

**Chairman Joe Manchin's Opening Statement
Business Meeting to Report
Pending Nominations
Thursday, July 22, 2021**

- The Committee will come to order.
- The Committee is meeting today to consider five pending nominations.
- The first nomination on the agenda is that of Robert Anderson to be Solicitor of the Department of the Interior.
- The Committee previously voted 11 to 9 to report Mr. Anderson's nomination on May 27.
- But the Parliamentarian later advised us that we did not have a sufficient number of Senators voting in person to report the nomination, so we need to vote on Mr. Anderson's nomination again this morning.
- The next three nominations are for senior positions at the Department of Energy. They are:
 - Ms. Shalanda Baker to be Director of the Office of Minority Economic Impact;
 - Mr. Samuel Walsh to be General Counsel; and

- Dr. Andrew Light to be Assistant Secretary of Energy for International Affairs.
- Finally, we have the nomination of Ms. Tracy Stone Manning to be Director of the Bureau of Land Management.
- We are going to take up and vote on the first four nominations following Senator Barrasso and my opening statements, and then I understand there is a desire for further debate on Ms. Stone Manning's nomination.
- The first nomination on the agenda is that of Robert Anderson to be the Solicitor of the Department of the Interior.
- He is currently as the Principal Deputy Solicitor and has been serving as the Acting Solicitor since January.
- He previously served as the Associate Solicitor for Indian Affairs and as Counselor to Secretary Babbitt during the Clinton Administration.
- The next nomination is that of Shalanda Baker to be Director of the Office of Minority Economic Impact, which advises the Secretary on the impact of energy policies and minority communities.
- Ms. Baker is currently the Deputy Director for Energy Justice in the Office of Economic Impact and Diversity and

was formerly a Professor at Northeastern University.

- The next nomination is that of Samuel Walsh to be the Department of Energy's General Counsel.
- Mr. Walsh an experienced energy lawyer who previously served as a Senior Legal Advisor to the General Counsel, Associate General Counsel, and as Deputy General Counsel for Energy Policy.
- The next nomination is that of Andrew Light to be Assistant Secretary of Energy for International Affairs.
- Dr. Light is currently a Senior Advisor to Secretary Granholm, but served as the Principal Deputy Assistant Secretary for International Affairs prior to his nomination.
- He served as a Senior Advisor and Counselor to the U.S. Special Envoy on Climate Change in the State Department during the Obama Administration.
- He authored policy reports on international energy and climate issues, and has served as a consultant on these issues while a tenured professor at George Mason University.
- I believe all of these nominees are well qualified and I support each of them.
- I also believe Ms. Stone Manning is very well qualified to lead the BLM and will be supporting her nomination, but I will reserve my additional comments for that debate to

come.

- We will turn now to the nomination of Tracy Stone Manning to be Director of the Bureau of Land Management.
- I'm going to ask all of my colleagues who wish to debate this nomination for their consideration and to limit their remarks to five minutes.
- I'll make my opening comments and then turn to Ranking Member Barrasso; he will be provide some opening remarks and a few words in closing at the end of the debate.
- Let me begin by saying that the Constitution gives the President the sole power to nominate top officials, but it gives the Senate the responsibility to advise and consent to their appointment.
- While I believe the President is entitled to a great deal of deference in picking his own team, that does not relieve us of our duty to weigh each nominee's fitness to serve.
- For that reason, I have taken very seriously all of the charges that have recently been leveled at Ms. Stone Manning.
- Tree spiking is a serious crime and the allegation that she may have been involved in tree spiking requires our serious attention.

- We have reviewed the 1,800 page record of the criminal trial held in federal district court in 1993 on the matter of tree spiking in the Clearwater National Forest in 1989.
- As a result, we know who spiked the trees.
- Four men admitted not only their personal guilt, but identified the other three as their only accomplices.
- Ms. Stone Manning was never charged with spiking trees; she was never tried for spiking trees; and none of the men who did spike trees ever suggested that she did.
- Nor was she a target in the investigation, despite being one of many to provide evidence in the investigation.
- The Assistant United States Attorney asked Michael Merkley, the Forest Service’s criminal investigator, whether the investigation in 1989 had identified “possibly anyone as a subject” in the investigation.
- The Forest Service investigator replied, under oath, “No.”
- Her response is further corroborated by recent comments in the press made by the former Assistant United States Attorney, who confirmed that Ms. Stone Manning was not a target of the investigation in 1993.
- Being called to testify before a grand jury does not make someone the “target” of a grand jury investigation.
- And she responded truthfully to the Committee when asked if *she* was investigated.

- I have been unable to find any credible evidence in the exhaustive trial record of the tree spiking case that shows that Ms. Stone Manning was an “eco-terrorist,” that she spiked any trees, that she conspired with “eco-terrorists” to spike trees, or that she lied to the Committee.
- What I find instead is compelling evidence that she built a solid reputation over the past three decades as a dedicated public servant and as a problem solver, who has brought people together.
- That is the message I took from Senator Tester’s testimony before this committee in support of her nomination, from Governor Bullock’s letter of support, and from the letters of support from other organizations that know her and have worked with her.
- And that is the evidence on which I will base my vote in support of her nomination, and I will urge my colleagues to do the same.