



Daniel S. Cohen

Associate

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OVERVIEW

Daniel Cohen is an associate in the firm's Washington, D.C. office. He focuses his practice on regulatory compliance for depository institutions and money services businesses (MSB), including cryptocurrency trading platforms, and public policy counseling and advocacy on financial services policy for a wide range of institutions and trade associations. Additionally, he has experience helping represent financial institutions in class action litigation.

Daniel also represents food companies in obtaining insurance coverage in complex, multiparty disputes involving product liability, product recalls, and supply chain issues. In this practice, he has assisted several companies in settlement negotiations and mediations with third parties and insurance carriers, helping these clients recover insurance proceeds.

He also is involved in various pro bono matters at K&L Gates, including the representation of a client for special immigrant juvenile status, and advising a charitable prepaid card program.

Daniel writes extensively on the digital assets and blockchain applications, financial services and cannabis banking policy. His writings are often published on JD Supra. He also has been published in several legal journals, including the Virginia Law Review, the Dickinson Law Review, the Virginia Journal of Social Policy and the Law, the Energy Law Journal, the Banking Law Journal, and the Investment Lawyer.

PROFESSIONAL BACKGROUND

Daniel was a summer associate at K&L Gates in 2016. During law school, he interned for the Legal Aid Justice Center; the Office of the Attorney General of Virginia, Consumer Protection Section; and the United States Senate Banking Committee, Senator Sherrod Brown's staff.

PROFESSIONAL / CIVIC ACTIVITIES

- Women in Housing and Finance, Inc.

SPEAKING ENGAGEMENTS

- Panelist, “Federal Legislative Cannabis Reform | Pathway towards Progress in the 117th”, International Cannabis Bar Association, 21 April 2021.
- Moderator, “WHF Public Policy Luncheon with Rebec Romero Rainey, President and CEO, Independent Community Bankers Association,” Women in Housing and Finance, Inc., 13 April 2021.
- Panelist, “Finally, the Killer Crypto App: Why Stabelcoins and CBDCs will Fundamentally Change the Payments Universe, Innovative Payments Association’s Day of Payments, 19 August 2020.
- Speaker, WHF/WHFF Partner Series Brown Bag Lunch: COVID-19’s Impact on Digital Currencies, Women in Housing and Finance, 7 May 2020.
- Panelist, “FELJ Author Talk: Energizing the Future with Blockchain”, *Energy Bar Association*, Washington D.C., 19 February 2019.
- Panelist, “Blockchain Basics for Energy Lawyers: Mastering Fundamentals and Keeping Pace with Emerging Use Cases”, American Bar Association Business Law Section Annual Meeting 2019
- 2018 Consumer Financial Services Symposium, December 2018

EDUCATION

- J.D., University of Virginia School of Law, 2017 (*Virginia Law Review*, *Editorial Board*, *Hardy Cross Dillard Scholarship*, *Raven Society*)
- B.A., Rice University, 2014 (*cum laude*, *Rhodes Scholar Finalist*, 2014)

ADMISSIONS

- Bar of District of Columbia
- Bar of Virginia
- United States District Court for the Eastern District of Virginia
- United States District Court for the Western District of Virginia

THOUGHT LEADERSHIP POWERED BY HUB

- 12 July 2021, Digital Tokens and the Banking System: Basel Committee Proposes Risk-Weighted Assets Framework for Cryptoassets (*Alerts/Updates*)
- 9 July 2021, The Energizer – Volume 93 (*Alerts/Updates*)
- 30 June 2021, ESG and the Sustainable Economy Handbook (*Books*)

