



SHIMP FOR PRESIDENT 2028

DRAFT EXECUTIVE ORDER

PROTECTING FEDERAL LANDS FROM DATA CENTER INDUSTRIALIZATION

Presidential Day-One Policy Draft

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ACCOUNTABILITY | INTEGRITY | RULE OF LAW

This campaign discussion draft establishes a government-wide prohibition, to the maximum extent of presidential authority, on new commercial or industrial data-center development on federal lands and property, including protected natural and historic lands. It directs agencies to halt new solicitations and approvals, review existing projects and leases, protect water and energy resources, and preserve federal lands for their lawful public purposes.

EXECUTIVE ORDER

PROTECTING FEDERAL LANDS FROM DATA CENTER INDUSTRIALIZATION

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Purpose and National Policy.

Federal lands are held and managed for public purposes established by the Constitution and laws of the United States, including conservation, recreation, national defense, scientific missions, historic preservation, resource stewardship, and the protection of natural and cultural resources. They shall not be treated as an unrestricted inventory of land for private data-center industrialization.

It is the policy of my Administration that, to the maximum extent permitted by law, executive departments and agencies shall not make federal lands, facilities, or property available for the construction or expansion of commercial or industrial data centers when doing so would convert federal land to such use. Particular protection shall be afforded to national parks, monuments, wildlife refuges, forests, conservation lands, historic sites, recreation areas, and lands containing sensitive water, habitat, cultural, or ecological resources.

Sec. 2. Definitions.

- (a) “Data center” means a facility whose principal purpose is to house networked computing, storage, artificial-intelligence computing, cloud-computing, cryptocurrency-computing, or similar large-scale digital-processing infrastructure, together with dedicated cooling, power, backup-generation, and directly associated industrial infrastructure.
- (b) “Federal lands and property” means lands, buildings, reservations, sites, or real property owned, administered, leased, occupied, or controlled by an executive department or agency, to the extent of executive authority.
- (c) “Covered development” means construction, leasing, siting, expansion, or material conversion of federal land for a commercial or industrial data center.

Sec. 3. Prohibition on New Data Centers on Federal Lands.

- (a) Effective immediately, executive departments and agencies shall not issue new leases, rights-of-way, easements, permits, solicitations, requests for proposals, development agreements, or other discretionary approvals for covered development on federal lands and property, except as provided in section 11 of this order.
- (b) Agencies shall not use appropriated funds to construct a new commercial or industrial data center on federal land except where expressly required or authorized by law and determined necessary for a core federal mission under section 11.
- (c) Agencies shall not circumvent this policy by transferring, exchanging, or otherwise disposing of federal property principally for the purpose of enabling a data-center development that the agency could not approve directly under this order, except where Congress has expressly directed the disposition.

Sec. 4. Protection of National Parks and Conservation Lands.

- (a) No executive agency shall approve covered development within a unit of the National Park System, National Wildlife Refuge System, National Landscape Conservation System, designated wilderness, national monument, or other federally protected conservation or historic area where such development is inconsistent with the governing statute or this order.
- (b) The Secretary of the Interior and Secretary of Agriculture shall review existing departmental policies to ensure that protected landscapes, wildlife habitat, watersheds, cultural resources, historic sites, and public recreation are not subordinated to unnecessary data-center industrial development.
- (c) Nothing in this order reduces any stronger protection already established by Congress.

Sec. 5. Immediate Halt and Review of Pending Federal Projects.

- (a) Within 15 days, agencies shall identify pending covered developments for which a final binding federal authorization has not been completed.
- (b) To the maximum extent permitted by law, agencies shall pause discretionary action on such projects while determining whether the project may lawfully be withdrawn, cancelled, denied, or otherwise terminated consistent with this order.

- (c) No applicant has a right to approval merely because an application, request for information, solicitation response, negotiation, or proposal was previously submitted.

Sec. 6. Review of Existing Leases, Awards, and Agreements.

- (a) Within 60 days, agencies shall identify existing leases, selections, awards, development agreements, and other arrangements involving covered development on federal land.
- (b) The Attorney General, OMB, and responsible agencies shall determine the Government's lawful options concerning each arrangement, including nonrenewal, termination, modification, suspension, withdrawal, or continued performance where legally required.
- (c) Nothing in this order authorizes breach of a binding contract, unconstitutional taking of private property, violation of a court order, or withholding of compensation lawfully due.

Sec. 7. Department of Energy Federal-Land Data Center Initiative.

- (a) The Secretary of Energy shall immediately cease issuing new solicitations or discretionary approvals under initiatives intended to lease or otherwise make Department of Energy land available for private data-center development.
- (b) The Secretary shall review projects and negotiations arising from the Department's 2025 identification of federal sites for AI data-center and energy-infrastructure development, including projects at Department of Energy sites, and shall exercise all lawful authority to bring such initiatives into conformity with this order.
- (c) The Secretary shall provide the President, within 60 days, a project-by-project status report identifying binding obligations, termination rights, environmental review status, water and power requirements, taxpayer exposure, and lawful options available to the United States.

