

To the Members of the Senate Energy and Natural Resources Committee:

As the year comes to a close, the undersigned organizations, on behalf of our more than 18 million members and supporters nationwide, urge you to consider the leadership of one of our most important land management agencies. Should the nomination of William Pendley to lead the Bureau of Land Management (BLM) within the Department of Interior (DOI) come before the Senate, or DOI propose a continued and indefinite ‘acting’ role for Mr. Pendley, usurping the authority of the Senate, our organizations stand united in opposition.

The Senate's advice and consent role is designed to safeguard the institutions of government and the functioning of its various departments. When a nominee is clearly unfit for a position, it is the Senate's duty to reject the nomination. Mr. Pendley is clearly unfit to lead the BLM in any capacity, either acting or Senate-confirmed.

Mr. Pendley has a long and established history opposing the very idea of federal public lands and instead for favoring extractive users over conservation. We offer the following for background:

- Mr. Pendley holds views antithetical to the BLM’s mission to manage resources on behalf of all Americans. In fact, Mr. Pendley has repeatedly called for selling off public lands; he authored a January 2016 article in the National Review in which he decried federal land ownership and argued the U.S. Constitution all but requires the federal government to sell the lands it owns in the West. At the BLM, Mr. Pendley now oversees 245 million acres of public lands but continues to dodge questions about whether he supports piecemeal the sale and transfer of lands owned by the American people.
- Mr. Pendley attempted to open lands surrounding the Grand Canyon to new uranium mining, suing the Department of the Interior on behalf of the American Exploration and Mining Association in an unsuccessful lawsuit to overturn the Northern Arizona Mineral Withdrawal.
- Mr. Pendley’s brief stint in public service is marked by enriching private industry and undercutting American taxpayers. Between 1981 and 1984, Mr. Pendley was the DOI Deputy Assistant Secretary for Energy and Minerals. In 1984, Pendley was criticized by an independent commission for mismanaging the agency’s coal-leasing program to benefit industry, and shorting taxpayers approximately \$100 million in a Powder River Basin sale that was below fair market value. An Inspector General report even found that on the same day the Department changed the bidding procedures in question to be more favorable to industry, Mr. Pendley, a colleague, and their wives accepted a dinner from two industry attorneys that is valued today at \$1,343, furthering this conflict of interest.
- Mr. Pendley has built a career dedicated to undermining public lands and their protections. From 1989 through 2018 - nearly 30 years – Mr. Pendley was president of the Mountain States Legal Foundation (MSLF), where he frequently sued federal agencies to challenge conservation policies and regulations, including national monument designations such as Bears Ears and Grand Staircase Escalante.
- Mr. Pendley has likewise made it clear his desire to strip protections for wildlife. In a 1993 USA Today op-ed, Pendley called the Endangered Species Act a “disaster” and said the “implementation of the act is little more than a land grab, as federal officials demand that private lands be handed over to the U.S. government as the price for economic

activity.” He now has a leadership role in a department that is actively working to strip away longstanding ESA protections.

- Mr. Pendley embraces radical views, including repeatedly criticizing domestic equity and diversity initiatives. As part of his extremism, Mr. Pendley also denies the science of climate change. Mr. Pendley has authored numerous articles and books that attack the U.S. government, including a 1995 book: *War on the West: Government Tyranny on America's Great Frontier and It Takes A Hero: The Grassroots Battle Against Environmental Oppression*. Under his direction, the MSLF publicly supported Cliven Bundy, who led an armed standoff with BLM officials in 2014 so that he could continue to personally profit from his misuse of America’s public lands.
- Mr. Pendley, serving as acting director of BLM, has led the relocation of the agency, a process aimed at dismantling the agency from within. The full effects of the relocation are yet to be fully realized, but an [estimated](#) 80% of career public servants based in DC could leave the BLM. Mr. Pendley’s actions will ultimately silence expert officials within the agency and bring the BLM closer – indeed, to the same exact building— as the fossil fuel interests it is meant to regulate.

Given that Mr. Pendley is uniquely unfit to lead the BLM, the current Administration may determine that a formal nomination of Mr. Pendley could not gain Senate approval and instead choose to keep him in place in an acting capacity. As you may be aware, he was granted an additional 90 days (expiring January 3rd, 2020) in an unconfirmed, unvetted capacity that is equally unacceptable and disregards the Senate’s authority.

If Mr. Pendley is nominated to lead the BLM, we strongly urge you to oppose his confirmation, and we also encourage you to assert with DOI that his current extended acting role is highly inappropriate and should be rescinded. In question is the management of over half of our nation’s cherished public lands. The risk to these lands is too high for inaction.

Sincerely,

The Wilderness Society
GreenLatinos
National Parks Conservation Association
National Wildlife Federation
League of Conservation Voters
Sierra Club
Defenders of Wildlife
Western Values Project
Turtle Island Restoration Network
Unexpected Wildlife Refuge
Earthjustice

Public Employees for Environmental
Responsibility
Southern Utah Wilderness Alliance
Friends of Nevada Wilderness
Delaware Ecumenical Council
NY4WHALES
Center for Biological Diversity
WildWest Institute
Public Citizen
Climate Hawks Vote
Clean Water Action