

**U.S. SENATOR TOM UDALL
FLOOR SPEECH
WILLIAM PERRY PENDLEY
September 15, 2020**

Mr. President. We rise today to demand that the White House immediately remove William Perry Pendley from “Exercising the Authority” of the Director of the Bureau of Land Management, and nominate a qualified person to be Director, subject to Senate confirmation.

William Perry Pendley embodies the Trump administration’s approach to conservation – they don’t believe in it. He embodies the Trump administration’s approach to Tribal sovereignty – they don’t respect it.

And his continued employment at BLM embodies the Trump administration’s approach to the law and the separation of powers – they’ll trample all over it, every chance they get.

Mr. Pendley has been “Exercising the Authority of the Director” since July 2019.

Let’s get one thing straight: this title has no basis in law. He’s serving as acting BLM Director under temporary appointments that the Secretary keeps renewing – in a cynical ploy to evade the Constitution, the Federal Vacancies Reform Act, and the judgment of the Senate.

Mr. Pendley’s record on conservation is so bad – so antithetical to the agency he oversees – that the Trump administration knew he wouldn’t survive a Senate confirmation. So instead, they’ve concocted this shell game.

The Director of BLM is subject to Senate confirmation. This Administration did not bother to nominate anyone for four years – until June of this year when Mr. Pendley was formally nominated.

However, the ink had barely dried on his nomination papers before the President was forced to withdraw the nomination.

From the beginning – the conservation, outdoor recreation, and sportsmen and -women communities have been uniformly opposed to Mr. Pendley’s appointment.

But that’s not why the president withdrew his nomination.

He withdrew the nomination because Mr. Pendley’s extreme anti-public lands positions made him too toxic for Republican Senators from Western states facing tough reelections.

Mr. President – if Mr. Pendley can't be confirmed as BLM Director, he should not remain the de facto leader of the agency. He should be immediately removed. No more shell games.

There are many reasons Mr. Pendley is unfit to serve – more than I have time to discuss. But I'll discuss three.

First – over the course of his 40 year career, he's established himself as one of the premier anti-public lands crusaders in the nation.

He's repeatedly advocated that the federal government sell off public lands – arguing that was the nation's founders' intent. As recently as 2016, he penned an op-ed entitled: "The Federal Government Should Follow the Constitution and Sell Its Western Lands." This – from the man who is now charged with running the agency that oversees our public lands. It's appalling.

BLM manages 245 million acres on behalf of the American people. Managing these public lands is the central mission of the job, and he doesn't think there should be any.

It's no wonder he's trouble for Western Republican candidates. Poll after poll of Westerners show overwhelming support for public lands among Republicans, Democrats, and Independents.

Selling off our national heritage to the highest bidder is extreme – and extremely unpopular.

Mr. Pendley has been singularly focused on renting out our public lands to extractive industries – to the exclusion of other purposes, such as conservation, outdoor recreation, and preservation of cultural and historic values.

As Deputy Assistant Secretary of Energy and Minerals at the Department of Interior in the 1980's – Pendley was a tireless advocate for opening up public lands – from the outer continental shelf to Wilderness areas – to drilling and mining.

When he was in charge of coal leasing at Interior in the 1980's, he helped coal companies get a sweetheart deal, leasing 1.6 billion tons of coal in the Powder River Basin at bargain basement prices.

The General Accounting Office concluded that federal taxpayers received about \$100 million dollars below fair market value for that sale, or about \$286 million dollars in today's dollars. Mr. Pendley was removed from his position after that GAO report.

And he hasn't changed one bit over the years.

As Executive Director of the Mountain States Legal Foundation for 30 years, Pendley fought tooth and nail for drilling and mining on our public lands.

If left unchecked, I have no doubt Mr. Pendley will continue to turn back the clock on sixty years of our national reckoning with the devastating consequences of recklessly extracting from the Earth.

Second: Mr. Pendley's well-documented racist attitudes make him unfit for this role. He has disdain for Native Americans, their Tribal sovereignty, and their religious practices. He is virulently anti-immigrant. He smears the Black Lives Matter movement.

He's called Native religious views "pantheism," "paganism, and "cultural myths." He's fought against protecting their sacred sites on federal lands.

