

Post-Election Regulatory Insights Industry View

November 2024



1

Agency Shifts

Leadership at the agency level will help to drive and/or limit divergence of regulatory initiatives. Expect significant regulatory shifts to agencies covering such policy areas as the environment, financial consumer protections, etc.

2

Regulatory Intensity

The potential for a decrease in regulatory intensity will likely differ by industry, agency leadership changes and the Administration’s evolving priorities on “day one” and thereafter. In the interim, expect potential impacts to supervision and enforcement intensity, and continued legal action/challenges to regulation (as well as continued state regulatory activity).

3

Regulatory Divergence

Expect geopolitical, national security and economic drivers to set increases in select regulatory areas (e.g., sanctions) while limiting US to global regulatory coordination. This divergence will have differing business impacts based on industry, operational sites, etc.

Potential 2025 Regulatory Impacts

Legend	Moderate Change	●
	High Change	●●
	Very High Change	●●●

Industry	Change Due To:		
	Agency Shift	Regulatory Intensity	Regulatory Divergence
Consumer/Retail/Industrial Manufacturing	●●	●●	●●●
Banking/Capital Markets/Insurance	●●	●●	●●●
Energy	●●●	●●●	●●●
Healthcare/Life Science	●●●	●●●	●●
Technology/Media/Telecommunications	●●	●●●	●●●

Post-Election Industry Regulatory Breakdown

Legend	Moderate Change	●
	High Change	● ●
	Very High Change	● ● ●

Consumer/Retail/Industrial Manufacturing

Agency Shift ● ●	Changes in leadership across regulatory agencies, including the FTC, USDA, OSHA, EPA, and DOJ, signal shifts in policies related to the environment, reliance on foreign goods, domestic production, and market competition.
Regulatory Intensity ● ●	Key areas of regulatory focus are expected to include increasing international trade limitations, sanctions activity and efforts to protect national security across products and services (e.g., AML, CFT), along with impacts to tariffs and tax policies to align with foreign policy/geopolitical positions.
Regulatory Divergence ● ● ●	Rollback of sustainability and climate-specific regulations, as well as a decrease in federal net new regulations in areas of consumer and worker protections is expected, potentially leading to increases in state rulemaking.

Banking/Capital Markets/Insurance

Agency Shift ● ●	Changes in regulatory agency leadership across the OCC, FDIC, SEC, and CFPB is likely to lead to a variety of shifts, notably including a(n) increasing focus on bolstering cryptocurrency/digital assets markets; lessening intensity of supervision/enforcement (over time); expanding role of Private Equity in deal making and capital raising; and pull-back of certain proposals impacting Asset Managers. The potential impact of these changes may be tempered by the expected retention of FRB leadership and consideration of former SEC Commissioners to lead that agency.
Regulatory Intensity ● ●	Potential early efforts to lessen regulatory intensity through Congressional Review Act activity though impact may be limited as few final rules were approved within the relevant lookback period (approximately back to August 1, 2024). This may be coupled with proposal/re-proposal and/or final rulemakings that are currently in process or subject to legal stay and therefore unlikely to advance. Financial services will continue to be a heavily regulated industry given its critical role to the economy. Key areas of potential change in focus will include cryptocurrencies and digital assets frameworks, expansion of AI applications, and consumer/retail investor protections.
Regulatory Divergence ● ● ●	Potential diminished engagement with international standards setters particularly in areas of AI, capital/liquidity, AML/CFT, and environmental sustainability. Increased divergent regulation expected with state laws and regulations.

Post-Election Industry Regulatory Breakdown

Legend	Moderate Change	●
	High Change	● ●
	Very High Change	● ● ●

Energy

Agency Shift 	<p>New leadership at the EPA and Department of Energy will be tasked with making the U.S. globally dominant as an energy producer while also establishing independence from foreign fuels.</p>
Regulatory Intensity 	<p>Key areas of regulatory focus are expected to include a roll back of restrictions on the fossil fuels industry, mandates on emissions standards, and renewable energy policies and project funding. Interconnections/dependencies between the Energy sector and the push for AI dominance will increase energy demands and place added pressures on energy resiliency. A more favorable/less stringent environment for M&A/antitrust reviews is also anticipated alongside potentially more permissive/less stringent environmental supervision and enforcement.</p>
Regulatory Divergence 	<p>As part of the goal of energy independence, the new Administration is expected to break with international agreements related to climate and to promote measures that would reduce reliance on foreign assets/materials (e.g., critical minerals) or manufacturing.</p>

Healthcare/Life Science

Agency Shift 	<p>Potential leadership changes at HHS and related agencies such as the CDC, FDA, and NIH, along with changes at the EPA, signal shifts that are anticipated to reshape a broad array of regulations around public health, health insurance, and agriculture and may also include restructuring and redirecting the mission of some agencies; potential legal challenges by life sciences stakeholders.</p>
Regulatory Intensity 	<p>Key regulatory impact areas may include modification/replacement of the Patient Protection and Affordable Care Act (ACA); FDA reforms/restrictions on the use of certain pesticides/herbicides and “chemicals” in the food supply; prescription drug costs, including user fees; veterans’ healthcare; programs under Medicare/Medicaid; chronic disease; and health-related advertising along with increasing intensity of supervision and enforcement.</p>
Regulatory Divergence 	<p>Increased state rulemaking activity in areas of reproductive health; Increased legal challenges by food and agriculture stakeholders.</p>

Post-Election Industry Regulatory Breakdown

Legend	Moderate Change	●
	High Change	● ●
	Very High Change	● ● ●

Technology/Media/Telecommunications (TMT)	
<p>Agency Shift</p> <p>● ●</p>	<p>Leadership changes at the FTC and FCC are expected to bring about shifts in the regulatory focus for companies in the TMT industry. Agencies and Administration priorities will touch on areas such as AI, cybersecurity, data privacy, tariffs and antitrust with policy changes that are generally expected to favor national security over consumer protections. These changes are expected to have differing impacts depending on sector/services (for example between social media and other 'Big Tech', such as hyperscalers).</p>
<p>Regulatory Intensity</p> <p>● ● ●</p>	<p>Anticipated changes in regulatory intensity are thought to most likely include a 'lighter touch' on AI regulation, including repeal of the AI Executive Order, encouragement for innovative model development and application, and the goal of global AI leadership; reforms aimed at provisions governing content moderation and internet policies (e.g., net neutrality); and a shift in antitrust enforcement that may include less stringent requirements regarding ownership and industry consolidation, except perhaps for very large technology firms. Heightened focus on cybersecurity regulation is expected to continue.</p>
<p>Regulatory Divergence</p> <p>● ● ●</p>	<p>Increased divergence to state and global AI-related regulatory activity is expected, including with regard to consumer and data privacy protections. Tariffs and trade restrictions to the TMT industry may have spillover effects in other industries, such as consumer/retail.</p>

In conclusion, the new Administration will bring forth changes due to 1) agency shifts, 2) regulatory intensity and 3) regulatory divergence, with varying impacts in and across all industries.

For more post-election coverage...

KPMG Regulatory Insights published [Three Regulatory Takeaways: Post-Election Shifts](#), an analysis of what to expect from the incoming Presidential Administration.



Three Regulatory Takeaways: Post-Election Shifts

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...and stay tuned!

More insights into these areas and actions that companies can take to prepare/mitigate the regulatory risks coming in the KPMG Regulatory Insights Ten Key Regulatory Challenges of 2025 (to issue December 2024). [Click here to subscribe.](#)



Ten Key Regulatory Challenges of 2025

Rolling through the Shift



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