

United States Senate

WASHINGTON, DC 20510

June 8, 2026

The Honorable Lisa Murkowski
Chair
Subcommittee on Interior, Environment, and
Related Agencies
U.S. Senate Committee on Appropriations
Washington, D.C. 20510

The Honorable Jeff Merkley
Ranking Member
Subcommittee on Interior, Environment, and
Related Agencies
U.S. Senate Committee on Appropriations
Washington, D.C. 20510

The Honorable John Kennedy
Chair
Subcommittee on Energy and Water
Development
U.S. Senate Committee on Appropriations
Washington, D.C. 20510

The Honorable Patty Murray
Ranking Member
Subcommittee on Energy and Water
Development
U.S. Senate Committee on Appropriations
Washington, D.C. 20510

Dear Chair Murkowski, Chair Kennedy, Ranking Member Merkley, and Ranking Member Murray,

As you consider the Fiscal Year 2027 Senate Appropriations bills for Interior, Environment, & Related Agencies and Energy & Water Development, we urge you to include language that directs the agencies under your jurisdiction to permit energy projects fairly and without arbitrary technology-specific barriers.

On April 21st, a U.S. District Court granted a coalition of industry groups' request for preliminary injunction on actions by the U.S. Department of the Interior (DOI) and the Army Corps of Engineers (USACE) to disregard and block permits for solar and wind projects. The judge determined that the plaintiff's allegations are likely to succeed on the merits and that the agencies actions posed imminent and irreparable harm to the plaintiffs. In line with this court's decision and in light of the urgent need to approve and build more clean energy projects, the Committees should include language prohibiting the agencies from carrying out the actions subject to the court's injunction.

Energy prices are weighing on families and straining businesses. In recent weeks, disruptions to global energy supply chains have increased costs for American families and businesses and raises concerns about access to affordable and reliable energy. The blockage of the Strait of Hormuz has sent Brent crude oil prices above \$110 per barrel,¹ a level not seen since Russia's

¹ <https://www.eia.gov/dnav/pet/hist/RBRTED.htm>

invasion of Ukraine in 2022,² and up more than \$40 from just one year ago. The national average gas price has crossed \$4.50 per gallon, a 40 percent year-over-year increase over one year ago.³

Surging growth in data centers to support AI and other new technology innovations, along with growing manufacturing, is driving up electricity demand and creating new and unexpected pressure on the electric grid. Overall, data center electricity usage is expected to increase to 6.7-12 percent of U.S. electricity by 2028,⁴ and data centers in the United States are estimated to demand 123 gigawatts of energy by 2035,⁵ up from just 4 gigawatts in 2024. Slowing down is not an option, and neither is making families shoulder higher costs for electricity. Therefore, we must accelerate construction of new electricity generation and end bureaucratic and political barriers that are slowing projects down.

In order to ensure American businesses have access to abundant energy resources and protect communities from shouldering higher costs from an energy-constrained grid, we must tap into developing energy resources without discrimination. We respectfully request that you include language directing DOI and USACE to facilitate the responsible development of American energy by including the following language:

- Interior, Environment and Related Agencies - Department of the Interior and U.S. Fish and Wildlife Service:
None of the funds made available by this or any other Act may be used to implement, enforce, or give effect to: (1) the memorandum titled "Departmental Review Procedures for Decisions, Actions, Consultations, and Other Undertakings Related to Wind and Solar Energy Facilities" dated July 15, 2025; (2) Secretarial Order No. 3438, "Managing Federal Energy Resources and Protecting the Environment"; (3) the U.S. Fish and Wildlife Service's July 2025 decision restricting wind and solar energy projects from accessing the Information for Planning and Consultation (IPaC) database prior to approval under the Department of the Interior's July 15, 2025 memorandum; (4) M-Opinion 37086, dated May 1, 2025, withdrawing M-Opinion 37067 and reinstating M-Opinion 37059; or any successor policy that imposes additional review requirements, restricts access to environmental planning tools, or otherwise discriminates against wind or solar energy projects relative to other energy technologies.
- Energy and Water Development - U.S. Army Corps of Engineers:
"None of the funds made available by this or any other Act may be used to implement the memorandum titled "Direction on Reviewing Permit Applications Related to Energy Generation Projects" dated September 18, 2025, or any successor policy requiring consideration of capacity density, annual energy generation per acre, or similar metrics as a determinative or prioritization factor in permit reviews under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899."

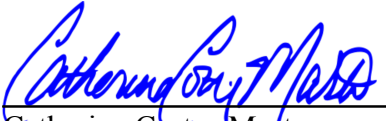
² <https://www.nbcnews.com/business/markets/oil-hits-100-barrel-first-time-july-2022-iran-war-rcna262347>


³ <https://gasprices.aaa.com/>

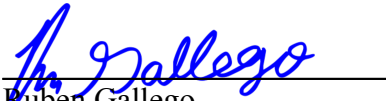
⁴ <https://watttime.org/news-and-insights/the-emissions-risks-of-ai-data-center-buildout/>

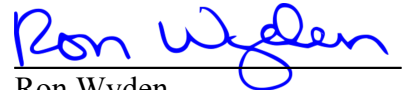
⁵ <https://www.deloitte.com/us/en/insights/industry/power-and-utilities/data-center-infrastructure-artificial-intelligence.html>

Sincerely,


Catherine Cortez Masto
United States Senator


John Hickenlooper
United States Senator


Ruben Gallego
United States Senator


Ron Wyden
United States Senator