of—needs to be the person that maybe patrolling your own grounds, but when there is very serious trouble, it really seems to me that there needs to be a network, depending on what it is, that is instantly involved, and it seems to me that local agencies have the knowledge of who the local problems are. Now, if it is not a local problem and it is somebody that is being shipped in to cause a problem, that is a different ballgame, but it seems to me there is something loose in this network that doesn't work like it should. Would you agree with that?

Mr. WASLEY. I think that is a perception. I am 31 years in this line of work, and I was a local policeman. I spent 20 years with the Secret Service and with Customs and overseas and all over the place. So, I have a lot of different perspectives on this, and, believe me, I speak police. I understand that language really well. I have traveled throughout the United States—all 50 States—and it has been my experience, the vast majority of local cooperatives that we have are on board with us.

Your points are well taken, but you have to also understand that my folks are out there. Generally, they have lived in those communities for years and years. They are probably more adept at topo-

graphical and geographical knowledge of the National Forest System than the local sheriffs are.

And I might also point out that very many sheriff's offices are less staffed than we are, or are more thinly staffed than we are. They are primarily responsible to their population centers, which are generally not on the national forests; there is the problem.

Mr. PETERSON. Well, I think rural America is on the short end all the way around.

Mr. WASLEY. I agree.

Mr. PETERSON. As activity comes to rural America, we need to not be on the short end.

Mr. WASLEY. I agree.

Mr. PETERSON. And if you have a cooperative effort where you don't have to have this—like, if we could triple your base—that is a lot of money—but we don't need to triple your number of people everyday; we need to triple it when there is serious problems, but that is why State police, sheriffs, local police, all the other enforcement units joining hands, that is how we—

Mr. WASLEY. Let me give you an example of a recent success that we have had. An unfortunate situation occurred in California in Stanislaus National Forest where three young people were murdered. Our officers were some of the first on the scene on that tragedy. We stabilized the scene until the Stanislaus County Sheriff got there. We handed off the investigation to them. They worked it as well as they could. When it came out of their local area, they called in the FBI. Pretty seamless—granted, we don't have everyday seamless operations without grief and headache, but this one, it worked well, and I would submit to this Committee that, far and away, the vast majority of relationships we have are sound and are working well.

Mr. PETERSON. When you have an incident, what is your means of communication if you need support today; not tomorrow, not next week, but today? How do you bring in sheriffs, State police? You have an incident that is potentially serious, how do you communicate? What kind of a system do you have?

Mr. WASLEY. It really depends on the extent of the emergency. We can implement what we call the incident command system, which is a command post system where we will go on all the local frequencies, and we generally have cooperating agreements with the local sheriffs that would encompass just such an emergency.

Mr. PETERSON. Okay, I guess my time is up. Thank you.

Mrs. CHENOWETH. Thank you, Mr. Peterson.

Mr. Tom Udall is recognized for questions.

Mr. UDALL OF NEW MEXICO. Thank you, Madam Chair. Thank you, members of the panel for being here with us today.

Mr. Wasley, I would just like to ask you a couple of questions about the timber theft investigation branch. My understanding is that in 1991, this Timber Theft Task Force was created in response to two alleged commercial timber theft cases with multimillion dollar losses, and, in fact, there were some big recoveries in 1993 following on the heels of that from the, I guess, Columbia River Scaling Bureau and the Thomas Creek Lumber and Log Company; one of them paying \$1.5 million, one of them paying \$50,000 penalty and then a civil assessment of \$1.7 million. And it looked like the

agency was moving very aggressively against timber theft—and you are nodding your head that apparently they were.

Then it seems like the Forest Service did a turnabout and Jack Ward Thomas in 1995 abolished—the Forest Service Chief abolished this right when there were three big cases under investigation. I am wondering—what is the code name for those cases—Model T, Rodeo, Shuffle—are those cases dormant? I mean, where are they? Have they been closed?

I understand you have a Freedom of Information Act request pending, and it seems to me that looking at the dollars that have come in that we have reached the end of this, and we shouldn't expect to see any more cases. Where are we on that?

Mr. WASLEY. If the question is about those three particular cases? I am sorry, I—

Mr. UDALL OF NEW MEXICO. Well, the question goes to the heart of are you aggressively pursuing commercial timber theft?

Mr. WASLEY. Again, I am a policeman, and I love to make cases like that. I can assure you and the rest of the members of the Committee here that as a criminal investigator, that is what you pay me to do is to make those kind of cases. Specifically regarding the Timber Theft Task Force, that was a group that was given a lifespan which expired before I took over. I will tell you this: that I looked at the results of the task force. I would have abolished it myself, and I was an outsider coming in just looking at results. I have worked with task forces throughout my 31 years. I didn't see it as worthy as continued to be staffed.

Mr. UDALL OF NEW MEXICO. Now, what has happened to those cases that the task force was handling? Clearly, if they were, as you say, cases of merit, cases that should have proceeded, then we should go forward with those, shouldn't we?

Mr. WASLEY. Absolutely. If there is any—

Mr. UDALL OF NEW MEXICO. What is the status of those cases?

Mr. WASLEY. Well, the first one—I was just handed this—the FBI looked at the Rodeo case, and it was closed, and the FBI said there was nothing more to go on this, from what I am told.

Mr. UDALL OF NEW MEXICO. Tell me—you have primary jurisdiction in the case—why does the FBI look at the case and close the case?

Mr. WASLEY. We wanted to involve them for a lot of reasons. Again, this was all happening literally within my first weeks in office. I think we turned to the FBI because of their resources in the Portland area and perhaps another jurisdictional area. I would rather research this and get back to you on this for the exact reasons, because I just don't know.

Mr. UDALL OF NEW MEXICO. Okay, so the one case is closed—what was it, Rodeo, you said?

Mr. WASLEY. Rodeo.

Mr. UDALL OF NEW MEXICO. The Rodeo is closed. How about the other two?

Mr. WASLEY. The Model T and the—what is it, the Shuffle or Shuttle?

Mr. UDALL OF NEW MEXICO. Yes, Shuffle.

Mr. WASLEY. I don't know. I don't have any information. I will have to get back to you on those.

Mr. UDALL OF NEW MEXICO. Okay, but you are telling me that you are in the position and since you have held this position, you are aggressively pursuing commercial timber theft?

Mr. WASLEY. Yes, and what I have done is rather than have a centralized task force operating out of some particular area—which may well have served a purpose for its time—I have charged each special agent in charge in all the nine regions who work for me to aggressively pursue timber cases, and, clearly, I monitor their results. We have developed training modules; we have developed methods of working this type of case, but the responsibility or the accountability is at the special agent, at the regional level.

Mr. UDALL OF NEW MEXICO. Has the number of people since the task force was abolished that are pursuing these kinds of cases, have those numbers of people gone down?

Mr. WASLEY. Not necessarily, because—

Mr. UDALL OF NEW MEXICO. So, you are using the same number of people, roughly, on commercial timber theft cases like this?

Mr. WASLEY. There again, if you consider we have 137 investigators, each one of them is tasked with our 4 investigational priorities as are all the uniformed folks.

Mr. UDALL OF NEW MEXICO. The thing I am wondering about, I have got a chart up here that shows in 1993, that over \$3.3 million were recovered as a part of this task force effort, and then in 1995, it dropped off to \$363,000 and then in 1997, just \$5,000, and in 1998, it is back up to \$300,000. I mean, it looks like this task force was doing a very good job, and your testimony is in conflict with that. I am wondering how is that to be explained?

Mr. WASLEY. To me, it looks like early success is based on fertile ground, if you will, and then our training modules take over, and the successes trail off as does the timber harvest. I think you will find they are probably parallel decreases.

Mr. UDALL OF NEW MEXICO. So, you can assure this Committee that all of the—there is a lot surrounding this, as you well know. I mean, there are whistleblowers that are out there that have been moved from the task force into other areas, and they have made complaints, and I don't know whether or not there are lawsuits going on there. There have been suggestions by the government accountability project and others that you are lessening enforcement on commercial dealers and commercial operators as opposed to small people that are dealing in firewood. Can you assure the Committee that that is not happening?

Mr. WASLEY. I can assure this Committee that I take my responsibility as head of the Forest Service Law Enforcement Program—that timber theft is a priority, and I want to make as many timber theft cases as possible.

Mr. UDALL OF NEW MEXICO. And commercial timber theft is, you said, a number four priority?

Mr. WASLEY. I said it is one of four.

Mr. UDALL OF NEW MEXICO. One of four. But it is a top priority?

Mr. WASLEY. Absolutely.

Mr. UDALL OF NEW MEXICO. Okay.

Mr. WASLEY. And I would add to that, what we call now would be timber theft and forest product theft, because not only is timber being stolen from the Forest Service, all sorts of other things—

maybe echinecia and pine needles or whatever is growing out there, mushrooms—all these things are subject to theft. They are all part of our investigational priorities.

Mr. UDALL OF NEW MEXICO. Have you been getting thorough cooperation from the—is the U.S. Attorney's Office the ones that prosecute these cases?

Mr. WASLEY. Correct.

Mr. UDALL OF NEW MEXICO. And have they been cooperating with you? I mean, there isn't any problem there?

Mr. WASLEY. The United States Attorney's Office has a very full slate, and sometimes it is very difficult to get property claims on a docket, on a prosecutorial docket, when they have murder cases.

Mr. UDALL OF NEW MEXICO. Yes, well, I was a Federal prosecutor at one point in my career, so I understand that from the variety of cases. And none of this is meant to cause an aspersion on you, but I wanted to try to clear up this cloud that is out there. I mean, if you look at some of these pamphlets and things, it would give the impression that there is some real problems in terms of getting after commercial timber theft, and I hope you will continue to pursue that. Thank you very much.

Mr. WASLEY. We have had some recent successes. If the Committee would like a list of these recent successes, I would be happy to provide them.

Mr. UDALL OF NEW MEXICO. Sure. Yes, please. Can he have permission, Madam Chair, unanimous consent to supplement the record in that respect?

Mrs. CHENOWETH. Yes, I would be happy to receive your report. Thank you very much.

Mr. UDALL OF NEW MEXICO. Thank you for being so gracious and letting me use a little extra time there, Madam Chair.

Mrs. CHENOWETH. Thank you, Mr. Udall.

Mr. HAIRSTON, I have some questions for you. Have you or any of your employees or any of the members of the community ever received any threats—individually or to your families—from these Earth First protestors in your area?

Mr. HAIRSTON. Yes, ma'am, myself, personally, my employees; we have been verbally threatened. The protestors have made statements, "We are going to find your house and burn it down. We are going to kill your family." They are quite adamant about these things, and they have went to the extent that they know who we are. They call you by a first name basis when you come out onto the projects.

I also know of a case where one of the lead Forest Service law enforcement individuals was threatened with his life too, and after that happened, he eventually was reassigned and eventually retired. I don't know because of that, but I do know that he was threatened himself.

Mrs. CHENOWETH. Well, I assume you made an official report of these threats.

Mr. HAIRSTON. We always tell the Federal agents who are usually the ones on site about any of these type of threats we have, and usually the response is, "Well, if we apprehend these people, then we will help you to pursue prosecution."

Mrs. CHENOWETH. If who apprehends them? The county sheriff or the Federal law enforcement officers?

Mr. HAIRSTON. Yes, ma'am. If the Federal agents apprehend the tree sitters—that is usually who the threats are coming from—if those people are apprehended, they will then help us to pursue the prosecution of those individuals.

Mrs. CHENOWETH. Can you recall any specific situations that prompted the Forest Service law enforcement officials to be more aggressive in apprehending and arresting these folks?

Mr. HAIRSTON. Yes, ma'am. I have one particular case that happened last summer that is somewhat off-colored but entertaining. We had several tree sitters in the road right-of-way and were having difficulty getting them to come down out of the trees, and we had many, many law enforcement people there. Nothing was happening, though. They were still being supplied by their cohorts; they were still getting food and water up their tree. What happened in this particular case was several Federal law enforcement officers were standing below a tree and one of the protestors urinated out of the tree onto the Federal officers, and I believe that enraged the officers so much that they put a 24-hour vigil on that tree; would not let any support people come to the tree and supply the protestor with food or water until he was forced to rappel down out of the tree, and then he was promptly arrested and hauled to jail. But the other protestors that were 200 yards in front of him and 200 yards in back of him in trees were freely supplied. They weren't as aggressively watched, and they were able to eventually rappel out of their trees and escape without being arrested.

