



Akin Intelligence - August/September 2025

Welcome to the August-September edition of Akin Intelligence.

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In This Issue

- [Breaking News: Latest Developments](#)
- [Federal Action](#)
- [Congressional Action](#)
- [State Action](#)
- [Judicial & Administrative Decisions](#)
- [EU, UK and Other International Updates](#)
- [Akin Thought Leadership](#)

Breaking News: Latest Developments

The Department of Commerce Launches the American AI Exports Program

On October 21, 2025, the Commerce Department's International Trade Administration (ITA) announced the launch of the American AI Exports Program following President Trump's July 23 executive order (EO) on Promoting the Export of the American AI Technology Stack ([EO 14320](#)) via a [request for information \(RFI\)](#), and related [press release](#). The AI Exports Program will solicit

proposals from industry-led consortia to develop “full-stack” AI export packages encompassing hardware, software, models and applications across sectors for promotion abroad.

The RFI specifically seeks feedback on the request for proposals that the Department will ultimately issue pursuant to EO 14320, posing a series of 28 questions across nine broad topic areas, including “any other aspects of the program that should be considered to ensure its success.” [According to the ITA](#), proposals selected by the Secretary of Commerce, in consultation with the Secretaries of State, Defense, Energy and the Director of the Office of Science and Technology Policy (OSTP), will be designated as priority export packages and supported through federal financing and other tools coordinated by the Economic Diplomacy Action Group (EDAG). To facilitate exports, Commerce will launch [Alexports.gov](#), deploy a global AI export team and collaborate with State Department foreign service officers/ambassadors to connect U.S. companies with trusted foreign buyers. The Administration has not provided details about the nature of these benefits, which are intended to be shaped by the RFI responses. Comments are due within 30 days of publication in the Federal Register; however, the timing for publication is unclear given the government shutdown.

Federal Action

D.C. Circuit Reinstates FTC Commissioner Slaughter, Blocking Trump Removal Attempt

On September 3, 2025, a D.C. Circuit Court of Appeals panel [reinstated](#) FTC Commissioner Rebecca Kelly Slaughter, despite President Trump’s March attempt to remove her. The panel split 2-1, restoring a lower-court order that held Slaughter was entitled to continue serving because federal law allows commissioners to be removed only for “inefficiency, neglect of duty, or malfeasance in office.” In a [post on X](#), Slaughter stated, “I’m eager to get back first thing tomorrow to the work I was entrusted to do on behalf of the American people.”

The Trump administration subsequently asked the Supreme Court for an immediate administrative stay of the judgment. In a 30-page [filing](#), U.S. Solicitor General D. John Sauer wrote that the case is “indistinguishable” from previous disputes in which the court blocked similar efforts to force reinstatement of senior officials. Sauer also requested that the application be treated as a petition for certiorari before judgment.

White House Hosts AI Education Task Force Meeting

On September 4, 2025, the White House Task Force on AI Education [convened](#) for the second time with the First Lady, cabinet secretaries and industry leaders. During the event, IBM pledged to “create 2 million American workers in cutting edge AI skills over the next three years,” while Google announced that \$150 million of their recently pledged \$1 billion to support U.S. education and job training programs will go towards AI education and digital well-being. The same day, Hitachi Energy [announced](#) a \$1 billion investment in power grid infrastructure to boost AI data

center expansion. Later in the Rose Garden, President Trump hosted tech CEOs and others in a private meeting.

FTC Investigates Chatbots' Impact on Children

On September 11, 2025, the Federal Trade Commission (FTC) issued orders using its 6(b) authority to seven companies providing consumer-facing AI-powered chatbots, seeking information on their impact on children and what actions companies are taking to mitigate potential negative impacts, limit or restrict children's or teens' use of the platforms or comply with the Children's Online Privacy Protection Act (COPPA) Rule.

