

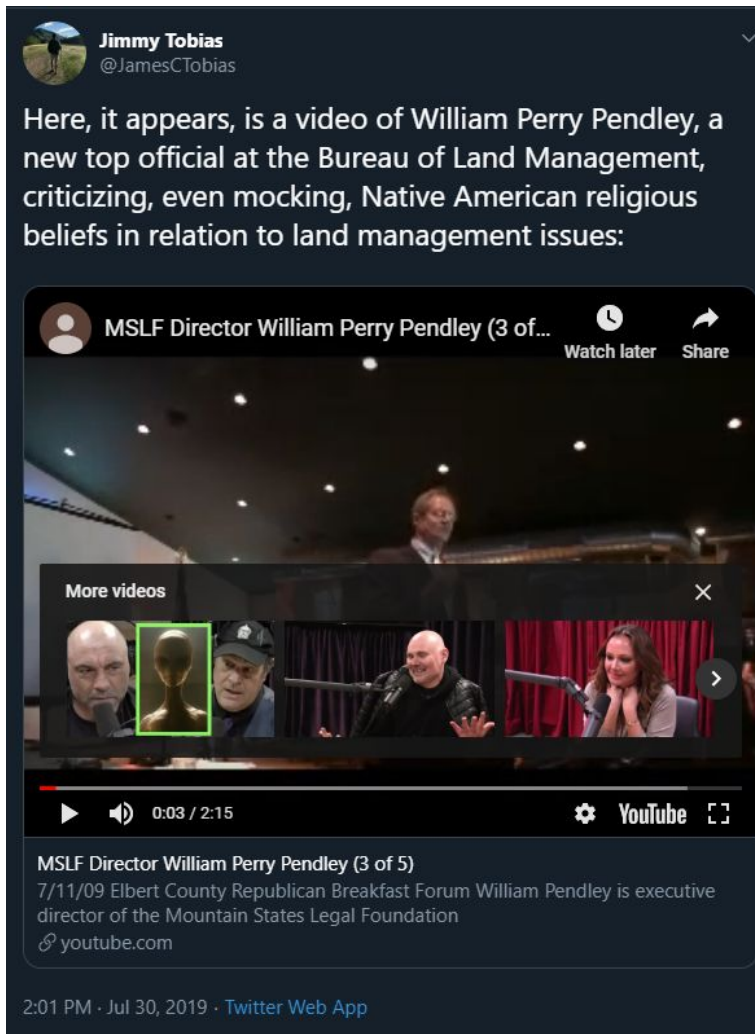
## **William Perry Pendley Has Criticized Diversity and Inclusion and Insulted Native American Religious Traditions**

**William Perry Pendley Tweeted “How Many Have Died And How Many More Will Die Because Of Diversity And Race-Based Decision Making?”**



[\[https://twitter.com/Sagebrush\\_Rebel/status/1121838652307406849\]](https://twitter.com/Sagebrush_Rebel/status/1121838652307406849)

**William Perry Pendley Appeared To Mock Native American Religious Beliefs In During An Elbert County GOP Breakfast Forum In 2009**



[<https://twitter.com/jamesctobias/status/1156263578904793088> ;  
<https://youtu.be/WhDKNCafAJU>]

**Pendley Was Questioned About These Comments By Congress.** During his first appearance before Congress, Pendley was questioned over previous comments he made mocking Native American religious practices. “But despite Pendley's opening statement, he could not completely escape his past. Rep. Deb. Haaland (D-N.M.) referenced a Republican forum in 2009 in which she said Pendley was "quoted mocking American Indian religious practitioners' increasing insistence that federal lands and private property be off-limits because it's holy to them, using air quotes to punctuate 'holy.'” [E&E News, 09/10/19]

**Pendley Did Not Deny That He Made The Comment, And Said He Was Speaking As a “Private Attorney Representing Private Clients.”** “Pendley did not deny he made the statement, saying only that he was speaking at the time as a "private attorney representing private clients.” [E&E News, 09/10/19]



## **William Perry Pendley Wrote An Article That Argued Against Protections for Native American Land**

### **William Perry Pendley Wrote an Article Criticizing the U.S. Forest Service For Protecting Fifty Thousand Acres of the Bighorn National Forest Considered Sacred to Native Americans**

