- Will Biden be able to pass new climate legislation in the next two years? Will EPA be shut down due to budget disputes?
- Will he be able to add any new judges to balance Trump’s anti-regulatory appointees?
- Can Biden appoint new administrators to serve the next two years?
- How much will the Administration be hammered by hostile committees or impeachment efforts?

The answers depend on what happens tomorrow night.

Right now, election prospects have reverted about where they were last summer. The House seems very likely to flip to the Republicans, with perhaps 10-20 seats changing hands. In terms of what to watch for in the Senate, the most critical states remain Nevada, Georgia, and Pennsylvania. Whichever party wins two of the three is likely to control the Senate. **[UPDATE: *As of Nov. 10, the Democrats won Pennsylvania, Georgia has gone to a runout, and Nevada is still too close to call. Arizona is also too close to call, and Democrats must win two out of Arizona, Georgia, and Nevada to hold the Senate*.]**

To unpack the consequences a bit: the prospects for new appointments depend on who controls the Senate, which in turn depends on whether the Democrats are able to hold onto their current razor-thin control of the Senate. If Mitch McConnell is Senate majority leader, he’s likely to block most appointments. And new legislation can’t reach the floor without his o.k., even if a bill has enough Republican support to pass.

What happens in the House also matters. GOP control is likely to lead to very confrontational politics, up to and including possible impeachment proceedings. If the Democrats get control of the House and the Senate – less likely but it still possible — things will continue on their present course, including possible new climate spending.

If the Republicans win the House, as seems probable, McCarthy may have trouble controlling his very fractious caucus. **[UPDATE: *As of Nov. 10, it still seems likely that the GOP will flip the House, but probably with a small margin.*]** A lot will depend on whether the less conservative members of the caucus have any bargaining power with McCarthy, or whether the extremists are in a position to dictate everything. There’s already been talk about holding the debt limit hostage in order to force repeal of the Inflation Reduction Act.

Given the way elections work these days, we may not know the full outcome for days or weeks. But when the polls close Tuesday night, they die will have been cast – all that will remain is counting the votes.