Alaska Wilderness League * Alberta Wilderness Association * Alliance for the Wild Rockies
Black Hills Sportsman Club * Bighorn Audubon Society * Boise Chapter Great Old Broads
Brooks Range Council * Californians for Western Wilderness * Cascadia Wildlands
Center for Biological Diversity * Coal River Mountain Watch * Conejos Clean Water * Conservation Congress
Copper Country Alliance * Dakota Rural Action Black Hills Chapter * Delaware Ecumenical Council on Children
and Families * Earthjustice * Endangered Habitats League * Endangered Species Coalition
Environmental Protection Information Center * Friends of Organ Mountains-Desert Peaks
Friends of the Bitterroot * Friends of the Clearwater * Friends of the Earth US * Footloose Montana
Gila Resources Information Project * Grand Junction Great Old Broads * Greater Hells Canyon Council
Great Old Broads for Wilderness * High Country Conservation Advocates * Howling for Wolves
Jim Coda Photography * John Muir Project * Klamath Forest Alliance * Living Rivers & Colorado Waterkeeper
Los Padres ForestWatch * Malach Consulting * Maryland United for Peace and Justice
Montana Environmental Information Center * Movement for a People’s Party
Native Plant Conservation Campaign * National Wolfwatcher Coalition * New Mexico Horse Council
New Mexico Sportsmen * NY4WHALES * Oceanic Preservation Society * Ohio Valley Environmental Coalition
Operation HomeCare * Oregon Natural Desert Association * Patagonia * Point Reyes Safaris
Predator Defense * Project Coyote * Protect The Wolves™ * Public Citizen
Public Employees for Environmental Responsibility * Resource Renewal Institute
RESTORE: The North Woods * Rocky Mountain Recreation Initiative * Rocky Mountain Wild
San Juan Citizens Alliance * Save Our Blue Sky Waters * Save Our Cabinets * Save the South Fork Salmon
Sequoia ForestKeeper* * Shagbark * Sheep Mountain Alliance * Sierra Club
Silver Valley Community Resource Center * Soda Mountain Wilderness Council * The Lands Council
The Nuestra Tierra Conservation Project * Turtle Island Restoration Network * Unexpected Wildlife Refuge
Uranium Watch * Voice for Animals * Weber Sustainability Consulting * Western Colorado Alliance
Western Values Project * Western Watersheds Project * Western Wildlife Conservancy * WildEarth Guardians
Wilderness Watch * WildWest Institute * Winter Wildlands Alliance * Wolf Recovery Foundation
Wyoming Untrapped * Wyoming Wilderness Association * Wyoming Wildlife Advocates
Yellowstone to Unitas Connection

David Bernhardt
Secretary of Interior
1849 C Street NW
Washington, DC 20240

William Perry Pendley
Deputy Director, Bureau of Land Management
1849 C Street NW
Washington, DC 20240

Dear Secretary Bernhardt:

We, the ninety-one undersigned conservation, sportsmen, public interest, and wildlife advocacy organizations, representing over 3.9 million Americans, call for the immediate resignation or removal of William Perry Pendley from his position of Deputy Director for Policy and Programs of the Bureau of Land Management, “exercising the authority of the Director.”
The Federal Vacancies Reform Act (FVRA) allows the President to appoint “acting” Directors temporarily, for a period lasting no more than 210 days. Mr. Pendley, on the other hand, was not appointed by the President through the recognized process under FVRA (nor did he qualify otherwise to be an “acting”). Instead, you named him as Deputy Director, “exercising the authority of the Director.” This type of re-delegation of authority is intended for temporary use during periods of Presidential transition and is improper now, nearly three full years into this Administration, particularly as there is no nominee for BLM’s Director pending before the Senate. Only a Senate-confirmed Director or a Presidentially-appointed Acting Director would have legal legitimacy to lead the Bureau. Deputy Director Pendley is neither of those. Further, his actions betray BLM’s mission and demonstrate his lack of fitness to lead it.

On November 17th of this year, Deputy Director Pendley published an opinion column titled “Building trust with westerners” in the Las Vegas Review-Journal, directing federal law enforcement to take a secondary supporting role, and that “local law enforcement bears primary responsibility for enforcing state and federal laws.” This direction explicitly implements the policy agenda of the Constitutional Sheriffs and Peace Officers Association (CSPOA), which states, “Constitutional limits on ownership and/or control of land within a sovereign state should be returned to our policies and practices. States should have a plan for assuming control of all lands within their boundaries not obtained by Constitutional means. ... The federal agencies now claiming control of land within a state should be drastically downsized and/or dismantled. County Sheriffs in these states should take their rightful position and use their authority to assist in the transfer of control of the land, and prosecution of violations of citizens’ rights by federal authorities.” The CSPOA is a public lands extremist organization affiliated with armed militants including Ammon and Cliven Bundy, and which itself played a significant role1 in the armed occupation of Malheur National Wildlife Refuge in 2016.

