

Preparing for a New Era of House Oversight: What Institutions Should Expect if Democrats Take the Majority

April 1, 2026

Priorities for Democratic Congressional Oversight

November's midterm elections will likely lead to a realignment of power in Congress, and Democrats are laying the groundwork for congressional investigations and hearings if they regain control of the House of Representatives. Recent public statements by prominent Democrats, prior oversight priorities and media reports suggest several areas that are likely to attract scrutiny. They include allegations of improper influence or conflicts of interest, particularly those related to the current administration; transactions raising antitrust issues; ties to Jeffrey Epstein; entities directly or indirectly involved in immigration enforcement efforts; and issues perceived to be contributing to the affordability crisis.

Allegations of Improper Influence or Conflicts of Interest

A Democratic House majority is likely to probe whether certain companies or industries received preferential treatment or access, such as regulatory advantages, tariff exemptions, enforcement forbearance, government contracts or other advantages through alleged relationships with administration officials or their affiliates.

These investigations may also scrutinize corporate participation in fundraising or business arrangements that are alleged to have benefited President Trump or his affiliates. During the first Trump administration, Democratic lawmakers raised concerns that certain business arrangements violated the Constitution's Emoluments Clauses, which prohibit the president from receiving certain benefits from foreign governments or the federal government.¹ Areas of future investigative interest may include fundraising efforts tied to the White House ballroom construction, corporate

¹ U.S. Const. art. I, § 9, cl. 8; U.S. Const. art. II, § 1, cl. 7; *see, e.g.*, Press Release, H. Comm. on Oversight & Accountability Democrats, *Oversight Democrats Release Report Proving Trump Pocketed Millions From at Least 20 Foreign Governments* (Jan. 4, 2024), <https://oversightdemocrats.house.gov/news/press-releases/oversight-democrats-release-report-proving-trump-pocketed-millions-from-at-least?> (alleging that entities tied to the governments of China, Saudi Arabia, Qatar, the United Arab Emirates and Malaysia made improper gifts to President Trump).

relationships involving cryptocurrency ventures and interactions between administration officials and major social media companies.

Major Corporate Transactions

Major corporate transactions may also face heightened scrutiny. Congressional committees have historically used oversight powers to examine whether mergers, acquisitions and other large transactions raise concerns about anticompetitive activity, consumer protection and improper political influence. Some Democratic lawmakers have suggested that they may investigate whether certain mergers were facilitated by political considerations.² Lawmakers may probe whether enforcement decisions, particularly those relating to leadership changes in the Department of Justice's Antitrust Division, impacted the treatment of particular transactions or industries.

Jeffrey Epstein-Related Inquiries

Congressional committees are likely to revisit issues related to the federal government's handling of matters involving Jeffrey Epstein and individuals and institutions connected to him. Bipartisan interest in this issue has persisted on Capitol Hill, and lawmakers have indicated that additional oversight may focus on whether federal agencies, including the Department of Justice and the FBI, adequately investigated related activities.³ Such inquiries could involve scrutiny of potential connections between Epstein-related entities and financial institutions, corporate actors or other organizations.

Immigration Enforcement

Democratic lawmakers have expressed concerns about corporate involvement in immigration enforcement initiatives. Technology companies and digital platform operators may be questioned about the role their products and services play in immigration enforcement or data-sharing arrangements with government agencies. Committees may examine whether companies assisted authorities in ways that raise

² See Nicholas Wu & David Weigel, *Democrats Weigh How Harshly to Go After Firms Courted by Trump*, SEMAFOR (Feb. 27, 2026), <https://www.semafor.com/article/02/27/2026/democrats-weigh-how-harshly-to-go-after-firms-courted-by-trump> (quoting Sen. Ruben Gallego, "Once we take power, whoever the president is, we're going to break up your companies . . . So all the investment you did to create these mergers are going to be for naught. Your investors are going to be pissed at you, and you're likely going to end up getting fired as the CEO because you wasted so much money and corrupted yourself in the process.").

³ See Press Release, H. Comm. on Oversight & Accountability Democrats, Ranking Member Robert Garcia Demands Answers on FBI's Failure to Investigate Jeffrey Epstein After Survivor Maria Farmer Warned Agency in 1996, Newly Released Records Prove (Dec. 23, 2025), <https://oversightdemocrats.house.gov/news/press-releases/ranking-member-robert-garcia-demands-answers-on-fbis-failure-to-investigate-jeffrey-epstein-after-survivor-maria-farmer-warned-agency-in-1996-newly-released-records-prove> (requesting DOJ Inspector General investigation into FBI's failure to investigate Epstein and his "associates," and stating that Oversight Democrats are examining Epstein's "enablers, network and accomplices" and related government failures).

civil liberties or First Amendment concerns. Companies providing technology or data to assist with immigration enforcement may receive information requests or be called to testify.

Affordability Concerns

Finally, economic issues—particularly those related to rising consumer costs—are likely to remain a focus for House Democrats.⁴ Congressional oversight may focus on whether corporate conduct is contributing to higher prices for essential goods and services. Utilities, energy and healthcare providers, and companies involved in consumer supply chains may face scrutiny over pricing practices and market concentration. Democratic lawmakers have already highlighted utility pricing and energy costs as a major consumer issue, with some members characterizing existing price structures as a “rigged system” that warrants investigation.⁵ Democratic lawmakers are probing other areas of consumer spending for rising costs; for example, Senator Elizabeth Warren, Ranking Member of the Senate Banking, Housing and Urban Affairs Committee, recently contacted companies to inquire about auto lending practices.⁶ Such investigations may involve requests for companies’ internal pricing data, communications with regulators and information regarding cost increases passed to consumers.