- 28 June 2021, The Energizer – Volume 92 (*Alerts/Updates*)
- 11 June 2021, The Energizer – Volume 91 (*Alerts/Updates*)
- 8 June 2021, Crypto and Digital Asset Businesses Take Note - Capitol Hill Legislators and Regulators are Turning Up the Heat Even More on Cryptocurrencies (*Webinar*)
- 7 June 2021, Biden Administration ESG Activity Accelerates (*Alerts/Updates*)
- 28 May 2021, The Energizer – Volume 90 (*Alerts/Updates*)
- 25 May 2021, Taking Bitcoin to the Bank: FDIC Seeks Comments on Bank Services for Digital Assets (*BlogPost*)
- 14 May 2021, SEC to Move Quickly on Proposed ESG Disclosures (*Alerts/Updates*)
- 13 May 2021, The Energizer – Volume 89 (*Alerts/Updates*)
- 13 May 2021, Payments Across the Globe Miniseries - Trends in the U.S. (*Podcast*)
- 22 April 2021, The Energizer – Volume 88 (*Alerts/Updates*)
- 20 April 2021, Cannabis Banking: The SAFE Banking Act 2.0 Passes the House of Representatives (*Alerts/Updates*)
- 8 April 2021, The Energizer – Volume 87 (*Alerts/Updates*)
- 6 April 2021, Cannabis Banking in the U.S. – The Latest on the SAFE Act (*BlogPost*)
- 2 April 2021, Cannabis Banking: The SAFE Banking Act 2.0's Status, Key Modifications, and Prospects (*Alerts/Updates*)
- 25 March 2021, The Coming Blockchain Revolution in Consumption of Digital Art and Music: The Thinking Lawyer's Guide to Non-Fungible Tokens (NFTs) (*Alerts/Updates*)
- 23 March 2021, First Cannabis-related Business SARs Penalty Against a Depository Institution (*BlogPost*)
- 22 March 2021, The Energizer – Volume 86 (*Alerts/Updates*)
- 9 March 2021, The Energizer – Volume 85 (*Alerts/Updates*)
- 22 February 2021, The Energizer – Volume 84 (*Alerts/Updates*)
- 5 February 2021, The Energizer – Volume 83 (*Alerts/Updates*)
- 2 February 2021, It's Groundhog Day for Payments! A New US Administration, a New UK Brexit: The Continuing Cycle of Change Keeps Banks and Fintechs on their Toes! (*Webinar*)
- 22 January 2021, The Energizer – Volume 82 (*Alerts/Updates*)
- 7 January 2021, The Energizer – Volume 81 (*Alerts/Updates*)
- 21 December 2020, The Energizer – Volume 80 (*Alerts/Updates*)

- 3 December 2020, The Energizer – Volume 79 (*Alerts/Updates*)
- 12 November 2020, The Energizer – Volume 78 (*Alerts/Updates*)
- 27 October 2020, The Energizer – Volume 77 (*Alerts/Updates*)
- 16 October 2020, European Commission's legislative proposals on crypto-assets and DLT (*Alerts/Updates*)
- 9 October 2020, The Energizer – Volume 76 (*Alerts/Updates*)
- 25 September 2020, The Energizer – Volume 75 (*Alerts/Updates*)
- 24 September 2020, OCC Confirms National Banks Can Hold (Certain) Stablecoin Reserves (*Alerts/Updates*)
- 21 September 2020, CSBS Rolls Out Joint Examination Initiative for Nationwide Payments Firms (*BlogPost*)
- 14 September 2020, The Energizer – Volume 74 (*Alerts/Updates*)
- 28 August 2020, The Energizer – Volume 73 (*Alerts/Updates*)
- 17 August 2020, The Energizer – Volume 72 (*Alerts/Updates*)
- 30 July 2020, The Energizer – Volume 71 (*Alerts/Updates*)
- 29 July 2020, The OCC Tells Cryptocurrency Holders to Take It to the Bank: National Banks and FSAs Can Now (Definitively) Provide Custodial Services for Cryptocurrency (*BlogPost*)
- 16 July 2020, The Energizer – Volume 70 (*Alerts/Updates*)
- 16 July 2020, DOL Issues Proposed Rule on ESG Investing for ERISA Plans: Part 1: History and State of Play (*Alerts/Updates*)
- 13 July 2020, New York (More) Open for (Crypto) Business: NYDFS Proposes Important Changes to the BitLicense (*Alerts/Updates*)
- 2 July 2020, The Energizer – Volume 69 (*Alerts/Updates*)
- 27 June 2020, An Empire State Glimmer of Hope for Crypto (*BlogPost*)
- 22 June 2020, The Energizer – Volume 68 (*Alerts/Updates*)
- 4 June 2020, The Energizer – Volume 67 (*Alerts/Updates*)
- 1 June 2020, COVID-19: The Fed Clarifies Main Street Lending Program Eligibility Criteria; Additional Changes Are on the Way (*Alerts/Updates*)
- 29 May 2020, TALF 2.0 FAQs Round Two: Questions Answered (*Alerts/Updates*)
- 21 May 2020, The Energizer – Volume 66 (*Alerts/Updates*)
- 21 May 2020, COVID-19: Its Impact on Banking, Fintech, and Payments: FAQs Part 2 (*Alerts/Updates*)
- 13 May 2020, TALF 2.0 FAQs Released: More Questions Raised (*Alerts/Updates*)

