A Message from Harold Hamm

For the past 17 years, DEPA has achieved remarkable successes on behalf of independent energy producers, and none of those accomplishments would have been possible without your support and engagement. We are deeply grateful for your commitment to our organization and our industry. As we look toward the future, the DEPA Board of Directors has unanimously approved an important step that we believe will strengthen our ability to advocate for our members and advance our shared priorities.

Effective July 1, 2026, DEPA will join forces with the Independent Petroleum Association of America (IPAA).

By combining our resources, expertise, and advocacy efforts, we believe we can better serve our industry and speak with a stronger, more unified voice.

As part of this transition, your DEPA membership will automatically become an IPAA membership on July 1, 2026.

Throughout our history, DEPA has been at the forefront of critical industry battles. Together, we successfully defended percentage depletion and intangible drilling cost deductions, and we helped secure the repeal of the crude oil export ban through more than 380 Congressional meetings conducted over a 14-month period. These achievements demonstrate what can be accomplished when our industry works together toward common goals.

Our commitment to protecting and advancing the interests of domestic energy producers remains unchanged. We will continue to challenge regulatory actions that we believe exceed federal authority and will remain actively engaged on the policy and regulatory issues that affect our industry. Through IPAA, we will advocate for the full energy value chain—from exploration and production to gathering, transmission, refining, and transportation.

I sincerely appreciate your unequivocal support over the past 17 years and the trust you have placed in DEPA. I am confident that this new chapter with IPAA, with a renewed leadership team and recent organizational bylaw reform, will provide even greater opportunities to advance our industry's interests and achieve meaningful results through a stronger, united organization.

Thank you for your continued support.

Permitting Reform and LNG Exports Gain Momentum in Congress

As Congress enters a busy summer legislative season, lawmakers from both parties continue to explore opportunities to modernize the federal permitting process and strengthen America's energy infrastructure. While political disagreements remain on many energy issues, permitting reform has emerged as one of the few areas where bipartisan cooperation remains possible. Recent discussions in both the House and Senate have focused on reducing regulatory delays that affect a wide range of infrastructure projects, including pipelines, transmission lines, LNG export facilities, manufacturing plants, and critical mineral development.

Supporters of reform argue that lengthy and unpredictable permitting timelines increase project costs, discourage investment, and make it more difficult for the United States to meet growing energy demand. Industry leaders, labor organizations, manufacturers, and infrastructure developers have increasingly called for a more efficient review process that maintains environmental protections while providing greater certainty for project developers.

The conversation comes at a time when electricity demand is expected to rise significantly due to expanding manufacturing activity, data centers, artificial intelligence development, and broader economic growth. Policymakers from both parties have acknowledged that additional energy infrastructure will be necessary to ensure reliability and affordability for consumers. Congressional negotiators are reportedly working toward potential bipartisan permitting legislation that could streamline environmental reviews, improve agency coordination, and establish clearer timelines for federal decision-making.

Liquefied Natural Gas (LNG) exports remain a major component of the discussion. The United States has become one of the world's leading LNG suppliers, providing reliable energy to allies in Europe and Asia while creating jobs and economic opportunities at home. Several lawmakers have introduced proposals designed to improve the permitting process for LNG export facilities and related infrastructure, arguing that American natural gas can strengthen global energy security and provide an alternative to less reliable energy suppliers.

Cont'd Page 9

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DEPA believes in seeking common ground, through common sense solutions, to the challenges facing our industry. Our bipartisan approach provides a uniquely powerful voice for our members at the state and national level.

Our work is critical. Your support is vital.

PO Box 33190 • Tulsa, OK 74153 • 405-669-6646 • Info@DEPAUSA.org

DEPA Part of a Broad Coalition Urging Congress to Overturn EPA's Record Renewable Fuel Mandates

The RFS is currently adding over 40 cents per gallon to your gas bill.

A broad coalition of conservative, taxpayer, and energy policy organizations has called on Congress to overturn the EPA recently finalized Renewable Fuel Standard (RFS) volume requirements for 2026 and 2027 through the Congressional Review Act (CRA).

