



## **CBCF EXECUTIVE ORDER TRACKER**

### **Ensuring a National Policy Framework for Artificial Intelligence**

#### **Executive Order #14365**

**Date Issued:** December 11, 2025

**Topic:** AI, Technology

#### **WHAT DOES THIS EXECUTIVE ORDER DO?**

- This executive order establishes the Trump Administration's goal to "sustain and enhance the United States' global artificial intelligence (AI) dominance through a minimally burdensome national policy framework." The order also outlines a plan to sue or revoke grant funding from states that pass more restrictive AI laws than the federal government.
- The order only permits states to pass stricter AI laws than the federal framework to protect children's safety or to establish AI procurement contracts for state government and data center infrastructure.
- The order seeks to limit states' ability to regulate AI companies. By restricting state-level oversight, the administration narrows the tools available to governors and legislatures to address emerging harms and protect residents from the downstream effects of unchecked AI deployment.

## HOW WILL THIS EXECUTIVE ORDER BE ENFORCED?

- This executive order will primarily be enforced by the Attorney General (AG) and the Secretary of Commerce, with consultation from the Special Advisor to the President for AI and Crypto and the Assistant to the President for Science and Technology.
- The order instructs the AG to establish an AI Litigation Task Force to challenge state AI laws that preempt federal regulations or the Interstate Commerce Clause, which grants Congress the authority to regulate commerce among states, and more broadly, to oversee economic activities across state boundaries.
- The order instructs the Secretary of Commerce to evaluate existing state-level AI laws. Any laws that require AI algorithms to “alter their truthful outputs, or that may compel AI developers or deployers to disclose or report information in a manner that would violate the First Amendment or any other provision of the Constitution” are to be referred them to the AI Litigation Task Force.
  - The order also directs the Secretary to catalog states that have policies that encourage AI innovation in conjunction with this order.
- The order tasks the Secretary of Commerce with issuing a memo prohibiting states that have “onerous” AI laws from receiving funding from the Broadband Equity Access and Deployment (BEAD) Program. The memo, due within 90 days of the order’s issuance, is also required to outline how a piecemeal state-level AI regulatory landscape would undermine the BEAD program’s goal of nationwide high-speed internet access.
- The order directs federal agencies to require states to adhere to the “minimally burdensome” federal AI policy described in this order to be eligible for discretionary grants.

## HOW WILL THIS EXECUTIVE ORDER BE ENFORCED?

- The order directs the Chair of the Federal Communications Commission to determine if it would be beneficial to develop federal reporting and disclosure standards for AI models that preempt conflicting state laws.
- The order directs the Special Advisor for AI and Crypto and the Assistant to the President for Science and Technology to consult with the aforementioned leaders within 90 days of this order's issuance. The order also instructs them to jointly prepare a legislative recommendation of a uniform federal policy framework for AI that preempts state AI laws that conflict with the policy established in this order.

## HOW DOES THIS IMPACT BLACK COMMUNITIES?

- This executive order is a continuation of the Trump Administration's efforts to advance AI in the United States without guardrails to ensure that communities of color are protected. Algorithmic bias in AI tools has contributed to discrimination that makes it more difficult for qualified Black Americans with "ethnic sounding" names to be considered for jobs or receive mortgage loans to help become homeowners. While several states have moved to regulate the use of AI in rental applications and homebuying processes to address these inequities, this executive order will jeopardize their ability to receive federal funding. This is a bipartisan issue. New York Governor Kathy Hochul (D) signed legislation to prohibit landlords from using AI to determine rent pricing, while Florida Governor Ron DeSantis (R) has been one of the most outspoken opponents of AI use.

## HOW DOES THIS IMPACT BLACK COMMUNITIES?

- This order will not only target states working to prevent the negative consequences of AI but will also deter states from implementing AI policies in the future by threatening to sue or revoking federal funding. The BEAD program funds the implementation of broadband internet in rural areas, and the Trump Administration is requiring states to adhere to AI policies that do not address digital discrimination in order to receive aid. By doing so, this order is forcing state leaders to choose between protecting their residents from the harms of AI or upgrading the technology necessary to close the digital divide for their constituents.
- The Trump Administration has continued to accelerate AI innovation at the expense of the environment in ways that compromise the health of Black Americans. For each kilowatt hour of energy a data center powering AI models consumes, it would need two liters of water for cooling, raising equity issues in energy and pollution. This has contributed to increased energy prices across the country. Additionally, President Trump signed an executive order in July authorizing Brownfields and Superfund sites, many of which are disproportionately located in or near Black communities, for AI infrastructure development. An AI data center in a predominantly Black area of Tennessee has been linked to higher rates of respiratory illnesses and cancer, an issue over which the NAACP is suing the company on behalf of residents.
- While rolling back most AI regulations, the Trump Administration has supported a few targeted measures. In July, President Trump issued an executive order prohibiting AI developers from using diversity, equity, and inclusion (DEI) principles in their large language models in an effort to prevent “woke AI.” President Trump’s AI agenda prioritizes innovation over the inclusion and safety of Black Americans.

## HOW ARE CBC MEMBERS RESPONDING?

- Members of the Congressional Black Caucus (CBC) have been on the frontlines of the fight to implement equitable AI policies. On December 2, CBC Chair **Rep. Yvette D. Clarke** joined CBC members **Representatives Ayanna Pressley and Summer Lee**, to introduce the [AI Civil Rights Act](#), which would hold tech companies accountable for any harm their AI tools may cause to users. Rep. Clarke gave the following statement at the press conference announcing the legislation:
  - “The AI Civil Rights Act represents a bold new front in our ongoing battle to protect the rights, dignity, and safety of every American. From developers to deployers, this legislation will place strict, strong, and unambiguous guardrails on the creation and use of artificial intelligence. [...] Together, we are making it very clear that innovation must never come at the expense of civil rights or justice.” [Full Statement](#)