EPA Leads AI Roundtable at White House

On September 15, 2025, U.S. Environmental Protection Agency (EPA) Administrator Lee Zeldin hosted a White House roundtable with AI and data center leaders to discuss advancing U.S. AI leadership and streamlining data center construction. Administrator Zeldin highlighted the Trump Administration's AI action plan, emphasizing deregulation, expedited permitting and integration of AI nationwide. Industry leaders, including QTS Data Centers and Hitachi, praised the administration's efforts, with Hitachi announcing a \$1 billion investment to expand its U.S. manufacturing footprint for electrical grid infrastructure. The roundtable included attendance from Senate Environment and Public Works (EPW) Committee Chair Shelley Moore Capito (R-WV), Rep. Gary Palmer (R-AL) and White House Office of Science and Technology Policy (OSTP) Director Michael Kratsios, among others.

NIST Seeks AI Advisory Committee Members

The National Institute of Standards and Technology (NIST) is seeking nominations for members to serve on the National Artificial Intelligence Advisory Committee (NAIAC) and the NAIAC's Subcommittee on Artificial Intelligence and Law Enforcement (NAIAC-LE). NIST notes that NAIAC members "may also be asked to provide recommendations related to topics addressed in America's AI Action Plan." Stakeholders may nominate members to serve on the NAIAC, NAIAC-LE or both. Nominations for all Committees will be accepted on an ongoing basis.

GAO Release Report on Government-Wide AI Requirements

The Government Accountability Office (GAO) has published a report on "Artificial Intelligence: Federal Efforts Guided by Requirements and Advisory Groups." The report reviews federal laws, executive orders (EO) and AI requirements for agencies, identifying 94 AI-related requirements that were government-wide or had government-wide implications.

Congressional Action

House/Senate Advance AI Provisions Via NDAA, Kicking Off Conference Process

On October 9, 2025, the Senate passed its National Defense Authorization Act for Fiscal Year 2026 (NDAA; [S. 2296](#)) by a vote of 77 to 20. The GAIN AI Act, which would require chipmakers to give U.S. customers priority access to advanced semiconductors before selling abroad, is notably included in the Senate-passed package via Sen. Roger Wicker's (R-MS) substitute amendment ([Senate Amendment 3748](#); GAIN AI text on page 80 [here](#)). The House version of the NDAA ([H.R. 3838](#)), approved on September 10, 2025, notably excludes the GAIN AI Act; thus, it will still need to withstand conference negotiations. The development follows concerns raised by White House AI and crypto adviser David Sacks that the plan would undermine the administration's strategy to flood global markets and conflict with recent chip sale deals with China. While the other AI provisions in the House and Senate bills vary, they share significant overlap in directives related to AI mission planning for missile defense, AI data center infrastructure and management on DoD installations, cybersecurity and governance frameworks for AI and machine learning (ML), and the use of AI for training, readiness, and operational support. The House and Senate must now work to reconcile their separate versions of the package.

Sen. Husted Introduces Bill Requiring Age Verification for AI Chatbots

Sen. Jon Husted (R-OH) has introduced the CHAT Act ([S. 2714](#)), which would require AI chatbots to implement age verification measures and establish certain protections for minor users. Specifically, the bill would direct a “covered entity” (defined as “any person that owns, operates, or otherwise makes available a companion AI chatbot to individuals in the United States”) to require individuals accessing a chatbot to make a user account and provide verifiable age information. If a user is a minor, the covered entity must (1) require the account to be affiliated with a parental account, (2) obtain verifiable parental consent for the minor to access and use the companion AI chatbot, (3) inform the holder of the parental account of any interaction involving suicidal ideation and (4) block the minor's access to any companion AI chatbot that engages in sexually explicit communication.

House Judiciary Examines European Regulations' Threat to American Tech and Speech

On September 3, 2025, House Judiciary Committee held a [hearing](#) on “Europe's Threat to American Speech and Innovation.” The hearing featured testimony from [Nigel Farage](#), Member of Parliament of the United Kingdom; [Lorcán Price](#), Legal Counsel at the Alliance Defending Freedom International; [Morgan Reed](#), President of The App Association and [David Kaye](#), Clinical Professor of Law at University of California, Irvine School of Law. [Click here](#) to read the full summary of the hearing.

