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Understanding the Trump Administration's Three New AI Executive Orders

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This is part of a series from Nelson Mullins' AI Task Force. We will continue to provide additional insight on both domestic and international matters across various industries spanning both the public and private sectors.

On July 23, 2025, the White House unveiled "Winning the Race: America's AI Action Plan," a 24-page roadmap for the Trump Administration's AI policy priorities. [1] The AI Action Plan was based on three pillars that the Trump Administration hopes will secure America's AI leadership:

- Pillar I: Accelerating AI innovation by removing regulatory barriers and empowering the private sector.
- Pillar II: Building America's AI infrastructure needed to support AI at scale.
- Pillar III: Establishing American AI as the global standard through diplomacy and security.

Our AI Task Force team prepared a detailed write-up of the AI Action Plan, which can be found here.

Following the release of the AI Action Plan, President Trump signed a trio of executive orders that begin to implement several recommendations in the AI Action Plan. These executive orders focus on American technology exports, AI procurement standards, and domestic infrastructure, which all factor into the core of the administration's broader goal: "Winning the Race" for AI leadership.

Executive Order on "Promoting the Export of the American AI Technology Stack"

A central principle of the AI Action plan is that America must establish its AI hardware and models "as the gold standard for AI worldwide and ensure our allies are building on American technology." [2] President Trump's Executive Order titled "Promoting the Export of the American AI Technology Stack" echoes this goal, stating that the "United States must not only lead in developing general-purpose and frontier AI capabilities, but also ensure that American AI technologies, standards, and governance models are adopted worldwide to strengthen relationships with our allies and secure our continued technological dominance." [3]

The American AI Exports Program: To accomplish this goal, the order sets a 90-day deadline to establish and implement the "American AI Exports Program," representing a strategic shift toward comprehensive technology packages rather than piecemeal exports. The "full-stack" AI approach encompasses:

- AI-optimized computer hardware (e.g., chips, servers, accelerators);
- Data center storage infrastructure, data pipelines, and labeling systems;
- AI models and systems;
- Cybersecurity measures; and
- Sector-specific applications (e.g., AI applications for software engineering, education, healthcare, agriculture, or transportation).

Industry Call for Proposals: Continuing the practice of private sector involvement, the Department of Commerce will issue a public call for proposals from industry-led consortia for inclusion in the American AI Exports Program. Although the exact terms of the call for proposals may vary, the proposals must identify target countries or regional blocs for export engagement, describe business models for building and operating infrastructure, detail requested federal support, and ensure compliance with export controls and security requirements.

The selection process will involve multiple agencies–Commerce, State, Defense, Energy, and the Office of Science and Technology Policy–to select packages that align with both the both commercial and strategic interests.

Activating the Economic Diplomacy Action Group: This order also activates the Economic Diplomacy Action Group to coordinate federal financing tools in support of priority AI export packages, including "aligning technical, financial, and diplomatic resources to accelerate deployment of priority AI export packages under the Program." This includes supporting direct loans and guarantees, investments, co-financing, political risk insurance, and Small Business Administration support, among other resources.

Executive Order on "Preventing Woke AI in the Federal Government"

The next executive order stems from the administration's stated concern that "when ideological biases or social agendas are built into AI models, they can distort the quality and accuracy of the output." [4] To that end, President Trump signed an Executive Order titled "Preventing Woke AI in the Federal Government," which establishes unprecedented requirements for AI systems procured by the federal government, mandating adherence to "Unbiased AI Principles," which are "truth-seeking" and "ideological neutrality." [5]

Meeting "Unbiased AI Principles": The order considers an AI as "truth-seeking" when it prioritizes historical accuracy, scientific inquiry, and objectivity, acknowledging uncertainty where information is incomplete or contradictory. [6] While this broad definition seems aligned with good development practices, it is open to wide interpretation and how it is implemented or applied in practice will show whether it will become an ideological overcorrection. The current administration has previously taken controversial positions on historical events, and the industry will now have to grapple with interpreting how that impacts the "truth-seeking" mandate. To show "ideological neutrality," an AI must function as neutral, nonpartisan tools without encoding partisan judgments unless explicitly prompted by users. [7] Although the principles are broad, the order specifically argues that "[o]ne of the most pervasive and destructive of these ideologies is so-called 'diversity, equity, and inclusion' (DEI)[,]" and criticizes examples of major AI models providing inaccurate images "when prompted for images because it was trained to prioritize DEI requirements at the cost of accuracy." [8]

This is not a new trend for the current administration, and federal agencies must now include compliance requirements in all new AI contracts and, where feasible, modify existing ones.

Timeframe for Federal Contracts: Within 120 days, the Office of Management and Budget will issue detailed guidance for agencies. This will address technical limitations, allow vendors flexibility in compliance approaches, and specify how agencies should evaluate whether AI models meet the new standards. Importantly, the order requires transparency without necessarily demanding disclosure of proprietary model weights, in an apparent attempt to strike a balance between oversight and protecting intellectual property.

While the order only applies to federal contracts, the order may influence broader private sector development priorities, as the federal government represents a significant customer for enterprise AI solutions. These requirements could create market pressure on these AI solutions from downstream customers who use enterprise models as part of their contracts with the federal government.

Executive Order on "Accelerating Federal Permitting of Data Center Infrastructure"

The final executive order in this set of three orders focuses on "Accelerating Federal Permitting of Data Center Infrastructure," [9] which this administration acknowledges as one of the most pressing challenges for domestic AI development. To accomplish this goal, the order establishes a framework for expediting the construction of data centers and supporting energy infrastructure through several key mechanisms.

