

Congress of the United States

Washington, DC 20515

September 9, 2025

The Honorable Chris Wright
Secretary
U.S. Department of Energy
1000 Independence Ave., SW
Washington, D.C. 20585

Dear Secretary Wright:

We write to express serious concerns with the cancellation of 24 projects that were supported through statutorily mandated programs overseen by the Department of Energy's (DOE) Office of Clean Energy Demonstrations (OCED), as well as the process by which these cancellations were carried out. We are concerned that the cancellation process undertaken by DOE was haphazard, disorganized, and politically driven, and we are disturbed that the Department intends to continue to use this same fatally flawed and politicized process to terminate more awards in the near future. Troublingly, the Department cancelled projects that would re-shore domestic manufacturing, increase domestic critical material production, and spur industrial innovations. We demand that you cease the cancellation process and restore respect for independent, merit-based reviews.

On May 15, DOE announced that it was "reviewing" 179 projects that it claimed totaled \$15 billion worth of investments.¹ Later that month, on May 30 and with cursory explanation, the Department announced the termination of 24 projects totaling \$3.7 billion.² DOE's decision to terminate these projects runs afoul of the law.

These programs are not optional. In fact, 18 of the cancelled projects were associated with the Industrial Decarbonization Program authorized by the Infrastructure Investment Jobs Act (IIJA) in Section 41008, *Industrial Emissions Demonstration Projects*, and Section 50161, *Advanced Industrial Facilities Deployment Program*. One award was made pursuant to the IIJA Section 40342, the *Clean Energy on Former and Current Mine Lands* (CEML) program, and five awards were made pursuant to IIJA Section 41004, *Carbon Capture Demonstration and Pilots* (authorized in the Energy Act of 2020 and funded under IIJA). These programs were enshrined into law by bipartisan majorities and they represent the will of Congress. You have no legal authority to sabotage them; indeed, you possess a constitutional obligation to ensure that they are "faithfully executed."³

In order to better understand DOE's justification for terminating these projects, committee staff from the Senate Committee on Energy and Natural Resources, House Committee on Science, Space, and Technology, and the House Committee on Energy and Commerce received a video briefing from the Department on June 17. The information provided by the Department to our staff was deeply concerning. On this call, DOE detailed the

¹ "Secretary Wright Announces New Policy for Increasing Accountability, Identifying Wasteful Spending of Taxpayer Dollars," U.S. Department of Energy, May 15, 2025. <https://www.energy.gov/articles/secretary-wright-announces-new-policy-increasing-accountability-identifying-wasteful>.

² "Secretary Wright Announces Termination of 24 Projects, Generating Over \$3 Billion in Taxpayer Savings," U.S. Department of Energy, May 30, 2025. <https://www.energy.gov/articles/secretary-wright-announces-termination-24-projects-generating-over-3-billion-taxpayer>.

³ <https://constitution.congress.gov/constitution/article-2/>.

process – or lack thereof – by which these 24 projects were terminated. DOE acknowledged that its review process was run by political appointees from start to finish, that the review decisions considered a project’s “alignment” with the administration’s political priorities, and even that the review decisions themselves were explicitly “subjective” rather than governed by an objective evaluation process. Perhaps not surprisingly as a result, committee staff have received reports from awardees that the termination notices sent by DOE were littered with factual inaccuracies.

During the briefing, DOE lawyers disclosed the following information to committee staff:

- The decisions to terminate the awards were made **entirely** by a group of eight or nine political appointees serving on an ad hoc “review committee” set up solely to evaluate project cancellations.
- The process to cancel these awards took only two weeks, from start to finish.
- The review committee considered each award and made its decisions based on nothing more than a one-page summary memo for each project, which was drafted by yet another political appointee.
- The review committee employed a set of eight vague and opaque criteria to determine which awards would be terminated, including such criteria as “market analysis,” “technology,” and “national security.”
- The review committee made its cancellation decisions based upon an explicitly “subjective” analysis of the eight criteria, without any requirement for a numerical score or evaluation to inform its final decisions. The review committee did not even establish an official number of criteria that a project would need to “pass” or “fail” before undertaking its review. Termination decisions could be made based upon any combination of criteria, and there was no independent expert review process to support these highly consequential determinations.
- The merit-based process by which these projects were awarded was disregarded.
- More cancellations are set to take place using this same process. The Department is currently evaluating projects from the Manufacturing and Energy Supply Chains Office, the Grid Deployment Office, and additional projects in OCED.

On June 18, you appeared before the Senate Energy and Natural Resources Committee and confirmed the involvement of DOE’s political appointees in the termination of these awards. This is highly unusual and counter to longstanding DOE precedent. It also stands in stark contrast to the rigorous, merit-based process that the Department followed in selecting each of the awards. Expert career officials within DOE assembled and utilized independent expert panels to carry out initial application evaluations. Final award recommendations were only made to a career Senior Executive Service employee within OCED. Political appointees within DOE were not even informed of who applied for these awards until the final selections were made, and they were only informed of these selections two days before the Department provided notification of these awards to relevant Congressional Committees.

In order to maintain the integrity of the Department’s merit-based review processes, political appointees have *not* historically participated in evaluating project applications. Such a capricious departure from independent, merit-based agency procedure warrants investigation.

During the June briefing, committee staff requested that the Department produce information to help Congress better understand the nature of these terminations. Despite multiple information requests by the committees, the Department has yet to produce any of the requested materials. We therefore request the Department provide responses to the following questions and produce the requested materials by September 23, 2025:

1. Please describe in detail the Department's contract review process prior to terminating the 24 contracts. In your response, please specify the factors considered.
2. In its May 30, 2025, termination announcement, the Department stated, "[a]fter a thorough and individualized financial review of each award, DOE found that these projects failed to advance the energy needs of the American people, were not economically viable and would not generate a positive return on investment of taxpayer dollars."⁴ For each contract terminated, please describe in detail why the Department reached the conclusion the "project failed to advance the energy needs of the American people" and "were not economically viable and would not generate a positive return on investment of taxpayer dollars."
3. In its May 15, 2025, announcement, the Department stated, "the DOE has begun requesting additional information needed to evaluate 179 awards." Does the Department intend to cancel more awarded projects that previously went through a rigorous, merit-based approval processes? If so, does the Department still intend to use the same cancellation process run by political appointees used to cancel OCED projects on May 30?

In addition, please provide the following:

4. Department officials told the committees that DOE created "one pagers" or "one-page summary memos" for each OCED project considered for cancellation. Please provide copies of these "one pagers" or "one-page summary memos."
5. Please provide the assessments completed for each terminated project to determine that they did not sufficiently meet the "eight criteria" referenced in the June briefing.
6. Please provide the charter for the OCED project review committee, including the date established and a comprehensive list of participants.

We look forward to your prompt response.

Sincerely,



Martin Heinrich
United States Senator
Ranking Member, Committee on
Energy and Natural Resources



Zoe Lofgren
Ranking Member
Committee on Science,
Space, and Technology



Frank Pallone, Jr.
Ranking Member
Committee on Energy and
Commerce

⁴ "Secretary Wright Announces Termination of 24 Projects, Generating Over \$3 Billion in Taxpayer Savings," U.S. Department of Energy, May 30, 2025. <https://www.energy.gov/articles/secretary-wright-announces-termination-24-projects-generating-over-3-billion-taxpayer>.