



September 28, 2020

The Honorable Steve Daines
United States Senate
320 Hart SOB
Washington, DC 20510

Dear Senator Daines:

We write to request that you, as Montana's only member of the U.S. Senate's Energy and Natural Resource Committee with oversight over the U.S. Interior Department and the Bureau of Land Management (BLM), schedule a formal and immediate hearing examining the failures of your Committee, which allowed William Perry Pendley to serve unlawfully as Acting Director of the BLM since July of 2019, and to prevent similar Constitutional failures like this in the future.

We trust you are closely following last Friday's (September 25) order by U.S. Chief District Judge Brian Morris (4:20-cs-00062-BMM), who found that Mr. Pendley "served unlawfully as Acting BLM Director for 424 days," and further enjoined Mr. Pendley "from exercising authority of BLM Director."

On behalf of MCV's members and all Montanans who are concerned about the future of our federally owned public lands, we have long held the position that the U.S. Senate failed to follow the U.S. Constitution by choosing not to confirm Mr. Pendley, despite Mr. Pendley's long and troubling record of willfully advocating for the selloff of publicly owned. Despite your oversight role, you have not taken any public action to remove, replace or even question Mr. Pendley and his unlawful role at BLM, despite numerous requests by the Montanans you represent.

We also find it troubling that Mr. Pendley's nomination was pulled from consideration in mid-August, apparently in anticipation of what would have been an illuminating hearing examining of Mr. Pendley's record. To the anger and bewilderment of millions of Americans, Mr. Pendley then returned to his unlawful position at the BLM. You chose to remain quiet as an agency you oversee violated the Constitution you claim to support.

We welcome your response and explanation, and we hope we will see a stronger adherence to the U.S. Constitution during the remainder of your service to us in the Senate.

Warmly,

A handwritten signature in blue ink, appearing to read "A. Murphy", with a long, sweeping horizontal line extending to the right.

Aaron Murphy
Executive Director
Montana Conservation Voters

CC: Senator Jon Tester, Congressman Greg Gianforte, Governor Steve Bullock