The presence of “Constitutionalist” sheriffs is known to increase the likelihood of violence against BLM’s employees. Using scientific methodology, a new study2 showed that western counties with Constitutionalist sheriffs have a 50% greater likelihood of violence against BLM employees than western counties that did not have Constitutionalist sheriffs. This study also finds that “constitutionalist sheriffs can protest perceived federal over-reach by refusing this request or obstructing federal employees from enforcing the law. In addition to denying federal agencies their help, sheriffs can make it unnecessarily difficult for federal employees to enforce the law.” Mr. Pendley’s statements and actions to meet with Constitutionalist sheriffs undermine the operational effectiveness of the BLM and endangers its employees.

Mr. Pendley himself formerly represented San Juan County, Kane County, and Garfield County in Utah as counsel of record in their legal intervention to defend the reduction of land area, and therefore protections, for Bears Ears and Grand Staircase-Escalante National

Monuments. Each of these counties had elected Constitutionalist sheriffs for at least part of the period of 1995 through 2015 (Nemerever 2019). The fact that Pendley’s current appointment gives him the power to direct BLM officials to defer to the policy agendas of these counties, which includes maximizing resource extraction and opening lands to motor vehicles that were previously closed to protect wildlife habitat and irreplaceable cultural sites, is deeply troubling. In addition, it appears that Mr. Pendley is still receiving payments from his former employer, Mountain States Legal Foundation,3 which continues to be involved in litigation against BLM. Regardless of Pendley’s recusal from any involvement in this litigation, his position at the head of the BLM is a conflict of interest, or at the very least, a public perception of the same that undermines his credibility and authority to direct the Bureau.

We also are gravely concerned that Deputy Director Pendley’s mismanagement of a move of top BLM personnel from Washington, D.C. to Grand Junction, Colorado is causing long-term damage to the agency entrusted with the largest acreage of American public lands. This relocation of BLM headquarters employees has not been approved through the Congressional appropriations process. A relocation directive4 issued under Mr. Pendley’s auspices states, "If you do not accept this directed geographic reassignment, you may be subject to a removal from Federal service." This unwarranted (and potentially illegal) threat of termination is demoralizing career employees at the same time he is undermining the operational effectiveness of the agency.

Pendley holds views that are antithetical to the BLM’s mission to manage public lands and resources on behalf of all Americans. In fact, Mr. Pendley has called for selling off public lands. In 2016, Pendley authored an article in the National Review in which he justified the actions of anti-public-lands extremists and argued the U.S. Constitution all but requires the federal government to sell the lands it owns in the West. At the BLM, he now oversees 245 million acres of public lands.

Further, in public remarks made before the Society for Environmental Journalists conference in Fort Collins, Colorado, on October 11th of this year, Deputy Director Pendley characterized wild horses as the most important issue facing western public lands. Major issues currently facing the BLM include:

- Fossil fuels production from public lands and its role in accelerating climate disruption.
- The continued decline of the greater and Gunnison sage-grouse toward extinction.
- The chronic failure of millions of acres of public lands to achieve basic land-health benchmarks as a result of excessive livestock grazing.

---

4 Memorandum to employees from Joan Shoemaker, BLM Asst. Director for Resources and Planning, titled ‘Notice of Management Directed Geographic Reassignment (MDR),” November 12, 2019.
The expansion of the invasive weeds cheatgrass and medusahead wildrye resulting in habitat quality reduction and increased fire extent and frequency.

- Difficulty in maintaining wildlife migration corridors in the face of ongoing industrialization.
- And challenges posed by the need to facilitate climate adaptation for native plants and wildlife with changing vegetation distribution and precipitation patterns.

The “existential threat” Mr. Pendley characterized wild horses as posing pales in comparison, and serves only to distract needed BLM focus on the more urgent issues it must address. By perpetrating this distraction, the Deputy Director is guilty of dereliction of his duty to provide competent leadership for the nation’s largest land management agency. Wild horses are not nearly the “existential threat” to public lands that Mr. Pendley is.

For the foregoing reasons, William Perry Pendley lacks the legal imprimatur, dedication to his agency’s mission, and practical competence to continue exercising the authority of the Director of the BLM. We respectfully request that he step down immediately, or be removed from office.