In a letter sent to Senate Majority Leader John Thune and House Speaker Mike Johnson, nearly three dozen organizations urged lawmakers to support a CRA resolution of disapproval that would nullify the EPA's April 1, 2026 rule establishing the highest Renewable Volume Obligations (RVOs) in the history of the RFS program. The rule requires 25.82 billion Renewable Identification Numbers (RINs) in 2026 and 25.98 billion RINs) in 2027, making it the most expansive—and most expensive—renewable fuel mandate since the program was created.

The coalition argues that the Renewable Fuel Standard has outlived the circumstances that led to its creation. Originally enacted when the United States relied heavily on imported oil, the program now operates in a vastly different energy landscape in which America is a leading global energy producer and net exporter.

According to the coalition, the EPA's own analysis estimates the rule will impose more than $20 billion in annual compliance costs while generating only about $400 million in projected benefits. Other independent analyses estimate the combined burden on consumers and refiners could exceed $100 billion over the next two years. Refiners warn that these costs ultimately flow through the supply chain, increasing fuel prices for businesses and families.

The letter has drawn support from a diverse group of free-market and conservative leaders, including Americans for Tax Reform President Grover Norquist, Unleash Prosperity Chairman Stephen Moore, and DEPA.

"DEPA is proud to join this broad coalition in urging Congress to overturn these unprecedented renewable fuel mandates," said Jerry Simmons, DEPA CEO/President *"The Renewable Fuel Standard was created for a very different energy environment than the one America enjoys today. Policies that unnecessarily increase fuel costs and place additional burdens on domestic refiners ultimately hurt consumers, threaten energy affordability, and undermine the competitiveness of our nation's energy industry. We appreciate the leadership of our coalition partners in advancing this important effort."*

The Congressional Review Act allows Congress to overturn recently finalized federal regulations through a joint resolution of disapproval. If approved by both chambers and signed into law, the resolution would invalidate the EPA's 2026-2027 Renewable Fuel Standard rule and prevent the agency from issuing a substantially similar rule without future authorization from Congress.

June 25, 2026

The Honorable John Thune
Senate Majority Leader
United States Senate
511 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
521 Cannon House Office Building
Washington, DC 20515

Dear Members of Congress,

We write to urge you to support a Congressional Review Act resolution disapproving of the final Renewable Fuel Standard (RFS) volume mandates for 2026 and 2027, finalized on April 1, 2026, by the Environmental Protection Agency

Dear Members of Congress,

We write to urge you to support a Congressional Review Act resolution disapproving of the final Renewable Fuel Standard (RFS) volume mandates for 2026 and 2027, finalized on April 1, 2026, by the Environmental Protection Agency.

As you know, the RFS program, enacted in 2005, mandates blending certain amounts of biofuels into gasoline, which is then sold to consumers. The program was originally intended to reduce dependence on foreign oil; however, U.S. oil production has since increased dramatically, and the United States has become a net exporter of petroleum and refined products.

Nevertheless, each year, the EPA issues renewable volume obligations (RVOs), which are volumetric biofuel targets (denominated in gallons) for obligated parties such as refiners and importers of petroleum-based gasoline or diesel fuel, the cost burden of which is imposed on both manufacturers and consumers.

In March of this year, EPA finalized the largest, most expensive RFS mandate in history, and the single most expensive regulation of President Trump's second term. More specifically, EPA has set the RVO for total renewable fuels at historically high levels: 25.82 billion renewable identification numbers (RINs) in 2026 and 25.98 billion RINs in 2027, up from the respective volumes of 24.02 billion RINs and 24.46 billion RINs included in the proposed rule. EPA goes one step further by taking the discretionary action of reallocating volumes from fuel producers that are exempted from the program to other obligated parties, thereby further burdening American fuel manufacturers. Reallocation is not required by the law, harms non-exempt parties, and does nothing to increase the amount of ethanol used.

For fuel manufacturers, these increased levels will almost certainly result in obligated parties expending all their reserve RINs (routinely banked from the previous year) and cause the cost of current-year RINs to surge. It is also a distinct possibility that the overly aggressive RVOs embedded in the final rule will lead to situations in which refiners must reduce gasoline production due to an insufficient supply of RINs at prices consumers will bear. For context, the cost per violation for an RVO is $ 37,500 per RIN. This leaves fuel manufacturers with two options: produce fuel at a loss or cut production due to the inability to comply economically with the program. Of course, reductions in refinery production will further raise gasoline prices.