**Pendley Criticized The U.S. Forest Service For Canceling A Timber Sale In The Bighorn National Forest In Deference To Native Americans Who Regarded A Portion Of The Forest As Sacred. He Wrote That The Allowances The Forest Service Had Previously Made For Native Americans In The Area Were "Extraordinary" And Implied It Was Ridiculous They Demanded More Protections.** "Even these extraordinary allowances were not enough for the practitioners. They maintained that any activity to which they objected that was audible or visible from the Medicine Wheel would interfere with their religious practices. Specifically, they objected to timber harvesting and demanded the closure of huge portions of the Bighorn to that activity...Although the sale area was several miles north and outside of the twenty-thousand-acre sacred site area, the sale would require timber hauling on a Forest Service road, a small portion of which was within the far eastern boundary of the sacred site area." [William Perry Pendley, "The Establishment Clause and the Closure of "Sacred" Public and Private Lands, 83 Denv. U.L. Rev. 1023]

**William Perry Pendley Criticized a Court for Treating Judeo-Christian Religion Differently Than Native American Religion.** "The Nevada court's holding with regard to the unique status of American Indian religion and its blending of history, culture, and religion ignores that other Americans celebrate faiths that have rich histories and are part of their culture and the culture of this country. Judeo-Christian religion, for example, imbued every aspect of the American culture and history. Moreover, even if American Indian religion were unique, that uniqueness does not exempt it from the application of an Establishment Clause that has been applied to every other religious faith." [William Perry Pendley, "The Establishment Clause and the Closure of "Sacred" Public and Private Lands, 83 Denv. U.L. Rev. 1023]

**William Perry Pendley Implied That Holding Protections of Native American Land To a Different Standard Than The Laws Governing Judeo-Christian Expression Would Close Off Millions of Acres of Federal and Private Land.** Until the Supreme Court "appl[ies] to American Indian religion the same principles that it was applied to Judeo-Christian religion...the law of the land regarding government activity 'respecting an establishment of religion' is Judeo-Christian, 'no,' and pantheism, 'yes.' As long as that is the law, millions of acres of federal land and goodness knows how much private land could be declared sacred and off-limits to the public and the people who own it." [William Perry Pendley, "The Establishment Clause and the Closure of "Sacred" Public and Private Lands, 83 Denv. U.L. Rev. 1023]

**William Perry Pendley Implied That it is Unfair That the Presence of a Latin Cross on Federal Land is an Establishment Clause Violation But the Protection of Cave Rock, Land Sacred to Native Americans, is Constitutional.** "After all, in *Buono*, the Ninth Circuit had ruled that the mere presence of a Latin cross on federal land in California constituted an



Establishment Clause violation. As to Cave Rock, not only did the Forest Service agree that Cave Rock is sacred, it labeled the religious power of Cave Rock a 'resource' to be protected by the Forest Service and barred non-believing climbers from recreating on Cave Rock." [William Perry Pendley, "The Establishment Clause and the Closure of "Sacred" Public and Private Lands, 83 Denv. U.L. Rev. 1023]

## **William Perry Pendley Has Repeatedly Criticized Tribal Sovereignty**

### **William Perry Pendley Is A Frequent Critic Of Tribal Sovereignty Who Has Argued For Curtailing Tribes' Legal Rights.**

**William Perry Pendley Called For An End To Tribal Jurisdiction Over Non Tribal Members Who Commit Crimes On Indian Reservations.** In an op-ed, William Perry Pendley wrote, "Given the court's recent jurisprudence on the subject, a majority of the justices may be ready and willing to end all tribal jurisdiction over non-members with this case. It is long since time that they did so!" [Abbeville Meridional, [03/02/08](#)]

**William Perry Pendley Is More Concerned With "State Sovereignty" Than Tribal Sovereignty.** At a Steamboat Institute panel where Pendley was arguing for ceding public lands to states, William Perry Pendley said, "I saw the other day that Secretary of the Interior Sally Jewell went to appear before a tribal group-- a group of tribal leaders-- and she got real emotional over the need to protect tribal sovereignty. So I'm I'm waiting for the day where she gets emotional over protecting state sovereignty, because that's exactly what's at stake." [YouTube, [08/31/13](#)] (34:40)

**William Perry Pendley Mused That The Reason Native Americans Are Allowed To Practice Traditional Practices On Park Service Land Is That The Federal Government Doesn't "Have To Worry About Anyone Converting."** William Perry Pendley said, "If the Park Service allowed Mormon missionaries at Devils Tower to proselytize, how long would it take for the ACLU to get down to the courthouse? But they hire American Indians to educate visitors on their belief system because maybe they don't have to worry about anyone converting." [*Salt Lake Tribune*, [05/04/98](#)]