King & Spalding

Client Alert

Antitrust

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What is the Future of Antitrust Enforcement Under Trump 2.0?

With the Trump 2.0 transition proceeding at breakneck pace, many are questioning how the new administration will approach antitrust policy and enforcement, and how much of the Biden Administration antitrust agenda will be rolled back or superseded. King & Spalding partner Sean Royall—head of the firm's global Antitrust & Consumer Protection group—recently sat down for an interview on that topic, published on January 24, 2025, in Thomson Reuters' *Westlaw Today* periodical.

The full interview is linked below. Notable takeaways and trends to anticipate in antitrust enforcement under the new administration include:

1. The new leaders of both federal antitrust agencies (DOJ Antitrust Division and Federal Trade Commission) are likely to implement clearer and more traditional antitrust guidelines, some of which may involve reinstating longstanding policies the past administration discarded.

2. Both antitrust agencies are likely to revisit various Hart-Scott-Rodino (HSR) policies implemented during the Biden administration, with an eye on streamlining agency process where appropriate.

3. "Efficiencies" expected to result from proposed mergers and acquisitions, where properly substantiated, are likely to again be viewed as a factor favoring merger clearance.

4. Both agencies can be expected to work harder to find pathways for approving transactions that do not present insoluble problems, including greater openness to divestitures as well as potential "behavioral" remedies that were shunned by the Biden administration.

5. Antitrust policy makers in Trump 2.0 will be more focused on facilitating growth that reinvigorates U.S. industries and gives U.S. companies a continued edge over their global competition.

6. This pro-growth agenda will be moderated by traditional antitrust policies meant to protect against industry dominance and market conditions that could block new competition or stifle innovation.