- 8 May 2020, The Energizer – Volume 65 (*Alerts/Updates*)
- 4 May 2020, COVID-19: Federal Reserve Expands the Main Street Lending Program (*Alerts/Updates*)
- 27 April 2020, The Energizer – Volume 64 (*Alerts/Updates*)
- 15 April 2020, COVID-19: A Boom or Bust for Digital Assets, Cryptocurrencies and Stablecoins? (*Webinar*)
- 14 April 2020, COVID-19: The Federal Reserve Announces New and Expanded Liquidity Facilities to Provide \$2.3 Trillion in Funding (*Alerts/Updates*)
- 9 April 2020, The Energizer – Volume 63 (*Alerts/Updates*)
- 1 April 2020, COVID-19: The Federal Reserve Establishes the FIMA Repo Facility to Maintain Stability of U.S. Dollar-Denominated Wholesale Financial Markets (*Alerts/Updates*)
- 27 March 2020, COVID-19: Historic Coronavirus Relief Package Enacted (*Alerts/Updates*)
- 23 March 2020, COVID-19: The Federal Reserve Establishes Three New Liquidity Facilities and Expands the Scope of Two Existing Liquidity Facilities (*Alerts/Updates*)
- 19 March 2020, COVID-19: The Federal Reserve Board Establishes a Money Market Mutual Fund Liquidity Facility (*Alerts/Updates*)
- 18 March 2020, COVID-19 Response: Financial Regulators Seek to Blunt Impact with Emergency Measures (*Alerts/Updates*)
- 12 March 2020, The Energizer – Volume 62 (*Alerts/Updates*)
- 21 February 2020, The Energizer - Volume 61 (*Alerts/Updates*)
- 6 February 2020, The Energizer - Volume 60 (*Alerts/Updates*)
- 23 January 2020, The Energizer – Volume 59 (*Alerts/Updates*)
- 9 January 2020, The Energizer - Volume 58 (*Alerts/Updates*)
- 16 December 2019, To List or Not to List? NYDFS Seeks Comment on Proposed Rules Authorizing Bitlicensees to Self-Certify Cryptocurrency Listings (*BlogPost*)
- 13 December 2019, The Energizer - Volume 57 (*Alerts/Updates*)
- 12 December 2019, US Consumer Financial Protection Bureau Seeking Comments on Proposed Remittance Rule Revisions (*BlogPost*)
- 27 November 2019, OCC and FDIC Propose Rules to Confirm “Valid-When-Made” Doctrine (*BlogPost*)
- 22 November 2019, OCC and FDIC Propose Rules to Confirm “Valid-When-Made” Doctrine (*Alerts/Updates*)
- 20 November 2019, In the Weeds: Hemp Industry Voicing Concerns Regarding USDA Interim Hemp Rules (*Alerts/Updates*)

- 15 November 2019, The Energizer - Volume 56 (*Alerts/Updates*)
- 8 November 2019, SEC Proposes Rules to Curb Shareholder Proposals, Limit Proxy Voting (*Alerts/Updates*)
- 31 October 2019, The Energizer - Volume 55 (*Alerts/Updates*)
- 28 October 2019, Federal Court Strikes Down FinTech Charter (*BlogPost*)
- 21 October 2019, The Energizer - Volume 54 (*Alerts/Updates*)
- 4 October 2019, The Energizer - Volume 53 (*Alerts/Updates*)
- 25 September 2019, In the Weeds: House Moves Toward Opening Banks to Cannabis-Related Legitimate Businesses (*Alerts/Updates*)
- 18 September 2019, The Energizer - Volume 52 (*Alerts/Updates*)
- 29 August 2019, The Energizer - Volume 51 (*Alerts/Updates*)
- 28 August 2019, The CFPB and the Fed Adjust Regulation CC for Inflation (*BlogPost*)
- 28 August 2019, Rhode Island & Nevada Enter the Cryptocurrency Fray (*BlogPost*)
- 15 August 2019, The Energizer - Volume 50 (*Alerts/Updates*)
- 1 August 2019, The Energizer - Volume 49 (*Alerts/Updates*)
- 18 July 2019, K&L Gates Responds to the Federal Reserve's Rulemaking on Control Proceedings (*Alerts/Updates*)
- 18 July 2019, The Energizer – Volume 48 (*Alerts/Updates*)
- 27 June 2019, DACA Recipients Are Ineligible for FHA Mortgage Insurance Officially, but Lending to DACA Recipients and Other Immigrant Communities Is Subject to Many Unresolved Compliance Challenges (*BlogPost*)
- 20 June 2019, The Energizer – Volume 47 (*Alerts/Updates*)
- 6 June 2019, The Energizer – Volume 46 (*Alerts/Updates*)
- 23 May 2019, The Energizer – Volume 45 (*Alerts/Updates*)
- 15 May 2019, Are You in Control (of a Bank)? The Fed's Proposed Framework for Presuming Control under the Bank and Savings and Loan Holding Company Acts (*BlogPost*)
- 9 May 2019, The Energizer – Volume 44 (*Alerts/Updates*)
- 1 May 2019, CFPB Seeking Comments On Possible Remittance Rule Revisions (*BlogPost*)
- 25 April 2019, The Energizer – Volume 43 (*Alerts/Updates*)
- 11 April 2019, The Energizer – Volume 42 (*Alerts/Updates*)