Mrs. CHENOWETH. So, they didn't apply the same enforcement to the other protestors.

Mr. HAIRSTON. In this case, no, they did not.

Mrs. CHENOWETH. Have Forest Service and local law enforcement officials ever been a hinderance to your company's contractual obligations in road building?

Mr. HAIRSTON. This last year, in particular, we were hindered by the Federal law enforcement in many cases. We had an excess of officers on site. There were protestors clearly violating the law, and they were not being arrested. As you know, these are small roads in the mountains that we are trying to build, and we would be having to deal with in excess of 10 vehicles from Forest Service law enforcement, trying to work our road building equipment around their vehicles on a small, one-lane road. We had the law enforcement people several times halting our production for them to decide how they were going to deal with the protestors in the trees or on the ground, and we eventually got to the point where we asked the Forest Service law enforcement to either write us a written shut down or we were going to proceed with the road building. They never did write us a written shut down, the law enforcement.

Mrs. CHENOWETH. Was the county sheriff involved in any of the hindrances?

Mr. HAIRSTON. Not in these cases, he wasn't, ma'am. What Idaho County sheriffs have ran into so many times is these are Federal laws that the protestors are violating. They are violating an area closure law that was implemented by the district ranger or the forest supervisor or maintaining a structure on Federal land, and un-

less the protestors are vandalizing our equipment, a lot of times the county sheriff wasn't on site. He just couldn't, once again, afford to have deputies up there during all the protests, because it was a daily occurrence; every day we were battling this.

Mrs. CHENOWETH. I have seen pictures of equipment that has been used, and Mr. Christianson has supplied me with some of these pictures. Could you explain this picture? It shows about 12 Forest Service people around a campfire in front of a big, huge tripod-type structure that they have established?

[Picture.]

Mr. HAIRSTON. Yes, ma'am. Once again, we are waiting for the Federal law enforcement to take action to remove these protestors so that we can go to work. We are sitting here—behind the man with the orange jacket, there is probably 15 Highland employees waiting to go to work and trying to get to work, and this is what we ran into a great deal was once we finally got Federal law enforcement on site, they would take hours to decide how to try to remove these protestors or what course of action they were going to take.

Mrs. CHENOWETH. There is another picture that I have here with a bucket, it looks like, full of huge nails. Can you explain what these—looks like spikes?

[Picture.]

Mr. HAIRSTON. Yes, ma'am, if I could get one more—I have a couple of representative spikes that are the typical items used by the Earth Firsters. What this picture is, is a—

Mrs. CHENOWETH. Now, how do they use them? Please explain for the Committee.

Mr. HAIRSTON. As you can see in the photo, there is a branch off a tree that have the spikes driven through it, and they will bury that in the roadway so that any rubber-tired vehicle, being it a support pick-up or a road grader, once they run over those spikes, then it has disabled that vehicle, and they will also drive the spikes into trees and put the spikes, themselves, just into the roadway to disable the vehicle, and it just becomes very dangerous. The roadways, themselves, are usually a 14- to 16-foot wide road, which, in many cases, is a very steep cut on the downhill side, and if you have a tire blowout when you are going along this road, many times it can be very serious.

Mrs. CHENOWETH. What happens when these spikes are driven into trees that are to be harvested?

Mr. HAIRSTON. It becomes very life-threatening for the timber faller. If he is sawing through one of these trees and doesn't know a spike is in it and his chain from his chainsaw hits it, it can shatter the chain, and a chainsaw usually runs at about 13,000 rpm, and it can severely cut or kill him. If it makes it past the timber faller, then it goes into a sawmill where the blades of the sawmill are extremely thin and fragile and when they hit a metal spike like this, they also will shatter, and there are more people there that can be injured.

Mrs. CHENOWETH. And, so then the chainsaw or the saws in the plainers or the mills act like shrapnel?

Mr. HAIRSTON. Yes, ma'am. The blades, themselves, break and act as a shrapnel that goes out and injures anyone near enough to get hit by that flying debris.

Mrs. CHENOWETH. Do you know, personally, of injuries that have occurred like that?

Mr. HAIRSTON. Yes, I have heard of several cases in sawmills where people have been injured by that. I know of cases where one of our sawers hit a spike. It broke the chain on the chainsaw. It did not injure him, but it did destroy the chain and several hours of lost production.

Mrs. CHENOWETH. Rpm's on those chainsaws, again, are how much?

Mr. HAIRSTON. Approximately 10,000 to 13,000 revolutions per minute.

Mrs. CHENOWETH. I have another picture here that shows a random stack of logs and a big pipe in the middle of the road. Would you please explain this?

[Picture.]

Mr. HAIRSTON. Yes, this happens on a daily basis. When we leave the project in the evenings, many times the protestors are out there all night doing this type of vandalism. They will take the metal culvert that is stockpiled to be put in the road, and they will—first off, they will punch holes in that culvert with a pick or an axe just ruining the pipe, and then they will stack it up in these type of structures along with all the wooded debris that they have pulled off from the side of the road to make it impassible. Other acts they do are take these metal pipes and roll them down the hill so that we have to retrieve the pipes that are 100 or 200 feet over the bank. It takes several men and pieces of equipment to do. After the pipe is ruined, it takes a whole other shipment of pipe to come in to continue our road building.

Mrs. CHENOWETH. Is the Forest Service willing, in your contract, to pay you for these new culverts and the new labor that you have had to put in over and above the bid specs of plain old road building to retrieve culverts, to clean it up, to clean up the wood that is piled in the middle of your workplace?

Mr. HAIRSTON. No, they have not been, to date, and we have repeatedly asked for any type of help that we can get. We have asked for compensation for the destroyed culvert, and that falls in our—that tells us that falls in our area, because that was a stockpiled material, and it doesn't become possession of theirs until it is installed in the roadway.

Mrs. CHENOWETH. Has the Forest Service ever advised you on change orders in your contracts in order to provide for these additional costs?

Mr. HAIRSTON. I guess it wouldn't be so much of a change order as it would be—the way we have been informed, it would go under a claim situation against the contract, and we have filed those claims, and, to date, have been denied.

Mrs. CHENOWETH. Has the Forest Service ever offered to provide security, then, for equipment that you have had to stockpile on the job according to their bids on stacks?

Mr. HAIRSTON. No, they have not, and we have—this conflict has been going on since 1992 in our particular case on several different

road projects. Every year, before we go out onto the project, we usually have a meeting with the Forest Service that involves law enforcement officers. They know this is happening; this isn't a secret. Every year, it has been getting worse and worse. We have repeatedly asked to have our equipment guarded when it is not in use or our staging areas—to have our diesel tanks and our stockpiled materials there, and we have always been denied that. They have never—

Mrs. CHENOWETH. Mrs. Platt, I wanted to ask you, how well is the Animal Enterprise Act working to protect you and your membership?

Ms. PLATT. Well, the Animal Enterprise Protection Act was passed several years ago in response to these sort of attacks on animal-based industries. It should probably be expanded to resource-based industries, because when people get attacked over saving trees or wild animals, it is just an extension of the same philosophy. We find it works very well in that there is a \$10,000 trigger for involvement for the FBI which is reached very quickly on a farm or, say, a research facility that has just been bombed. So, the FBI gets involved very, very early in the investigation. However, on the ground, local law enforcement is very, very good, and often times the FBI involvement actually disrupts the local procedures, and real basic things, such as interviews with suspects, get forgotten as the FBI takes over the scene, and there is a little bit of chaos in the investigative arm.

We also find the FBI is treating these incidents as individual acts of terrorism, but they don't look at it as a pattern of a movement. So, each individual act is treated within a territory of the FBI, and information does not cross quickly across State lines. The FBI is still working with paper in an antiquated system, while the opposition is working in an electronic age and passing information worldwide in seconds. So, we are always a day late, a dollar short.

The FBI is limited by privacy concerns, and therefore cannot look at the atmosphere, general patterns, the information on private individuals. Industry has to supply that to them, so we are constantly monitoring the opposition and handing it to the FBI to get past privacy concerns. Whereas, if we simply looked instead at individual actions, if it was looked as a pattern of a terrorist, an international network, we could address it a lot better.

Mrs. CHENOWETH. I would like to work with you further on this, Ms. Platt.

Ms. PLATT. Thank you.

Mrs. CHENOWETH. And I just have one final question for Mr. Wasley. As you know, Mr. Hairston has a Freedom of Information Act request with your office. Will you please provide the Subcommittee with all relevant documents pertaining to his particular request by June 1, 1999?

Mr. WASLEY. I will.

Mrs. CHENOWETH. Thank you very much.

Mrs. CHENOWETH. I have other questions of all of the panelists, but I will submit them to you in writing. Should any of you wish to update or supplement your testimony, you have 10 working days to do so, and we will be submitting questions in writing right away.

I want to thank the panelists for your patience. It has been a long panel—and hour and a half—and thank you again very much, and this panel is excused.

The Chair will call the final panel now—Mr. Dale Anderson, president of the Pennsylvania Forest Industry Association, Ridgway, Pennsylvania; Ms. Sheila Keller, treasurer, Montana Women in Timber, Kalispell, Montana, and, Mr. Brett Johnson, of Forks, Washington. Two of the brightest members that we had on this Committee—Mr. Rick Hill and Mr. John Peterson—will be introducing two of the panel members, and so just as soon as they come up, I will recognize Mr. Hill for his introduction of Mr. Anderson—of Ms. Keller.

Mr. HILL. Thank you, Madam Chairman. Madam Chairman, I am proud to introduce Sheila Keller from Kalispell, Montana, originally a native of Iowa; moved to Montana 13 years ago—like most of us, weren't born there but got there as quick as she could. Her husband's family has been engaged in logging and farming in Montana for four generations. She and her husband own three log trucks. She has a degree of education from the University of Montana. I am pleased to welcome Ms. Keller.

Mrs. CHENOWETH. Thank you, Mr. Hill.

And the Chair now recognizes Mr. Peterson for his introduction.

Mr. PETERSON. It is a pleasure to introduce Dale Anderson, president of the Pennsylvania Forestry Association. We have worked together for many years on fighting for good management in the Allegheny National Forest and all of the high quality forest that surrounds it. Dale and I are very proud that the forest we speak of, the ANF and surrounding—I guess I could say—millions of acres, is probably the finest hardwood forest in America, one that came from about 100 years ago when a hemlock forest, a beach forest, was removed, and the good Lord gave us one of the finest forests. Of course, on Dale's card, he has the black cherry capital of the world, and there is a couple-county area where 50 percent of the veneer cherry in America comes from, and much of that is on the Allegheny National Forest also, but it is a very mature forest; it is a very high quality forest, and it is one that can be providing very high quality wood products to this country as long as we professionally manage it and treat it well, and I think the Forest Service has done a pretty good job of that, and that is why it is such a high quality forest today.

And Dale wants to speak a little about the Endangered Species Act, the appeals process, and other management directions that are being taken and the impact on neighboring communities if some of the things that are happening continue. So, without any further ado, it is a pleasure to welcome Dale here to speak to us.

Mrs. CHENOWETH. Thank you very much, and thank you for sending these members back; I appreciate you.

I would like for you to stand and take the oath, if you would. Raise your right hand to the square.

[Witnesses sworn.]

The Chair now recognizes Mr. Anderson for his statement.

STATEMENT OF DALE E. ANDERSON, PRESIDENT, PENNSYLVANIA FOREST INDUSTRY ASSOCIATION, RIDGWAY, PENNSYLVANIA

Mr. ANDERSON. Thank you, Madam Chairman and Honorable John Peterson. It is a real pleasure to be here. I want you to know this wasn't part of my talk, but we do have extremists in our area that operate, and I will be glad to submit this to the Committee.

My name is Dale Anderson, and I am president of the Pennsylvania Forest Industry Association. This is a grassroots organization of people that work in the forest industry and other citizens. We have been organized since 1963. I will testifying as the president of the Pennsylvania Forest Industry Association.

