ML STRATEGIES

President Trump Signs AI Deepfake Act into Law and House Passes AI Measures — AI: The Washington Report

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VIEWPOINT TOPICS

- Artificial Intelligence
- AI: The Washington Report

- On May 19, President Trump signed the TAKE IT DOWN Act into law, which criminalizes the publication of non-consensual intimate imagery (NCII), including AI-generated deepfakes.
- The TAKE IT DOWN Act is the first US law to substantially regulate a certain type of AI-generated content. It was passed by Congress in April in a rare moment of nearly unanimous support for AI legislation.
- On May 22, House Republicans passed by a 215-214 vote the reconciliation package that includes AI measures, including a 10-year ban on state AI regulations and over $1.7 billion in investments in the federal government's use of AI. The package is now headed to the Senate, where Senator Ted Cruz (R-TX) also plans to introduce legislation prohibiting state AI regulations for 10 years.
- On May 15, President Trump announced $200 billion in business deals with the United Arab Emirates (UAE) involving AI and other advanced technologies and a new US-UAE AI Acceleration Partnership between the two countries.

On May 19, President Trump signed the TAKE IT DOWN Act into law, which criminalizes the publication of non-consensual intimate imagery (NCII), including AI-generated deepfakes. The TAKE IT DOWN Act is the first US law to substantially regulate a certain type of AI-generated content. The law's passage comes as House Republicans passed on May 22 a reconciliation package that includes AI measures, including a 10-year ban on state AI regulations and $500 million for modernizing federal IT systems with AI. The package is now headed to the Senate, where Senator Ted Cruz (R-TX) plans to also introduce legislation prohibiting state AI regulations for 10 years.

On May 15, President Trump announced $200 billion in business deals with the United Arab Emirates (UAE) involving AI and other advanced technologies and a new US-UAE AI Acceleration Partnership between the two countries. The two countries are also reportedly in talks to make US AI chips available to the UAE, just weeks after the White House **rescinded** its AI Diffusion Rule with chip export controls.

President Trump Signs AI Deepfake Act into Law

The TAKE IT DOWN Act is the first US law to substantially regulate a certain type of AI-generated content. As **we wrote about**, Congress passed the act in April in a rare moment of nearly unanimous support for AI-related legislation, before the president signed it in a Rose Garden ceremony on Monday, May 19.

The law criminalizes the publication of NCII, including visual depictions "created through the use of software, machine learning, artificial intelligence, or any other computer-generated or technological means." As **we covered**, the act establishes a "reasonable person" test for determining NCII, which when "viewed as a whole by a reasonable person, is indistinguishable from an authentic visual depiction of the individual." Penalties include up to three years of prison.

The law was originally introduced by Senators Ted Cruz (R-TX) and Amy Klobuchar (D-MN), who both **commented** on the bill's passage. "The TAKE IT DOWN Act is a historic win for victims of revenge porn and deepfake image abuse. Predators who weaponize new technology to post this exploitative filth may now rightfully face criminal consequences, and Big Tech will no longer be allowed to turn a blind eye to the spread of this vile material," Senator Cruz remarked. "It protects victims of online abuse and sets some rules of the road for social media and AI," Senator Klobuchar noted.

AI Measures Passed by the House

On Thursday, May 22, the House passed the budget reconciliation package, which includes several AI measures. As **we covered**, the proposed measures would:

- Prohibit any state or political subdivision from "[enforcing] any law or regulation regulating artificial intelligence models, artificial intelligence systems, or automated decision systems during the 10-year period beginning on the date of the enactment of this Act."
- Appropriate $500 million to the Department of Commerce "for the purpose of modernizing and securing federal information technology systems through the deployment of commercial artificial intelligence."
- Appropriate over $1.2 billion to the Department of Defense for AI projects and improvements, including $450 million for the "application of autonomy and artificial intelligence for naval shipbuilding," $250 million for "the advancement of the artificial intelligence ecosystem," and $200 million for the deployment of AI to accelerate "audits of the financial statements of the Department of Defense," among other appropriations.

After House Republicans passed the package by a 215-214 vote, the package is now headed to the Senate.

House Republicans supported the 10-year moratorium due to concerns that the growing number of state AI laws has created a patchwork of state laws. "A patchwork of various state laws is not good for innovation, for business or consumers, and that is what we're trying to avoid," remarked Rep. Russ Fulcher (R-ID) at a House E&C Committee's subcommittee hearing on AI on May 21. Meanwhile, Democratic lawmakers and various privacy advocates opposed the 10-year moratorium. Rep. Lori Trahan (D-MA) called it an "unprecedented giveaway to Big Tech" that leaves AI unregulated on both the state and federal levels. As **we reported** last week, Senator Cruz announced his plans to introduce an AI bill in the Senate with a 10-year moratorium on state AI laws. He also said he will "soon release a new bill that creates a regulatory sandbox for AI … that will remove barriers to AI adoption, prevent needless state over-regulation, and allow the AI supply chain to rapidly grow here in the US." Senator Bernie Moreno (R-OH) also expressed support for the 10-year mortorium, noting, "AI doesn't understand state borders, so it is extraordinarily important for the federal government to be the one that sets interstate commerce. It's in our Constitution. You can't have a patchwork of 50 states." The AI measures' Republican support in the Republican-controlled Congress means that their path to passage is becoming increasingly clear.

President Trump Signs AI Data Center Deal with the UAE

On May 15 in Abu Dhabi, President Trump **announced** $200 billion in business deals with the UAE involving investments in AI and other advanced technologies and a new US-UAE AI Acceleration Partnership between the two countries.

The deals evidently involve agreements between US and UAE companies to build advanced technologies, including AI data centers, in the US and UAE. In addition to AI, the deals also involve aerospace, IT technology, aluminum smelting, and oil and gas production.

"Today's deals strengthen the US-UAE investment and trade relationship and build on the UAE's landmark commitment to a 10-year, $1.4 trillion investment framework that will contribute to the US boom in AI infrastructure, semiconductors, energy, quantum computing, biotechnology, and manufacturing," according to a White House **press release**.

The new US-UAE AI Acceleration Partnership will "bolster cooperation around critical technologies and ensure the protection of such technologies based on a set of joint commitments," according to a Department of Commerce **press release**. As part of the partnership, the UAE will launch in the UAE "a 1GW AI data center, part of a planned 5GW UAE-US artificial intelligence technology cluster in Abu Dhabi to support regional computation demand." The US and UAE are also in talks to make 500,000 export-controlled AI chips available to the UAE for AI data centers, according to **reporting**.

The deals generated backlash from some Democratic US lawmakers, who are concerned that the deals make AI chips available to foreign countries. The deals "could very well be dangerous because we have no clarity on how the Saudis and Emiratis will prevent the Chinese Communist Party, the Chinese government, the Chinese manufacturing establishment from getting their hands on these chips," Senate Minority Leader Chuck Schumer (D-NY) complained. Rep. Ro Khanna (D-CA), who sits on the House Select Committee on the Chinese Communist Party, commented, "I don't like the fact that the biggest AI center, research center, is going to be in Dubai. I mean, what happened to 'America First?' Why don't we put that center in Pennsylvania or in Ohio?"

The UAE deal comes just two weeks after the White House rescinded the Biden-era AI diffusion rule, which, **as we wrote about**, would have imposed export controls on certain AI chips from certain countries, including China.

We will continue to monitor, analyze, and issue reports on these developments. Please feel free to contact us if you have questions as to current practices or how to proceed.

Authors

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