



Top Takeaways
September 2025

The Institute is committed to keeping our members informed regarding cutting-edge developments. Below are the top highlights from Tuesday's September 16th Member Roundtable with Institute Leaders Nita Beecher, David Cohen, David Fortney, Laura Mitchell and Mickey Silberman.

Please share these key takeaways with your internal leaders. The replay of the September 2025 Roundtable is located [here](#). Members will need to login for full access.

Highlights

- **State AI Law.**
 - **California AI.** Dave Cohen opened the roundtable with a discussion on the [California AI regulations](#) scheduled to take effect on October 1. The new regulations apply to all employers in California and cover to any automated decision system (ADS) not just "AI" tools. The regulations prohibit use of ADS or selection criteria that discriminate against applicants or employees based on protected categories defined under California's FEHA and require accommodations based on disability and religion. California also will require employers to collect and maintain race/sex/ethnicity data even if EEO-1 Report is cancelled.
 - **Colorado AI.** Laura Mitchell stated the Colorado AI law implementation has been moved to June of 2026.
- **Procurement Act.** David Fortney discussed the Trump Administration's move to use the Procurement Act to support its Executive Orders. OMB has not yet issued interim final rule on EO 14173 certification so agencies are again sending certification demands to contractors.
- **OFCCP and Regulatory Updates.**
 - **General OFCCP Status.** Mickey Silberman stated that despite DOL's budget proposal to eliminate OFCCP it appears the agency will continue under a continuing resolution and DOL is rehiring laid off employees.
 - **Proposed OFCCP regulatory changes and public comments.** Nita Beecher discussed letters of comment filed by The Institute on EO 11246, Section 503 and VEVRAA.
 - **9/25 Deadline for Voluntary Submission to OFCCP.** In response to online poll, 75% of attendees do not plan to respond to OFCCP request.
 - **Civil Rights Groups meeting to commemorate EO 11246.** Dave Cohen and David Fortney noted civil rights groups are holding 60th Anniversary commemoration of EO 11246 on September 18th.
- **DOJ Civil Investigative Demands (CID).** David Fortney discussed DOJ Civil Investigative Demands under False Claims Act being sent to federal contractors demanding information on alleged illegal unlawful discrimination.

Member Roundtable Meeting: October 21st at 2 pm Eastern. Please click [here](#) for the zoom information.

Webinars – Always complimentary to all members. Registration information is located [here](#).