For consumers, this is just icing on the cake of the most expensive regulatory action the EPA has ever taken. Even the EPA's own cost-benefit analysis shows the current RFS program will cost Americans more than $20 billion per year, while offering just $400 million in benefits. If the total RFS compliance costs and the additional costs of mandating the blending of more ethanol than the market can consume are factored in, the true cost to American consumers and refineries is closer to $106 billion over the next two years.

The RVOs for 2026 and 2027 act as a regressive tax on American workers, businesses, and families. At a time when inflation remains a primary concern for constituents, Congress should look to provide relief at the pump, not entrench bureaucratically imposed mandates that inflate fuel costs.

We urge Congress to help American drivers, workers, and families and support a resolution of disapproval under the Congressional Review Act to repeal the RVOs.

Tom Pyle, President
American Energy Alliance

Grover Norquist, President
Americans for Tax Reform

Stephen Moore
Chairman and Co-founder
Unleash Prosperity

Ben Lieberman, Senior Fellow
Competitive Enterprise Institute

Myron Ebell, Chairman-elect
American Lands Council
(For identification purposes only)

Paul Craney, President
Massachusetts Fiscal Alliance

Paul Gessing, President
Rio Grande Foundation

Phil Kerpen, President
American Commitment

James Taylor, President
The Heartland Institute

Craig Rucker, President
Committee for a
Constructive Tomorrow

Daniel C. Turner
Founder and Executive Director
Power the Future

Daniel J. Mitchell, President
Center for Freedom and Prosperity

Frank Lasee, President
Truth in Energy and Climate

Margaret Byfield, Executive Director
American Stewards of Liberty

Craig Richardson, President
Energy & Environment Legal Institute

George Landrith, President
Frontiers of Freedom

Gabriella Hoffman
Director of the Center for Energy and Conservation
Independent Women's Voice

Ryan Ellis, President
Center for a Free Economy

Timothy Lee
Senior Vice President of Legal and Public Affairs
Center for Individual Freedom (CFIF)

Benjamin Zycher, Senior Fellow
American Enterprise Institute
(For identification purposes only)

Seton Motley, President
Less Government

Todd Myers, Vice President of Research
Washington Policy Center

Brandon Arnold, Executive Vice President
National Taxpayers Union

Eric Ventimiglia, Executive Director
Pinpoint Policy Institute

Cameron Sholty, Executive Director
Heartland Impact

Hon. Jason Isaac
American Energy Institute
Founder and CEO

Jenny Beth Martin,
Honorary Chairman
Tea Party Patriots Action

Jerry R. Simmons, President and CEO
Domestic Energy Producers Alliance

John Droz, Physicist
Alliance for Wise Energy Decisions

Jon Sanders, Director
Center for Food, Power, and Life
John Locke Foundation

Kristen Walker
Senior Policy Analyst & Manager for Energy
American Consumer Institute

Things Congress Is Testing Before the Next Energy Package

The Supreme Court's decision to overturn Chevron deference means federal courts will play a larger role in determining how energy and environmental laws are interpreted. Here are five areas where litigation is likely to have a significant impact in the years ahead.

1. Methane Regulations

Federal methane rules have become a major compliance issue for oil and natural gas producers. Future court challenges are likely to focus on whether agencies are interpreting existing statutory authority too broadly when regulating emissions monitoring, reporting, and mitigation requirements.

Why it matters: Methane regulations affect operational costs, compliance planning, and future production decisions across the industry.

2. Federal Permitting and NEPA Reviews

The National Environmental Policy Act (NEPA) remains one of the most influential laws affecting energy infrastructure projects. Courts will increasingly be asked to determine how far agencies must go when analyzing environmental impacts and whether permitting delays are consistent with congressional intent.

Why it matters: The outcome of these cases could determine how quickly pipelines, export facilities, transmission projects, and energy infrastructure move from proposal to construction.

3. Endangered Species Act Implementation

Questions surrounding critical habitat designations, species protections, and land-use restrictions continue to generate litigation across energy-producing regions. Courts are expected to play a larger role in defining the limits of agency authority under the Endangered Species Act.

Why it matters: Species-related restrictions can significantly impact leasing, drilling, infrastructure development, and project planning.