Sec. 8. Water Protection and Resource Accounting.

- (a) Agencies shall not approve covered development on federal land that would materially threaten federally protected water resources, impair the mission of the federal property, or create an unacceptable risk of shifting water-system costs to taxpayers or surrounding communities.
- (b) For any existing covered project under review, agencies shall quantify projected potable and non-potable water demand, cooling requirements, wastewater generation, drought vulnerability, water-source impacts, and required public infrastructure.
- (c) Agencies shall not assume that projected economic benefits outweigh water or ecological impacts without documented analysis.

Sec. 9. Energy, Grid, and Taxpayer Protection.

- (a) Agencies reviewing existing covered projects shall identify electricity demand, generation requirements, transmission upgrades, backup generation, interconnection costs, and any federal, State, local, utility, or ratepayer subsidies reasonably associated with the project.
- (b) Federal agencies shall not knowingly structure a covered development so that the costs of dedicated private data-center infrastructure are improperly shifted to taxpayers or other electricity customers.
- (c) Agencies shall identify any federal guarantees, grants, tax-supported infrastructure, below-market leases, or other public financial exposure associated with existing projects.

Sec. 10. Environmental and Historic Preservation Compliance.

- (a) Nothing in this order waives or weakens the National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, Clean Water Act, or other applicable environmental, cultural-resource, tribal-consultation, or public-land requirements.
- (b) Agencies shall not segment projects, minimize reasonably foreseeable connected actions, or use accelerated procedures for the purpose of avoiding environmental review required by law.
- (c) Environmental reviews shall evaluate reasonably foreseeable water, power, air-emission, noise, land-conversion, habitat, waste, and cumulative infrastructure effects as required by applicable law.

Sec. 11. Narrow Federal Mission Exception.

- (a) This order does not prohibit secure computing facilities that are owned or controlled by the Federal Government and demonstrably necessary for a core national-security, defense, intelligence, scientific, emergency-response, or other uniquely federal mission when no reasonable alternative location can satisfy the mission.
- (b) Any new facility relying on this exception shall require a written determination by the agency head, concurrence of OMB, and documented consideration of non-federal or previously developed sites.
- (c) The exception shall not be used to authorize a principally commercial data center merely because the Government may purchase services from it.

Sec. 12. Federal Territories and Possessions.

- (a) This order applies to federal lands and property under executive control in the fifty States, the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, and other United States territories and possessions to the extent permitted by law.
- (b) Nothing in this order purports to prohibit a territorial government or private landowner from acting on non-federal property outside federal executive jurisdiction.

Sec. 13. No Federal Land Disposal to Evade the Order.

- (a) Agencies shall review proposed sales, exchanges, transfers, conveyances, and long-term leases of federal land where a reasonably foreseeable principal purpose is data-center development.
- (b) No discretionary land disposal shall be approved principally to evade the restrictions of this order.
- (c) Statutorily mandated land transfers shall be carried out as required by Congress.

Sec. 14. Public Inventory and Transparency.

- (a) Within 120 days, OMB shall publish an unclassified inventory of covered federal data-center projects and proposals, including the responsible agency, general location, status, federal property interest, and disposition under this order.
- (b) The inventory shall protect classified information, national-security-sensitive information, procurement-sensitive material, proprietary information, and other information protected by law.

Sec. 15. Recommendations to Congress.

- (a) Within 180 days, the Secretaries of the Interior and Energy, in coordination with OMB and other appropriate agencies, shall identify statutory changes needed to establish permanent protections against commercial data-center industrialization of federal conservation lands and other federal property.
- (b) The Administration shall recommend legislation where permanent restrictions, mandatory cancellation authority, appropriations changes, or other powers exceed existing executive authority.

Sec. 16. General Provisions.

- (a) Nothing in this order shall impair authority granted by law to an executive department or agency, an independent regulatory agency, or the functions of the Director of OMB.
- (b) This order shall be implemented consistent with applicable law, valid contracts, property rights, judicial orders, and the availability of appropriations.
- (c) Nothing in this order authorizes the Federal Government to prohibit lawful data-center development on State, local, Tribal, territorial, or privately owned land merely because the President disfavors such development.
- (d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity against the United States, its departments, agencies, officers, employees, agents, contractors, or any other person.

THE WHITE HOUSE,

January 20, 2029.

DRAFTING NOTE

This order responds directly to existing federal initiatives that have sought private data-center development on Department of Energy lands. In 2025, DOE identified 16 federal sites for possible AI data-center and energy development and later advanced four sites - Idaho National Laboratory, Oak Ridge Reservation, Paducah Gaseous Diffusion Plant, and Savannah River Site. By 2026, federal announcements included a major AI data-center project on leased DOE land at the Portsmouth Site and selection of a developer for negotiations at Savannah River Site. This draft reverses that federal-land development policy to the maximum extent permitted by existing presidential authority, while preserving binding contractual obligations, congressional mandates, constitutional property rights, and narrow computing facilities genuinely required for core federal missions.