- 29 March 2019, The Energizer – Volume 41 (*Alerts/Updates*)
- 14 March 2019, The Energizer - Volume 40 (*Alerts/Updates*)
- 12 March 2019, The Future of Digital Asset Regulation: Key Regulators Give Their Thoughts at the D.C. Blockchain Summit (Part 2) (*BlogPost*)
- 12 March 2019, The Future of Digital Asset Regulation: Key Regulators Give Their Thoughts at the D.C. Blockchain Summit (Part 1) (*BlogPost*)
- 25 February 2019, Fintech Forward: Blockchain, ICOs, and Cryptocurrencies (*Podcast*)
- 13 February 2019, Trouble in Paradise: Florida Court Rules that Selling Bitcoin is Money Transmission (*Alerts/Updates*)
- 11 February 2019, Massachusetts State Senators Seek to Enact Biometric Data Protection Law (*BlogPost*)
- 14 January 2019, Revamped Relief (*Alerts/Updates*)
- 8 January 2019, Regulating Stablecoins: Certain Stablecoins are Now Subject to the Texas Money Services Act (*BlogPost*)
- 6 December 2018, Blockchain Energizer – Volume 39 (*Alerts/Updates*)
- 16 November 2018, Blockchain Energizer – Volume 38 (*Alerts/Updates*)
- November 2018, Scary Topics and Spooky Trends in FinTech (*Webinar*)
- 31 October 2018, Blockchain Energizer – Volume 37 (*Alerts/Updates*)
- 28 September 2018, Blockchain Energizer – Volume 36 (*Alerts/Updates*)
- 23 September 2018, The SEC Expands its Enforcement Throughout the Digital Industry (*BlogPost*)
- 14 September 2018, Blockchain Energizer – Volume 35 (*Alerts/Updates*)
- 14 September 2018, A Decade Later; Could It Happen Again? (*Alerts/Updates*)
- 23 August 2018, Blockchain Energizer – Volume 34 (*Alerts/Updates*)
- 9 August 2018, Blockchain Energizer – Volume 33 (*Alerts/Updates*)
- 6 August 2018, “Responsible Innovation” or a “Regulatory Train Wreck”? The OCC Announces it will Accept FinTech Applications for Special Purpose National Bank Charters (*BlogPost*)
- 26 July 2018, Blockchain Energizer – Volume 32 (*Alerts/Updates*)
- 12 July 2018, Blockchain Energizer – Volume 31 (*Alerts/Updates*)
- 29 June 2018, Blockchain Energizer – Volume 30 (*Alerts/Updates*)
- 7 June 2018, Blockchain Energizer – Volume 29 (*Alerts/Updates*)