The timber resources of our National Forest System, including the Allegheny National Forest are slowly and quietly deteriorating due to a lack of forest management. The present policies of the Forest Service contribute to the decline of the health of the forests, batter the rural communities, and contribute to worldwide ecologic problems by exporting our demands for forest products to other countries with low environmental priorities.

My history with the Allegheny started with my high school days. I worked for a couple of years on the fire control team. Later, I worked on the Allegheny doing timber stand improvement. It was this experience that led me on to a degree in forestry from West Virginia University. The investments made in the sixties by the Forest Service to improve these timber stands are now becoming ripe. For us to disregard this investment is not fair to the people of this country.

While attending college, I worked as a fire control aid on the St. Joe National Forest in your beautiful State of Idaho, Madam Chairman. I have fond memories of my summer out there. I have had experiences with and been an observer of the U.S. Forest Service in the East and in the West over a long period of time. Over time, we have seen a steady escalation in the cost of administering all national forests. Due to the tree species of high demand and high value on the Allegheny, we can still operate in a fashion to cover costs and return money to the United States Treasury and to the schools and townships of Warren, Forest, Elk, and McKean Counties.

The latest numbers I have for Fiscal Year 1998 on the Allegheny show income of about \$23.2 million. Almost all of this revenue is from timber harvesting. One-fourth of this money, or about \$5.8 million, was returned to townships and schools in four northwestern Pennsylvania counties. Over this same time period, income of \$105,000 was generated from recreation or special use permits. Some people have said that we can replace the dollars from sustainable timber harvesting with recreation dollars. On the Allegheny, we will need to increase recreation by about 220 times to replace the return from timber. Or the current fees will need to be raised by a factor of 220 to replace the timber revenues. Now, we don't think this is going to occur due to the limits of reality and to the law of diminishing returns. There is absolutely no replacement for the energy, the vitality, and the activity generated from sustainable harvest of forest crops.

We are seeing many examples of large, beautiful, high-value black cherry and red oak trees lying horizontal and rotting on the ground. These trees have been brought down by high winds. This is nothing new; it has been going on for as long as we have had wind and trees. What is new is the total lack of ability of the people now running the forest to do anything about it. It is a shame to let the people's high-value resources rot on the ground.

The Forest Service tells us that "We are working on it; we need more money, and as soon as we get this or that study done, we will act." The evidence is that the Allegheny National Forest is becoming an area full of dead trees that look like skeletons with bark and limbs falling off. Reproduction of desired tree species is delayed or impossible and the industry is going elsewhere for raw material.

The unique forest resource ecosystem in the Allegheny National Forest is very fragile, and it is not sustainable without active forest management. The way to sustain this asset for the America people, for our children, and for our children's children is to actively manage the forest.

Presently, we have a bat, one Indiana bat on a road trip. He has since made an appearance in Vermont. This gets Fish and Wildlife involved. We have too many agencies with the same mission. I ask you, if we have half a million Indiana bats, are they really endangered or is the Endangered Species Act being used for some goal other than to protect endangered species? Does one bat indicate habitat or intentional stocking of that bat? The Endangered Species Act is flawed and needs to be fixed. The Allegheny National Forest, Madam Chairman, is beginning to resemble the demise of the goose that laid golden eggs.

Please fix the appeals process. Every project since 1991 on the ANF and almost every other national forest has been tied up in appeals. Forest health declines, resources are wasted, we export our demands, gridlock rules, and employees become demoralized. The Forest Service needs primacy over the critters and fauna that inhabit their land. Please use peer reviewed science to manage our national forests.

The Pennsylvania Forest Industry Association appreciates this opportunity testify before this Committee. We welcome any comments or questions.

[The prepared statement of Mr. Anderson follows:]

STATEMENT OF DALE E. ANDERSON, PRESIDENT, PENNSYLVANIA FOREST INDUSTRY ASSOCIATION

The effects of The Endangered Species Act, the Appeals Process, and the current management direction of our Allegheny National Forest and other National Forests which has contributed to declining forest health, battered rural communities, and worldwide environmental degradation.

I want to thank the Honorable Helen Chenoweth, for allowing us to testify at this hearing today. I also extend my thanks to the rest of the Committee.

My name is Dale Anderson. I am the President of the Pennsylvania Forest Industry Association. This is a grassroots organization of people that work in the forest industry and other citizens, organized since 1963. I am testifying as the President of Pennsylvania Forest Industry Association.

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I ask you, if we have a half-million Indiana bats, are they really endangered? Or is the Endangered Species Act being used for some goal other than to protect endangered species? Does one bat indicate habitat or an intentional stocking of that bat? The Endangered Species Act is flawed and needs to be fixed.

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Please fix the appeals process. Every project since 1991 on the ANF, and almost all other National Forests, has been tied up by appeals. Forest health declines, resources are wasted, we export our demand, gridlock rules, and the employees become demoralized.

The Forest Service needs primacy over the critters and fauna that inhabit the lands they administer.

Please use peer reviewed science to manage our National Forests.

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THE RIDGWAY RECORD

ELK COUNTY'S LEADING NEWSPAPER
Ridgway, Pennsylvania, Saturday, February 20, 1999

Forestry monies allocated for 1998

The U.S. Treasury recently paid to the Commonwealth of Pennsylvania an amount equal to the 25 percent of all monies collected by the Allegheny National Forest (ANF) in fiscal year 1998, according to ANF Forest Supervisor, John Palmer.

Gross receipts on the ANF amounted to \$23,201,785.47 for the period of October 1997 through September 1998. Of this amount, \$23,096,745.63, or 99 percent, came from timber purchasers paying for the value of wood they harvested. The remaining \$105,039.84 was collected from recreation activities and people or organizations who have special use permits for things like TV antennas, water wells for cabins, gas pipelines and transmission lines.

By law, 25 percent of all gross National Forest receipts are returned to the state where the National Forest is located. For fiscal year 1998, the twenty-five percent fund

payment to Pennsylvania attributable to ANF activities was \$5,800,446. These funds can only be used for schools and roads in the four counties with ANF land.

The distribution is prorated according to the amount of federal land in each county. Allocations to the four counties for fiscal year 1998 are Elk, \$1,263,746 - Forest, \$1,346,155 - McKean, \$1,529,573 - and Warren, \$1,660,972.

Between 1986 and 1998, 25 percent fund payments from the ANF have steadily increased from \$2,344,344.50 to a peak of \$6,207,364.12 in fiscal year 1996, dropping very slightly in the past two years.

The high value of gross receipts for the ANF, Pennsylvania's only National Forest, are due to the exceptional quality of the hardwood grown here, especially black cherry and red oak, which is highly prized for furniture. The twenty-five percent payment for Pennsylvania is among the highest in the country, exceeded only by five Western states, all of which have many National Forests.

Environmental activists' protest shuts Kane plant

By VICTORIA BARONE
Times Observer Staff Writer

Two environmental activists were arrested after they effectively shut down a wood-chipping plant near Kane on Tuesday morning.

The protesters had blocked the entrance to Keystone Chipping, Inc., Rt. 6, in McKean County.

According to Mt. Jewett-based police, Joshua R. Cohn, 21, Oberlin, Ohio, bound himself to the top of a 30-foot tripod on the roadway at the entrance to the mill. Shannon A. Hughes, 22, North Huntington, chained herself to the bottom of the tripod with a lock around her neck. Twenty-five additional demonstrators representing Allegheny Earth First! and Native Forest Network, with headquarters in Missoula, Mont., blocked the entrance to the plant. All operations were shut down for the day.

Mt. Jewett-based state police arrived at the scene at approximately 9 a.m. and ordered the protesters to leave. All but Cohn and Hughes dispersed, police said. The two were arrested and charged with disorderly conduct, criminal trespass and failure to disperse.

According to the *Erie Daily Times*, activists claim that a

See **PROTEST / A-8**



Associated Press photo

Chained for protest

At a protest at the Willamette-owned Keystone Chip Mill in Lantz Corners, Shannon Hughes, seated, chained herself to the gate and Joshua Raisler Cohn sat atop a tripod and chained himself as others protested Willamette's chipping of logs in the Allegheny and other national forests.

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Protest shuts plant...

from page A-1

log truck driver charged a protester who was holding a camera, and threatened other protesters with a tire iron.

According to Jake Kreilick, Native Forest Network campaign coordinator, the protest's intent was to make the public aware of the damage that clear-cutting does to the forest. The activists are attempting to make the government intervene and require a comprehensive environmental impact statement for timbering activity to continue.

Kreilick said they have singled out Willamette Industries, based in Portland, Ore., which owns Keystone Chipping, because of what he claimed is a poor environmental track record.

"Woodchipping mills here are allowing overcutting to occur," Kreilick said. "Chip mills pose the greatest threat to the forest that's recovered from the past century of logging."

According to Kreilick, woodchipping mills only operate for approximately three to 10 years in an area and then move on.

"We're not against all

logging," he said. "It's just a matter of where it's done and how it's done."

According to Allegheny Earth First! and Native Forest Network, Willamette Industries built two high-capacity chip mills in Pennsylvania in 1994, each employing six people, and has the capacity to chip 300,000 tons per year, amounting to 18,000 acres of forest land logged each year.

Activists claim that chipping whole trees promotes clear-cutting and will consume the region's growing stock and eventually undermine local wood product industries.

Kreilick said the practice of woodchipping has been targeted by activists because it represents the most unregulated, highly mechanized sector of the timber industry.

Dan Evans, wood procurement manager for Willamette Industries, said the company does not own any timbering land in this area.

"We buy the chips and turn them into pulp, which is used to make paper," he said.

The pulp is transported by the company to its mills in Johnsonburg, where it is converted to paper.

According to Evans, the timber used for chipping is low quality, left-over material from timbering which would normally be left in the woods to rot.

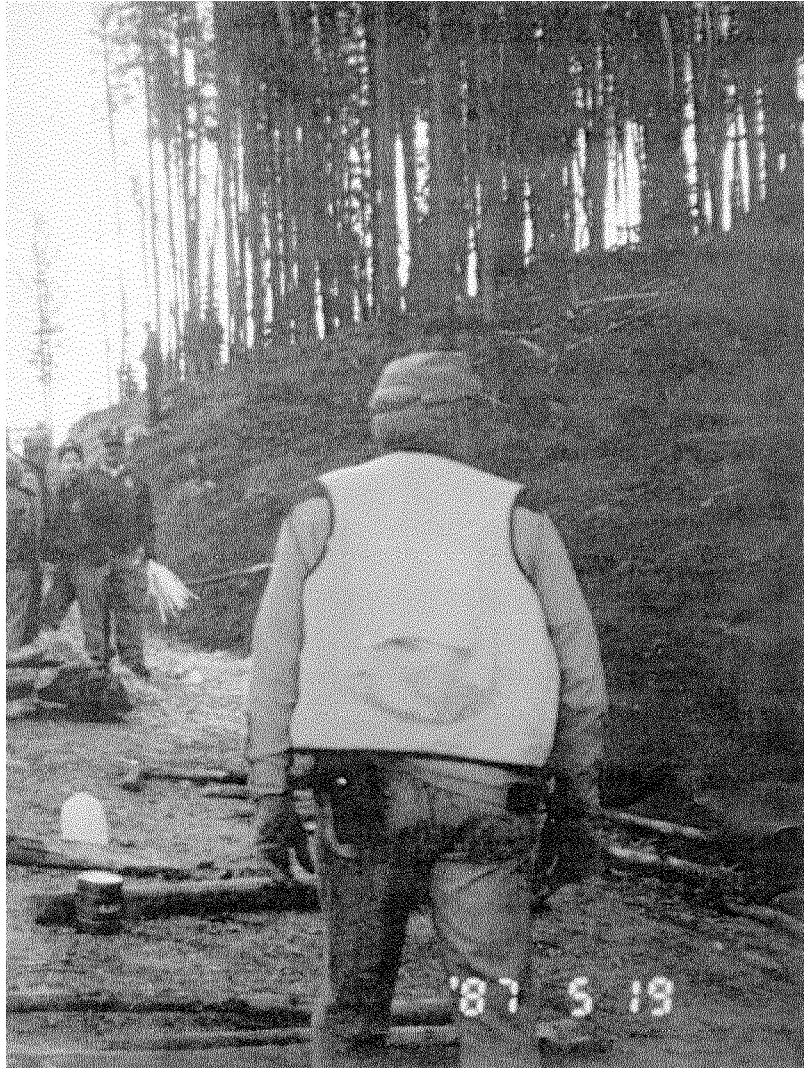
Evans claimed that the activists lack facts to back up their argument that the mill is harming the environment.

