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Trump's Executive Orders Reshape Federal Rulemaking and Regulation February 6, 2025



By Peter Y. Malyshev Partner | Financial Regulation

President Donald Trump recently addressed the new administration's policies on financial regulations, artificial intelligence ("AI"), and digital assets (i.e., cryptocurrency). Through a series of executive orders ("EO"), President Trump followed through on campaign trail promises to overhaul the framework of federal rulemaking. These new orders depart from the previous administration's regulatory framework and prioritize creating more industry-friendly initiatives toward digital assets and financial innovation generally. Within each new order, there are several key takeaways:

Strengthening American Leadership in Digital Financial Technology

On January 23, 2025, President Trump signed an EO to reshape U.S. digital asset and financial sovereignty policies. The order revokes Biden-era EOs and regulations, ensures individuals can transact digital assets without government interference, and explicitly prohibits the creation of a U.S. Central Bank Digital Currency ("CBDC"). It also calls for a review of existing financial regulations to promote transparent, technology-neutral guidelines that support blockchain innovation while securing the nation's position as a global economic leader in digital finance.

The order establishes the President's Working Group on Digital Asset Markets to oversee these regulatory changes, which will operate under the National Economic Council. Chaired by the Special Advisor for Al and Crypto, David Sacks, the group includes top officials from the Treasury, DOJ, SEC, CFTC and other agencies. The group's objectives include reviewing current regulations, proposing a Federal regulatory framework for digital assets, and assessing the feasibility of a national digital asset stockpile derived from lawfully seized cryptocurrencies. The group has been placed on a tight schedule with 180 days to submit recommendations, marking the first step toward a broader digital asset policy overhaul.

Removing Barriers to American Leadership in Artificial Intelligence

President Trump signed another EO to strengthen U.S. leadership in AI by rolling back regulations that could hinder AI innovation. The order revokes **Executive Order 14110**, which President Biden signed to regulate AI development, and calls for a new AI action plan within 180 days. This plan will focus on removing government-imposed obstacles to growth, ensuring AI systems remain free from ideological bias, and enhancing economic competitiveness and national security. The administration's departure from previous oversight draws support from industry leaders for its prioritization of innovation.

The Impacts on Federal Rulemaking

The Trump administration's orders reflect a broader effort to reshape federal rulemaking by rolling back prior regulatory frameworks and limiting government intervention in emerging technological industries. By revoking key policies on AI and digital assets, the administration has shifted away from the Biden administration's stricter oversight and has taken a "less regulation and more innovation" approach. Federal agencies—such as the SEC, DOJ, and CFTC—will be forced to reassess their enforcement priorities with clear replacement policies still pending. The administration's emphasis on halting regulations and reducing federal oversight may also lead to greater reliance on state-level regulation, creating potential inconsistencies in compliance and enforcement.

As agencies await future directives, the long-term regulatory landscape remains uncertain, although some agencies, such as CFTC, have already commenced implementing President Trump's directives in a series of actions, such as relating to **prediction markets**, refocusing enforcement priorities away from regulation by **enforcement** and changing CFTC's **leadership**.