

Congressional Investigations

Outlook for the 119th Congress & the Trump Administration

Key Takeaways

- With the GOP poised to control the executive branch, the Senate and the House, Senate Republicans will gain subpoena power and the ability to direct the Senate's investigations and oversight, and Republicans likely will retain similar powers in the House as well.
- Expect Congress's investigative focus and resources to be directed mainly outside of the federal government, including inquiries targeting private sector interests.
- Particularly given the populist wave and the winning Republican agenda, expect this to dictate policy and related investigative targets. As the House demonstrated in the last Congress, this is not your parents' Republican party, and private companies and interests are squarely in the crosshairs.
- Across the board, there will likely be continued focus on such topics as consumer protection, technology and privacy issues, certain "woke" issues like environmental, social & governance (ESG) initiatives, environmental groups opposing the administration's energy policies, allegations of censorship and inappropriate information sharing with the government and emerging economic and security threats posed by foreign adversaries like China and others.

Additional Insights

- **Oversight During a Unified GOP Government.** As we've seen in recent sessions of Congress, key GOP committees have not shied away from investigating Corporate America—particularly on issues with heightened messaging/political significance. For example, upon assuming majority control in the Senate, Republican committee chairs will likely pursue an investigations and oversight agenda that they have steadily previewed during the 118th Congress, including further inquiries focused on allegations of censorship advanced against leading technology companies and scrutiny of ESG-aligned business practices, as well as inquiries concerning the origins of the COVID-19 pandemic and related government action.
- **Democratic Agenda.** Although Democrats will lack subpoena power in the Senate and likely also in the House, minority-led investigations will endeavor to "counter-program" the GOP's legislative and political agendas, seeking to leverage media coverage and reputational risks in targeting individuals and entities perceived to be aligned with the Trump administration. This may include so-called "minority inquiries" focused on issues ranging from climate change to antitrust, as well as financial services and investment funds—especially on consumer-facing issues such as housing affordability. Like during the period following President Trump's initial election in 2016, although Democrats will lack the authority to compel parties to cooperate, such inquiries will likely preview the party's oversight objectives should they re-take the House or Senate after the 2026 midterms.

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