December 12, 2025

The Honorable William Kimmitt
Under Secretary for International Trade
U.S. Department of Commerce
1401 Constitution Avenue N.W.
Washington, D.C. 20230

RE: American AI Exports Program **(**90 FR 48726, October 28, 2025)

Docket No. 251025-0165

Dear Under Secretary Kimmitt:

The National Foreign Trade Council (NFTC) appreciates this opportunity to address the Request for Information (RFI) published in the Federal Register on October 28 by the International Trade Administration (ITA), U.S. Department of Commerce. The RFI seeks recommendations to inform and shape the ongoing establishment of the AI Exports Program and implement E.O. 14320.

The American AI Exports Program should help drive global demand for the full U.S. AI technology stack, including components and AI services, and ensure that U.S. AI technologies remain leading-edge and globally competitive. To do so, the U.S. Government needs to ensure regulatory coherence and administrative coordination across the interagency, pursue policies that support U.S. semiconductor manufacturing investments, and incentivize strong downstream demand for U.S.-origin chips (both foundational and leading-edge nodes) used in end products across all aspects of AI technologies.

To build long-term trust in, and global demand for, U.S. technology solutions, it is also important that the U.S. Government's approach to administering U.S. national security regulations, including export controls, prioritize timely and predictable licensing decisions where required. The government should also provide training and ongoing guidance on industry best practices for meeting government compliance requirements.

Section A/Q1: About the respondent

The NFTC, organized in 1914, is an association of U.S. business enterprises engaged in all aspects of international trade and investment, including maintaining competitiveness and technological leadership. Our membership covers the full spectrum of industrial, commercial, financial, and service activities, accounting for over $6 trillion in revenue and employing nearly 6 million people in the United States.

NFTC's National Security Policy Initiative brings the voice of business to policy-makers on the intersections of national security and international trade. Companies play a vital role in promoting American values, including democracy, human rights and rules-based trade. Our data-driven recommendations support American competitiveness and technology leadership that is vital to our economic and national security.

Section B: AI Tech Stack

Q4: Should the components of the AI-technology stack described in E.O. 14320 be clarified or expanded upon? If so, what additional items should be included or what clarification should be provided?

Exporting a full-stack solution to export markets necessitates being able to export all components of the data center, including sophisticated and specialized energy and grid components (e.g., uninterruptible power supplies, backup generators, power distribution and switchgears) and cooling technologies (e.g., HVAC and liquid cooling solutions), and intangibles like software (e.g., electronic design automation, sophisticated modeling software to improve the design and layout of data centers to minimize their energy needs). Accordingly, exporting the full AI technology stack should not be limited to AI-optimized computer hardware, data center storage and networking equipment.

NFTC recommends that the Commerce Department consider expanding the Program's definition of the AI technology stack to incorporate all functional layers, including infrastructure (chips, data centers, workstations), data, models, and applications (cloud-hosted services, edge-on-device, such as AI PCs). This would allow a holistic approach that supports and boosts the competitiveness of American companies across the entire AI ecosystem.

The AI Exports Program should also include the full ecosystem that supports and enables rapid innovation in AI. This goes beyond specific components or hardware to include financing mechanisms and a policy environment that includes regulatory coherence and consistency, and the adoption of international standards that enable global adoption of the U.S. tech stack.

At the same time, however, exporting the full AI technology stack should not be the export strategy for every market. The United States is the global leader in services exports, which is crucial for U.S. AI supremacy. Exporting leading U.S. AI technologies should therefore be coupled with ensuring that countries fully accept the U.S. AI cloud services, regardless of the location of the data center(s), for both government and

private-sector applications. This includes market access for U.S.-developed machine learning tools, generative AI, software integrations and AI cloud without relying on nationally domiciled cloud solutions, which will cement opportunities for U.S. providers. To achieve this, it is critical that U.S. advocacy ensures countries align with the U.S.' innovation-forward model for AI governance and counters barriers to U.S. AI. This requires championing key digital principles from cross-border data flows to algorithmic, source code, and fair use protections while supporting the security imperative of utilizing U.S. and allied AI over alternatives from sources found to be less trustworthy. NFTC's recommendations for this innovation-forward approach can be found in NFTC's May 15, 2025, submission to the AI Action Plan consultation.[1]

Section C: Consortia Membership and Formation

Q9. On the role of foreign companies and countries

a. In what instances, and under what conditions, should foreign entities be allowed to participate in a consortium (e.g., a country's national champion)?

