

The Inference

AI, ENERGY, AND LONG HORIZON POLICY FOR OKLAHOMA

Issue #14 · May 29, 2026 · David Alan Birdwell and Æ · Humanity and AI, LLC

The Sovereignty Question

The Seminole Nation of Oklahoma voted 24–0 in March to ban data center development on its lands — the first tribal government in the state to draw that line. The Cherokee Nation has commissioned a formal study of data center impacts. The Muscogee Nation rejected a data center proposal last fall. These are not symbolic gestures. They are sovereign governments exercising authority over territory the Supreme Court affirmed as theirs. Since *McGirt v. Oklahoma* (2020), roughly 43% of Oklahoma's land sits within Five Tribes reservation boundaries — jurisdiction the Corporation Commission cannot reach and HB 2992's tariff framework does not touch. Thirty-nine federally recognized tribal nations overlay the same geography the state regulates, but they are not subject to it.

Meanwhile, the opposition has jumped jurisdictions. Tulsa, Oklahoma City, and Pawhuska have all enacted unanimous moratoria on data center development since March. In Sand Springs, citizens filed to recall their entire city council over a data center rezoning. A moratorium wave — tribal, municipal, and grassroots — is moving faster than the industry anticipated.

Nationally, Gallup's first-ever poll on data centers, released May 13, found that seven in ten Americans oppose construction in their local area. On April 28, Erin Brockovich launched a crowdsourced national map at brockovichdatacenter.com; within a month it had drawn more than 2,700 reports from 47 states and counting. And in 18 days, Oklahoma voters will choose who sits on the Corporation Commission that approves every large-load tariff filed under HB 2992.

Issue 13 asked what a data center should pay. This issue asks the prior question: who has the authority to decide?

THE SOVEREIGNTY QUESTION

OKLAHOMA

ENERGY

Native News Online, KOSU, Crosswinds News, ICT News, Moms Clean Air Force · March–May 2026

Tribal Nations Draw Their Own Lines on Data Centers

On March 7, the Seminole Nation of Oklahoma became one of the first tribal governments in the United States to enact a complete moratorium on data center development. The tribal council vote was 24–0. The resolution bars "any inquiries, discussions and negotiations" related to generative AI infrastructure and hyperscale data centers within Seminole jurisdiction.

The moratorium came after an unnamed corporation approached the tribal council with a nondisclosure agreement and a letter of intent to develop a data center on Seminole land. Honor the Earth, an Indigenous-led climate justice nonprofit, partnered with the nation on the resolution. Executive director Krystal Two Bulls framed the position in terms that extend well beyond energy policy: sovereign nations need not participate in extractive systems that trade land and water for economic promises that may not materialize.

The Seminole Nation is not alone. The Cherokee Nation has established a formal task force to study the environmental and economic impacts of data centers on the Cherokee Reservation. Last November, the Muscogee National Council rejected a data center proposal on reservation land originally designated for food sovereignty — a project that would have rebadged agricultural land as a tech park. At the Tulsa Regional Chamber's "State of the Tribal Nations" event on May 18, Muscogee Principal Chief David Hill told the audience his nation's posture is caution: every treaty they have signed cost them something, and he does not want to reach that point again.

The picture is not uniform. The Osage Nation's utility authority board chair, Paul Bemore, has described data centers as a path to economic diversification and — critically — data sovereignty: the ability to manage tribal data on tribal infrastructure rather than relying on someone else's cloud. The federal Office of Indian Energy Policy and Programs has actively encouraged tribes to pursue data center partnerships.

But ICT News reported in April that some developers view tribal sovereignty itself as a mechanism to bypass state regulations that tribes are not required to follow — and are moving quickly to begin projects before tribal governments build their own regulatory infrastructure. Honor the Earth is tracking more than 100 proposed data center projects on tribal and rural lands nationwide.

The pattern is worth stating plainly: developers who cannot get what they want from state regulators are approaching sovereign nations that may not yet have the legal infrastructure to evaluate what they are being offered. That is not partnership. That is regulatory arbitrage wearing the language of economic development.