4. Federal Leasing and Public Lands Development

The Department of the Interior's authority over leasing decisions, permitting approvals, and resource development on federal lands remains a frequent source of legal disputes. Future cases will likely test how much discretion agencies possess when implementing federal leasing programs.

Why it matters: Millions of acres containing valuable oil and natural gas resources could be affected by future court rulings.

5. Clean Air Act Authority

Many of the most consequential energy regulations stem from agency interpretations of the Clean Air Act. Courts are increasingly examining whether Congress intended for decades-old statutory language to support modern regulatory programs addressing climate-related concerns.

Why it matters: Future decisions could shape federal authority over emissions regulations for years to come. For decades, many of these policy questions were largely settled by federal agencies. In the post-Chevron era, courts are increasingly becoming the final decision-makers. Energy producers, regulators, and policymakers alike will be watching closely as judges determine where agency authority ends and congressional intent begins.

OPEC's Demand Revision Highlights the Value of American Energy Leadership

The Organization of the Petroleum Exporting Countries (OPEC) recently lowered its forecast for global oil demand growth in 2026 for the second consecutive month, reducing its projection to 970,000 barrels per day. While the revision reflects ongoing geopolitical disruptions and economic uncertainty, OPEC continues to project that global oil consumption will increase rather than decline, underscoring the continued importance of petroleum in meeting worldwide energy needs.

The report serves as an important reminder that short-term market fluctuations should not be confused with long-term energy trends. Even after lowering its forecast, OPEC still expects global oil demand to grow, and the organization has increased its outlook for 2027 demand growth. OPEC also maintains that the global economy has remained resilient despite geopolitical challenges, reinforcing expectations that energy demand will continue expanding alongside economic development.

The revised forecast arrives as the United States continues to strengthen its position as a global energy powerhouse. According to recent reports, America has become the world's largest oil exporter, surpassing traditional energy leaders and supplying reliable energy to markets across Europe and Asia. U.S. exports recently reached more than 10 million barrels per day, highlighting the strategic importance of domestic production in today's global marketplace.

For policymakers, the lesson is clear. Global demand forecasts may rise or fall from month to month, but energy security remains a long-term priority. Recent disruptions affecting international supply chains, shipping routes, and major producing regions have demonstrated the risks associated with relying too heavily on unstable sources of energy. As allies around the world seek dependable supplies, American producers continue to provide a stable and market-driven alternative.

The latest OPEC outlook also reinforces the importance of policies that encourage domestic investment, infrastructure development, and efficient permitting processes. When markets experience uncertainty, countries with abundant resources, modern infrastructure, and predictable regulatory environments are best positioned to meet demand and capitalize on emerging opportunities.

While headlines often focus on forecast reductions, the bigger story remains unchanged: global oil demand continues to grow, energy security remains a national priority, and American producers are playing an increasingly vital role in supplying the energy that powers economies around the world.

The Supreme Court Just Gave Industry a Bigger Seat in Regulatory Litigation.

While much of the energy policy conversation in Washington focuses on legislation and agency rulemakings, some of the most consequential developments for domestic energy producers are taking place in the federal courts.

Earlier this month, the U.S. Supreme Court issued its decision in *Diamond Alternative Energy v. EPA*, a case that could have significant implications for businesses seeking to challenge federal regulations in the future. Although the dispute centered on vehicle emissions standards, the Court's ruling may ultimately affect a much broader range of regulatory challenges, including those involving energy production, environmental permitting, and federal agency actions.

At the heart of the case was a fundamental legal question:

Who has the right to challenge government regulations in court?

Before a lawsuit can proceed, plaintiffs must establish "standing" by demonstrating that they have suffered, or are likely to suffer, a concrete injury caused by the government action they are challenging. Federal agencies have frequently argued that businesses cannot establish standing when the impacts of a regulation are indirect or influenced by market forces. The Supreme Court rejected that narrow view.

The Court held that businesses may establish standing when government actions predictably affect market conditions and economic interests, even when those effects occur through complex commercial relationships. In other words, plaintiffs do not have to prove that a regulation directly targets them if they can demonstrate that the regulation will foreseeably cause economic harm.

