WINSTON & STRAWN LLP

BLOG

U.S. Asks for Input to Shape Global AI Strategy

NOVEMBER 6, 2025

On October 28, the U.S. Department of Commerce's International Trade Administration released a request for information (the RFI) to guide its formulation of the American AI Exports Program (the Program), with **comments due November 28**. Responses to the RFI should not be left only to the global power players in the AI and semiconductor industries. There is plenty in the RFI that small- to medium-size players, both domestic and foreign, should respond to, as we detail below.

BACKGROUND:

The RFI was released as directed by the President in Executive Order 14320 of July 23, 2025 (Promoting the Export of the American AI Technology Stack) (the E.O.), to "preserve and extend American leadership in AI and decrease international dependence on AI technologies developed by our adversaries by supporting the global deployment of United States-origin AI technologies." It directs the creation of an export promotion program organizing "industry-led consortia" to submit proposals of "full-stack" AI technology packages (inclusive hardware, data storage, AI models, cybersecurity, etc.) for specific use cases and target foreign markets. Participation in the Program will be supported through "federal incentives and support mechanisms" such as direct loans and loan guarantees; equity investments, co-financing, political risk insurance, and credit guarantees; and technical assistance and feasibility studies. The Economic Diplomacy Action Group (EDAG), established in the Presidential Memorandum of June 21, 2024, and chaired by the Secretary of State, will oversee deployment of federal support for export proposals made by the consortia.

In 2025, the U.S. has already begun experimenting with this "economic diplomacy" approach to AI and semiconductors through the widely reported licensing of several billion dollars' worth of advanced chip exports to the United Arab Emirates and the licensing of chip sales to China by two major fabless chip designers in exchange for a 15% share in the revenues. Meanwhile, the U.S. announced in May that it plans to rescind—and in the meantime will not enforce—the AI Diffusion Rule that was the capstone of the previous administration's approach to U.S. export controls on leading-edge AI, semiconductors, and semiconductor manufacturing and technologies.

THE RFI:

The RFI's twenty-eight (28) questions continue to sharpen our understanding of the Trump administration's approach to maintaining superiority over AI and related technologies. In addition to asking questions about whether the E.O.

accurately described the AI "stack," commenters can attempt to shape the Program's approach to consortia membership and formation (Section C), prioritization of foreign markets for export promotion (Section D), ideas for business and operational models that work best under the nascent Program (Section E), avenues of and requirements for receipt of federal support through the Program (Sections F & H), and whether the Program should be open to industry participants that are not members of any of the yet-to-be-formed consortia (Sections H & I).

AI, semiconductor, and related industry participants that are not among the biggest players and/or that are foreign have the most at stake in how the Program is formed and should prioritize a full review of the E.O. and the RFI to determine whether failing to provide input now could lead to exclusionary outcomes for their organizations. By design, the consortia will to some extent be gatekeepers to U.S. federal support, and therefore it behooves smaller suppliers of elements of the AI "stack" to provide fulsome comments now before the Program crystallizes. As such, there should be some sense of urgency to decide whether to respond, for example, to Question 8.a., which asks very simply what the eligibility requirements should be for participation in a consortium under the Program.

Likewise, foreign entities that hope to participate in or benefit from the Program, directly or indirectly, should seize this opportunity to ensure that their interests are voiced during the Program's infancy. For example, Question 9.d. imagines the creation of a "trusted partner" aspect and asks for input about the prudency of such an effort as well as the criteria for and benefits of participation by foreign entities.

There may even be companies whose place in the "stack" as currently defined is uncertain and who may want to argue for inclusion, such as in response to Question 4. As currently stated in Section 3(b)(i) of the E.O., the "stack" includes:

a. *AI-optimized computer hardware (e.g., chips, servers, and accelerators), data center storage, cloud services, and networking, as well as a description of whether and to what extent such items are manufactured in the United States;*

b. *data pipelines and labeling systems;*

c. *AI models and systems;*

d. *measures to ensure the security and cybersecurity of AI models and systems; and*

e. *AI applications for specific use cases (e.g., software engineering, education, healthcare, agriculture, or transportation).*

Notably, at least at this stage, the Program does not appear to be exploring any expedited or more lenient licensing policies for exports (see Sections F and G), as it reiterates language from the E.O. about compliance with national security–related regulatory regimes such as U.S. export controls and the Outbound Investment Security Program.

Please reach out to your Winston relationship partner or the authors for assistance with comments or related questions.

4 Min Read

Authors

Cari Stinebower

Tony Busch

Related Topics

Artificial Intelligence (AI)

U.S. Department of Commerce

Exports

Trump Administration

Related Capabilities

International Trade

Related Professionals

Cari Stinebower

Tony Busch

This entry has been created for information and planning purposes. It is not intended to be, nor should it be substituted for, legal advice, which turns on specific facts.