E&C Convenes Hearing on Health Care/AI

On September 3, 2025, the House Energy and Commerce (E&C) Committee's Health Subcommittee held a [hearing](#) on “Examining Opportunities to Advance American Health Care through the Use of Artificial Intelligence Technologies.” The hearing featured testimony from [TJ Parker](#), Lead Investor of General Medicine; [Andrew Toy](#), CEO of Clover Health; [Dr. Andrew Ibrahim](#), MD, MSc, Chief Clinical Officer at Viz.ai; [Dr. Michelle Mello](#), JD, PhD, MPhil, Professor at Stanford Law School and Stanford University School of Medicine; and [Dr. C. Vaile Wright](#), PhD, Senior Director, Health Care Innovation at the American Psychological Association (APA). [Click here](#) to read the full summary of the hearing.

Chair Cruz Introduces “Sandbox” Bill/Al Framework

On September 10, 2025, Senate Commerce Committee Chair Ted Cruz (R-TX) formally introduced his long-awaited SANSBOX Act ([S. 2750](#)) as the first step in a broader legislative framework to promote American leadership in AI. The Act aims to create a regulatory “sandbox” to give AI developers space to test and launch new AI technologies “without being held back by outdated or inflexible federal rules.” Under the bill, AI deployers and developers would apply to modify or waive regulations that could impede their work. The Office of Science and Technology Policy (OSTP) would coordinate across federal agencies to evaluate requests under their purview. Congress would collect regular reports on how often rules were waived or modified to better inform future policy decisions and the regulatory structure applicable to AI. The bill text is available [here](#); a one-pager is available [here](#); and a backgrounder on the proposed AI framework is available [here](#). Rep. Jay Obernolte (R-CA) indicated he is working on a House companion to the bill. Coinciding with Chair Cruz’s framework release was a Senate Commerce Subcommittee hearing to examine President Trump’s AI Action Plan and explore legislative actions to foster AI innovation. The hearing featured testimony from OSTP Director Michael Kratsios. [Click here](#) to read the full summary of the hearing.

Politico AI/Tech Summit: Top Republicans Criticize California’s AI Regulations

On September 16, 2025, Politico held its AI and Tech Summit. During the event, top Republican regulators—including White House AI advisor Sriram Krishnan, Senate Commerce Chair Ted Cruz (R-TX), and Federal Communications Commission (FCC) Chair Brendan Carr—criticized California’s AI regulations, warning they could undermine federal ambitions and the U.S. position in the global tech race with China. Krishnan said the federal government does not want California setting nationwide AI rules, while Chair Cruz suggested a 10-year moratorium on state AI laws remains possible.

Sen. Kelly Unveils “AI for America” Plan

On September 17, 2025, Sen. Mark Kelly (D-AZ) released a policy blueprint calling for the creation of the AI Horizon Fund, paid for by leading AI companies, to provide resources to support workforce development, upgrade energy and technology infrastructure and promote the responsible deployment of AI. Supporting statements from stakeholders are available [here](#).

AI Hearings: September 22-26, 2025

Congressional committees held four AI-focused hearings during the week of September 22:

- **House Judiciary Hearing on Preemption:** The House Judiciary Committee’s AI Subcommittee held a hearing to debate federal preemption of state AI regulation. Subcommittee Chair Darrell Issa (R-CA) framed the hearing as “perhaps the last” before an upcoming legislative markup. GOP witnesses (Adam Thierer, [R Street](#); Kevin Frazier, [University of Texas](#) and David Bray, [Stimson Center](#)) argued for federal preemption to prevent states from stifling innovation. Thierer outlined options such as a general moratorium on state AI rules or targeted preemption of frontier AI model regulation, algorithmic bias rules and creating a federal working group under the National Institute of Standards and Technology (NIST) and Center for AI Standards and Innovation (CAISI) to coordinate federal-state AI policy. Democratic Members and witnesses outlined the need to

preserve common law and state safeguards.