What a Congressional Probe Could Entail

Scrutiny does not begin with a subpoena from a committee chair. In an election year when a change in party control is anticipated, letters from the minority party are often the first step in the investigative process. Although those letters do not themselves carry legal force, the information requests and narratives they contain are a strong preview of the investigations that the lawmakers who sent them, once in the majority,

⁴ See Press Release, Sen. Elizabeth Warren, *Warren, Baldwin, Casey, Schakowsky Reintroduce Legislation to Crack Down on Price Gouging by Giant Corporations* (Feb. 15, 2024), <https://www.warren.senate.gov/newsroom/press-releases/warren-baldwin-casey-schakowsky-reintroduce-legislation-to-crack-down-on-price-gouging-by-giant-corporations> (stating that corporate price gouging is increasing costs for American consumers); Joint Econ. Comm. Democrats, *How Democrats Are Lowering Costs for Families In Every State* (July 31, 2024), <https://www.jec.senate.gov/public/index.cfm/democrats/2024/7/test-state-cost-savings-fact-sheets> (highlighting Democratic initiatives to reduce prescription drug prices, energy costs and other consumer expenses).

⁵ Rep. Josh Riley, *Rep. Riley Launches Congressional Lowering Utility Bills Caucus*, YOUTUBE (Jan. 23, 2026), <https://www.youtube.com/watch?v=YhEOGvdjg88>.

⁶ Sen. Elizabeth Warren, Senate Committee on Banking, Housing, and Urban Affairs, *Warren Deepens Probe into Auto Lending Industry Over Higher-Priced Loans to Service Members* (March 13, 2026), <https://www.banking.senate.gov/newsroom/minority/warren-deepens-probe-into-auto-lending-industry-over-higher-priced-loans-to-service-members>.

are likely to pursue. How and whether a company responds to such requests can have a profound impact on the intensity, course and outcome of a subsequent investigation.

Once they formally begin, congressional inquiries often move quickly, involve broad and time-sensitive requests, and create exposure with regulators, inspectors general, state attorneys general and the U.S. Department of Justice. Committees will often work behind the scenes with friendly media outlets and state attorneys general to maximize pressure on their investigative targets.

Congressional committees have a wider range of tools available, including information requests, voluntary interview requests, subpoenas for documents and testimony, public hearings and referrals to enforcement authorities. Unlike discovery in a civil case, which is generally tied to a defined legal claim, requires a threshold showing that relevant information is likely to bear on a potential violation of law and includes traditional and time-honored protections for sensitive and privileged information, congressional investigations are not similarly cabined. Congress may investigate any matter within its jurisdiction and is not required to limit inquiries to information that would establish the elements of a statutory violation. Exercising this broad authority, congressional committees often pursue broad, policy-oriented inquiries that extend well beyond what would be permissible in civil discovery.

The heightened media scrutiny that typically accompanies congressional inquiries poses a risk of systemic harm to companies under investigation. Committees are not obligated to keep documents or testimony confidential, and materials produced in an investigation may be publicly disclosed or shared with other stakeholders. These documents may be released with little to no protection for privacy and may include company information that is out of context or embarrassing.

Even if allegations are unsubstantiated, congressional investigations can be costly and disruptive. They often require significant attention from management, create operational strain and generate intense pressure on the organization and its leadership. The practical burdens can be substantial: preserving and collecting documents on an accelerated timetable; preparing senior executives or directors for testimony; managing potential public hearing exposure; and responding to scrutiny from investors and commercial partners.

Recommendations

- Organizations should evaluate potential exposure by identifying business segments, public statements and historical issues that may attract congressional scrutiny.

Matters that have already generated public controversy or those that could be framed through a political or consumer-protection lens are more likely to become oversight issues. Companies should also consider which congressional committees or individual members are most likely to focus on them. If a company anticipates an investigation, it should consider whether operational, governance, compliance or communications adjustments could reduce exposure or improve its position.

- Companies should plan a response to a congressional inquiry. Organizations that respond most effectively are typically those with a clear strategy in place before an inquiry arises. Institutions should identify who would lead a response and ensure that a team, including representatives from legal, compliance, government affairs and communications functions, is prepared to mobilize. Congressional investigations frequently require a coordinated legal and communications strategy, particularly if public hearings or media scrutiny are involved.
- Companies should engage experienced counsel with bipartisan relationships. Early engagement can help institutions evaluate potential exposure, preserve relevant documents and develop strategies for responding to committee requests. Counsel can also assist in managing communications with congressional staff, negotiating the scope of committee requests, protecting privilege and preparing executives for interviews or testimony. And staff for the minority party and inside the administration can often serve as helpful allies in opposition to partisan congressional oversight and investigations.

* * *

Please do not hesitate to contact us with any questions.



Carter Burwell
Partner, Washington, D.C.
+1 202 383 8149
cburwell@debevoise.com



David A. O'Neil
Partner, Washington, D.C.
+1 202 383 8040
+1 202 809 1995
daoneil@debevoise.com



Jane Shvets
Partner, New York, London
+1 212 909 6573
+44 20 7786 9163
jshvets@debevoise.com



Courtney Barger
Associate, Washington, D.C.
+1 202 383 8035
cebarger@debevoise.com



Alexandra McDevitt
Associate, New York
+1 212 909 6803
apmcdevitt@debevoise.com