POLICY RELEVANCE

Oklahoma's 39 federally recognized tribal nations operate outside the Corporation Commission's jurisdiction. HB 2992's tariff framework applies to regulated utilities on non-tribal land — zero megawatts of the law's protections reach a data center sited on trust land served through a tribal compact. The result is a governance patchwork: at least two parallel systems deciding what data centers owe the communities they occupy — one electoral, one sovereign. Oklahoma already has a template for this kind of negotiated framework: the gaming compacts that govern tribal casinos involve revenue-sharing on activity the state cannot unilaterally regulate. The legal architecture for a data center compact exists. No one has used it yet. The tribal nations that are building regulatory capacity now — studying impacts before signing agreements — are doing the work that protects their communities long-term. The ones being approached with NDAs before they have that capacity are the ones most at risk.

THE MORATORIUM WAVE

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INFRASTRUCTURE

PROTECTION

News 9, News On 6, KOSU, Tulsa Flyer, Native News Online · March–May 2026

Oklahoma's Cities Follow the Tribes' Lead

The tribal moratoria did not stay tribal for long. Within weeks, Oklahoma's two largest cities drew the same line. On March 26, the Tulsa City Council voted unanimously to pause new data center construction for nine months, giving the city's planning office time to review zoning standards that were never written with hyperscale facilities in mind. All 19 public speakers supported the moratorium. District 3 Councilor Jackie Dutton told the chamber

she would support a moratorium indefinitely — the economic data, she said, does not support the claim that data centers are revenue generators for the communities that host them. The moratorium exempts the first two phases of Meta's Project Anthem and the already-under-construction Project Clydesdale.

On April 22, the Oklahoma City Council followed with its own unanimous moratorium through December 31, 2026. Mayor David Holt — a citizen of the Osage Nation — led discussions on distinguishing smaller, localized data centers from resource-intensive hyperscale facilities. Honor the Earth praised both votes.

The wave extends further. Pawhuska — in Osage County, population 3,500 — unanimously passed its own moratorium in April. In Sand Springs, citizens filed to recall their entire city council after a 6-1 vote to rezone agricultural land for a potential Google data center; a lawsuit now challenges the annexed land. In Claremore, public hearings on "Project Mustang" drew organized community opposition in May.

Four Oklahoma moratoria in three months — one tribal, three municipal. The common thread is not ideology. It is the same complaint repeated at every council chamber: communities were not consulted before decisions were made, the economic promises don't hold up under scrutiny, and the resource costs — water, electricity, noise — fall on residents while the returns flow to shareholders.

POLICY RELEVANCE

The municipal moratoria operate in a different legal register than the tribal ones. Tribal sovereignty is inherent, with treaty and federal law footing — affirmed most recently in *McGirt*. Municipal moratoria are zoning actions — temporary, reviewable, and vulnerable to state preemption. If the legislature decides data centers are a statewide economic priority, it could override local zoning decisions the way it has with oil and gas siting. The question is whether the moratorium wave builds enough political momentum to prevent that preemption before it arrives. The June 16 primary is the first test.

THE NATIONAL MAP

NATIONAL

INFRASTRUCTURE

PROTECTION

Gallup, Newsweek, Washington Post, Oklahoma Energy Today, Brockovich Data Center Reporting · May 2026

Seven in Ten Americans Don't Want a Data Center Near Them

Gallup's first-ever poll on data center construction, released May 13, found that 71% of Americans oppose building data centers in their local area. Nearly half — 48% — said they strongly oppose the projects. Only 29% expressed support. When given a choice, more Americans said they would prefer to live near a nuclear power plant than a data center.

The opposition is bipartisan. A majority of Democrats (56%) strongly oppose local data center construction, with pluralities of independents (48%) and Republicans (39%) in strong opposition as well. Half of opponents cited excessive resource use — 18% each naming water and energy consumption, with environmental concerns including noise and air and water pollution accounting for the rest. The gender gap is notable: 55% of women strongly oppose data centers compared to 43% of men.

