

Regulatory Alert

Regulatory Insights



February 2025

First 100 Days: Upcoming Regulatory Signals - Industrial Manufacturing & Auto

KPMG Insights

- **America First' Agenda:** Expect continued/expanded use of tariffs, sanctions and/or bans (e.g., China) inclusive of sector-specific and tech-related products and services.
- **Regulatory & Inspection Pullback:** Expect a general regulatory, inspection and enforcement pullback, inclusive of labor/workplace and anti-competition.
- **State Divergence:** Expect increasing federal and state regulatory divergence (e.g., workplace safety, climate-related).

Regulatory changes to the industrial manufacturing and auto sectors are largely expected to be in areas related to the "America First" and "de-regulatory" agendas. Specific actions by the Administration in areas like tariffs, immigration, sanctions and bans are expected to continue to be dynamic for the coming years.

Even with this iterative policy background, numerous regulatory signals are anticipated both in terms of:

1. Agency Objectives, including regulatory pullback and investigations/enforcement shifts
2. Regulatory Focus, including national security and competition

See also KPMG Economic Compass: *Breaking Up Is Hard To Do: Tariffs & Trade Wars*, [here](#).

1. Agency Objectives

Changes to the industrial manufacturing and auto regulatory, inspection and enforcement agencies are likely to affect certain agency objectives, including:

Signals	Description/Examples	Source
"America First" Initiative	<p>Implementation of "America First Priorities"</p> <p>Ongoing implementation of Executive Order on "America First Trade Policy", including tariffs and other measures or policies, trade policies/practices/agreements, and export/import controls on sector-specific, country specific, and/or tech related levels</p>	White House here and here
Regulatory Pullback	<p>Fewer new regulations, consistent with the Executive Order on deregulation</p> <p>Reassessment of recent final/proposed rules, in keeping with the "regulatory freeze" Executive Order (e.g., OSHA Heat Safety Rule, Walkaround Rule; DOC Connected Vehicles Rule)</p> <p>Revisions/recissions of regulations (e.g., EPA, NHTSA) in areas such as GHG, fuel economy, and IRA funding (e.g., EV consumer lease credit, some infrastructure)</p> <p>Potential reconsideration of previously granted waivers (e.g., CA)</p>	White House White House
Inspection & Enforcement Shift	<p>Implementation of Executive Order pausing investigations and enforcement of the FCPA and directing review/revision of the related guidelines and policies</p> <p>Implementation of DOJ Memo re-prioritizing enforcement focus of FCPA to foreign bribery that facilitates the criminal operations of Cartels and Transnational Criminal Organizations</p> <p>Potential shift to 'evidence of effects' of anti-competition and a focus on procedural requirements to issue administrative complaint with a "reason to believe" (FTC Act Section 5)</p> <p>Potential for fewer (and longer duration) workplace inspections, due to likely federal government workforce reductions</p> <p>Potential for lessening to DOL/OSHA whistleblower investigations (and given regulatory 'pause')</p>	White House DOJ Memo FTC Statement
State Activity	State laws expected to be increasingly divergent from federal, particularly given evolving regulatory pullback (e.g., workplace/labor provisions, GHG standards)	

2. Regulatory Focus

To drive forth the Administration's "America First" and 'de-regulatory' agenda, potential changes in key regulatory areas for industrial manufacturing and auto may include a particular focus on and changes to:

Signals	Description/Examples	Source
National Security	<p>Decreased dependence on other countries, resulting in likely continued/expanded use of tariffs, sanctions and/or bans (e.g., China) and re-evaluation of trade policies and agreements inclusive of sector-specific, country-specific and tech-related</p> <p>Identified areas may include/expand adjustments to: investment/import policies (e.g., inputs (e.g., steel, aluminum), technologies (e.g., IP, connected products)); export policies (e.g., preventing circumvention of controls through supply chains); anti-dumping/countervailing duty laws; trade "balance" and reciprocity</p>	White House
Competition	<p>Re-consideration to "early termination" waiting periods on deals, as well as options (divestitures, etc.) and factors used in competition analysis</p> <p>Potential re-consideration of DOJ/FTC Merger Guidelines, including market-share and concentration thresholds for finding transactions anti-competitive</p>	

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