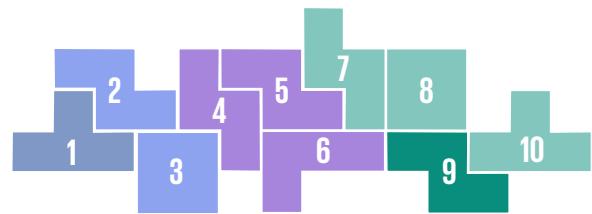




09 Expanding Digital Assets



Regulatory Signals

- Frameworks
- Risk Considerations
- Licensing/Chartering
- Access

Accelerating and widespread actions designed to structure markets and develop regulatory frameworks that will facilitate and expand digital and other alternative asset offerings in the U.S.

“Digital assets have once again taken center stage, spotlighted by the rescission of regulatory guidance and the passage of the GENIUS Act which will give rise to payment stablecoins. Banks must develop digital asset strategies for a new asset class and technology that have not historically been part of their business model, along with identifying what products/services to offer and related risk considerations and mitigation controls.”

Brian Consolvo
Principal
Advisory

“The regulatory environment has shifted radically in 2025, and many financial institutions are moving quickly to offer digital asset products and services. Given the rapid pace of change, it’s more important than ever for organizations to assess and enhance their compliance and risk management programs.”

Conway Dodge
Principal
Advisory

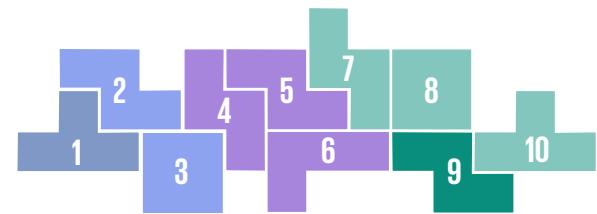
“As barriers to broader adoption of digital assets abate, and competition and demand significantly increase, banks will need to quickly evolve business models, product/ service offerings, and risk management practices to take and grow market share in a safe and sound, consumer-centric manner.”

Todd Semanco
Partner
Advisory





09 Expanding Digital Assets



Regulatory Signals

- **Frameworks**
- **Risk Considerations**
- **Licensing/Chartering**
- **Access**

Signal

Executive and legislative steps to establish/build-out frameworks governing digital assets.

Concurrent agency initiatives to update existing rules/requirements to promote digital assets markets.

Examples

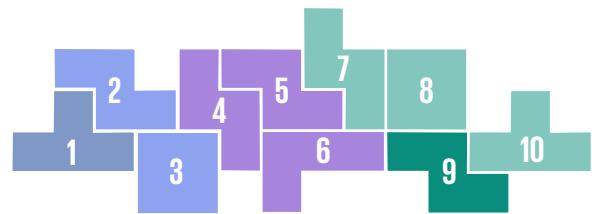
- Legislation defining a framework for digital assets (e.g., payment stablecoins framework established by P.L. 119-27, GENIUS Act)
- Market structure legislation setting regulatory responsibilities for cryptocurrencies (e.g., CLARITY Act as passed by the House)
- Roadmap for building out tokenized assets (e.g., PWG Report)
- Directives to strengthen blockchain technology (e.g., EO 14178)
- Agency initiatives (e.g., SEC Project Crypto, CFTC Crypto Sprint)

What to Watch

- Implementation of the GENIUS Act, including forthcoming final regulations due July 2026 (i.e., FDIC, FRB, NCUA, OCC, state regulators)
- Potential passage of “market structure” legislation (e.g., CLARITY Act) setting SEC/CFTC jurisdictions and asset classifications
- New and amended SEC/CFTC rulemakings to carryout PWG Report recommendations, including re: digital securities and commodities definitions, licensing/ registration requirements, custody, on-chain systems, and exemptions/safe harbors



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Signal

Identification of a full spectrum of risks to manage new digital asset products/frameworks, including market, capital/liquidity, operational (e.g., cybersecurity, technology), fraud/BSA/AML, and consumer/investor protections, including education/disclosures.