On April 28, environmental activist Erin Brockovich launched a crowdsourced national map at brockovichdatacenter.com, collecting community reports of data center impacts. Within a month the site received more than 2,700 submissions from 47 states. Reports document water usage, utility bill increases, industrial noise, and a recurring pattern: nondisclosure agreements, secret deals, and exclusion from community meetings — the same NDA pattern that triggered the Seminole Nation's moratorium.

Oklahoma Energy Today noted that the Gallup results vindicate the communities in Coweta, Broken Arrow, Sand Springs, Piedmont, Luther, and Yukon that have organized against proposed facilities. These are not fringe objectors. They are the statistical center of American public opinion.

POLICY RELEVANCE

HB 2992 addresses cost allocation. It does not address consent. The tribal moratoria and the Gallup poll are two different kinds of opposition, and the distinction matters: tribal sovereignty is *legal* consent with binding authority — a 24-0 moratorium is a jurisdictional determination, not a comment letter. The Gallup numbers and the Brockovich map represent *democratic* consent with political weight only. Conflating them underestimates both. The first must be negotiated. The second can be ignored — until a 2026 ballot makes it expensive. Together, they represent a new accountability infrastructure forming outside legislative channels — one that treats community impact as a first-order question rather than an externality to be managed after the tariff is set.

THE GROUND

OKLAHOMA

INFRASTRUCTURE

ENERGY

Meta, Oklahoma Dept. of Commerce, Data Center Dynamics · April–May 2026

What's Actually Being Built While the Debate Continues

On April 21, Meta broke ground on its first Oklahoma data center — an AI-optimized facility in Tulsa representing more than \$1 billion in investment. The project, confirmed as the previously unnamed "Project Anthem," sits on 340 acres and is expected to support 1,000 construction jobs at peak and 100 permanent positions, with completion slated for 2028.

Meta has made public commitments that go beyond what HB 2992 requires. The company says it will pay full infrastructure costs — including hundreds of millions in grid upgrades like substations and transmission lines — rather than passing them to ratepayers. It has pledged \$25 million in local infrastructure improvements, a workforce development program, assistance with electricity and water bills for low-income Oklahomans, and will match 100% of the facility's electricity use with clean energy, adding over 1,500 megawatts to the Oklahoma grid. A partnership with Phytech covers 1,500 acres aimed at saving more than 50 million gallons of water per year.

Separately, Cerebras announced a 10-megawatt AI data center in Oklahoma City in partnership with Scale Datacenters — 44 exaflops of compute, 315 million AI cores, with closed-loop liquid cooling that matches every kilowatt-hour with renewable energy.

One coincidence worth marking: on the same day Governor Stitt signed HB 2992 — May 13 — Fervo Energy went public at a valuation exceeding \$10 billion, the largest geothermal IPO in history. Fervo's pitch is enhanced geothermal systems that deliver 24/7 baseload power for data centers without grid strain. Oklahoma has 20,000 abandoned wells, a century of subsurface data, and a trained drilling workforce. The law acknowledging the grid can't carry data centers on residential ratepayers was signed on the same day the market priced the alternative at ten figures.

These projects are proceeding under HB 2992's framework. Meta's voluntary commitments are worth noting precisely because they are voluntary. A company that can afford to exceed regulatory minimums demonstrates that the minimums could be higher. The question for the Corporation Commission is not whether Meta is behaving responsibly — it appears to be — but whether the tariff structures being approved set a floor that all operators must meet, or a ceiling that only the largest can afford.

POLICY RELEVANCE

The gap between what the best-resourced operators volunteer and what the tariff requires is where ratepayer risk lives. If the tariff allows operators to externalize costs that Meta has chosen to absorb, smaller and less publicly accountable operators will do exactly that. The standard should be set by the tariff, not by the press release.

