

United States Senate

August 7, 2019

William P. Pendley
Acting Director
Bureau of Land Management
1849 C St. NW
Washington, DC 20240

Dear Mr. Pendley:

I am writing to you to share my deep concerns with your vision of public land management and your recent appointment to lead the Bureau of Land Management without Senate confirmation. You have a long record of opposing federal land management and advocating for selling off the public lands that you now oversee. You also have clear conflicts of interest between your past work and ongoing lawsuits involving the BLM. Public lands are essential to maintaining a robust outdoor economy and the Montanan way of life. I will never stop defending public lands from being stripped from the people that use and cherish them.

In Montana, public lands power a \$7.1 billion outdoor recreation industry. Sportsmen, ranchers, small businesses, and local governments rely on public lands to provide clean water, wildlife habitat, and an incredible economic opportunity. It is critically important for the Bureau of Land Management to provide local stakeholders long-term certainty that these resources will be accessible and available for future generations.

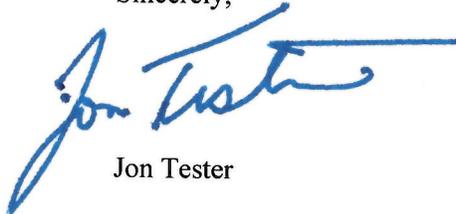
Your appointment to your current position is an end run around the Senate's responsibility to oversee and confirm federal leadership positions, and deprives Montanans of the ability to hear from you firsthand in a public confirmation hearing. As such, I request you to respond to the following questions to clarify your history on the sale of public lands and to provide background on your vision for the future of federal land management.

- 1) In past writing, you have repeatedly opposed the idea of federal land management. In 2016, you wrote an opinion piece entitled, "The Federal Government Should Follow the Constitution and Sell Its Western Lands." Do you still agree with that assertion? Are you planning to sell off the Western lands you now oversee?
- 2) In 2018, you claimed that the federal government is "the world's worst neighbor," and in 2014 that "Westerners know they deserve better, and that they and their states can be better stewards of their land than federal bureaucrats." As a federal employee in a leadership role over these lands, do you still believe that the federal government is incapable of responsible land management? Do you believe states and private land owners have the resources necessary to better suppress wildfires, support county governments, and actively protect and enlarge public access to public lands across all lands currently controlled by the agency you lead?
- 3) You have also repeatedly called for the repeal of the Antiquities Act, and in 2017, called on the President to "reject Secretary Zinke's recommendations" and "order preparation of new proclamations to revoke illegally designated or expanded monuments." What monuments do you see as illegally designated? How do you plan to oversee those monuments?

- 4) You were identified in 1984 by the Government Accountability Office as having some ethics challenges within the Department of Interior concerning the coal leasing program that you managed. Now that you're back, what steps are you taking to prevent such issues from occurring under your leadership?
- 5) As president for the Mountain States Legal Foundation, you have repeatedly opposed actions by the Department of the Interior. Will you recuse yourself from current and past conflicts between the Department of the Interior and Mountain States Legal Foundation?
- 6) You have repeatedly asserted that Solenex LLC has the right to drill in the Badger-Two Medicine Area. This area is sacred to the Blackfeet Tribe. The Department of Interior has repeatedly acknowledged that it broke the law by issuing these leases without consulting with the tribe and conducting sufficient environmental review. Interior is appealing the Solenex case to protect its decision to cancel all outstanding leases in the Badger-Two Medicine. Do you still believe that, as you stated in 2015, "This is something the tribe cannot stop?" Do you believe that, despite the irreversible and drastic harm posed to the Blackfeet tribe and the self-confessed illegal actions taken by the Interior Department, that Solenex should be allowed to drill on this sacred land? Do you commit to recusing yourself from any decision relating to the Badger-Two Medicine area?

I would appreciate your swift response to my questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Tester", with a long horizontal flourish extending to the right.

Jon Tester