

Department of Commerce Opens First Proposal Round Under American AI Exports Program

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TAKEAWAYS

- ④ The Department of Commerce announced its first Call for Proposals under the AI Exports Program inviting industry led consortia spanning the full-AI stack to submit proposals for export packages, with proposals due June 30, 2026.
- ④ The Program is intended to promote U.S. leadership in AI and global deployment of the U.S. AI stack.
- ④ Export packages designated by Commerce may receive priority government advocacy for export promotion and export licensing review and referrals for federal financing.

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On April 1, 2026, the Department of Commerce (Commerce) announced the first Call for Proposals under the American AI Exports Program. The Program is intended to support the export of full-stack AI technology packages to allied and partner countries, by inviting industry-led consortia to submit proposals for export packages for designation under the AI Exports Program. Designated packages may receive priority government advocacy for export promotion and export licensing review, and referrals to various U.S. Government agencies including the Export-Import Bank of the United States (EXIM), which launched its ExportAI initiative on May 21, 2026.

The Program was established by Executive Order 14320, issued on July 23, 2025. The White House's AI Action Plan, issued the same day, described exporting American AI as part of a broader Administration policy that also includes domestic AI infrastructure buildout. Commerce began implementation in October 2025 through a Request for Information (RFI) and, on March 16, 2026, announced that the proposal phase would open on April 1.

A *Federal Register* notice, published on April 10, 2026, sets out the proposal process for industry-led “pre-set” consortia for export packages. Proposals must be filed by June 30, 2026. The Notice also provides that Commerce will subsequently issue guidance regarding “on-demand” consortia, which will be tailored to specific export opportunities, providing a demand signal from buyers.

Below we discuss the requirements of the Program and the submissions, as well as next steps and key considerations for companies.

Scope of Pre-Set Consortia

The Notice defines a “pre-set” consortia eligible for the Program as a consortium able to provide integrated products or services for the functions across all five layers of a full-stack AI technology package as defined in the notice to foreign markets. The five layers required are:

1. AI-optimized hardware and related infrastructure (chips, servers, accelerators, data center storage, cloud services, networking);
2. Data pipelines and labeling systems;
3. AI models and systems;
4. Security and cybersecurity measures for AI models and systems; and
5. AI applications for sector-specific or functional use cases (such as software engineering, law, defense, etc.).

The consortium does not need to have a particular legal structure or include a minimum or maximum number of members. However, it does need to provide offerings across all five layers even if a subset of the layers is ultimately utilized in a subsequent transaction.

Each consortium must identify an anchor member to submit the proposal and serve as the Program contact. The anchor member must:

- Have international delivery experience and relevant organizational capacity;
- Be organized under U.S. law with its principal place of business in the United States; and
- Not be incorporated or have its principal place of business in a “country of concern” as defined under the Comprehensive Outbound Investment National Security (COINS) Act of 2025 discussed here—namely, China (including Hong Kong and Macau), Cuba, Iran, North Korea, Russia and Venezuela under the Maduro regime—or owned or controlled by a country of concern or entity or national thereof.

Foreign entities may participate in a consortium, subject to the notice’s content and ownership limits. In “exceptional cases,” Commerce may designate a package in which a foreign entity provides the highest value offerings for the functions described in Layer 1 (hardware) and/or Layer 3 (AI models and systems);

such foreign enterprises will be National Champion Enterprises (NCEs). Consortia with foreign firms included as NCEs may only be designated for export to the home country of the NCE, not third-country markets.

National Interest Designation

A designation requires a national interest determination of eligible proposals by the Secretary of Commerce in consultation with the Secretaries of State, War and Energy, and the Director of the White House Office of Science and Technology Policy, and proposals determined to be in the national interest will be designated.

Eligibility for Determination. Proposals eligible for the national interest determination must include requirements related to data, software, cybersecurity and application-layers control and standards and meet restrictions regarding the nexus described related to a country of concern. In addition, such proposals must meet the following requirements, which are subject to an exception on a case-by-case basis for NCEs.