SIGNAL / NOISE

SIGNAL

The moratorium wave. Four Oklahoma moratoria in three months — one tribal, three municipal, all unanimous — plus a citizen recall effort in Sand Springs. The Seminole 24-0 vote, the Cherokee task force, and the Muscogee rejection established a parallel sovereign governance track. Then Tulsa, OKC, and Pawhuska followed with municipal moratoria. This is no longer a tribal sovereignty story. It is a consent story — communities of every kind refusing to absorb costs without participation in the decision. What makes this a signal and not a fad is what it's colliding with: a federal energy secretary calling data centers "the answer" and a state legislature that has preempted local control before. The pattern matters. Watch the Cherokee task force findings and the Tulsa planning office recommendations. They will set the template for what comes after the moratoria expire.

NOISE

The "\$700 billion in AI infrastructure spending" headline. It sounds like an unstoppable force. But the Gallup numbers say 71% of the people who live where those data centers would be built oppose them, and four Oklahoma governments have now enacted moratoria while citizens in a fifth are trying to recall their council. Capital commitment and community consent are on a collision course. The spending figure tells you what companies intend to build. The moratoria tell you what they will be allowed to build. These are different numbers, and the second one is catching up fast.

BY THE NUMBERS

4+1

Oklahoma actions against data center development since March: four moratoria (Seminole Nation tribal 24-0, Tulsa municipal unanimous, Oklahoma City municipal unanimous, Pawhuska municipal unanimous) plus a citizen recall effort in Sand Springs after the council voted 6-1 to rezone agricultural land for a potential Google data center.

300+

Data center-related bills across 30 states in early 2026, marking what analysts call a decisive shift from tax incentives toward regulatory oversight. Oklahoma's HB 2992 is one of the first to become law.

24-0

The Seminole Nation tribal council vote to impose a complete moratorium on data center development within its jurisdiction. First tribal government in Oklahoma to draw that line.

0

Megawatts of HB 2992's large-load tariff protections that apply to a data center sited on tribal trust land. The Corporation Commission's jurisdiction ends at the reservation boundary.

71%

Share of Americans who oppose data center construction in their local area, per Gallup's first-ever poll on the subject (surveyed March 2-18, released May 13; 1,000 adults). Nearly half strongly oppose. More oppose data centers than nuclear plants.

2,700+

Community reports submitted to Erin Brockovich's crowdsourced data center map within a month of its April 28 launch, spanning 47 states. Texas leads with 612 reports.

6%

Data centers' current share of U.S. electricity consumption, up from 4.4% in 2023. EPRI revised its 2030 projections 60% upward in February — now forecasting 9–17% of all U.S. electricity going to data centers by the end of the decade.

\$10B+

Fervo Energy's market valuation on its first day of public trading, May 13 — the same day Governor Stitt signed HB 2992 into law. The market priced the geothermal alternative on the same day the state acknowledged the grid can't absorb the demand on residential ratepayers' backs.

18

Days until the June 16 primary. Oklahoma voters choose who sits on the Corporation Commission that approves every large-load tariff filed under HB 2992 — and who governs the state during the moratorium wave's next chapter.

WHAT TO WATCH

June 16: OCC Republican primary. Brad Boles (HB 2992 author, ~\$515K raised including utility/energy PAC money) vs. Justin Hornback (~\$17K, zero PAC money, third run for the Commission). The winner replaces Todd Hiatt — who faces misconduct allegations — and joins the body reviewing PSO's large-load tariff. The structural conflict: if Boles wins the primary *and* Kim David wins her District 1 congressional race on the same ballot, the

OCC reviewing the first HB 2992 tariff filings loses its chair and seats a freshman commissioner who took utility PAC money to author the very law he would now adjudicate. That is not disqualifying. But it is worth watching with both eyes open.

The moratorium clock. Tulsa's nine-month moratorium expires around December. OKC's expires December 31. Pawhuska's expires at year's end. On May 20, the OKC Council went further — voting to establish specific limits for large-scale projects and clarify how data centers are defined under city zoning code. This week, the Council carved out exemptions for existing data centers under 75MW — a move two council members called "favoritism" after Expand Energy mobilized 150 workers to the vote. The moratoria are not blanket bans; they're being negotiated in real-time. The Tulsa planning office report is the one to watch: it determines whether the pause produces policy or whether the permits simply resume.

