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Washington Election Update

What a night. Whether you're a Republican or a Democrat, we can all agree on one thing: somewhere in Washington, someone is already planning for 2028.

As election analysts spent last night zooming in and out on their touch screens, the verdict became clear: Democrats had a very good night. Before midnight on the East Coast, news outlets projected that they would take control of both chambers of Congress and flip several surprising governorships.

Democrats are on track for 55 to 56 Senate seats and roughly 250 to 265 House seats. The result is divided government, which should mean little major legislation over the next two years—but considerably more oversight of the Trump administration and companies tied to it.

In the House, Minority Leader Hakeem Jeffries (D-NY) is widely expected to become speaker without a serious challenge. His relatively large majority should also reduce the leverage of individual Democratic factions, particularly progressives, compared with the influence the House Freedom Caucus wielded over Speaker Mike Johnson (R-LA). A Democratic House also takes GOP reconciliation legislation off the table. Beyond that, expect plenty of Democratic messaging bills, especially on healthcare.

The bigger story, though, will be oversight. Rep. Robert Garcia (D-CA), the incoming House Oversight Committee chair, summed up his plans in a two-word social media post last night: "LAWYER UP." Democrats have already sent investigative letters to companies and contractors that have done business with the administration. Likely targets include Big Tech companies such as **Apple (AAPL), Amazon (AMZN), Nvidia (NVDA), and Alphabet (GOOGL)**; defense technology firms such as **Palantir (PLTR)**; Elon Musk's companies, including **SpaceX**; and businesses with financial ties to Trump or his family. Data centers are also expected to draw scrutiny.

Cabinet officials won't escape attention either. Defense Secretary Pete Hegseth already faces an impeachment vote when lawmakers return this month. A Democratic Senate would ensure that any articles of impeachment receive a hearing rather than a quick dismissal, although conviction remains highly unlikely. The same would be true of any impeachment effort against President Trump.

In the Senate, Minority Leader Chuck Schumer (D-NY) is similarly expected to become majority leader without a serious challenge. Incoming Senate Finance Committee Chair Ron Wyden (D-OR) offered an even shorter preview of what's ahead, posting simply: "Subpoenas."

A Democratic Senate would also sharply constrain Trump's personnel agenda. New cabinet nominees would face a difficult confirmation path, likely encouraging the administration to shuffle existing officials into acting roles. Judicial confirmations would slow considerably, and Democrats would be highly unlikely to confirm a Trump nominee to fill a Supreme Court vacancy. Similar challenges could arise with Federal Reserve vacancies.

Even a 55- or 56-seat Democratic Senate, however, can only go so far. Democrats could pursue legislation reversing parts of the One Big Beautiful Bill Act or restoring Inflation Reduction Act clean-energy credits,

but they would still need Republican votes to overcome the filibuster—and President Trump could veto legislation undoing his signature policies.

That leaves **must-pass legislation as the main arena for policymaking under divided government**. Rather than sweeping stand-alone bills, expect the biggest policy fights to center on appropriations, government funding and the riders lawmakers try to attach to them.

In short: less legislating, more investigating—and plenty of positioning for 2028.