

# How the Outcome of the US Election Will Impact the Marketing World

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**T**he general election on Tuesday pits fundamentally different visions of the US against each other. It may seem trivial to look at how the election could affect the marketing world—but the impacts will be major.

As of this writing, polls show that Biden has **a good chance of winning**, and that Democrats also have **a good chance of picking up the Senate**, giving the party control of Congress—but a split Congress and a Trump victory are still possible.

In general terms, a Trump victory would lead to a continuation of current domestic economic policies, which are predominantly anti-regulatory. Even in areas where constituent and congressional pressure for action is mounting, such as data privacy and antitrust, new federal regulations would probably be relatively muted.

The Trump administration would likely continue to apply existing antitrust legislation against large tech companies. It would also likely increase pressure on foreign technology companies, particularly those based in China. The TikTok and WeChat moves presage a greater emphasis on data localization and US ownership of key components of the internet economy.

A Biden win, particularly with a Democrat-controlled Congress, would lead to major changes reflecting a preference for a more active role by the government in the economy and society. “The one situation where you have a unified Congress and a president of the same party—that’s where the ability to move major initiatives goes way up,” said Dan Jaffe, group executive vice president of government relations at the Association of National Advertisers (ANA).

The big initial priorities for a Biden administration would be stamping out the coronavirus pandemic and getting a big stimulus for the economy. As part of those early priorities, Biden could include efforts to expand internet access and regulate data privacy, both of which Biden has embraced either in public comments or on his campaign website.

The odds for new regulations on tech rise with a Democrat-run Congress and a Biden presidency, particularly in the areas of consumer data privacy, antitrust enforcement, and algorithmic bias and transparency.

A federal data privacy law seems inevitable at this point given the various moves by states, including the California Consumer Privacy Act (CCPA). Although Democrats are more eager than Republicans for tougher consumer privacy laws, a variety of viewpoints hold even within the Democratic caucus. Given the scale of economic, health, and racial equity issues facing the new Congress, it’s likely that it will take a while for lawmakers to reconcile these differences, even with full Democratic control.

Continued Republican control of the Senate following a Biden victory would limit what the new administration could do. Even a narrow majority would slow down some of the more ambitious moves of a Biden presidency.

To learn more about what other policies and regulations marketers can expect after the election, eMarketer PRO subscribers can read our recent report:

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## The US Elections 2020