"This factory runs a very efficient, safe and fully compliant operation. We have a close relationship with the (federal) Department of Environmental Protection," he said. "We depend on this forest being here 20 years from now, 40 years from now."

According to Evans, work was shut down Tuesday as a safety measure in the face of the demonstration. The protesters didn't harm the company as much as its six employees, he said.

Following arraignment, Cohn and Hughes were remanded to McKean County Jail in lieu of \$2,500 bail each.













Mrs. CHENOWETH. Thank you, Mr. Anderson.
The Chair now recognizes Ms. Keller.

**STATEMENT OF SHEILA KELLER, TREASURER, MONTANA
WOMEN IN TIMBER, KALISPELL, MONTANA**

Ms. KELLER. Thank you, Chairwoman Chenoweth, Congressman Hill, and other members of this Committee for this opportunity to present my views of the small business owner concerning issues of forest management and how they impact us.

My husband and I own three log trucks and other equipment, but, currently, we have just one other employee. My husband puts in extremely long hours to keep everything running smoothly, and I do whatever I can to relieve other pressures. In addition, I am an independent contractor representing a national advertising company, headquartered in Iowa. In that capacity, I call on all types of businesses in western Montana, northern Idaho, and in Spokane, Washington, so I have sort of a feel for the pulse of the business community in that area. I am also representing Montana Women in Timber, because I know first-hand the value of education in resolving issues in the resource debate.

I grew up in Iowa and had little knowledge of the timber industry except that I wanted nothing to do with it. Shortly after we purchased our first truck, I was ashamed to say what we did for a living, actually, but I was invited to attend a Forest Service meeting where the discussion focused on historical fire and current conditions. It has been nearly 90 years since the catastrophic 1910 fires when 50 million acres burned nationwide. Three million acres burned across northern Idaho into Montana and down the border that we share. On the Flathead National Forest, 25 percent of the forest burned. In the 90 years since that fire, timber harvest and fire together have not equal what was lost in that one event.

I honestly felt I had been lied to, and things have not been the same in my life since, actually. If there were just one thing I could do, it would be education instead of legislation. I would urge every congressman, especially those who support the Northern Rockies Ecosystem Protection Act and zero cut legislation, to take just 20 minutes to watch the video, America's Forests: A History of Resiliency and Recovery, before they decide what our future will be.

It is history of the United States as it relates to our forest. Douglas McCleary is still with the Forest Service here in Washington, DC, and he compiled the information, because he felt it was important to understand the past and how we got to where we are today in order to make responsible decisions for the future.

Montana has been known as the Treasure State, yet the per capita income has been on a steady decline, until last year, when we hit the bottom of the Nation's pay scale along with an increasing poverty rate. Montana and her people are in trouble as we lose our industry's infrastructure with mill closures that are sold at auction, dismantled, and go to another country. The oldest family-owned mill in the State is now in a desperate situation as Flathead National Forest management comes to a halt.

On the 29 percent of the Flathead that is in the timber base, our 1994 inventory showed annual growth of 138 million board feet and annual mortality of 53 million board feet. The primary manager of

the forest has become the courts, and, most recently, the Ninth Circuit Court of Appeals, which agreed that timber harvest levels would harm the grizzly. In response, the Flathead National Forest developed Amendment 19 that reduced timber harvest to 54 million board feet—even though they haven't come close to that in my memory—and added road density standards for grizzly bear security that have resulted in hundreds of miles of forest road destruction.

Unfortunately, bears cannot eat security. Since implementation of Amendment 19, there has been a dramatic increase in human-bear conflicts and incidents as bears have come down to our local rural schoolyard, broken into cabins, come onto porches, roamed local subdivisions in search of dog food, bird seed, human garbage. This year, 25 grizzlies were destroyed in the Northern Rockies ecosystem, most of them in management situations.

Their preferred fall food is sun-loving huckleberries that provide the calories and carbohydrates they need for denning, but they are being crowded out by dense forests. Huckleberry researchers are concerned that “lack of efforts to manage wild stands for huckleberries and decreasing use of clear-cuts will reduce the available habitat for this valuable plant.” As roads are closed, fire will become a major forest manager, but huckleberries' shallow rhizomes and weak root systems are easily injured by even moderate fire.

I have been involved in the collaborative process called Flathead Common Ground, and I am now participating in Senator Baucus' stewardship meetings. It is a process born of grant writers and paid volunteers. It is a lengthy and time-consuming situation. On Common Ground, we looked at 80,000 acres. We are going to treat 800 acres with logging, burn 8,600 acres, close 119 miles of road, ending management.

In Idaho, just across the border, there is a sale where homeowners—or a proposed sale where homeowners on the shores of Hayden Lake are anxious and willing to have 4,000 acres treated because of the bark beetle infestation. The Forest Service is anxious to treat this, yet a local environmental group has promised that they will sue so this will not be implemented. It is shame that environmental groups are willing to torch this valuable resource in the name of saving it.

[The prepared statement of Ms. Keller follows:]

Prepared Statement for the Record

Sheila Keller

On Behalf of Montana Women in Timber

Before the Resource Committee
Subcommittee on Forests and Forest Health

Concerning Issues of Public Forest Management As They Impact Small Business,
Grizzly Bears, Roads, Fire and Huckleberries

Thank you, Congresswoman Chenoweth, and members of this committee, for this opportunity to present my views as a small business owner, concerning issues of forest management and how they impact me. My husband and I own three log trucks and other equipment. Currently, we have just one other employee. My husband puts in extremely long hours to keep everything running smoothly, and I do what ever I can as bookkeeper and parts runner to help out. In addition, I am an independent contractor representing a national company. In that capacity, I call on all types of businesses in western Montana, northern Idaho and Spokane, Washington.

I am also representing Montana Women in Timber because I know first-hand the value of education in resolving issues in the resource debate. I grew up in Iowa and had little knowledge of the timber industry. In 1987 I attended a meeting in Libby, Montana, with my husband about a proposal called the Kootenai-Lolo Accords. The gymnasium was packed with perhaps 500 to 600 people. A gentleman came to the microphone who talked about the social and family problems emerging in Forks, Washington. A small group of only six or eight people sitting by themselves just to my left began to boo and hiss. At that moment it is as though I was galvanized. Shortly after that, I was invited to attend a forest service meeting where the discussion focused on historical fire and current conditions. It has been nearly ninety years since the catastrophic 1910 fires, and timber harvest and fire together since have not equaled what was lost in that one event. I felt I had been lied to, and things have not been the same since.

If there was just one thing I could do, it would be education instead of legislation. I would urge every Congressman, especially those who support the Northern Rockies Ecosystem Protection Act and "zero cut" legislation, to take twenty minutes to watch the video, "America's Forests: A History of Resiliency and Recovery." Produced by the Forest Service, it is a history of the United States as it relates to our forests. Douglas McCleary who was with the Forest Service felt that it was important to understand the past and how we got to where we are today in order to make responsible decisions for the future.

Montana has been known as the "Treasure State," yet the per capita income has been in steady decline until last year when we hit the bottom of the nation's payscale, along with an increasing poverty rate. Montana and her people are in trouble as we lose our industry's infrastructure with mill closures. The oldest family-owned mill in the State is now ~~becoming desperate~~ as Flathead National Forest management comes to a halt.

On the 29% of the Flathead that is in the timber base, a 1994 inventory showed annual growth of 138 mmbf and annual mortality of 53 mmbf. The primary manager of the forest has been appeals and, most recently, the 9th Circuit Court of Appeals, which agreed that timber harvest levels would harm the grizzly. The Flathead National Forest developed Amendment 19 that reduced timber harvest to 54 mmbf and added road density standards for grizzly bear security that have resulted in hundreds of miles of forest road destruction.

Unfortunately, bears cannot eat security. It seems that implementation of Amendment 19 had lead to an increase in human-bear incidents as bears have come down to a school yard, many homes and even subdivisions, in search of dog food, bird seed and garbage. Their preferred fall food, sun-loving huckleberries, are being crowded out by dense forests. Researchers are concerned that "lack of efforts to manage wild stands for huckleberries and decreasing use of clearcuts will reduce the available habitat for this valuable plant." As roads are closed, fire will become the major forest manager. But their shallow rhizomes and weak root systems are easily injured by even moderate fire.

Dr. Victor Kaczynski, a limnologist who has been working for several years on salmon recovery for Pacific Northwest rivers, said "No single forest practice – not timber harvesting, not road building – can compare with the damage wildfires are inflicting on fish and fish habitat. It is a paradox that the very fish we are trying to protect from extinction are now being threatened by fires many so-called environmentalists believe should be allowed to burn unchecked."

Sustainability has become the buzz word for just about everything, including forestry. At the turn of the century, the forests certainly could not have sustained the population or the demand and need for wood. Today the U.S. has four times the population, living at a much higher standard of living than it did one hundred years ago. It is important to realize that the forests that everyone wants to save are here because they have been managed, and that no forest can be preserved in exactly the same condition over time.

I have been involved in the collaborative process called Flathead Common Ground and am now participating in Senator Baucus's stewardship meetings. It's a process born of grant writers and "paid volunteers." It is lengthy and time-consuming, and given the current state of health of our national forests, it may be too little, too late. Flathead Common Ground met twice monthly for more than a year, but we came to the table with a lot to lose and little gain because the objective was to implement Amendment 19. From our recommendations, the Forest Service is proposing to use vegetation treatments on less than 800 acres, prescribe burn 8600 acres, and then obliterate 119 miles of roads to meet the objectives of Amendment 19 for grizzly bear security. For the timber industry, it was as though we were writing our plan for going out of business.

Laws governing our forest management are so many, in conflict with each other, with so many regulations, with one-size-fits-all dictates that defy common sense, it has become impossible to manage our forests while caring for the land and the people, and not end up in the courts. Perhaps nothing better illustrates this than Vice-President Gore facilitating the salvage of 270 mmbf of blown-down timber in Texas by completely bypassing the NEPA process because of the need for "common sense over strict regulation." There is a very serious bark beetle infestation in northern Idaho. Home owners along lakeshore property are supportive of logging to reduce the danger of wildfire to their property. Yet an environmental group out of Spokane has issued their intent to sue.

There might be some solutions. First, there needs to be a recognition of the forest health crisis. The Forest Service seems to have acknowledged the situation with their maps of the forest health situation across the United States. Now they need to commit to the common-sense action on the ground that is needed to resolve the situation. In this regard, there should be absolutely no more land acquisitions from any source of funding until the federal agencies again become responsible land managers. Just as the Forest Service has implemented the road moratorium, there needs to be an end to the destruction of our forest road system, the necessary infrastructure for addressing the situation on our forests.

Thank you for this opportunity to testify before this committee.

Exhibits submitted:

1999 Federated Women in Timber issues packets

FEDERATED WOMEN IN TIMBER Accountability for USFS Programs

BACKGROUND: The United States Forest Service (USFS) receives annual funding through Congressional appropriation each year. These funds are designated for use in carrying out the agency's established mission and are filtered down to the Regions and the Forests based upon the needs of the Forests. Each National Forest has its own Land Management Plan, which lays out specific goals and objectives for that Forest based upon local conditions, local needs, and local biological constraints.

Along with the budget, targets are provided so that the public knows what the funding is to be used for. There are recreational, watershed, prescribed burning, wildlife, and, of course, timber targets. These targets are already computed to reflect the goals of each Forest as well as the needs and capabilities of the land.

Each year the Forest Service reports its accomplishments through several reporting processes, and the public can review the efficiency and effectiveness of an agency. However, when the agency fails to meet its targets (and there are increasing incidences of such failures), there are no consequences to the USFS itself or to its employees.