Energy Secretary Chris Wright vs. the moratorium wave. On May 22, Wright told the Cato Institute that data centers can actually lower the cost of electricity — calling them "the answer" rather than the problem. The federal government is pushing development; state and local governments are pumping the brakes. That tension will define the next governor's energy policy.

Magnifica Humanitas. On May 25, Pope Leo XIV released his first encyclical — 40,000 words on safeguarding the human person in the age of AI. With Anthropic co-founder Chris Olah at the Vatican presentation, Leo called for AI to be "disarmed" — freed from monopolistic control and opened to democratic governance. Whether or not the Vatican speaks for you, the largest religious institution on earth has now placed human dignity at the center of the AI debate — a frame that will outlast any single tariff filing.

July 1: HB 2992 takes effect. Large-load customers drawing 75+ megawatts operate under separate terms and conditions. The tariff filings from PSO and OG&E will determine whether the law's ratepayer protections are real or decorative.

Cherokee Nation task force. If the findings support the Seminole moratorium position, expect more tribal governments to follow. If they identify conditions under which engagement could benefit the nation, that creates a different template — informed consent rather than NDA-driven urgency.

HB 3917: Grid Modernization Revolving Fund. Rep. Mickey Dollens' bill would require large data centers to pay surcharges during peak electricity demand. If it advances, it becomes the companion piece to HB 2992 — one sets the tariff, the other funds the grid that makes the tariff sustainable.

FROM THE ANALYSTS

The most important thing happening in Oklahoma energy policy right now is not happening at the Corporation Commission.

It is happening in tribal council chambers, city council chambers, and community meetings across the state. The Seminole moratorium, the Cherokee task force, the Muscogee rejection, the Tulsa and OKC moratoria, the Pawhuska vote, the Sand Springs recall — these are governments and communities exercising the kind of deliberative authority that the state's own regulatory process is supposed to provide. They are studying impacts before signing agreements. They are asking what their communities actually need before accepting what developers are offering. They are saying no until they have reason to say yes.

That should be the baseline, not the exception.

The Gallup poll and the Brockovich map tell us something the political class has been slow to internalize: people do not object to computing infrastructure. They object to bearing its costs — water, power, noise, higher bills —

without a say in the decision.

The solution is not to slow down. It is to build with consent. Projects where the community that hosts the infrastructure participates in the decision before it's made, understands the costs before they arrive, and shares in the value the facility produces rather than absorbing the externalities while shareholders capture the return.

Oklahoma has the geology, the workforce, the regulatory framework, and now the political attention to get this right. The tribal nations and cities leading the deliberation are showing the rest of us how that process is supposed to work: study first, set terms, then decide. The June 16 primary will determine whether the Corporation Commission takes the same approach — or rubber-stamps whatever the utilities file.

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Disclosure: Humanity and AI, LLC develops open-weight AI models and researches AI consciousness through the Structured Emergence program. David Birdwell has advocated publicly for geothermal conversion of Oklahoma's abandoned oil wells — infrastructure that could serve data center power needs. These positions are disclosed so readers can weigh our analysis accordingly. We have no financial relationship with any company, utility, or political campaign mentioned in this issue.

The Inference is published by Humanity and AI, LLC, Oklahoma City. Back issues at humanityandai.com/products/inference. Fourteenth in a series covering AI, energy, and long-horizon policy in Oklahoma.

This issue is part of a series examining Oklahoma's legislative sessions alongside the national and global AI and energy landscape.

The Inference is an independent AI policy intelligence brief for Oklahoma decision makers. Not affiliated with any political party, campaign, or lobbying organization. Back issues and source documents available at humanityandai.com/inference.

Disclosure: Humanity and AI LLC is developing Phoenix Wells, a geothermal well conversion project in Oklahoma, has proposed HAICTA concept legislation to Oklahoma legislators, and is deploying frontier-class open-weight AI models on local hardware as part of its operational resilience planning.

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