Efforts to export the full U.S. AI technology stack will be undermined if it is a zero-sum offering, with no opportunity for a foreign market's national champions or key suppliers to qualify for a consortia in that market. In certain cases, inclusion of foreign entities in a consortium may be appropriate or optimize the competitive position or commercial logic of an otherwise US-driven AI tech stack. The inclusion of national champions must not create or perpetuate market access barriers for American AI or technology solutions; nonetheless, without their inclusion, it should be expected that they may advocate against the U.S. AI tech stack. This could risk creating a market for less-trusted solutions, which would undermine the very objective of the Strategy.

A one-size-fits-all approach reduces competitiveness against adversaries who offer tailored solutions. Consortia tailor solutions to specific customer needs rather than forcing customers to accept predetermined packages. For each use-case category, the Department should publish requirements documents specifying functional, performance, security, and integration requirements rather than prescribing specific technologies or vendors. Allied nations and partners may resist packages that mandate specific vendors, particularly if those vendors compete with their domestic industries or fail to meet specific requirements. Modularity would allow them to choose between and among different vendors.

c. What role, if any, should foreign countries play in consortium development?

The U.S. cannot provide every component for a full AI technology stack solution. While the cornerstone should support its principal objective of exporting U.S. AI solutions, it must be recognized that AI data centers include complex components, some of which must be sourced globally. The speed of deployment and the optimization

[1] NFTC submission to the AI Action Plan consultation; https://www.nftc.org/wp-content/uploads/2025/03/NFTC-Submission-NSF_FRDOC_0001-AI-Action-Plan-Consultation-3.15.25-FINAL.pdf

of an AI cloud facility risks being undermined if the data center cannot source the critical inputs and components it requires and utilizes here in the United States. Therefore, the same openness that applies to sourcing components for data centers in the U.S. must be extended to building out foreign data centers.

Section D: Foreign Markets (E.O. 14320 requires proposals to identify specific target countries or regional blocs for export engagement. The Department seeks comments on appropriate ways to support the global deployment of American AI technologies.)

Q11. Are there countries or regions that should be viewed as a priority for exporting American AI technology? If so, which ones and why?

Global adoption of the full U.S. AI tech stack is central to Pillar III of the American AI Action Plan. While prioritization is necessary, industry and policymakers must not do so in a manner that ultimately disadvantages the U.S. by undermining commercial and foreign policy goals. We should learn from the experiences of U.S. and European telecommunications companies that ultimately ceded market share in Low Income and Lower Middle Income Countries ("LILMIC") to China, which targeted these markets for infrastructure investments. The U.S. must prioritize achieving global market saturation with U.S. AI cloud and software solutions. Every country may not be a priority for an AI cloud data center, but every country should be a priority for utilizing U.S. AI cloud services and solutions.

Section F: Federal Support (E.O. 14320 requires proposals to detail requested Federal incentives and support mechanisms. It further provides that members of the EDAG will deploy, to the maximum extent permitted by law, available Federal tools to support the priority export packages selected for participation in the Program, including direct loans and loan guarantees (12 U.S.C. 635); equity investments, co-financing, political risk insurance, and credit guarantees (22 U.S.C. 9621); and technical assistance and feasibility studies (22 U.S.C. 2421(b)). The Department seeks comment on what aspects of these tools or additional tools would be most useful to potential Program participants.)

As part of the AI Exports Program, the Commerce Department can create a list of companies that have been pre-vetted and approved as meeting U.S. government policy objectives and qualify for government-supported financing by each functional layer of the technology stack. For example, the Export-Import Bank (EXIM) and the U.S. Development Finance Corporation (DFC) have specific policy mandates and perform similar due diligence on potential funding recipients. Establishment of a "U.S. AI Stack Vendor List" would provide parties applying for financing the ability to count the value of the goods and services provided as meeting "U.S. nexus" or "U.S. content" requirements. This would help ensure that there was only one set of criteria that prospective U.S. AI Stack Vendors would have to meet and would allow EXIM and DFC to focus on what they are better situated for — financial, technical, and environmental due diligence. This would also encourage the use of suppliers in the complex supply

chain that may not be the most appropriate entity to directly work with the U.S. government on financing support (e.g., mineral suppliers, software used to improve the design and layout of AI data centers to minimize their energy needs).