- **U.S. Content for Hardware.** The proposal must demonstrate that U.S. content (defined as “percentage of value originating from U.S.-based manufacturing” including “U.S. inputs, U.S. assembly, and U.S. services associated with the manufacturing”) comprises at least 51% of the aggregate value of Layer 1. Subcontractors and local implementation partners that are not consortium members may be identified where necessary to show the U.S. content requirement.
- **U.S. AI Model Ownership and Control.** An entity that owns the intellectual property for the model: (1) must not be owned or controlled by a country of concern or an entity or national thereof and (2) must be at least 51% owned and controlled by U.S. persons or entities; for open-weight models, this requirement could be met if an entity that meets requirements (1) and (2) provides the “deployment, integration, fine-tuning, security, and support functions necessary to make the model part of the package.”

Relevant Factors. In assessing eligible proposals, Commerce will consider factors such as compliance with program requirements; potential to advance policy goals of Executive Order 14320; national security-related risk mitigation considerations including export controls, end-use, end-user and cybersecurity; alignment with cybersecurity architecture and standards.

Benefits of Designation

As noted above, proposals that are designated may receive the following benefits:

- Government advocacy for export promotion including engagement with target market governments related to specific opportunity. Commerce’s Advocacy Center, which advocates for American companies competing in foreign bids, could play an important role in these efforts.
- Opportunities to be showcased at Program events.
- Priority consideration for engagement related to licenses required under U.S. export controls administered by Commerce’s Bureau of Industry and Security of the Department of State’s Directorate of Defense Trade Controls.

- Financing referrals to various U.S. Government financing or funding agencies, consistent with applicable requirements of those agencies. This could include, for example, the ExportAI initiative of the EXIM, which was launched in May 21, 2026, and is intended to leverage Commerce-designated AI exports for EXIM financing support. Such support could include loans, loan guarantees, technical assistance, equity investments, co-financing, political risk insurance, credit guarantees, feasibility studies, etc.

Submission Requirements

Submissions must include:

- An overview of the consortium including, among other things, consortium members and relevant ownership and control information noted above.
- A description of the full AI-stack package including eligibility requirements noted above.
- At least one “target market” which could be a country or regional bloc, relevant foreign competition in such markets and how the proposed export offering would advance U.S. interests in the markets. This could include information about demand and the impact of U.S. engagement on influencing the procuring entity’s choice between U.S. and foreign technology originating in a country of concern.
- An explanation of the business and operational model of the consortium.
- Requested federal support based on the benefits described above.
- A description of ways the proposal will advance the national interest as described by the policy objectives of Executive Order 14320, which include preserving and extending U.S. AI leadership and supporting global deployment of U.S. AI technologies by decreasing international dependence on AI technologies developed by adversaries.
- Disclosures related to involvement of countries of concern entities thereof in Layer 1 (hardware).
- Identification of items, destinations, end uses, end users or technical features that may be subject to U.S. export controls, outbound investment regulations or end-user restrictions, and the company’s compliance program.

In addition, the proposal may include letters of intent from buyers of interest, local implementation partners, workforce training or capacity-building components, and enabling infrastructure considerations (including energy, telecommunications, fiber).

Next Steps and Considerations for Companies

As noted above, the deadline to submit proposals is June 30. Following the submission of a proposal, Commerce intends to complete an initial completeness review within 14 days and issue designation decisions within 60 days. The Notice leaves the separate on-demand consortium track for later guidance.

Companies seeking to apply should consider, among other things:

- Partnerships with entities involved with the various layers of the AI stack including due diligence for eligibility requirements related to ownership and control including affiliations to Chinese entities.

- Review supply chain exposure to Chinese entities (which have significant market share in the global hardware supply chain).
- Review calculations of U.S. hardware content as defined in the notice and inclusion of entities (such as local partners) for purposes of meeting U.S. content requirements.
- Review federal funding and financing tools available by various agencies, including, among others, EXIM, Commerce, Department of War, Department of Energy and Development Finance Corporation, to inform requests for support.
- Review privacy and cybersecurity compliance programs.
- Identify target foreign markets, demand and enabling infrastructure in such markets, U.S. strategic interests in exporting to such markets and potential buyers.
- Identify applicable national security controls and licensing requirements and review compliance programs with such controls.

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