POSITION: Federated Women In Timber (FWIT) recognizes that there may be legitimate reasons for not meeting budgeted targets. However, when the agency has received the funding necessary to meet a planned target and unforeseen adversity has not occurred, USFS personnel should be held accountable for meeting targets. Measuring effectiveness or efficiency becomes irrelevant when consequences for poor job performance are non-existent. Managers who fail to meet the budgeted targets without legitimate cause should be, at the least, reprimanded. The agency, from the Chief down through the line officers, should be accountable for meeting its targets.

RATIONALE: The Forest Service is under a great deal of scrutiny by the public as it wrestles with conflicting and changing interpretations of its mission. In addition, top-down direction from the Washington, D.C. level and from the current Administration seems to trivialize former agency goals of making forests healthy and productive. This causes conflicts within the agency as local personnel try to implement management procedures.

However, there are families, communities, and businesses which depend upon the implementation of the agency's current mandated mission and achievement of budgeted targets. The Chief must direct and managers and employees must implement the mission that currently exists and not what any individual thinks the Forest Service mission should be or may be in the future.

CONCLUSION: Congress has designated funds to the USFS based upon specific targets designated by the agency and by Congress. This funding comes from taxpayers who expect their monies to be used in the designated manner.

The integrity of the USFS is diminished when the agency allows its mission and goals to be subverted through non-performance, and when funds are diverted to non-designated goals or desires. When federal employees can do whatever they want with taxpayer monies and are not held accountable for their actions, it is time for Congress to take action.

FEDERATED WOMEN IN TIMBER**Private Property Rights**

BACKGROUND: Under the Fifth and Fourteenth Amendment of the United States Constitution, each citizen is guaranteed the right to own property and to be secure in the knowledge that their property cannot be seized or restricted by the government without just compensation. The principal purpose of the government is to secure the rights of the individual as long as they do not invade the rights of others.

POSITION: Federated Women In Timber (FWIT) continues to urge Congress to adopt a 'Landowner Bill of Rights' reaffirming the rights of citizens to own property and to be fairly compensated if property is confiscated or reduced in value by federal regulations or laws.

FWIT supports a "**Landowners Bill of Rights**" which includes:

Legislation which adopts and guarantees agency compliance with President Reagan's Executive Order 12630 (March 15, 1988), "Governmental Actions and Interference With Constitutionally Protected Property Rights".

Through the adoption and compliance of this legislation, we believe that these results can be achieved:

- Guarantees of equity and fair treatment to individuals and businesses, including due process and compensation for punitive actions.
- Non-regulatory, incentive-based approaches that encourage landowners to voluntarily conserve species and habitat.
- Regulatory approaches that benefit the *good of all* and eliminate the landowner's financial burden currently caused by mandatory compliance with excessive regulations created by federal laws and regulations.
- Agency accountability and just compensation guarantee when a taking is unavoidable by the "initiating agency" as reflected in budgetary restraints.

Legislation must also include grant-making reforms that prevent federal funding to non-profit groups for property confiscation, land bundling or similar acts of acquisition.

RATIONALE: The right to own property has been long recognized to be an essential liberty requiring eternal vigilance. George Washington stated that, "*Freedom and property rights are inseparable. You can not have one without the other.*"

Because of this deeply held belief, our forefathers sought to safeguard the inalienable rights of the individual from the might of the majority by purposely including the Bill of Rights to our United States Constitution. Yet, at this time of supposed environmental crisis, there are no federal standards addressing private property rights and compensation. During his presidency, Ronald Reagan saw his responsibility to the people and to his office. In 1988, Executive Order 12630 was developed to give direction to out of control agencies.

In spite of this directive and other laws, agencies continue to interpret laws and change the intent of law through the regulatory process, thereby creating super agencies that circumvent Congress. These same agencies encourage and sometimes fund non-governmental organizations (NGO's) in their efforts to subvert citizen's property rights. The current regulatory approach tends to give power to those who choose to corrupt laws and regulations in order to gain control over private property under the guise of environmental concern.

At the present time our government controls one-third of the lands in the United States with many acres protected by wilderness designations or other non-use means. Government agencies continue to remove property away from productive uses through punitive applications of wetlands regulations, the Endangered Species Act, and other programs and Executive Orders. All too often, little or no scientific evidence is presented, while regulations are created and designations are made based upon nebulous assumptions and hypothetical benefits to the environment.

CONCLUSION: The United States government and its agencies should recognize the constitutional rights of property owners. The U.S. Constitution is a document for the citizens of the United States. It is clear and concise. It is the responsibility of the government to protect the inalienable rights guaranteed to its citizens by the Constitution. The future of America lies in the strength and ability of private landowners to utilize their property without fear of financial penalty, incarceration or loss of property.

*"No one shall be...deprived of life, liberty or property without due process of law,
nor shall private property be taken for public use without just compensation."*

FEDERATED WOMEN IN TIMBER**Forest Health and Wildfire**

BACKGROUND: Wood is the only natural resource on earth that is renewable, recyclable, biodegradable, energy-efficient and beautiful. Many forests we have today are here because they have been managed, and no forest can be preserved in exactly the same condition over time.

- Decades of fire suppression and lack of active management have caused forest health to continue to deteriorate in Western public forests.
- The average volume of standing timber is 30% GREATER today than in 1952, resulting in overstocked stands that compete for light, water and soil nutrients, and stressed trees that are more susceptible to insect and disease damage.
- Dense stands have changed tree species to shade-tolerant species which are more susceptible to insects and disease, creating extremely high fuel loads where mortality exceeds growth.
- There are now millions of acres of brown trees, due to disease and bug-kill.
- Forest health cannot be achieved with road obliterations and other actions that make more and more acres inaccessible.

POSITION: Federated Women in Timber (FWIT) urges Congress to take swift action to ensure that our federal forests are managed to meet the needs of present and future generations. The waste of American forest resources must no longer be tolerated. Locking up our national forests makes it impossible to address forest health problems that jeopardize all forest values. To save these forests, Congress must fund and direct land management agencies to accomplish the following objectives:

- **Timber stands currently in jeopardy must be immediately thinned through logging.** Such thinning will improve long-term forest health and wildlife habitat, decrease wildfire risks, provide employment in rural communities, decrease the need for social programs, increase taxes paid to all levels of government, and create monies for the federal treasury.
- **Timber stands already dead and/or dying must be promptly salvaged.** Salvage operations will avoid the waste of our valuable timber resource and slow the epidemic rise of infestations of insects and disease.
- **Pre-commercial thinning must be enacted to improve forest health,** growth yields for future consumer needs and wildlife habitat. This initial cost to the Treasury will be recovered through increased future harvest volumes.
- **Prescriptive fire must be used in areas where logging is impossible or economically unfeasible.** Such treatment is costly, but would lower the risks of uncontrollable wildfires and improve forest health.
- **Forest roads must be maintained** as avenues for suppression personnel to quickly and effectively reach wildfires, lowering the costs and destruction of such fires, and to provide access for management and to salvage dead and dying trees.

RATIONALE: FWIT believes the focus should be on modern, creative, scientifically sound solutions to achieve healthier forests. The U.S. Forest Service and Congress need to acknowledge modern forestry's environmentally sensitive and advanced techniques that allow us to provide the diverse needs of a growing public's demand for products while protecting our watersheds, fish and wildlife, and the air we breathe. Congress must recognize that healthy, resilient, sustainable forests and healthy, resource-dependent communities go hand-in-hand, and the products these communities provide are the lifeblood of our nation's economic well-being.

Measurable indicators of the failure of current management are acres of uncontrolled wildfire, miles of trails and roads in poor condition, poor timber growth/mortality ratios and losses of desirable wildlife species. This year in the Northern Continental Divide Ecosystem, twenty-five threatened grizzly bears were destroyed, far above the ten allowed, as hungry bears became habituated to dog food, bird seed, garbage and other human food. Their preferred food source, huckleberries that need sunlight, are disappearing in the dense forests. To address a similar problem, Alaska's state forests are thinning dense stands to provide browse that improves moose habitat.

According to Forest Service Chief Michael Donbeck, forty million acres of National Forest lands are in poor health. The Forest Service's 1995 RPA Assessment states that tree mortality increased 24% between 1986 and 1991. Mortality on Idaho's federal forest lands is 50% higher than on other ownerships. These lands could be rejuvenated through sensible salvage operations. For example, in February, 1998, the administration's Council on Environmental Quality exempted 103,000 acres of blowdown timber in eastern Texas from the normal environmental analysis. The Council stated that the fallen timber raises "serious concern about high risk of high-intensity wildland fires, with potential for further habitat destruction and risk to adjacent private property, and about possible bark beetle infestation" (emphasis added). Numerous stands of dead, dying, and downed timber across our Western forests are similar disasters waiting to happen.

At the same time, timber harvest on federal lands has declined substantially. In December, 1998, the U.S. Forest Service reduced its annual timber sales from current levels by eleven percent and expects to cut them by even more over the next two years. In some areas, targets will be ninety-eight percent less than totals from a decade earlier. The U.S. Forest Service is negating a history of "caring for the land and serving people." In 1910, the fledgling Forest Service struggled with the worst fire season recorded when approximately 50 million acres burned across the nation. It was not until the 1950s, when approximately 16 million acres burned annually, that growth finally exceeded loss by fire and harvest by logging. The most recent fire years burned less than six million acres with expenditures averaging over \$200 million dollars annually on fire suppression. Major wildfires often lead to further catastrophic damage from severe erosion of denuded slopes in burned-out watersheds. One devastating example is the Tanner Gulch Fire in the Wallowa-Whitman National Forest, where a blowout resulted in 100% fish kill for thirty-six miles downstream in the Grande Ronde River, prime salmon-spawning habitat. Snags and all bird nesting habitats can be lost in catastrophic fire.

CONCLUSION: As our forests continue to be locked up, the issue is whether we will stand by and lose our forests to catastrophic wildfires, insects and disease, along with the valuable fish, wildlife and recreation opportunities they provide. The best hope for America's forests rests on learning from the past and ensuring that professional foresters retain a complete set of silvicultural tools. It is impossible to reconcile the U.S. Forest Service's facts, figures and acknowledgment of declining conditions on the ground with its continued inaction and abdication of responsibility. Less and less of the necessary stewardship to maintain and enhance the condition of designated multiple-use lands is occurring as a result of vague political directions, on-going analyses, court orders and confusing administrative orders. These public lands, which once served the needs of the American people through multiple use, will continue to deteriorate without prompt action.

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Background

The National Forest System managed by the USDA Forest Service encompasses 191 million acres nationwide and includes 377,800 miles of "inventoried" roads. The Forest Service indicates that there are another 60,000 miles of "uninventoried" roads within the National Forest System. These consist of roads that were created by repeated public use, but never built nor maintained to any Forest Service standards. These include trails and right of ways that, in some instances, go back to usage preceding Forest Service management of the land. Currently 20% of the inventoried roads are closed by gates; 23% are used by all traffic, including passenger cars; 57% are passable only by high-clearance vehicles. Approximately 77% of the inventoried roads are open to all traffic, with a mere 3% open only to administrative and logging traffic.

The Wilderness Act, which passed Congress in 1964, designated 54 Wilderness areas which included 9 million acres of Forest Service land. Congress further directed the Departments of Agriculture and Interior to review additional areas for their wilderness potential. These were areas of at least 5,000 acres in size which were generally undisturbed and undeveloped. In 1970, the Forest Service began its first Roadless Area Review and Evaluation (RARE I). It was abandoned two years later due to litigation over its violation of the National Environmental Policy Act (NEPA).

In 1979, after two years of study, the FS finalized RARE II, in which it recommended that 15 million acres of roadless areas be included in the Wilderness system. It designated 11 million acres for further study during the planning process under the National Forest Management Act (NFMA). The remainder of the 60 million acres studied were to remain open for resource development and motorized recreation. After further review during the 1980s, only 6 million acres were recommended for Wilderness designation, 20 million acres were placed into some other non-development status, and 34 million acres of inventoried roadless areas were designated for non-wilderness, multiple use management.