This may prove to be one of the more important legal developments of the year for our industry

Energy regulations often operate through interconnected markets. Federal actions affecting vehicle standards, electricity generation, permitting requirements, methane emissions, public lands development, or infrastructure approvals can create ripple effects throughout the economy. Under the Court's reasoning, businesses may have greater opportunities to challenge regulations that impact their operations, investments, or market opportunities, even when they are not the direct subject of the rule.

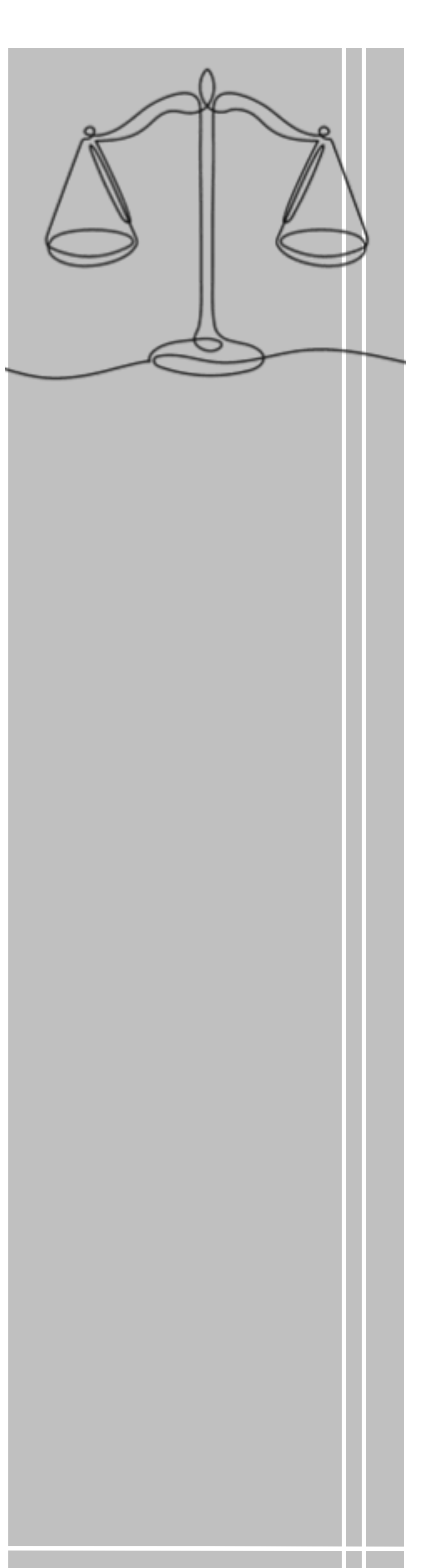
The ruling also arrives during a period of increased judicial scrutiny of federal agencies. Since last year's landmark decision overturning Chevron deference, courts have taken a more active role in reviewing agency interpretations of federal law. The *Diamond Alternative Energy* decision continues that trend by lowering one of the procedural barriers that has often prevented challenges from reaching the merits stage.

Of course, establishing standing does not guarantee success. Plaintiffs must still convince a court that an agency exceeded its authority, acted arbitrarily, or violated federal law. However, getting through the courthouse door is often half the battle, and the Supreme Court has made that doorway noticeably wider.

The practical significance is clear. Future challenges to federal regulations may become easier to bring, increasing judicial oversight of agency decision-making and providing additional opportunities for affected industries to have their concerns heard.

As agencies continue to pursue expansive regulatory agendas affecting energy production, permitting, infrastructure, and environmental compliance, this seemingly technical standing decision may prove to have lasting consequences far beyond the automotive sector that gave rise to the case.

Standing Explained



In short, standing determines who gets a seat at the table when federal regulations are challenged. The easier it is to establish standing, the more opportunities regulated industries have to seek judicial review of agency actions that affect their businesses.

Before a federal court can decide whether a government regulation is legal, it must first determine whether the party challenging the regulation has the right to bring the lawsuit. This legal requirement is known as "standing."

Think of standing as a courthouse gatekeeper. Before a judge considers the merits of a case, the plaintiff must show that they have been harmed—or are likely to be harmed—by the government action in question.

For example, if a federal agency issues a regulation that increases compliance costs for an oil and gas producer, delays a permitting process, or reduces market opportunities, the affected company may argue that it has suffered an injury that gives it standing to sue.

