



CBCF EXECUTIVE ORDER TRACKER

Accelerating Federal Permitting of Data Center Infrastructure

Executive Order #14318

Date Issued: July 23, 2025

Topic: AI, Energy, Environmental Justice, Technology

WHAT DOES THIS EXECUTIVE ORDER DO?

- This executive order directs federal agencies to offer loans, grants, tax incentives, and other support for “Qualifying Projects,” such as data centers above \$500 million investment, greater than 100 megawatts (MW) electric load, national security relevance, or special designation.
- The order revokes Executive Order 14141 (January 14, 2025) on artificial intelligence (AI) infrastructure, signaling a shift toward a more aggressive and expedited federal strategy for AI development.
- The order speeds up environmental reviews and directs agencies to adopt or create new National Environmental Policy Act (NEPA) categorical exclusions to fast-track infrastructure development, add efficiency and transparency through FAST-41, and enable a public tracking permitting dashboard with expedited review schedules. Federal financial assistance representing less than 50% of project costs is presumed exempt from major NEPA review.
- The order requires regulatory modifications under key environmental laws (Clean Air Act, Clean Water Act, the Comprehensive Environmental Response, Compensation, and Liability Act) and relevant agencies to expeditiously identify Brownfield Sites and [Superfund Sites](#), including permitting on Federal and non-Federal lands for use by Qualifying Projects.
- Additionally, the order speeds up water and wildlife permit approvals by launching a 10-year plan to streamline reviews for common construction projects at designated sites.



HOW WILL THIS EXECUTIVE ORDER BE ENFORCED?

- Within 10 days of the order, federal agencies must identify and submit their existing NEPA categorical exclusions to the Council on Environmental Quality to help expedite the construction of Qualifying Projects.
- Within 30 days of a project being identified by a relevant agency, the Executive Director of the Federal Permitting Improvement Steering Council may designate it as a transparency project and publish it on the FAST-41 Permitting Dashboard, including a schedule for expedited review.
- Within 180 days of the order:
 - The Administrator of the Environmental Protection Agency (EPA) must issue guidance to accelerate environmental reviews for reusing Brownfield and Superfund sites, while also updating permitting regulations under key environmental laws.
 - In the same timeframe, the Army must review permits under the Clean Water Act and Rivers and Harbors Act to determine whether new nationwide permits are needed. Additionally, the Departments of the Interior and Commerce will conduct programmatic consultations under the Endangered Species Act to streamline reviews for recurring construction activities tied to Qualifying Projects.





HOW DOES THIS IMPACT BLACK COMMUNITIES?

- Brownfields and Superfund sites, many of which are disproportionately located in or near Black communities, are now eligible for AI infrastructure development. This shift could elevate environmental risks if safeguards are not strictly enforced or if expedited reviews bypass community input and oversight.
- By limiting NEPA review and streamlining permitting processes, the order reduces opportunities for public comment and local participation. As a result, Black communities may be left out of key decisions that affect their neighborhoods, with limited ability to influence or challenge potentially harmful projects.
- Although the executive order encourages large-scale investment, it does not guarantee that job creation, procurement contracts, or workforce development initiatives will reach historically underserved Black communities. Without intentional inclusion measures, these benefits may bypass those most in need of economic opportunity.
- Communities located near new data centers, power plants, or transmission corridors may face increased exposure to pollution, land use conflicts, or displacement. Without mechanisms to ensure equitable distribution of benefits, these same communities may not receive improved services, infrastructure upgrades, or economic returns.



HOW ARE CBC MEMBERS RESPONDING?

- The Congressional Black Caucus (CBC) has led the fight for environmental justice in Congress for over 40 years. The environmental justice objectives in the [CBC agenda](#) for the 118th Congress were to “ensure equitable implementation of the Infrastructure Act and Inflation Reduction Act while also advocating for increased funding to create efficient energy projects and other prophylactic measures to remediate historical environmental injustices.” This order does not acknowledge the disproportionate impact of pollution on Black communities, one of the CBC’s key priorities.
- To read more about the CBC’s legacy on environmental justice issues, visit [Avoice](#), our virtual library.