On January 28, 1998, the Forest Service published an Advance Notice of Proposed Rule Making in preparation for a new national policy on Forest Service roads, intended to govern the construction, usage and general management of roads within the entire National Forest System. On the same date, the agency announced a proposed interim rule suspending road construction and reconstruction in many areas of the National Forest System for a period of 18 months or until the permanent roads management policy is finalized. Due to strong public and Congressional reaction to the FS announcement, the agency spent the next year preparing an Environmental Assessment of its proposed moratorium and issued a Finding of No Significant Impact regarding the moratorium. On February 12, 1999, the Forest Service issued a Notice of Adoption of the interim rule, and the moratorium on Forest Service road construction and reconstruction went into effect on March 1, 1999. Simultaneously, the Forest Service is beginning to comply with a directive contained in Vice President Gore's "Clean Water Action Plan" which directs the agency to "decommission or obliterate 5,000 miles" of Forest Service roads *per year* by 2002.

Position

- Federated Women in Timber opposes the continuation of the moratorium on road construction and reconstruction in the National Forest System.
- Federated Women in Timber objects to any program of road decommissioning and obliteration during the development of the Forest Service's permanent national roads policy.
- Federated Women in Timber urges the Administration to seek and adopt recommendations from local governments when formulating any long-term decisions regarding the closure of forest roads. Decisions regarding road construction, reconstruction or obliteration must be made in the context of forest planning under the NFMA with strong emphasis placed on comments of local residents, especially locally elected officials.

Rationale

The moratorium is unnecessary and sets aside the results of the thorough and expensive RARE II process which was completed just over a decade ago. It is also contrary to the planning process required under NEPA and NFMA.

The moratorium is unnecessary – A long term policy affecting road construction, reconstruction and closures should be developed in the context of forest planning and can be developed without a blanket moratorium beyond the decisions reached under the protection of the Congressionally sanctioned RARE II analysis. The terms of the moratorium clearly signal a unilateral decision by the Clinton Administration to vastly expand the existing Wilderness system by adding buffers of 1,000 acres around currently protected areas such as Wilderness and Wild and Scenic Rivers (see proposed new Section 212.13).

The moratorium is harming the general public interest – Small, rural communities are being harmed by the moratorium because it is severely limiting access to and development of lands currently designated by forest plans as areas available for timber management and other economic activities. Many of these communities are heavily dependent upon forest receipts to fund schools and needed road maintenance. The moratorium is causing the loss of more than 12,000 direct jobs and \$160 million in revenue.

The moratorium threatens forest health – Many acres of federal forests are presently suffering from forest health crises due to disease, insect infestation and decay. Approximately 40 million acres of National Forest lands are presently at high risk of catastrophic fire. These areas must be available for roadbuilding to ensure access for thinning, commercial harvest and reforestation.

Conclusion

The Forest Service should withdraw its moratorium on roadbuilding, defer decisions on road obliteration and develop its permanent roads policy through an open, public process which gives due consideration to local decision making, involving local residents, local businesses and local elected officials.

FEDERATED WOMEN IN TIMBER Decoupling/National Forest Counties and Schools Coalition

BACKGROUND: The existence of federal lands in a county reduces the county's tax base because counties are not allowed to collect property taxes from the Federal Government. Over the past 100 years Congress has developed a number of laws to compensate counties for their lost tax base. Counties face dramatic reductions in these payments if the federal agencies do not sell timber. Many non-spotted owl counties have never received compensation, even though they have the same financial hardship since the implementation of the spotted owl legislation. Now many states, and especially northern spotted owl impacted counties, stand to lose millions of dollars more, annually beginning in the year 2003 when the owl guarantee payments will sunset.

The Clinton Administration has proposed to decouple county payments from the actual selling of timber and is pursuing a policy of reducing timber harvests on all federal lands. The loss to counties in actual payments, job loss and payroll reductions is in the millions of dollars.

POSITION: Federated Women In Timber urges your support for legislation that will allow counties to continue to receive federal payments generated from the selling of timber on federal lands. We support the principles articulated in the National Forest Counties and Schools Coalition's March 8, 1999 statement of Joint Principles.

These principles are:

- No decoupling of county payments from the revenue producing programs of the federal agencies.
- A short-term safety-net payment program which pays counties the equivalent of the average payment generated during the highest three years from 1986 until the payment date.
- A requirement that the agencies pay either the higher of the safety-net payment or actual receipt based on the revenues produced. With the agency's nonrevenue producing programs covering the difference between actual receipts and the safety-net payment if receipts fall below the safety-net trigger level.
- A call for a long-term solution to federal land management that: (1) promotes local government coordination; (2) recognizes the need for sustainable economic self sufficiency of rural communities; (3) requires ecological and social considerations, with social factors having co-equal status and consideration of federal lands.
- The Administration's proposal would establish yet one more entitlement program which would be subject to the whims of the appropriations process. To remain vibrant, counties need the economic activity federal land management produces, not a new entitlement program.

RATIONALE: In addition to the principles set forth in the National Forest Counties and Schools Coalition, Federated Women in Timber submits the following in support of those principles:

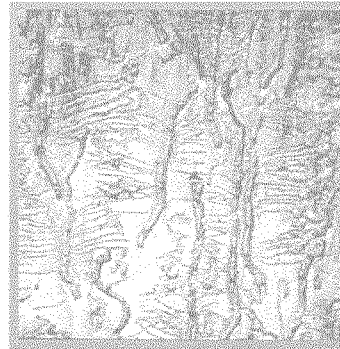
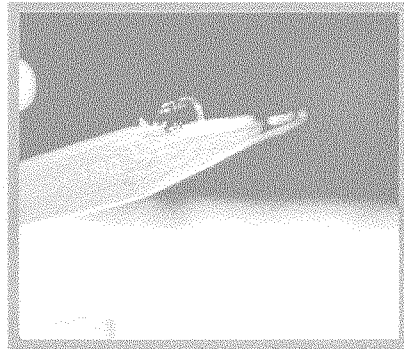
- That it is imperative that forest resources are managed in a responsible manner. (The no action alternative, in most cases, is not in the best interest of the forest.)
- That the overall health of the forest be the determining factor in forest management on public lands.
- That sustainable forestry be practiced at every level of forest management.
- That healthy, managed forests provide economically stable and independent rural communities, recreational opportunities, and plentiful clean high quality water, for urban and agricultural uses.
- That community of place has significant recognition in relationship to community of interest.
- That the on the ground land managers have the authority to carry out these policies in cooperation with local government and local interest.

CONCLUSION: Our country's **heritage** is based on a principle of fairness. It is important that our children understand that the forest is a place of many activities. We have an aging population that is unable to do many of the outdoor activities of their youth but maintain an interest in those activities. It is important that forest roads be maintained for recreational purposes and the prevention of catastrophic fire. Good stewards take care of the land. The wise use of our natural resources is extremely important if we are to be good stewards of the land.

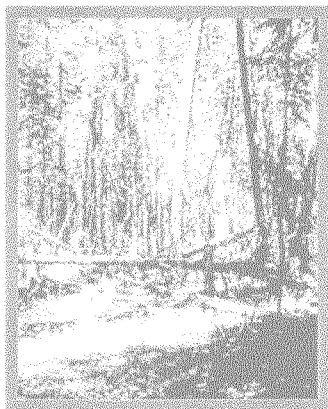
SCOPE OF THE PROJECT



The Douglas-fir bark beetle infestation has reached epidemic levels in the Idaho Panhandle and Colville National Forests. Trees that have been killed by the Douglas-fir bark beetle are apparent by their red needles. The infestation has the potential to expand to 250,000 acres. Areas with the highest concentration of bugs is neighboring Coeur d'Alene and Hayden Lake Idaho. In addition to these areas a mosaic of more remote forested areas are also infested.



The Douglas-fir bark beetle is small in size but gains strength in numbers. It takes approximately 1,000 beetles to kill a tree. They accomplish this by boring into the bark of a tree and chewing vertical galleries in which they lay their eggs. As these eggs hatch, the young beetle larvae chew tunnels in a horizontal direction around the tree, ultimately girdling the tree. A year later, the new hatch of beetles will then bore exit holes through the bark of the tree and fly to a new food source. Approximately one year later, the tree is dead. There is no chance for recovery.

FUELS AND FIRE SITUATION


The vegetative mortality caused from the bark beetle results in significant fuel accumulation in the forest. The excess fuel makes the stands very susceptible to catastrophic wildland fire. This heavy fuel accumulation increases the heat intensity of the fire which has the potential to render the soil unproductive.



Of particular concern are those areas that have significant fuel accumulation in the wildland-urban interface. The photo on the right depicts a low intensity prescribed fire which reduces hazardous fuels that could feed a catastrophic wildland fire. The photo on the left depicts a high intensity crown-replacing fire in close proximity to the urban interface where excess fuels have not been treated.

STRATEGIES TO REDUCE THE INFESTATION

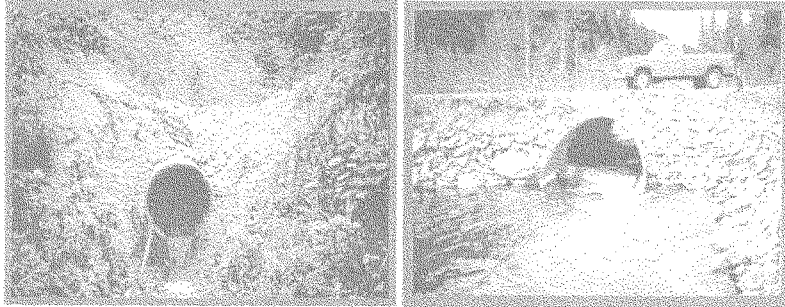


The douglas-fir bark beetle population can be reduced by several different means. The picture on the left shows a pheromone packet that can be used to discourage the beetles from entering a particular stand or an individual tree. The picture on the right shows a bark beetle trap, that when used with an attractant pheromone traps and kills the beetles. The pheromone research and application currently underway on the Idaho Panhandle National Forest is separate from this EIS. (Douglas-fir Beetle Pheromone Study Project. March 9, 1999: Decision Memo.)

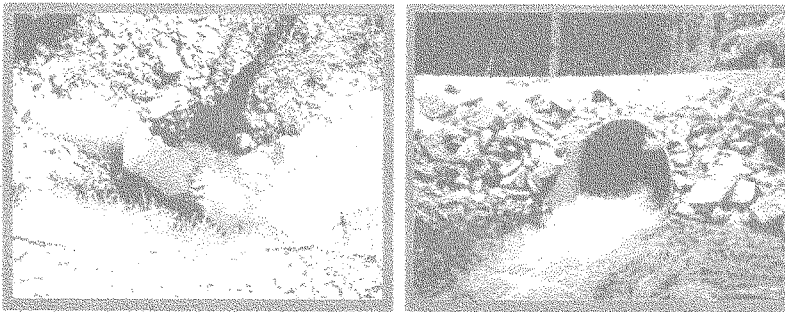


Timber harvest is another way to reduce the bark beetle population. Harvesting the beetle killed trees while they are still underneath the bark removes both the parent bug and the larvae to the mill where they are killed.

AQUATIC RESTORATION



Revenue generated from timber harvest will be used to satisfy project objectives. An objective for aquatic restoration is to reduce risk to fish populations and excess sedimentation in the aquatic ecosystem. On the roads necessary for administrative and public access, within beetle infested areas, undersized culverts will be replaced with culverts of appropriate size. (As illustrated above.)



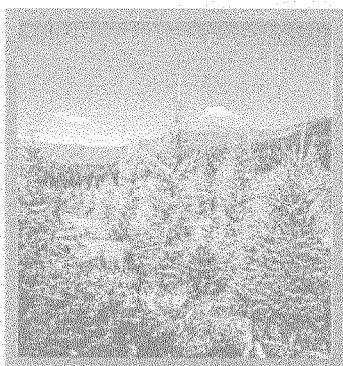
Increasing fish passage is another project objective. This can be accomplished by replacing "shotgun" culverts (as displayed on the left) with arched culverts that allow for fish passage. (Picture on the right) In many cases this type of work will be accomplished prior to harvest activities.

REGENERATION HARVEST



Historically the Idaho Panhandle National Forest was composed with a far different stand structure than what is present in the forest today. The change in species composition is a result of decades of historic logging practices and fire exclusion.

The bark beetle is only one symptom of forests out of balance. Douglas-fir stands are now twice as abundant in northern Idaho as they have been in the past. More than 90 percent of the stand composition of 50 years ago, which included western white pine, ponderosa pine, and larch has been lost. The photo on the top left depicts a historical stand of western white pine on the Idaho Panhandle National Forest. The remaining photos show regeneration of historic seral species from initial planting through 14 years of growth.