Examples

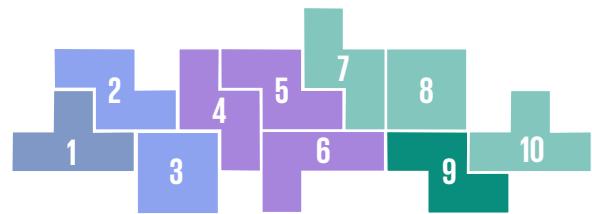
- SEC Crypto Task Force and public outreach through public meetings/roundtables
- Statutorily required risk management and compliance requirements (e.g., P.L. 119-27, the GENIUS Act)
- Market structure legislation for cryptocurrencies setting regulatory responsibilities (e.g., CLARITY Act as passed by the House)
- Federal banking agency guidance (e.g., focus on risk management, safety and soundness)

What to Watch

- Regulatory scrutiny consistent with existing risk and compliance framework (e.g., capital/liquidity, BSA/AML, consumer/investor protections, TPRM)
- Integration of digital asset offerings with traditional banking services (e.g., custody, trading, credit card rewards)
- Use of interpretive, exemptive, and other authorities (e.g., sandboxes) to promote innovation in novel areas



09 Expanding Digital Assets



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Signal

Expressed executive and regulatory support for flexibility/openness to novel/innovative business models, including:

- De novo banks focused on digital assets.
- Non-financial companies to issue payment stablecoins.
- Fintechs and crypto-native companies obtaining a Federal Reserve master account.

Examples

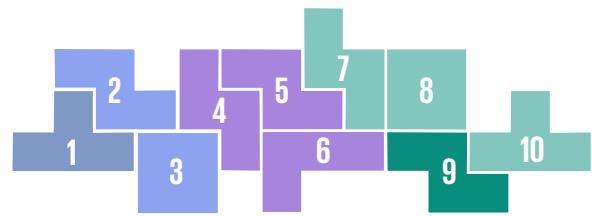
- OCC preliminary approval of de novo bank charter focused on digital assets
- “Permitted Payment Stablecoin Issuer” as defined and subject to forthcoming licensing regulations from federal or state regulators (e.g., P.L. 119-27, the GENIUS Act)
- Public remarks on “embracing new technologies and players in payments” (e.g., FRB (Waller), FRB Payments Innovation Conference)

What to Watch

- Proliferation of new charter applications for stablecoin issuers and digital asset custodians at federal and state levels
- Increasing numbers of bank/fintech arrangements/acquisitions
- New and amended rules to permit novel/innovative products and business models, including:
 - On-chain software systems/decentralized finance
 - Non-securities trading authorities for SEC registrants
 - Consideration of a “skinny master account” at the Federal Reserve for certain bank and nonbank payment companies



09 Expanding Digital Assets



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Signal

Executive directives to expand customer/investor access to alternative assets, including digital assets, through:

- Retail investor access to alternative asset investments in ERISA plans.
- Regulatory changes to encourage market participation (e.g., “self-custody,” “super-app” trading) and/or promote capital formation (e.g., accredited investor qualifications).

Examples

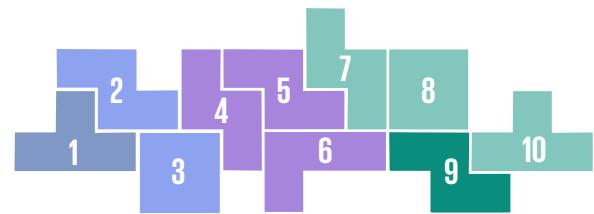
- Policy to permit retirement plan fiduciaries to permit retail investors to access alternative assets, including private funds and commodities (e.g., EO 14330)
- Recission of guidance directing ERISA plan fiduciaries to use “extreme care” when adding cryptocurrencies to an investment menu (e.g., DOL recission of Compliance Assistance Release No. 2022-01)
- Consideration of expanding access to private assets to retail investors (e.g., SEC Statements (Atkins, Uyeda))

What to Watch

- DOL proposed rules/regulations/guidance on fiduciary duty when recommending investments in alternative assets in ERISA plans (anticipated 1st quarter 2026)
- Possible legislation or SEC rulemaking to amend definitions for accredited investor and qualified purchaser
- Expanded markets for tokenized assets (e.g., tokenized collateral in derivatives markets)



09 Expanding Digital Assets

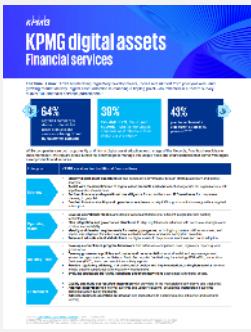


Regulatory Signals

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[Stablecoins: The bridge between traditional finance and digital assets](#)



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