It's Pendley's BLM that wanted to hold virtual meetings to determine the future of the Greater Chaco Canyon Landscape – at the same time that the Navajo Nation was facing one of the worst COVID-19 outbreaks in the country, and in an area that has some of the lowest broadband rates in the nation. Talk about tone deaf.

As Vice Chair of the Senate Committee on Indian Affairs – I'm here to say that Mr. Pendley has no business managing lands that are home to sacred Native sites.

He's questioned the basis of Tribal sovereignty and even Tribal recognition.

He wrote: "The day may come sooner than many expect given that, with ever-declining blood quantum per tribal member, recognized tribes may soon be little more than associations of financial convenience."

Let's call Mr. Pendley's offensive statement what it is – overt racism.

But his disdain for people of color is not limited to Native Americans. He's called undocumented immigrants "a cancer." He's claimed immigration will lead to "You and I permanently los[ing] the country we love." He's claimed undocumented immigrants create violent crime, crowd schools, and spread disease.

Mr. Pendley's racism has no place in today's America. And he's unqualified to manage public lands – at a time when we all should be working to make them more accessible to all of America.

People of color who have business before the Bureau of Land Management, as many do every day, have every right to wonder – is the deck stacked against them? It shouldn't be that way. And finally, a third reason that all of us should demand Mr. Pendley be removed from his position: he is a climate change denier.

The science of climate change – that it is happening, and that it is human-caused – is well-established. We are years and years beyond any scientific argument on these points. Just open your eyes – and look at the wildfires that are ravaging the West. Forcing people to evacuate

their homes. Making wide swaths of the West look like an apocalyptic scene out of a Hollywood movie.

Yet Pendley has claimed that climate change is like “unicorns” — neither exists.

Pendley’s hostility to science comes as no surprise. He’s working for a president who claimed just yesterday, as he made a belated visit to California, that “I don’t think science knows”, referring to climate change. The president claims he knows — insisting “It’ll start getting cooler.”

This president tries to undermine any institution that challenges his worldview — whether it’s science, the press, our national intelligence agencies, the courts.

But while Mr. Pendley and the president deny the reality of climate change — right now, today — in California and Oregon, BLM and other public lands are burning.

While they put their heads in the sand on climate change — the families who have lost loved ones in this unprecedented fire season in that part of the country and the thousands who have lost their homes — don’t have that luxury.

In the view of William Pendley, the president and his administration — the West is a place to be plundered for natural resources — and then left to burn.

And while Pendley and the Trump administration don’t think the Interior Department has any role to play combatting climate change — that fact is one-quarter of all U.S. carbon emissions come from fossil fuels extracted from public lands. Our public lands are a big part of the climate change problem. Instead of being a source of pollution, public lands must be an integral part of the climate solution.

William Pendley’s vision for public lands is some terrible caricature that should be consigned to the history books — where our public lands are to be exploited, not conserved. Where Native peoples are scorned and people of color are not seen. And where climate change does not exist.

William Pendley is an extremist. And he was never going to be confirmed by the U.S. Senate. It’s time he’s shown the door.

Mr. President, I’ll now turn to my colleagues here with me on the floor.

I’m very proud to introduce my good friend and colleague, New Mexico’s junior — soon to be senior — Senator, Martin Heinrich.

Martin led the entire Senate Democratic Caucus in a letter to the president opposing Mr. Pendley’s nomination as BLM Director. And, once the nomination was withdrawn, he led the caucus urging the Secretary to remove Mr. Pendley from his acting position.

Mr. President. I'd like to thank Senators Heinrich, Manchin, Rosen, and Bennet for so eloquently talking about why William Pendley is unfit to continue to serve as de facto BLM Director. This is an open and shut case.

The men and women who work at BLM are public servants dedicated to the mission of the agency. They deserve a leader who values them and respects and carries out that mission, not an extremist, who doesn't even believe that public lands should exist.

Mr. Pendley's hostility to our public lands resulted in his nomination as BLM Director being pulled by the president. If he's not fit to be confirmed as BLM Director by the Senate, he's not fit to "exercise the authority" of Director, and should be immediately relieved of that authority.

Mr. President, I yield the floor.