Mrs. CHENOWETH. Thank you, Ms. Keller.

And the Chair now recognizes Mr. Johnson from Forks, Washington. Mr. Johnson.

STATEMENT OF BRETT C. JOHNSON, FORKS, WASHINGTON

Mr. JOHNSON. Thank you. I would like to thank the Subcommittee for affording me the opportunity to testify here today. It won't be quite as good, not as many statistics. I probably won't end up reading a whole heck of a lot from this. I just want to come share my experience, strength, and hope as I was asked to. I would like to especially thank the Honorable Helen Chenoweth. I come from the State of Idaho, and, Madam Chairman, the State of Idaho is very lucky to have someone like you representing them.

My name is Brett Johnson. I live on the west end of the Olympic Peninsula; Clallam County is the county I live within. Prior to moving there seven years ago, I lived on the I-5 corridor in Seattle, the Redmond area, actually, where Microsoft comes from. When I lived in the Redmond area, Redmond had one stop light. As I went to school, Redmond changed. Instead of cutting down timber over there and replanting timber, they cut down timber and brought in a lot of folks from all sorts of places to take over that community, and that scares me; I am kind of protectionist that way. But, yet here I did, I moved over to a rural community. I had a mindset when I moved over to that community, and it was just this last year that my son had come from the urban area into the rural community, as well, and he has a great education just like I, myself, had.

I live bordering the Olympic National Park, Sol Duc District, about 18 miles out of Forks, Washington. My education and my experience in the Seattle area, I showed up over in the Forks area for quite a few years enjoying the recreation opportunities that were there—swimming in the rivers, fishing in the rivers, hiking, and camping. It is a beautiful area. Some of the places I used to go to years before, I don't have access to, because some of the road problems. Now, I live in that community and a lot of my friends from the urban areas come over to visit and camp and do some fun things. We have to send them to different areas, because some of those roads are washed out due to lack of maintenance on Forest Service roads. Some of the best scenic areas—and I have got some pictures and this and that, that in the future I will send off to your Committee.

I do appreciate the opportunity to step in here, because when I did move over to the Forks area, I had a real weird mindset. I had no idea what was going on in Forest Service lands. I didn't know—I figured I got across the ferry and it was the Olympic National Park. Well, that is a one million-acre park, basically, surrounded by 632,300 acres of what I would consider mismanaged—adapted mismanagement areas. No wildlife openings are being created there at all.

I am told by quite a few of the biologists in some of the meetings I have sat in that elk and deer—see, I am not a biologist, a botanist, an attorney, a forester; I am a human being. And, frankly, some of the folks that found out I was a human being, some of the

folks I used to hang out with quite a bit, tell me that I am the cancer of the Earth. I don't like hearing that.

When I ended up coming over, there was a ranger by the name of Gary Harris on the Olympic region, Sol Duc District, who told me that our district and the Olympic region was being managed by the Rio treaty—I think was the terminology he used—biodiversity treaty is what he said, and I didn't understand that, because I thought that was our national Forest Service, USDA Forest Service, that was going to manage those lands for the betterment of our Nation and not the internationalists. When this ranger told me about that, it was at an adapted management area local meeting that was attended by quite a few folks from outside our area that were brought in from Oregon, and they had as much say as we did at this meeting, the local folks. That concerned me greatly. Here you are having a local meeting, and folks are brought in from an outside area that had a certain mindset. These folks tried to disrupt the meeting any time one of the local constituents was speaking.

The problems I ran into with some of these folks—they ended up camping out on the piece of property where I lived, so the eco-terrorism stuff that was being talked about, I had plenty of threats from these folks when they found out I was speaking out against what they planned on doing, and that was creating a lot of havoc for us folks who lived in that local area.

The adapted management area meetings—Gary Harris, the ranger, told me that the area in which I lived was imminently going to burn because of the mismanagement that was going on there. They had planted some lousy tree production; they wouldn't go in and thin it out, put any other trees in that area, and, historically, that area burns. It was suggested to me and my neighbors that if Gary lived in that area, he would move, because it was imminent there was going to be a fire in that neck of the woods. Well, I have a 12-year old son who has moved in with me there, and I would love for each and every member—especially the ones who aren't here and especially the one from the State of Washington, the Honorable Adam Smith, I believe is from Washington, and I have got a lot of friends over in his neck of the woods—they would come over and what I am hoping is that they will have the opportunity to come up and see the road problems. They are creating problems for the fish which have just now been listed, as well.

Appreciate the opportunity. If I can answer any questions, I will try my best. Thank you.

[The prepared statement of Mr. Johnson follows:]

STATEMENT OF BRETT C. JOHNSON, FORKS, WASHINGTON

Testimony pertains to: Personal experience in dealing with issues specific to National Forest Systems Policy, Protection, and Public/Private Resource Management. Key points to include—real people, local citizen attempts to participate in decision making process, lack of fire preventive measures and local economic concerns, accessibility and roads maintenance issues.

I would like to thank the Subcommittee for affording me the opportunity to testify before you today, with special thanks to the Honorable Helen Chenoweth, Chairman. Madame Chairman, you represent the citizens of Idaho with great poise and professionalism.

My name is Brett Johnson. I live on the West End of the Olympic Peninsula in Washington State, where I am raising my son Bryan who is twelve years old. He

would be here today, but little league baseball matters more to our children than does congressional affairs. As we will see in this testimony, Congressional affairs do play a role in my child's education and our ability to continue living in this beautiful rural community.

We live outside of town with one of our closest neighbors being the USDA Forest Service, Olympic Region, Sol Duc Ranger District. I am testifying today as an individual and by no means wish to represent my employer, or anyone else for that matter, at this time. The testimony I am giving is based upon my own personal experience visiting, as well as living on the Olympic Peninsula.

Let me begin by noting that I have lived in the Forks, WA area for nearly seven years, having moved from the Seattle area in 1992. I had spent much time camping, hiking, biking, and sightseeing on the Olympic Peninsula for many years prior to moving there permanently. I brought with me an attitude I would now call "urban think." This attitude was basically thinking I knew about environmental issues I had no personal experience with first hand. Herbert Spencer, a noted philosopher, once said "There is a principle which is a bar against all information and which cannot help but keep a man in everlasting ignorance, that principle is contempt prior to investigation." This seems to fit me quite well.

My contemptuous attitude began changing as I started to meet individuals, and families which had lived in this community for generations. Today, many of my closest friends are the children, grandchildren and great grandchildren of people like the Iron Man of the Hoh, John Huelsdonk. The Federal Government has incrementally taken portions of their family lands to assure our nations future generation a wilderness experience. These folks and their children have since been denied access to portions of lands and trails once developed and maintained by John Huelsdonk, Charlie Lewis and other family members. This generation has already been denied access to the wilderness experience they were promised.

Old-timers in this community have taken time personally to escort me into the woods. Providing a great beginning of truly wonderful education. Seeing first hand the reality of our local forests and the forest health issues associated with non-management of the resource has begun to open my eyes. Infestation of bugs, blow-down, fire hazard, overcrowded stands, and many other problems seem obvious to even this city boy. Little, or no action is being taken by the Forest Service to limit the devastating effects to humans by the inevitable fires that will occur in my neighborhood. Further degradation to the valuable resources of timber and wildlife continue.

Ranger Harris, the previous Sol Duc District Forest Ranger, told me that they had gotten rid of almost all the fire fighting, and roads maintenance equipment the last few years. He further suggested that if we wanted any safety assurance, we should move away from the Snyder Ridge area, and that he anticipated a uncontrollable fire in that area soon. If the right conditions were present, such as dry summer, and an east wind it would be inevitable. He also acknowledged that the Forest Service was managing lands according to the Treaty in Rio. International management seems unconstitutional, is not site and situation specific, and therefore, seems a very ridiculous option to choose.

As a member of the public, I have attended many of the Olympic Province Advisory Committee Meetings. This group was chartered out of the President's NW Forest Plan and appears to be lacking in site and situation specific management techniques also. Over the past few years, I have also attended the supposed local public meetings on the Olympic Adaptive Management Area. At these meetings, preservationists, brought in from Oregon had equal status with the local, most affected concerned citizens. This did not seem appropriate to me if it was to be a local informational and input meeting, as I was told.

The Advisory Committee is obviously trying to take local economics, other than tourism, out of the picture entirely. By the way, promises of tourism are hollowed with the lack of maintenance on some of our more scenic forest roads. When asked to address local concerns regarding economically feasible timber harvest, the group balks. The professional facilitator then steers the group back onto other feelings oriented topics, while attempting to degrade the questioner's credibility and thus bypass any talk of real economics. The committee's own feelings seem to matter more than the feelings of the local people trying to feed their children.

In 1995, I began a lunch buddy program at the local elementary school. Not having full custody of my own child at that time, I wanted to stay in tune with children his age, so as to, ready myself for the day when he moved in with me on a full time basis. While attending a reading session just prior to Christmas of 1995, I was greatly upset by something I saw and heard. One teacher, after reading Charles Dickens tale of the little Christmas Tree, asked the 4th Grade students in her class the following questions:

(i) How would you feel if you were cut down and taken away from your Mother, & family like the little tree was in the story?

(2) What would you think about being adorned with ornaments for display, and after a few days taken outside and set afire?

(3) How come we humans are so uncaring to nature's other living beings?

This is an example of the twisting of our children's minds which continues daily through schools, television, and the media with regards to natural resource issues. I have since participated in getting independent people from our community into schools to mitigate the damage some teachers personal agenda's may produce. Our children needn't feel guilty for living in homes made from forest products, or drinking the eight glasses of water as is suggested by the Department of Health, Education, and Welfare.

Total annual timber harvest in Washington State on both Public and Private lands is now less than what occurred on the Sol Duc District alone in 1988. I don't think the people living in my rural community want the destructive band aids provided by the re-circulation of already existing tax dollars. What I hear them saying is—please let us go back to work creating new wealth from the extraction and replanting of a renewable resource. Timber grows very quickly with our approximately 150 inches of rain annually and most tourists balk at spending time in a community that gets that much rain.

Forest Health is declining, Rural Communities are being destroyed, and all this because of policies not based on sound science. Replacing science and economics, is the new international social science of Environmentalism. International Social Management has not worked elsewhere so, how about giving us back our jobs. We can help in taking care of the nations resource needs while providing habitat for a multitude of species badly in need of the wildlife openings our harvests will create with sustainability.

Recent studies by USF&WS, USGS, & WDF&W, show our Elk & Deer numbers are way down on the west-end of the Olympic Peninsula and many biologists I've spoken with say this is directly attributed to the lack of wildlife openings. Openings, that were previously being created by harvest of timber and providing for economic values to come off of the Peninsula's large public land base. Visitors tell me how bad the clear-cut looks and then explain it was on the edge of this eyesore they saw the elk they had photographed.

I would like to finish by thanking this Committee for allowing me to share a little of my own personal experience and observations on this issue. I would love for each member of this Committee to come into my back yard, upon scheduled invitation of course, and take a tour of the Olympic National Forest with real people rather than agency personnel as is typical. You will be amazed at the beauty the loggers paintbrush has created on the landscape and the danger to it that now exists because of mis-management. I welcome any questions, comments or future correspondence.

Mrs. CHENOWETH. Thank you, Mr. Johnson.

I thank the panelists for their valuable testimony, and the Chair now recognizes Mr. Hill for his questions.

Mr. HILL. I thank you, Madam Chairman, and I want to echo your comments and thank the panelists for their testimony.

Sheila, I want to ask you a few questions, if you don't mind. I found kind of interesting when you made reference to the fact that you were embarrassed to say what you did and that you owned a logging truck. Do you consider yourself a person that cares about the environment?

Ms. KELLER. Absolutely. I probably, originally, I was one of those who had no idea of my own personal impact on the environment, and education has played such a great role, I now realize that absolutely everything I use and everything I do comes from the Earth. If it can't grown, it has to be mined. And we have been using these things since man began, and we are using them better than ever, and here, in the United States, we have the best technology, the

best methods, the most concern for our environment and the stewardship practices. As we are making these decisions, we are deciding to send all of our environmental concerns to another country while we do the consuming, and that doesn't seem right. We are the responsible ones, and we can make very responsible decisions concerning our resources.