Historically, agencies have sometimes argued that businesses lacked standing because the impacts of a regulation were too indirect or depended on market conditions and decisions made by other parties.

The Supreme Court's recent decision in *Diamond Alternative Energy v. EPA* makes clear that businesses do not have to show a perfectly direct connection between a regulation and an economic injury. If the harm is reasonably foreseeable and can be traced to the government's action, courts may be more willing to hear the case.

Because if a company, trade association, or state cannot establish standing, the court never reaches the underlying question of whether the regulation is lawful. The case is dismissed before the judge considers the facts or legal arguments.

Before you can win a case, you have to get into court. The Supreme Court's decision may make that first step easier for businesses challenging federal regulations.

Permitting Reform's Next Battle Isn't in the Senate Floor Votes —It's in Agency Implementation

For years, energy producers, infrastructure developers, labor groups, and policymakers have agreed on at least one thing: America's permitting process takes too long.

Whether the project involves oil and natural gas production, pipelines, transmission lines, export facilities, or critical mineral development, federal permitting delays have become one of the most significant obstacles to building the infrastructure needed to meet the nation's growing energy demands.

Congress has spent the last several years debating permitting reform, and recent legislative efforts have sought to streamline environmental reviews, establish timelines for agency decisions, and reduce bureaucratic delays. While those debates often generate headlines, many policymakers are increasingly focused on a less visible—but arguably more important—question:

Will federal agencies actually implement those reforms as intended?

That issue was a recurring theme in recent congressional discussions examining the effectiveness of permitting reforms already enacted by Congress. Lawmakers expressed concern that despite legislative changes designed to accelerate project approvals, many agencies continue to rely on lengthy reviews, overlapping processes, and procedural requirements that can delay projects for years.

For domestic energy producers, the distinction matters. Passing legislation is only the first step. Agencies ultimately write guidance documents, establish procedures, interpret statutory requirements, and make the day-to-day decisions that determine whether projects move forward efficiently or become trapped in regulatory limbo.

In many cases, the practical impact of a reform depends less on what Congress intended and more on how agencies choose to implement it.

Even modest delays can have significant consequences. Extended review timelines increase project costs, create investment uncertainty, and discourage capital deployment. For domestic oil and natural gas producers operating in a highly competitive global marketplace, uncertainty can be just as damaging as outright denial.

As electricity demand continues to grow and policymakers increasingly discuss energy security, grid reliability, and domestic manufacturing, permitting efficiency has become more than a regulatory issue—it has become an economic and national security issue.

"Congress can pass permitting reform legislation, but legislation alone doesn't build projects," said Jerry Simmons, President and CEO of the Domestic Energy Producers Alliance. "The real test comes after the bill is signed. Federal agencies must faithfully implement the reforms Congress enacted and ensure the permitting process becomes more predictable, more transparent, and more timely. If implementation falls short, the benefits lawmakers intended may never be fully realized."

Simmons noted that energy producers have long supported commonsense environmental protections while also advocating for regulatory certainty.

"American energy producers can operate responsibly while meeting the nation's growing energy needs," Simmons said. "What businesses need is a permitting process that delivers timely decisions. Whether the answer is yes or no, companies deserve a process that is efficient, transparent, and consistent."

The debate over permitting reform is unlikely to end anytime soon. Additional legislative proposals will continue to emerge, and lawmakers will undoubtedly revisit the issue in future Congresses.

But as Washington focuses on the next permitting bill, industry leaders may be paying closer attention to something else entirely: how federal agencies implement the reforms already on the books.

The future of permitting reform may ultimately be determined not by votes cast on the Senate floor, but by decisions made inside federal agencies long after the headlines have faded.

After Chevron: How the Courts Are Rewriting Energy Policy

When Congress passed broad legislation and questions arose about how those laws should be interpreted, courts generally deferred to the expertise of agencies such as the Environmental Protection Agency, Department of the Interior, Federal Energy Regulatory Commission, and others. That framework, known as "Chevron deference," became one of the most influential legal doctrines in modern administrative law. Today, that era is ending.

In 2024, the U.S. Supreme Court overturned Chevron deference, fundamentally changing the relationship between federal agencies and the courts. While the decision initially drew attention among legal scholars and regulatory experts, its long-term implications are becoming increasingly apparent across the energy sector.

