Winning the Race: White House Releases America's AI Action Plan



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

07/29/2025

The Executive Office of the President of the United States released a July 2025 document titled:

Winning the Race – America's AI Action Plan ("Action Plan").

The stated objective of the Action Plan is to ensure the United States is dominant globally in artificial intelligence ("AI").

The Action Plan relies heavily on Executive Order 14179 which was signed by President Trump early in his Administration titled:

Removing Barriers to American Leadership in Artificial Intelligence.

The Action Plan has three, what it describes as, "pillars":

- Innovation.
- Infrastructure.
- International Diplomacy and Security.

The tone of the Action Plan is best illustrated by the following paragraph from the Introduction, which states:

…We need to build and maintain vast AI infrastructure and the energy to power it. To do that, we will continue to reject radical climate dogma and bureaucratic red tape, as the Administration has done since Inauguration Day. Simply put, we need to "Build, Baby, Build!"

From an environmental standpoint, the Action Plan list is a component to expeditiously building American AI infrastructure creating:

…Streamlined Permitting for Data Centers, Semiconductor Manufacturing Facilities, and Energy Infrastructure while Guaranteeing Security.

The Action Plan asserts that the United States environmental permitting system and other regulations "make it almost impossible to build this infrastructure in the United States with the speed that is required."

Recommended policy actions to address this perceived concern include:

- Establish new Categorical Exclusions under NEPA to cover data center-related actions that normally do not have a significant effect on the environment. Where possible, adopt Categorical Exclusions already established by other agencies so that each relevant agency can proceed with maximum efficiency.

- Expand the use of the FAST-41 process to cover all data center and data center energy projects eligible under the Fixing America's Surface Transportation Act of 2015.
- Explore the need for a nationwide Clean Water Act Section 404 permit for data centers, and, if adopted, ensure that this permit does not require a Pre-Construction Notification and covers development sites consistent with the size of a modern AI data center.
- Expedite environmental permitting by streamlining or reducing regulations promulgated under the Clean Air Act, the Clean Water Act, the Comprehensive Environmental Response, Compensation, and Liability Act, and other relevant related laws.
- Make Federal lands available for data center construction and the construction of power generation infrastructure for those data centers by directing agencies with significant land portfolios to identify sites suited to large-scale development.
- Maintain security guardrails to prohibit adversaries from inserting sensitive inputs to this infrastructure. Ensure that the domestic AI computing stack is built on American products and that the infrastructure that supports AI development such as energy and telecommunications are free from foreign adversary information and communications technology and services (ICTS)—including software and relevant hardware.
- Expand efforts to apply AI to accelerate and improve environmental reviews, such as through expanding the number of agencies participating in DOE's PermitAI project.

A copy of the Action Plan can be downloaded here.