- 6 June 2018, Understanding the Effect of Wyoming's Blockchain and Cryptocurrency Legislation (*BlogPost*)
- 4 June 2018, Understanding the Effect of Wyoming's Blockchain and Cryptocurrency Legislation (*Alerts/Updates*)
- 30 May 2018, OCC Expected to Release Guidance on FinTech Charter in July 2018 (*BlogPost*)
- 24 May 2018, Blockchain Energizer – Volume 28 (*Alerts/Updates*)
- 8 May 2018, U.S. District Court for DC Dismisses CSBS' Challenge regarding Federal FinTech Charter, All Eyes on the OCC (*BlogPost*)
- 7 May 2018, Blockchain Energizer – Volume 27 (*Alerts/Updates*)
- 19 April 2018, New York Attorney General Launches Fact-Finding Mission into Virtual Currency Exchanges; Exchanges Divided on Response (*BlogPost*)
- 17 April 2018, Blockchain Energizer – Volume 26 (*Alerts/Updates*)
- 17 April 2018, Beneficial Owner New Account Rules: What FinTech AML Program Managers and Their Financial Institutions Need to Know (*BlogPost*)
- 30 March 2018, Blockchain Energizer – Volume 25 (*Alerts/Updates*)
- 16 March 2018, Blockchain Energizer – Volume 24 (*Alerts/Updates*)
- 12 March 2018, Lurking Beneath the Surface: UDAP Claims in ICO Litigation (*Alerts/Updates*)
- 2 March 2018, Blockchain Energizer – Volume 23 (*Alerts/Updates*)
- 23 February 2018, Wyoming Moving to Exempt Virtual Currency from its Money Transmitter Law (*BlogPost*)
- 16 February 2018, Blockchain Energizer – Volume 22 (*Alerts/Updates*)
- 10 January 2018, Comptroller Otting: A New Ally for a FinTech Charter? (*BlogPost*)
- 20 December 2017, What the CFPB Leadership Dispute Means for the Prepaid Account Rule (*BlogPost*)
- 7 November 2017, Newly Released Virtual-Currency Businesses Act Augurs Increased State Regulation of Bitcoin, Ether, and other Digital and Crypto Currencies (*Alerts/Updates*)

OTHER PUBLICATIONS

- *Iron-ing Out Circuit Splits: A Proposal for the Use of the Irons Procedure to Prevent and Resolve Circuit Splits Among United States Courts of Appeal*, 108 Calif. L. Rev. 989 (2020)
- "Blockchain 101: The Basics Every Energy Lawyer Should Know," *Business Law Today*, American Bar Association, 19 December 2019

- “Mortgage Lending to Nontraditional Borrowers: The Opportunities and Compliance Points of Mortgage Lending to DACA Recipients, Recent Immigrants, and Limited-English Proficiency Borrowers,” *The Banking Law Journal*, April 2019
- “Digital and Digitized Assets: Federal and State Jurisdictional Issues,” *The American Bar Association*, March 2019
- “Extra!! Extra!! Click All About it? Modernizing Public Notice Laws in a Digital Age,” *Va. J. Soc. Pol’y & L.* 1, (2019)
- “A Gun to Whose Head? Federalism, Localism and the Spending Clause,” *123 Dick. L. Rev.* 421, 2019
- *Making the Grade: Practical Tips to Meet Compliance Standards Track: How to Ace Your HMDA and Fair Lending Exams*, Mortgage Bankers Association’s Regulatory Compliance Conference 2018, 2019 (contributor)
- *Consumer Lending and Alternative Data: Opportunities, Risks, and Challenges*, Mortgage Bankers Association’s Legal Issues and Regulatory Compliance Conference 2018, 2019 (contributor)
- “Artificial Intelligence Applications and regulatory Concerns in Consumer Financial Services,” *Payment Systems and Electronic Fund Transfer Guide*, *Westlaw* (Thomson Reuters), 2018
- “Cryptocurrency Exchange Traded Products: If, When, and How,” *The Investment Lawyer*, December 2018
- “Energizing the Future with Blockchain,” *The Energy Bar Association*, 14 November 2018
- *Lending to Non-Traditional Borrowers: Immigrants, Foreign Investors, and Multigenerational Households*, Mortgage Bankers Association’s Regulatory Compliance Conference 2018 (contributor)
- *Fair Lending and Equal Opportunity Laws: The Fair Housing Act and the HUD Disparate Impact Rule*, Mortgage Bankers Association’s Regulatory Compliance Conference 2018 (contributor)
- Note, Do Your Duty (!)(?): *The Distribution of Power in the Appointments Clause*, 103 VA. L. REV. 673 (2017).

NEWS & EVENTS

- 9 July 2021, 2021 Consumer Financial Services Symposium - Virtual Edition: Panel 3 - Policy Developments Affecting the Financial Services Sector (*Event*)

AREAS OF FOCUS

- Payments, Banking Regulation, and Consumer Financial Services
- Financial Services Policy
- Insurance Recovery and Counseling
- Public Policy and Law

INDUSTRIES

- Financial Services
- Fintech