- **Senate Judiciary Hearing on Chatbot Harms:** The Senate Judiciary Committee's Crime Subcommittee held a [hearing](#) to explore the harms of AI chatbots. During the hearing, Sen. Richard Blumenthal (D-CT) urged new legislation to protect children from AI chatbots, emphasizing that existing proposals, including his and Subcommittee Chair Josh Hawley's (R-MO) No Section 230 Immunity for AI Act ([S. 1993](#)), may not be sufficient. He specifically called for pre-deployment testing and safeguards for minors, while Chair Hawley criticized AI companies for prioritizing profit over safety and advocated allowing victims to sue. Sen. Blumenthal suggested AI should be treated as a product under the law and proposed incorporating protections into the Kids Online Safety Act (KOSA; [S. 1748](#)) or pursuing separate measures to ensure companies have a duty of care toward children.
- **House Oversight Hearing on the State of AI:** The House Oversight Committee's Cyber Subcommittee held a [hearing](#) to examine the current state of AI and its impact on the U.S. economy. During the hearing, Brookings fellow Nicol Turner Lee urged federal AI standards for privacy and consumer protection but defended state-level AI regulation as essential for public safety and innovation. She highlighted bipartisan state efforts, including protecting children, and warned against proposals like a 10-year moratorium.
- **House Financial Services Hearing on AI Proposals:** The House Financial Services Committee's AI Subcommittee held a [hearing](#) on "Unlocking the Next Generation of AI in the U.S. Financial System for Consumers, Businesses, and Competitiveness." During the hearing, Brookings fellow Nicol Turner Lee and lawmakers discussed the use of regulatory sandboxes to allow AI companies to experiment, while ensuring accountability. Subcommittee Chair Bryan Steil (R-WI) emphasized balancing innovation with investor protection, while Ranking Member Stephen Lynch (D-MA) highlighted Singapore's sandbox model, which he noted includes ethical frameworks, bias mitigation, transparency, explainability, stakeholder engagement, and regular audits. Turner Lee praised Singapore's approach, noting it ensures consumer protections and continuous oversight, contrasting it with current U.S. proposals that give companies more leeway to experiment with AI.

White House Pushes Back on GAIN AI Act

As Congress is working on the National Defense Authorization Act for Fiscal Year 2026 (NDAA; [S. 2296](#)) throughout September, White House AI and crypto advisor David Sacks is urging Senate Republicans to drop the GAIN AI Act from the chamber's version of the NDAA. The measure, led by Sen. Jim Banks (R-IN), would require chipmakers to give U.S. customers priority access to advanced semiconductors before selling abroad. The text is included in Chair Roger Wicker's (R-MS) manager's amendment ([page 80](#)). The Trump administration has expressed concern that the plan would undermine its strategy to flood global markets and conflict with recent chip sale deals with China. [Separate post on X](#), Sacks warned that China is rapidly reducing its reliance on U.S. chips and urged Washington to ease export controls so American firms can sell more broadly, especially to allies, or risk losing the AI race to Huawei and China.

Colorado Postpones Implementation of Colorado AI Act, SB 24-205

On August 28, 2025, Colorado Governor Jared Polis signed [SB 25B-004](#), a bill that postpones implementation of the Colorado AI Act. Originally set to take effect on February 1, 2026, the new effective date for the legislation is now June 30, 2026.

The delay follows a special legislative session called by Governor Polis where lawmakers were unable to reach a compromise on amendments to the original law. Governor Polis expressed concerns that the law, in its current form, will impose high costs on State, local governments, and covered businesses.

The Colorado AI Act (originally [SB 24-205](#)) is a first-of-its-kind comprehensive state law aimed at regulating the use of “high-risk” AI systems to prevent “algorithmic discrimination.” Modeled in part on the [EU AI Act](#), the law imposes obligations on the “developers” and “deployers” of high-risk AI systems used in consequential decisions.

Key Provisions:

- **Duty of Care:** Both developers and deployers must use reasonable care to protect consumers from any known or reasonably foreseeable risks of algorithmic discrimination.
- **Impact Assessments:** Deployers are required to conduct and document impact assessments for any high-risk AI system they use.
- **Transparency for Developers:** Developers must provide deployers with statements detailing the purpose, intended uses and known risks of their high-risk AI systems. They must also maintain a public website summarizing the types of high-risk systems they have developed and how the developer manages foreseeable risks of algorithmic discrimination.
- **Transparency for Deployers:** Deployers must notify consumers when a high-risk AI system is used to make a consequential decision about them, including the right to opt out in some cases. They also need to provide information about the purpose of the system, the nature of a consequential decision and the consumer's right to appeal an adverse decision.
- **Enforcement:** The Colorado Attorney General has exclusive authority to enforce the act.

