

## **Sen. Manchin Floor Statement on William Perry Pendley**

### **Tuesday, September 15, 2020**

Mr. President, as the Ranking Member on the Committee on Energy and Natural Resources, I was especially pleased by President Trump's decision to withdraw the nomination of William Perry Pendley to lead the Bureau of Land Management, or BLM.

As I said when the President nominated Mr. Pendley, he is the wrong person for the job and should not continue to lead the Bureau.

The job of the Director of the Bureau of Land Management is not just another presidential appointment. It is a sacred public trust. The Director of the BLM is one of the principal stewards of our public lands.

The Bureau of Land Management manages 245 million acres of public land—more land than any other Federal agency. The Bureau is required by law to manage the lands committed to its care not only for the benefit of our own generation but for generations to come.

It must carefully balance the use of the land for grazing, timber production, mineral development, recreation, fish and wildlife, and the protection of scenic, scientific, and historic values of the lands.

In addition to the 245 million acres of surface land the Bureau manages, it also manages another 700 million acres of subsurface mineral rights.

It manages over 63,000 oil and gas wells and over 300 coal leases covering nearly half a million acres of coal lands, which together contribute about \$4 billion a year to the Federal Treasury.

It manages another 55 million acres of timber lands and 155 million acres of grazing lands. It issues permits for wind, solar and geothermal energy development.

In addition, more than 10 years ago, Congress designated about 36 million acres of the lands managed by the Bureau as National Conservation Lands because of their outstanding cultural, ecological, and scientific value.

National Conservation Lands include 28 national monuments covering nearly 8 million acres, over 260 wilderness areas covering nearly 10 million acres, nearly 3,000 miles of wild and scenic rivers, and nearly 6,000 miles of historic and scenic trails.

Nearly 50 years ago, Congress declared that the public lands managed by the Bureau of Land Management should be retained in Federal ownership and managed to preserve and protect them, "without permanent impairment of the productivity of the land and the quality of the environment."

That, in a nutshell, is the job of the Director of the Bureau of Land Management—to be a good and faithful steward of the people’s lands so that we might pass them on to our children and our children’s children in at least as good of condition as we inherited them.

Mr. Pendley is not the right person for this job. He has spent most of his adult life arguing against the principles upon which our federal land management policy is based. He has called for the sale of the public lands that the BLM is responsible for retaining and managing.

He has called for the repeal of the Antiquities Act upon which our national monuments are founded. He has denigrated the National Environmental Policy Act, the Endangered Species Act, and the Clean Water Act—the bedrock environmental laws that the Bureau must operate under.

He cannot be a good steward of the public domain if he does not believe the public should have a domain and he rejects the laws designed to preserve and protect it.

His extreme views and inflammatory rhetoric do not stop at the public lands. He had denied the existence of climate change, comparing it to a “unicorn” and those who acknowledge it as “kooks.”

He has said that the Black Lives Matter movement is based on a lie. He has said that undocumented immigrants are “like a cancer.”

Mr. Pendley was nominated for office once before. President Reagan nominated him to be the Assistant Secretary for Energy and Minerals in 1983.

While his nomination was pending, he was being investigated by the Department of the Interior’s Inspector General and the Department of Justice for possibly violating conflict of interest rules. The Senate returned his nomination to the President and he was not confirmed.

The General Accounting Office later found that the Interior Department sold the coal leases in the Powder River Basin “at roughly \$100 million less” than their estimated fair market value. The below market sales were made possible by a change in bidding procedures approved by Mr. Pendley on the same day he had dinner with the coal industry lawyers.

The Inspector General referred the matter to the Justice Department for possible criminal prosecution. The Justice Department ultimately declined to prosecute Mr. Pendley, but he left the Department shortly afterwards.

For all of these reasons, I think Mr. Pendley is the wrong person to lead the Bureau of Land Management. The President was right to withdraw his nomination.

But withdrawing his nomination does not solve the problem. It is outrageous that Mr. Pendley continues to exercise the authority of the Director, despite having been nominated and withdrawn.

Although the legality of his role is a matter pending in the courts right now, Mr. Pendley is still, in effect, running the Bureau of Land Management and is continuing to make decisions negatively impacting millions of acres of public lands of significant importance to millions of Americans – all without the proper vetting and approval of the Senate.

That is wrong. He should resign or Secretary Bernhardt should remove him.

Withdrawing his nomination was a step in the right direction, but for all the reasons I've outlined today, William Pendley is not qualified to be managing our nation's treasured public lands, in any capacity.