

Insights: Alerts

Federal Agencies Solicit Public Input on Artificial Intelligence Across Healthcare, Energy, and Regulatory Reform

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The federal government continues to expand its role in shaping the development, use, and regulation of artificial intelligence across sectors. In recent weeks, the Food and Drug Administration (“FDA”), the Department of Energy (“DOE”), and the Office of Science and Technology Policy (“OSTP”) have each issued requests for public input addressing core aspects of AI oversight, performance evaluation, implementation, and infrastructure. Together, these actions reflect the Administration's broader push to operationalize AI across federal policy, technical, and regulatory domains.

FDA Request for Comment on AI-Enabled Medical Devices

On September 30, 2025, the FDA published a [Request for Comment](#) on “*Measuring and Evaluating Artificial Intelligence-enabled Medical Device Performance in the Real-World*.” The FDA's purpose for the request is to “obtain comment and feedback from interested parties and the public on a series of questions related to the current, practical approaches to measuring and evaluating the performance of AI-enabled medical devices in the real world, including strategies for identifying and managing performance drift, such as detecting changes in input and output.” These questions concern performance metrics and indicators, real-world evaluation methods and infrastructure, post-market data sources and quality management, monitoring triggers and response protocols, human-AI interaction and user experience, and best practices.

Comments are due December 1, 2025.

DOE Request for Information on Grid Capacity and Electricity Demand Growth to Support AI

On September 18, 2025, the DOE published a [Request for Information](#) titled “*Accelerating Speed to Power/Winning the Artificial Intelligence Race: Federal Action To Rapidly Expand Grid Capacity and Enable Electricity Demand Growth*.”

The central theme is that “projected electricity demand growth from data centers, advanced manufacturing facilities, semiconductor fabrication plants, and other large energy users is outpacing the capacity of the existing electric grid.” Therefore, DOE is requesting input “on large-scale generation, transmission, and grid

infrastructure projects that can accelerate speed to power to support manufacturing, industrial, and artificial intelligence/data center electricity demand growth.” More specifically, the request seeks information on projects that enable a minimum incremental load of 3 gigawatts (“GW”), support up to 20 GW of incremental load, and include new interregional transmission, reconductoring of existing lines, retired thermal generation, or construction of new assets.

In addition, DOE seeks comment on how best to deploy its funding programs and statutory authorities to support this expansion, referencing the Transmission Facilitation Program (“TFP”), Grid Resilience and Innovation Partnerships (“GRIP”) Program, Loan Programs Office (“LPO”) initiatives, and related technical assistance offerings. The request organizes its inquiries around six topic areas: (1) large-scale generation and transmission projects to enable load growth; (2) high-priority geographic areas for investment; (3) DOE funding, financing, and technical assistance; (4) load growth trends; (5) grid infrastructure constraints; and (6) additional comments.

Comments are due November 21, 2025.

OSTP Request for Information on AI Regulatory Reform

On September 26, 2025, OSTP published a [Request for Information](#) titled “*Regulatory Reform on Artificial Intelligence*.” OSTP seeks input “in identifying existing Federal statutes, regulations, agency rules, guidance, forms, and administrative processes that unnecessarily hinder the development, deployment, and adoption of artificial intelligence technologies within the United States.”

The agency's notice frames AI as a transformative force “with applications across nearly every sector,” capable of enhancing efficiency, safety, and economic competitiveness. It references the Administration's [America's AI Action Plan](#) (July 23, 2025) as the federal government's roadmap for achieving global AI leadership. However, OSTP observes that most existing regulatory regimes were designed for human-operated systems and thus fail to account for the autonomous, adaptive, and data-driven nature of modern AI technologies.

The request identifies five broad categories of barriers: (1) regulatory mismatch, where outdated rules no longer align with AI capabilities; (2) structural incompatibility, where legal requirements are unsuitable for AI systems; (3) lack of regulatory clarity, which increases compliance costs and slows innovation; (4) direct hindrance, where regulations explicitly restrict AI deployment; and (5) organizational limitations, which impede the effective use of existing administrative tools. OSTP poses six principal questions to stakeholders, including which AI activities are currently constrained by federal policy and how statutes or rules might be modernized to preserve core regulatory objectives while enabling innovation.

Comments are due October 27, 2025.

The Expanding Role of the Federal Government in AI

Taken together, these three requests for public comment underscore the breadth and urgency of federal engagement in AI policy under the current Administration. From ensuring the safety and reliability of AI-enabled

medical devices, to strengthening the nation's electric grid for energy-intensive data infrastructure, to revisiting regulatory frameworks that predate the modern AI era, these requests are just a part of a coordinated, whole-of-government approach to enabling and governing AI. Stakeholders across industries should actively engage in these proceedings and closely monitor the federal government's evolving actions to shape the trajectory of AI policy and regulation.

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For more information on these and other critical matters, or to discuss strategies for navigating and influencing federal government actions impacting your business, please reach out to Stephen Anstey at sanstey@ktslaw.com or John Loving at jloving@ktslaw.com, or visit us at: [Kilpatrick – Government & Regulatory](#), [Kilpatrick – Government Relations](#).

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