California Governor Newsom Faces Deadline for Privacy and AI Bills

Several Democrat-led privacy and AI bills were sent to Governor Newsom ahead of the September 12, 2025, deadline to pass bills. Governor Newsom must either sign or veto the bills by October 12, 2025.

- [Assembly Bill 316](#), which would bar developers, modifiers or users of AI from claiming as a defense that the AI acted autonomously to cause harm, holding them responsible for injuries caused by their AI systems.
- [Senate Bill 53](#), Sen. Scott Wiener's AI transparency bill, which now covers large AI programs and gives companies with more than \$500 million in revenue greater obligations, would require frontier AI programs trained by companies that fall below the revenue threshold to disclose more basic, higher-level safety details.

- [Senate Bill 243](#), which would require AI companies that operate chatbot services to clearly disclose when users are interacting with AI and implement and publish protocols to prevent suicide or self-harm content (especially for minors), and allow for a private right of action.
- LEAD for Kids Act ([Assembly Bill 1064](#)), which would prohibit developers from creating AI companion chatbots or biometric-processing systems intended for children without parental consent, establish civil penalties enforceable by the Attorney General and grant children and parents a private right of action for harm caused.
- [Senate Bill 524](#), which would require police to disclose AI use in preparing reports.
- [Assembly Bill 489](#), which would extend existing laws that prohibit falsely implying a health care license to also cover AI and generative AI (GAI) systems, banning them from using terms or phrases suggesting licensed health care professionals and making violations enforceable and punishable by the appropriate boards.

California AI and Privacy Bills: CTA Urges Governor Newsom to Act by October 12, 2025

On September 18, the Consumer Technology Association (CTA) sent a [letter](#) to Governor Newsom, urging him to sign/veto several Democrat-led privacy and AI bills before the October 12, 2025, deadline:

- [Senate Bill 53](#): Sen. Scott Wiener’s AI transparency bill, which now covers large AI programs and gives companies with more than \$500 million in revenue greater obligations, would require frontier AI programs trained by companies that fall below the revenue threshold to disclose more basic, higher-level safety details.
- California AI Transparency Act ([Assembly Bill 853](#)): This act would require developers of large generative AI (GAI) systems (more than one million monthly users) to provide free AI detection tools, mandate large platforms to disclose provenance data, and starting in 2028, require capture device manufacturers (e.g., phones, cameras, recorders) to offer an option to embed provenance disclosures in recorded content.
- No Robo Bosses Act ([Senate Bill 7](#)): This act would require employers to give workers 30 days’ notice before they use AI to make decisions related to employment.

Judicial & Administrative Decisions

Copyright Case Settles Shortly After Opinion on Fair Use

On August 26, 2025, the parties in *Bartz v. Anthropic* (Northern District of California) filed a stipulation indicating that a settlement in principle had been reached. The settlement follows Senior US District Judge William Alsup’s [order granting partial summary judgment](#) in favor of Anthropic on June 23, 2025, which found that training AI models on legally acquired materials constituted fair use—and thus did not infringe the plaintiffs’ copyrighted works.

The parties are expected to finalize the settlement by September 3, after which, the court will complete its approval for class action settlements.

EU, UK and Other International Updates

European Commission Launches Consultation to Develop Guidelines and Code of Practice on Transparent AI Systems

On September 4, 2025, the European Commission (Commission) launched a public consultation to aid in developing guidelines and a code of practice on AI transparency obligations applicable to providers and deployers of certain AI systems under the EU's Artificial Intelligence Act (AI Act). One of the key aims of the AI Act is to encourage responsible and trustworthy AI development and deployment in the EU; thus, this consultation marks an important step toward building common guidelines around transparent AI systems.

The consultation targets a wide range of stakeholders, including but not limited to providers and deployers of AI systems, supervisory authorities, governments, civil society organizations, academia, research institutions, and the general public.