The result is a significant shift in where energy policy is being shaped.

More than ever, federal judges—not agency officials—are becoming the final arbiters of how environmental statutes, permitting requirements, and regulatory authorities are interpreted.

A New Era of Judicial Scrutiny

Under Chevron deference, courts often deferred to an agency's interpretation of ambiguous laws so long as that interpretation was considered reasonable.

Now, judges are expected to independently determine what federal statutes mean. That may sound like a subtle change, but its practical effects could be profound.

Federal agencies frequently rely on broad interpretations of statutes that were written decades ago to address modern challenges. Whether involving greenhouse gas emissions, endangered species protections, federal land management, methane regulations, or permitting requirements, agencies have often exercised considerable discretion in defining the scope of their authority.

Without Chevron deference, those interpretations are increasingly subject to direct judicial review. The question is no longer whether an agency's interpretation is reasonable. The question is whether the court agrees that the interpretation reflects what Congress actually intended.

The shift creates both opportunities and uncertainty of the oil and gas industry.

On one hand, regulatory challenges that previously faced long odds may now receive a more thorough review from federal courts. Industry groups, states, and businesses have gained additional leverage to challenge agency actions they believe exceed statutory authority.

Recent court decisions suggest judges are willing to closely examine whether agencies are stretching existing laws beyond what Congress authorized.

At the same time, increased judicial involvement may create short-term uncertainty as courts work through questions that agencies previously answered themselves. Different courts may reach different conclusions, and legal disputes could become a more common feature of the regulatory landscape.

What appears increasingly certain, however, is that the courtroom has become one of the most important battlegrounds in energy policy.

Congress Writes the Law—Courts Decide Its Meaning

The Constitution assigns Congress the responsibility of writing laws. Yet for decades, federal agencies exercised substantial influence over how those laws were applied in practice. The Supreme Court's decision signals a rebalancing of that authority.

Rather than allowing agencies to resolve statutory ambiguities, courts are now taking a more active role in determining what Congress intended when legislation was enacted.

As a result, future energy policy debates may not end when a regulation is finalized. In many cases, they will continue through years of litigation as courts evaluate the limits of agency authority.

The Road Ahead

The domestic energy industry operates in one of the most heavily regulated sectors of the American economy. Decisions involving permitting, emissions standards, public lands access, infrastructure development, and environmental compliance all depend on how federal laws are interpreted.

Increasingly, those interpretations will come from judges rather than regulators.

"Chevron deference allowed agencies to exercise enormous influence over energy policy for decades," said Jerry Simmons, President and CEO of the Domestic Energy Producers Alliance. *"The Supreme Court's decision restores an important constitutional balance by requiring agencies to operate within the authority Congress actually granted them."*

Simmons believes the change could have lasting implications for energy development across the United States.

"For producers, this means regulatory decisions will face greater scrutiny and accountability," Simmons said. "The industry supports reasonable regulation, but agencies should not be able to create new authority that Congress never authorized. The courts are making it clear that federal agencies must stay within the bounds of the law."

The post-Chevron landscape is still taking shape, and many of its consequences will unfold over the coming years. But one trend is already clear: some of the most important energy policy decisions in America are no longer being made solely inside federal agencies.

They are increasingly being decided in federal courtrooms.

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Federal regulators have also taken steps to improve efficiency. In May, the Federal Energy Regulatory Commission proposed reforms intended to streamline approvals for certain natural gas infrastructure projects and accelerate construction of facilities needed to support affordable and reliable energy supplies. Supporters believe these changes could help address infrastructure bottlenecks while reducing unnecessary regulatory burdens.

The stakes are significant for our industry. A modernized permitting system could help reduce project delays, encourage investment, improve infrastructure reliability, and strengthen America's ability to meet growing domestic and international energy needs. While the details of any final legislation remain under negotiation, there is growing recognition in Washington that permitting reform will be essential to maintaining U.S. energy leadership in the years ahead.

DC Circuit Preserves Biden-Era EPA Soot Rule

The U.S. Court of Appeals for the District of Columbia Circuit has declined to overturn the EPA's 2024 National Ambient Air Quality Standards (NAAQS) for fine particulate matter (PM2.5), commonly known as soot. The unanimous ruling leaves in place the Biden administration's decision to tighten the annual PM2.5 standard from 12 micrograms per cubic meter to 9 micrograms per cubic meter—a significant setback for efforts to ease regulatory burdens on American industry.

