MIKE LEE, Utah, *Chairman*
JOHN BARRASSO, Wyoming
JAMES E. RISCH, Idaho
STEVE DAINES, Montana
TOM COTTON, Arkansas
DAVID McCORMICK, Pennsylvania
JAMES C. JUSTICE, West Virginia
BILL CASSIDY, Louisiana
CINDY HYDE-SMITH, Mississippi
LISA MURKOWSKI, Alaska
JOHN HOEVEN, North Dakota

WENDY BAIG, MAJORITY STAFF DIRECTOR
CHRISTOPHER PRANDONI, MAJORITY DEPUTY STAFF DIRECTOR
AND CHIEF COUNSEL

United States Senate
COMMITTEE ON ENERGY AND NATURAL RESOURCES
WASHINGTON, DC 20510–6150
WWW.ENERGY.SENATE.GOV

MARTIN HEINRICH, New Mexico
RON WYDEN, Oregon
MARIA CANTWELL, Washington
MAZIE K. HIRONO, Hawaii
ANGUS S. KING, JR., Maine
CATHERINE CORTEZ MASTO, Nevada
JOHN W. HICKENLOOPER, Colorado
ALEX PADILLA, California
RUBEN GALLEGO, Arizona

JASMINE HUNT, MINORITY STAFF DIRECTOR
SAM E. FOWLER, MINORITY CHIEF COUNSEL

November 6, 2026

The Honorable Stevan Pearce
Director
Bureau of Land Management
U.S. Department of the Interior
1849 C Street N.W.
Washington, D.C. 20240

Director Pearce:

I am extremely concerned with the Trump administration's actions to develop data centers on public lands.

In June 2026, the Bureau of Land Management (BLM) approved the first data center on public lands—the sprawling 88-acre Townsite Data Center located in Boulder City, Nevada.[1] At the time, BLM amended an existing right-of-way grant for a solar and battery-storage project to allow for the development of the data center. On September 1, following an appeal by Boulder City, Nevada, and environmental groups, the Department of the Interior's Board of Land Appeals paused development of the data center, citing BLM's decision to approve the project without conducting a new National Environmental Policy Act (NEPA) review.[2] The Board found that Boulder City and the environmental groups "made a persuasive showing that BLM violated NEPA and acted arbitrarily or capriciously when it determined that the data center project is 'substantially the same' as the solar plant project for purposes of its NEPA analysis."[3]

BLM's decision to approve the Townsite Data Center followed an Executive Order signed by President Trump in July 2025 that expedited the permitting of data centers on public lands.[4] In

[1] "Approved Decision of Townsite Data Center," Bureau of Land Management – U.S. Department of the Interior. July 20, 2026. https://www.blm.gov/announcement/approved-decision-townsite-data-center.
[2] *City of Boulder City, Nevada v. Bureau of Land Mgmt.* (Int. Bd. of Land Appeals. IBLA 2026-0216). https://www.bcnv.org/DocumentCenter/View/17364/2026-0213-Boulder-City-Stay-Granted.
[3] Id.
[4] Trump, D.J. "Accelerating Federal Permitting of Data Center Infrastructure," Exec. Order No. 14318, 90 Fed. Reg. 35,385 (July 28, 2025). https://www.whitehouse.gov/presidential-actions/2025/07/accelerating-federal-permitting-of-data-center-infrastructure/.

September, the President signed another Executive Order that grants Secretary Burgum additional independent authorities over energy production on public lands.[5] BLM is now reportedly considering at least 15 proposals to build data centers or related infrastructure on public lands.[6] The development proposals cover more than 17,000 acres of public lands and stretch across six western states.[7] According to a report, BLM recently asked state directors to identify public lands ready for data center development and the Department of the Interior's leadership told officials that the topic is high priority.[8]

When BLM makes decisions about public land, it should always consider the best interest of the public and the communities that will be directly impacted by its decision. The Multiple Use – Sustained Yield principle of public land management requires the BLM to consider the other uses of public land when considering whether to site a data center in any specific location. BLM should listen to the voices of the American people and carefully consider the many uses of public land before hastily greenlighting data center buildout on public lands.

In light of questions and concerns about BLM's review of data center development proposals on public lands and related actions, I request you provide the following information by November 20, 2026:

1. A complete list of all authorities BLM is using to support data center development on public lands. Please include the specific precedent and legal rationale.

2. A complete list of all data center related development proposals BLM is considering on public lands. For each proposal, please include the specific entity that is backing the project; the precise location of the project; the total acreage of federally owned land under review for development; the precise use of the federally owned land under review for development (*e.g.*, for transmission lines, roads, or physical data center structures); whether the review will entail a NEPA review, or in the case of an existing right-of-way grant, a new NEPA review; and whether the proposal will have a public comment period.

---

[5] Trump, D.J. "Adjusting Certain Delegations Under the Defense Production Act," Exec. Order No. 14427, 91 Fed. Reg. 58007 (September 11, 2026). https://www.whitehouse.gov/presidential-actions/2026/09/adjusting-certain-delegations-under-the-defense-production-act-e2de/.

[6] "The AI Debate Comes to Public Lands," Politico. September 21, 2026. https://subscriber.politicopro.com/newsletter/2026/09/the-ai-debate-comes-to-public-lands-01085672.

[7] "Trump is considering more data centers on public lands than previously know," The Washington Sun. September 18, 2026. https://www.washingtonsun.com/climate-environment/trump-administration-data-centers-public-lands-proposals.

[8] "Trump orders BLM to find public land for data centers," The Salt Lake Tribune. September 13, 2026. https://www.sltrib.com/news/2026/09/13/trump-admin-tasks-blm-find-public/.

3. A complete list of all public lands BLM has identified that are eligible for data center development.

Thank you for your prompt attention to this request. Should you have any questions, please do not hesitate to contact my staff at (202) 224-4971.

Sincerely,



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

cc: The Honorable Doug Burgum, Secretary
United States Department of the Interior