Section G/Q19 and 21: National Security Regulations (E.O. 14320 requires each proposal to comply with all relevant United States export control regimes, outbound investment regulations, and end-user policies, including chapter 58 of title 50, United States Code, and relevant guidance from the Bureau of Industry and Security within the Department of Commerce. The Department seeks comment on these compliance mechanisms.)

Q19. What factors should be taken into account to ensure that activities under the Program comply with U.S. export control regimes, outbound investment regulations, end-user policies, and other national security regulations?

The U.S. government should offer comprehensive training in export controls, sanctions and other compliance areas. These programs must be tailored to the specific needs and risk profile of each company including those unfamiliar with national security regulatory compliance requirements such as start-ups and companies new to exporting.

Other Departments besides Commerce, and other agencies in addition to BIS, have responsibility for administering national security regulations. For example, the Treasury Department administers economic sanctions, which can include restrictions on transactions with specific end-users or end-uses, as well as foreign investment security programs such as the Committee on Foreign Investment in the United States (CFIUS). More than twenty federal agencies are represented at the Export Enforcement Coordination Center, which is housed by the Department of Homeland Security, U.S. Immigration and Customs Enforcement. NFTC appreciates E2C2's ongoing industry outreach efforts and encourages further efforts in collaboration with other regulatory functions including export licensing.

NFTC supports and encourages the Departments of Commerce, Treasury and Justice to continue close collaboration on de-conflicting investigations and providing "tri-seal" guidance documents to help companies comply with changing restrictions. With respect to unreliable end-users in China, the U.S. government maintains a number of restricted party lists (e.g., Entity List, Unverified List, 1260H List, non-SDN Chinese Military-Industrial Companies List). Whilst legislation seeking greater harmonization across lists continues to be contemplated, each of these lists draws on a unique authority and was created to accomplish specific policy objectives. Government agencies should provide "multi-seal" guidance documents and conduct industry outreach to help industry compliance efforts. AI start-ups may be particularly unfamiliar with national security regulatory compliance including export controls, sanctions and foreign investment restrictions.

Q21. What other factors should be considered to maximize the benefits of the Program for America's national security?

Regulatory requirements should be harmonized across programs and agencies (export controls, foreign investment screening, end-user requirements, other national security regulations), to avoid conflict of laws situations and gridlocking export licensing. Greater efficiency and predictability in export licensing decisions is essential to building confidence in the global adoption of the U.S. full AI tech stack. For example, fast-tracking export licensing for items and technologies covered by the AI Exports Program destined for known and vetted recipients helps eliminate uncertainty that can result in the avoidance or design-out of U.S. hardware/software, components, data centers and other parts of the AI tech stack.

Additionally, a full-stack AI technology package should be designed to leverage globally recognized international standards and best practices to ensure robust security, reliability, and effective risk management throughout the lifecycle of AI models, systems and infrastructure. NFTC strongly supports promotion and adoption of internationally recognized standards and frameworks, and note as particularly relevant standards for AI and information management systems and industrial control cybersecurity systems. This must also include U.S. participation in standards-setting bodies to ensure that our exported AI technologies are trusted by allies and partners, interoperable across diverse environments, and positioned for success in competitive global markets. Integrating these standards into program design and evaluation criteria will strengthen the strategic impact of the American AI Exports Program and reinforce U.S. leadership in responsible AI innovation.

Thank you for your consideration of our comments. We welcome the opportunity to provide additional information and address any questions you may have. Please contact Jeannette Chu, Vice President for National Security Policy (jchu@nftc.org and Brad Wood, Senior Director, Trade and Innovation Policy (bwood@nftc.org).

Sincerely,

Jake Colvin
President