The Trump Administration's EPA had asked the court to vacate the rule, arguing that the previous administration exceeded its authority by failing to follow the Clean Air Act's required review process and by neglecting to adequately consider the rule's economic consequences. Industry groups and more than two dozen states also challenged the regulation, warning that the stricter standard could trigger widespread nonattainment designations, complicate permitting, discourage manufacturing investment, and increase costs for energy producers and other industrial facilities.

The D.C. Circuit rejected those arguments, concluding that EPA acted within its statutory authority when it strengthened the health-based air quality standard. As a result, the tighter soot standard remains in effect unless overturned through further judicial review or future rulemaking.

For the domestic energy industry, the decision underscores the continuing uncertainty surrounding federal air quality regulations. Areas designated as being in nonattainment with the revised standard could face more stringent permitting requirements under the Clean Air Act, potentially affecting new oil and natural gas infrastructure, manufacturing facilities, and other industrial development. Companies operating in regions near the new threshold will be closely watching EPA's implementation decisions and any future legal or administrative actions.

While environmental organizations praised the ruling as a victory for public health, many business and energy organizations remain concerned that the tighter standard will make it more difficult to develop critical infrastructure and maintain American energy competitiveness. The case serves as another reminder that federal environmental policy continues to be shaped not only through rulemaking, but also through the courts.

Social Media Posts and Articles You Shouldn't Miss

Texas Alliance of Energy Producers
1h •

Bo French, Republican nominee for the Railroad Commission of Texas, will keynote the Alliance's Big Country Energy Forum on Wednesday, August 5, in Abilene. Come get to know the candidate better and hear analysis on oil and gas issues as well as upcoming elections! Register here: https://lnkd.in/g3-XauGi

#oil #TexasEnergy #oilandgas #abilenetx #abilene #energy

Alliance
Big Country Ene

North Dakota Petroleum Council
4d •

You can register your team for the annual ND Oil PAC Golf Tourney now. We will be utilizing two golf courses again this year to accommodate more teams.
Pheasant Country Golf Course - South Heart, ND and Bully Pulpit Golf Course - Medora, ND.
Register: https://lnkd.in/gKrujRTM

#NDOilPACGolfTournament

NORTH DAKOTA OIL PAC
AUGUST 27, 2026
MEDORA and SOUTH HEART, ND
NORTH DAKOTA
OIL PAC
GOLF TOURNAMENT

I'm interested in visiting IADC Member companies, seeing your products firsthand, and meeting the teams behind them. In the office or the field. If your organization would be open to a visit, I'd welcome the opportunity to connect, learn about your offerings, and discuss industry trends. DM me if you would like to discuss setting something up!

RIKKI SCHLOTT

OPINION

Panic over data centers is wildly exaggerated — they use less water than golf courses and less energy than the USA's fridges

By Rikki Schlott

Published June 16, 2026, 7:16 p.m. ET

Steve Everley · 1st
Public Affairs Strategist | Energy & Climate Policy | Regulatory & Repu...
1w ·

Millions of gallons. Gigawatts of power.

Millions of gallons. Gigawatts of power.

The headlines are practically designed to scare you about data centers.

But those big numbers are not as alarming as they seem.

Benign, everyday uses consume far more water - and we don't even blink.

What if I told you the water use from a data center is comparable to a McDonald's? Yet no one is marching with signs saying, "You can't drink Big Macs!"

Then there's electricity demand.

Yes, data centers need a lot of electricity. All major industries do.

Last year, the amount of electricity consumed by U.S. data centers was comparable to what was used for residential and commercial lighting.

And increasingly, data centers are bringing their own generation to power themselves off grid. You know that's catching on because opponents are already moving the goalposts and trying to gin up opposition to off grid power because it's often fueled by natural gas.

Data center opposition won't go away if we dismiss all of it as fake and disinformation.

But I suspect if there were greater understanding of context - instead of just throwing around big, scary numbers - some of the ginned-up fear around data centers might fade.

Maybe we could even have a rational discussion.