Mr. HILL. In your opinion, has the administration's road moratorium impacted the wood products industry in Montana?

Ms. KELLER. Absolutely. It is kind of hard to say what—I don't know that there has been a single sale on the Flathead that is coming down the pike except for maybe a 30-acre collaboration process that took two years. It is not only impacting timber harvests—perhaps, the best illustration of how it has impacted us is that we generally have one truck sitting. In addition, it is impacting snowmobiling and other recreation. So, tourism that was supposed to be our salvation is now, actually, it is on appeal. There is a snowmobile area that is being appealed by a local environmental group, the same ones that want to stop timber harvests. And on the collaborative process that we call Paint Emery, that Flathead Common Ground worked on, all proposals include taking out a groomed snowmobile trail there also.

Mr. HILL. You made reference in your testimony to trying to find some common sense solutions, and you have worked on Flathead Common Ground, which is a collaborative effort in your area, but in your testimony, you said that it was a process born of grant writers and paid volunteers, I think. That is a frustrating process. Would you describe why you described it that way? Would you explain that?

Ms. KELLER. Most of those who come to the table have a vested interest in keeping the processes long and involved and as lengthy as possible. There may be a few mill personnel who come once in a while. I make it once in a while, but most of those who sit at the table have received grants to participate in the process and promote it as the way to go; others are paid staff of volunteer groups.

Mr. HILL. So, they are making money being there, and it is costing you money to be there, right.

Ms. KELLER. They are making money, absolutely.

Mr. HILL. That is kind of unfair. Pretty hard to find common sense solutions, isn't it?

Ms. KELLER. Well, I hope it is not impossible. If there is any benefit at all to the collaborative process, it might be a measure of education, but most of those who sit at the table come with a mindset and an agenda—just as I said in Flathead Common Ground, the goal was to implement amendment 19, and most of those came to the table with a goal in mind—119 miles it shuts off whole drainage and—

Mr. HILL. This is for everybody's identification, amendment 19 is a road closure amendment, isn't that correct? It is an amendment to the Forest Plan and transportation for endangered species management.

Ms. KELLER. Some local environmental groups sued the 1986 Forest Plan, they lost at the State level and took it to the Ninth Circuit Court of Appeals where they lost on every point except for

one, which was how timber harvest affected the grizzly bear. Of course, you can see that the court wasn't a forester and wasn't a biologist, because huckleberries aren't growing in grizzly bear habitat. The only criterion for protecting the grizzly seems to be security, and, as far as I am concerned, the grizzly, just his size and his presence is enough security for me.

[Laughter.]

Mr. HILL. We have increased incidents of people, conflicts with grizzly bears, haven't we in recent years?

Ms. KELLER. Last year, it was record number, and this was due in large part to a failure of the huckleberry crop. There was some frost damage, and because we are losing our huckleberry crop across the entire forest, there just weren't enough huckleberries to support the bear population.

Mr. HILL. So, the bears are coming out of the deeper forests, and they are coming into areas where there are more people, isn't that right?

Ms. KELLER. They are searching for food in what ever place they can find it.

Mr. HILL. Interestingly, the greatest threat to grizzly bears is that encounter, when they encounter people in suburban areas or in areas where people and the forest intersect. Isn't that right? I mean, almost always, those bears end up being removed, don't they?

Ms. KELLER. The policy generally becomes "A fed bear is a dead bear." Once they have found a food source they can access, then they become repeat offenders.

Mr. HILL. One last point: you mentioned you are in the farming business, as well. Are you in the ranching or farming business?

Ms. KELLER. That was my husband's grandfather who farmed.

Mr. HILL. Your area is also impacted by another endangered species, timber wolves, isn't it?

Ms. KELLER. Yes. On the Flathead National Forest, I had a former Forest Service employee tell me—First understand that these are natural packs in our area, so they don't come under the same guidelines as the Yellowstone-introduced packs. In the North Fork, wildlife is disappearing rapidly, because, as this Forest Service employee said, the wolves view the elk calves as popcicles.

Mr. HILL. Well, that is their number one diet, isn't it, if possible?

Ms. KELLER. Generally, it seems to be the young. They like to tell us that they cull the herds for the old and disabled, but it has proved to be a detriment to the calf population, which is the future of that herd there.

Mr. HILL. Thank you very much for your testimony.

Madam Chairman, I have to leave; I have another meeting. But thank you for holding this hearing. I want to thank, Sheila, you, for being here and the other panelists, and I appreciate very much the opportunity to hear your testimony. Thank you.

Mrs. CHENOWETH. Thank you, Mr. Hill, and thank you for making sure Ms. Keller came back. I appreciate that.

The Chair now recognizes Mr. Sherwood.

Mr. SHERWOOD. Thank you, Madam Chairman. Thank you very much, Mr. Anderson, Ms. Keller, and Mr. Johnson, for your testimony.

It seems to me that it is illustrative that we have policies that have gone awry, and we are getting unintended consequences—that is a new phrase I have learned since I came to Washington. But it looks like the management practices that we have taken on in so many cases are counterproductive, and, Mr. Anderson, I live about 160 miles east of you out Route 6, and, Ms. Keller, some of my best friends drive log trucks, so don't—no apologies necessary here.

Dale, talk to me a little bit about the Allegheny National Forest. In other words, give us a price—this Committee has a little western bias, and they have an even-aged forest, and they cut it down, and it makes a big difference. In ours, we do a lot of selective cutting, and it regenerates. We have got lots of water, and tell them a little bit how valuable those cherry trees are now that are fallen down?

Mr. ANDERSON. Well, some of those cherry trees contain in the neighborhood of 500 to 1,000 board foot; trades anywhere from \$6 to \$8 per board foot for a good one. So, what does that come out to? About somewhere around \$6,000 a tree.

Mr. SHERWOOD. Trees, yes.

Mr. ANDERSON. These are pretty expensive trees. They trade worldwide. There are people that come in from Germany, France, Belgium. They walk through the woods and of the ones that are marked on Forest Service lands, they will say that "Yes, that looks like a good one; I think we will take that one." And, so they are pretty much handled almost as individual trees.

I know people that operate mills that buy Forest Service timber that walk up after they have purchased the timber; it is marked for a log; he inspects the tree, and marks on it with his own paint how long he wants that log cut. They will cut it 20 foot long, and that log stays 20 foot long until it gets to the veneer plant where they then cut it into a couple of multiples, because every time you cut that log, particularly in dry weather, it may check, and part of it isn't able to be used. So, by leaving it long length, they keep all of the value in that log. They don't have to trim off a foot. It is just too dear. It is a beautiful resource.

I think I was in one congressman's office today that had a black cherry table, and he was from Idaho—I forgot to mention it.

Mr. SHERWOOD. Well, I just went through a new bank that was opened in Clark Summit, Pennsylvania the other day, and it is paneled entirely with native Pennsylvania black cherry, and it is absolutely gorgeous. I used some in my house when my wife and I built it several years ago.

But the purpose of this testimony is to show what a tremendous resource we are letting go to waste. Here are these trees delivered to the mill; could be worth from \$2,000 a piece and up, and because we are worried about a bat in the forest, we have the whole forest shut down. Is that correct? There is no activity on the Allegheny right now?

Mr. ANDERSON. Yes. Right now, this is—it is shut down because we are waiting for a decision from Fish and Wildlife called a biological assessment. You have to understand that this started out because they found a bat, but since they found a bat, now we are going to do a biological assessment for the Indiana bat, for the Bald

Eagle, for the whorlled pogonia (*Isotria medeoloides*), and some mussels in the Allegheny River. So, by the time all this study gets done, are we going to cut any trees? It doesn't look like it to me.

Mr. Peterson has gotten Fish and Wildlife more money to get this study done. The study still isn't done. It just seems like we want more money, so we can study more things, so we can cut less timber. It was interesting listening to the law enforcement guy here. All the problems that we have in the forests have gone up, while the timber harvest has gone down.

Mr. SHERWOOD. And I am very familiar with the private ground to the east of the Allegheny National Forest, and because there is no cut going on on the Allegheny, they are cutting that private ground pretty strong, maybe too strong. In other words, we have not in the past cut it so it wasn't sustainable, but, right now, because of the pressure for the high dollar, especially the cherry but some red oak too, that private ground is being cut pretty hard. So, I think the Indiana bat is making us do two things that are real foolish: We are cutting some of our private ground too hard and letting our very valuable resource on the Allegheny get old and fall over.

When you take those prime, beautiful trees out in a selective cut, that opens up the canopy; then the small trees grow, and in the East, we can have a cycle. But if we let them fall down, it won't work, and I think that is the purpose of your testimony today, and any other comments I would be glad to hear, but I thought the three of you did an excellent job.

Mr. ANDERSON. Well, thank you; it has been a real pleasure.

Mr. SHERWOOD. Thank you, Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Sherwood.

I wanted to ask Mr. Johnson, was there any particular event or series of events that caused you to challenge the urban thinking of your Seattle life after you moved to the Olympic Peninsula, and what did you say in 1992?

Mr. JOHNSON. Well, getting a chance to meet some of the people on the ground, and while I was over there, my son lived in Redmond, because he was going to school at Horseman Elementary, and to keep the relationship going with him, I felt I needed to be active and involved with kids his age. So, I started to do a Lunch Buddy Program.

Mrs. CHENOWETH. Pardon me, a what?

Mr. JOHNSON. Lunch Buddy. I would go into the elementary school and hang out with a couple of different kids who were having some trouble in the community, and if they were getting their homework done, we would sit down and we would do lunch. If they weren't getting their homework, we would sit down and do homework, and they taught me an awful lot, as a matter of fact.

But, one occasion, I went into the classroom, and it was just prior to Christmas, and they were reading—not Charles Dickens; I made a mistake. I was thinking a Tale of Two Cities—urban and rural, I guess; it was a slip—but it was Hans Christian Anderson's, The Little Christmas Tree; wonderful story. But the questions following the reading of this that the teacher posed to these kids were utterly amazing. Questions to the effect—and I can basically read to those to you—but what it had to do with was how would you

feel—posing this question to these young children, fourth graders—how would you feel if you were cut down and taken away from your family, put on adornment with lights and displayed and then taken outside a few days later and burned? I mean, that is utterly amazing to have happen in the community that was built on natural resource extraction.

And I guess that is one other thing I would love to get a chance to mention is the term “timber-dependent communities.” I came from a timber-dependent community—Redmond, Washington. I was born in Salmon, Idaho, but I spent most of life in Redmond, Washington, and they are a timber-dependent community. The community I moved into is timber extraction-dependent, and timber renewal-dependent, and to renew it, one must harvest, and back on the point, the elk and deer—one of the reasons I moved over to that neck of the woods was the elk and deer populations, and they are declining from the U.S. Fish and Wildlife, U.S. Geological Survey, and Washington State Department of Fish and Wildlife. The recent study to reintroduce wolves—however it is said—into our backyards pointed out this problem, and they highlighted the fact that we are not harvesting timber that is going to provide the biodiversity that even the biodiversity treaty talks about. So, I appreciate the opportunity to answer that question.

My concern and what I have tried to stay involved in since that occasion with that one teacher is to get involved in some partnerships in education, and I understand the Alliance for America has a Providers Power Program that is pretty much right in line with that. Let these kids know where their food a lot of these products really come from, not Safeway or McDonald’s.

Mrs. CHENOWETH. Thank you, Mr. Johnson. I appreciate your comments, and I do think that it is important that our students realize actually what a tree, itself, can produce—the list of products that comes just from a tree. I was surprised, and this is an issue of great concern to me what is happening with the indoctrination of our young people, and it just takes the sheer joy away; that is unfortunate.

I do want to thank the members of this panel; you have prepared well. I thank you for your testimony. You have come a long way to supplement the record on a very, very important issue, and I am deeply grateful. Thank you very much.

The hearing record will remain open for those who wish to supplement your testimony, and if there is no further business, the Chair, again, thanks the members of the Subcommittee, and I am very appreciative of all of their good questions. And I thank our witnesses.

This Subcommittee is adjourned.

[Whereupon, at 4:12 p.m., the Subcommittee was adjourned.]