Respectfully yours,

Erik Molvar
Western Watersheds Project
Post Office Box 1770
Hailey, Idaho 83333

Peter Jenkins
Public Employees for Environmental Responsibility
962 Wayne Avenue, Suite 610
Silver Spring, Maryland 20910

Signing on behalf of

Brooks Fahy
Predator Defense
Christina DeVillier
Greater Hells Canyon Council
Sarah Fields
Uranium Watch

Jayson O’Neill
Western Values Project
Jeff Kuyper
Los Padres ForestWatch
Nicole Ghio
Friends of the Earth US

Jim Coda
Jim Coda Photography
Tara Thornton
Endangered Species Coalition
Chance Cutrano
Resource Renewal Institute

Steven Emerman
Malach Consulting
Caryl McIntyre Edwards
Voice for Animals
Matthew Koehler
WildWest Institute

John Gaedeke
Brooks Range Council
Shelley Silbert
Great Old Broads for Wilderness
Maureen Hackett, MD
Howling for Wolves
Thomas Wheeler
Environmental Protection Information Center
Kimberly Baker
Klamath Forest Alliance
Emily Roberson
Native Plant Conservation Campaign

Ángel Peña
The Nuestra Tierra Conservation Project
Patrick Nolan
Friends of Organ Mountains - Desert Peaks
Kristin Combs
Wyoming Wildlife Advocates

Blaine Miller-McFeeley
Earthjustice
Judi Brawer
WildEarth Guardians
Pam Conley
Boise Chapter, Great Old Broads for Wilderness

Mike Petersen
The Lands Council
Ruth McHenry
Copper Country Alliance
Nedim Buyukmihci
Unexpected Wildlife Refuge

Camilla Fox
Project Coyote
Ara Marderosian
Sequoia ForestKeeper®
Denise Boggs
Conservation Congress

Larry Campbell
Friends of the Bitterroot
Rev. Robert Hall
Delaware Ecumenical Council on Children and Families
Michael Kellett
RESTORE: The North Woods

George Nickas
Wilderness Watch
Andy Mahler
Shagbark
Gary Macfarlane
Friends of the Clearwater

Lisa Robertson
Wyoming Untrapped
Jeremy Austin
Oregon Natural Desert Association
Athan Manuel
Sierra Club

Rosalind McClellan
Rocky Mountain Recreation Initiative
Mike Garrity
Alliance for the Wild Rockies
Kirk Robinson
Western Wildlife Conservancy

Jason Christensen
Yellowstone to Uintas Connection
Hilary Eisen
Winter Wildlands Alliance
Nancy Warren
National Wolfwatcher Coalition

Dr. Jackie Canterbury
Bighorn Audubon Society
Norman Bishop
Wolf Recovery Foundation
Carol Ehrle
Movement for a People’s Party

Daniel Dietrich
Point Reyes Safaris
Dave Willis
Soda Mountain Wilderness Council
Leah Donahey
Alaska Wilderness League

Oscar Simpson
New Mexico Sportsmen
Michael Painter
Californians for Western Wilderness
Margrete Strand
Public Citizen
<table>
<thead>
<tr>
<th>Organization/Movement</th>
<th>Name</th>
<th>Organization/Movement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Khale Century Reno Wyoming Wilderness Association</td>
<td>Tony Langbehn</td>
<td>Maryland United for Peace and Justice</td>
</tr>
<tr>
<td>Mary Hertert Great Old Broad for Wilderness</td>
<td>Rose Marcario</td>
<td>Protect The Wolves™</td>
</tr>
<tr>
<td>Richard Bell Dakota Rural Action, Black Hills Chapter</td>
<td>James Jensen</td>
<td>Montana Environmental Information Center</td>
</tr>
<tr>
<td>J. Antalan Operation HomeCare</td>
<td>Cliff Wallis</td>
<td>Montana Environmental Information Center</td>
</tr>
<tr>
<td>MarieClaire Egbert John Muir Project</td>
<td>Stephen Capra</td>
<td>Footloose Montana</td>
</tr>
<tr>
<td>Annalisa Tuel Turtle Island Restoration Network</td>
<td>Jeff Bergstrom</td>
<td>Silver Valley Community Resource Center</td>
</tr>
<tr>
<td>Courtney Vail Oceanic Preservation Society</td>
<td>Tehri Parker</td>
<td>Rocky Mountain Wild</td>
</tr>
<tr>
<td>Anna Vargas Conejos Clean Water</td>
<td>John Weisheit</td>
<td>Living Rivers &amp; Colorado Waterkeeper</td>
</tr>
<tr>
<td>Elanne Palcich Save Our Blue Sky Waters</td>
<td>Vivian Stockman</td>
<td>Ohio Valley Environmental Coalition</td>
</tr>
<tr>
<td>Randi Spivak Center for Biological Diversity</td>
<td>Jimbo Buickerood</td>
<td>San Juan Citizens Alliance</td>
</tr>
<tr>
<td>Cody Hodson Black Hills Sportsman Club</td>
<td>Allyson Siwik</td>
<td>Gila Resources Information Project</td>
</tr>
<tr>
<td>Lexi Tuddenham Sheep Mountain Alliance</td>
<td></td>
<td>Steve Allerton Western Colorado Alliance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>