Post-Election Lameduck Could Be Contentious

The outgoing Republican-controlled Congress has yet to pass a full-year funding bill for most federal agencies. Although funding for the Department of Education is set for 2019, requested funding for a border wall, the plight of DACA participants, or other hot-button issues may result in a government shutdown before year’s end.

Legislative Gridlock Will Get Even Worse

The divided 116th Congress will find legislating far more challenging while the presidential veto looms large. With Republicans maintaining control of the Senate and the new House leadership expected to prioritize oversight, major legislative initiatives like the comprehensive reauthorization of the Higher Education Act will be unlikely, especially during the lead-up to the 2020 elections.

Looming Showdowns and Shutdowns

Necessary funding bills to keep government and federal programs running will be more contentious and debate around these measures more acrimonious as each political party vies for legislative advantage, especially when the Democratic House majority takes on the Trump administration's priorities.

Oversight!

Legislative oversight of the Department of Education, its regulatory actions, relationships with the for-profit sector and loan servicers, among other stakeholders, is expected. Heightened scrutiny of specific actions taken by the Department’s Office of Civil Rights around affirmative action and Title IX is also expected.

DEclared Election Results*

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<thead>
<tr>
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<th>Democrat</th>
<th>Republican</th>
<th>Independents</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. House</td>
<td>219</td>
<td>193</td>
<td>0</td>
</tr>
<tr>
<td>U.S. Senate</td>
<td>43</td>
<td>51</td>
<td>2 (caucus with Democrats)</td>
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Yesterday’s Democratic gains in the House of Representatives will result in the selection of a new Speaker, appointment of new Committee Chairs, and the adoption of a robust oversight agenda in the 116th Congress. The incoming Democratic majority on only one side of the Capitol ushers in a new balance of power in American politics by ending the Republican Party’s exclusive control of both chambers of Congress and the executive branch of government.

(*as of the morning of November 7, 2018)