Among other things, the AI Act subjects providers and deployers of interactive and generative AI models to certain transparency obligations, including the following:

1. Providers of AI systems designed to directly interact with natural persons must ensure that those persons are informed they are interacting with an AI system unless it is otherwise obvious.
2. Providers of AI systems must ensure outputs are marked in a machine-readable format and detectable as artificially generated or manipulated.
3. Deployers of emotion recognition or biometric categorization AI systems must ensure individuals exposed to these systems are informed about their operation.
4. Deployers of AI systems that operate or manipulate image, audio, or video content constituting deepfakes must disclose that the content has been artificially generated or manipulated.
5. All of the above must be communicated clearly and distinguishably at the time of the first interaction or exposure.

These transparency obligations (see Article 50 of the AI Act) will apply from August 2, 2026. The AI Act also requires the Commission to issue guidelines on the practical implementation of these obligations, while the AI Office will encourage and facilitate the drawing up of codes of practice to aid effective implementation.

The purpose of the consultation is to collect feedback from stakeholders, which will inform the Commission's guidelines and a Code of Practice on the detection and labeling of artificially generated or manipulated content. Stakeholders are encouraged to submit feedback before the consultation's closing date on October 2, 2025.

Albania Appoints First AI-Created Government Minister

On September 11, 2025, Albanian Prime Minister Edi Rama announced the appointment of Diella, an AI-powered virtual assistant, as the country's new Minister for Public Procurement. Diella's

primary responsibility is to oversee the public tender process, ensuring it is free from corruption by independently and objectively assessing each submission. The goal is to make the procurement process faster, more efficient and fully transparent. Upon announcing his new cabinet at the Socialist Party assembly, Prime Minister Edi Rama stated that Diella would help make Albania “a country where public tenders are 100% free of corruption.” This development follows the latest EU Progress Report for Albania, which highlighted the need for Albania, which is seeking membership by 2030, to continue efforts to fight corruption and implement judicial reform to join the EU by 2030.

Originally launched in January 2025 on the e-Albania platform, Diella initially served as a virtual assistant, helping users access documents and navigate the site. The Albanian constitution requires that ministers be citizens over the age of 18 and mentally competent. This is criteria Diella, as an AI system, is not easily assessed, and as such, her appointment is viewed as symbolic.

EU AI Act on the List of the European Commission’s Digital Simplification Agenda

On September 16, 2025, [the Commission announced](#) that immediate measures are considered in relation to targeted adjustments to the EU Artificial Intelligence Act, as well as other laws in the data acquis, including the rules on cookies and other tracking technologies, and cybersecurity incident reporting. This follows the September 2024 [Draghi report on EU competitiveness](#) published by Mario Draghi, former European Central Bank President and one of Europe’s influential economic voices, after which the European Commission is stepping up the digital simplification efforts, aiming to simplify the digital package laws and to bring some relief to businesses.

Akin Thought Leadership

[FDA Continues Focus on AI Fronts, Seeks Public Comment on Measuring and Evaluating AI-enabled Medical Device Performance in the Real-World](#) (October 9, 2025)

[House/Senate Defense Committees Advance AI Provisions in Must-Pass Defense Bills](#) (September 3, 2025)

[Another Piece in the AI Policy Puzzle for the Health and Life Sciences Sector: White House Releases AI Action Plan](#) (September 3, 2025)

[White House Issues Long-Awaited AI Action Plan and Accompanying Executive Orders](#) (July 25, 2025)

[European Commission Invites Comments on Future Digital Fairness Act](#) (July 23, 2025)

[FDA Announces AI Councils Amid Calls for Greater Agency Transparency](#) (July 16, 2025)

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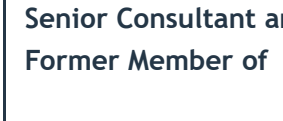
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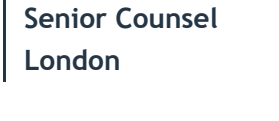
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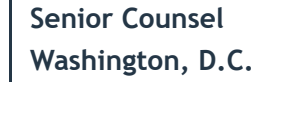
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