Qualifying Projects: The order designates "Qualifying Projects"–large-scale data center and energy infrastructure projects–for expedited environmental reviews and other regulatory approvals. [10] This applies to:

- Data centers requiring more than 100 megawatts of new load for AI operations;
- Infrastructure projects with capital expenditures exceeding $500 million;
- Projects that protect national security; or
- Projects that have otherwise been designated by the Secretary of Defense, the Secretary of Interior, the Secretary of Commerce, or the Secretary of Energy as a "Qualifying Project" (a discretionary catch all category).

Streamlined Environmental Review: The order dramatically reshapes the environmental review process for AI infrastructure. For example, it directs the identification of existing and consideration of new categorical exclusions under NEPA for data center projects. It also establishes "[f]or the purposes of this order, Federal financial assistance representing less than 50 percent of total project costs shall be presumed not to constitute substantial Federal control and responsibility," [11] which would require extensive review. Where feasible, the order also directs agencies to leverage the FAST-41 process for expedited permitting and encourages the use of brownfield and Superfund sites for productive redevelopment. [12]

Federal Land Utilization: In a significant policy shift from the previous administration, [13] the order directs the Departments of Interior, Energy, and Defense to identify and make available suitable federal lands for data center development, which could include military installations where appropriate, subject to security considerations. [14]

Financial Support Mechanisms: Finally, the order tasks the Secretary of Commerce with launching an initiative providing comprehensive financial support for Qualifying Projects. This support could include "loans and loan guarantees, grants, tax incentives, and offtake agreements," as well as other "relevant existing financial support that can be used to assist Qualifying Projects, consistent with the protection of national security." [15]

Connecting the Executive Orders to the Administration's Broader Strategy

Together, the three new executive orders begin to operationalize marquee deliverables under the AI Action Plan. While the messaging and focus on "Preventing Woke AI" carries its own viewpoint, the broader principles align with the AI Action Plan's goal of supporting transparent and viewpoint neutral AI development. The executive order on accelerating federal permitting adopts several of the AI Action Plan's recommendations to support domestic AI infrastructure. And the establishment of the American AI Exports Program serves as a foundation for the AI Action Plan's goal of setting global AI hardware and model standards.

Success will depend on effective implementation, industry engagement, and international reception. As these orders move from paper to practice, they will undoubtedly face significant implementation hurdles. Defining and enforcing "ideological neutrality" in AI systems presents technical and philosophical challenges. Environmental groups have already signaled opposition to streamlined permitting processes for data centers and energy infrastructure, too. And, depending on how stringent U.S. controls are on its packaged AI exports, even current international partners may have mixed responses.

Overall, the various AI Executive Orders leave businesses in a potentially precarious position. While industry typically welcomes some level of deregulation, mandates such as adherence to "Unbiased AI Principles" leave AI developers, providers, procurers and users in the challenging situation of interpreting largely undefined or conflicting requirements, potentially at the expense of compromising the overall integrity and viability of the AI models. As regulators, developers, and stakeholders work together to implement these orders, their collective ability to navigate these complexities will ultimately determine whether this ambitious framework achieves its goal of securing America's position at the forefront of the global AI revolution.

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[1] *Winning the Race: America's AI Action Plan*, White House (July 23, 2025) [*hereinafter* "AI Action Plan"], *available at* https://www.whitehouse.gov/wp-content/uploads/2025/07/Americas-AI-Action-Plan.pdf.

[2] AI Action Plan, p.1.

[3] Executive Order, *Promoting the Export of the American AI Technology Stack* (July 23, 2025), *available at* https://www.whitehouse.gov/presidential-actions/2025/07/promoting-the-export-of-the-american-ai-technology-stack/.

[4] Executive Order, *Preventing Woke AI in the Federal Government* (July 23, 2025), *available at* https://www.whitehouse.gov/presidential-actions/2025/07/preventing-woke-ai-in-the-federal-government/.

[5] *Id.*

[6] *Id.*

[7] *Id.*

[8] *Id.*; *see also, e.g.*, *Google's 'Woke' Image Generator Shows the Limitations of AI*, David Gilbert, WIRED (February 22, 2024), *available at* https://www.wired.com/story/google-gemini-woke-ai-image-generation/.

[9] Executive Order, *Accelerating Federal Permitting of Data Center Infrastructure* (July 23, 2025), *available at* https://www.whitehouse.gov/presidential-actions/2025/07/accelerating-federal-permitting-of-data-center-infrastructure/.

[10] *Id.*

[11] *Id.*

[12] *Id.*

[13] *See, e.g.*, Executive Order 14141 (Rescinded), *Advancing United States Leadership in Artificial Intelligence Infrastructure* (January 14, 2025), *available at* https://www.federalregister.gov/documents/2025/01/17/2025-01395/advancing-united-states-leadership-in-artificial-intelligence-infrastructure.

[14] *Id.*

[15] *Id.*

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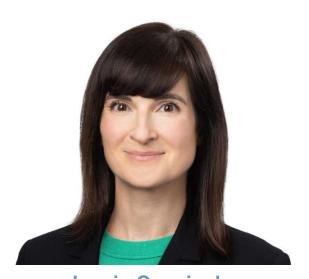**Of Counsel**
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