



*Week Ending 11-7-25*

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### **This Week in Congress**

This week, the Senate was in session, but the House remained out of session; it has not voted in 45 days. The Senate considered the House-passed continuing resolution (CR) again this week and the chamber voted on administration nominees. Senate Democrats called for a vote on a war powers resolution that would block military strikes on Venezuela without congressional authorization and the chamber considered an appropriations minibuss that will package the Defense bill with a few others.

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### **Status of the Government Shutdown**

Delays and canceled flights hit air travelers on Day 38 of the Government shutdown. The Senate is expected to vote today but not on anything related to what Democrats want on health care. In other words, there may not be enough votes from Democrats to reopen the government. "You can put me down as a hell no," said Sen. Ruben Gallego (D-AZ).

A possible lapse in federal food aid funding, the start of the Affordable Care Act (ACA) open enrollment, and upcoming elections could encourage a deal to reopen the government. The administration claimed it cannot use emergency funds to continue SNAP payments, but this has been legally challenged. Two federal judges have issued orders: one in Rhode Island directed contingency funds be used for SNAP benefits; another in Boston required the administration to clarify plans for partial funding.

Congressional Republicans are divided: some support extending food aid through proposed bills, while Republican leaders resist targeted relief, arguing it prolongs the shutdown. Democrats maintain their position to not vote for the House CR but may reconsider if public opinion shifts or pressure over food benefits grows. Centrist Democrats have begun talks with Republicans about possible solutions.

Presidential involvement complicates the standoff, with President Trump calling for ending the filibuster, an option lacking enough Republican support. Changing Senate rules to allow simple majority passage of spending bills is also unlikely, as it would benefit Democrats in the future and does not resolve current challenges given the Republican's slim House majority.

If the Senate does negotiate an agreement to reopen the government, it might include the following provisions:

1. A later end-date for the CR than what was written in the House-passed measure. If this happens, the House would have to take up and pass the new version of the CR.
2. A handshake agreement to advance a minibuss spending bill that includes FY 2026 appropriations for Agriculture, Military Construction-Veterans Affairs, and Legislative Branch, perhaps to be followed by a second minibuss that pairs the Defense appropriations bill with Labor-Health and Human Services (HHS) (and also maybe Transportation-Housing and Urban Development (HUD), and Commerce Justice-Science (C-J-S)).
3. Commitments from Republican Senators that they will not authorize rescissions of appropriated funds.

4. A promise to hold a vote on ACA enhanced premium tax credits at some point after the government reopens. This could include a meeting with the President before any such vote to discuss the issue. And it might involve formation of a bipartisan working group.

As Sen. John Kennedy (R-LA) put it about the shutdown battle, "This is a total goat rodeo," before launching into a story about his old dog, Roger. "I used to have a beagle named Roger, and I loved Roger. He was a rascal, though. He'd run off, and I'd worry Roger would die. But Roger would always come back, and he was always dragging roadkill, and he'd hide it under my back porch. This thing looks like roadkill that Roger used to hide under my back porch. I've never seen anything like it."

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### **Tariff Pushback**

Last week, the Senate approved three resolutions to end national emergencies declared under the International Emergency Economic Powers Act and the National Emergencies Act, which President Trump used to justify broad tariffs on imports. These resolutions did not require the usual 60-vote threshold.

1. The first resolution (S.J. Res. 81) ended the emergency used to impose tariffs on Brazilian products, passing 52-48 with several Republicans joining Democrats.
2. The second resolution (S.J. Res. 77) terminated the emergency behind tariffs on Canadian imports, passing 50-46.
3. The third measure, ending the emergency for tariffs on all U.S. trading partners, passed 51-47.

These resolutions are unlikely to advance in the House, but the votes show bipartisan opposition to some of the President's actions.

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### **FY 2026 Appropriations**

The Senate made some progress on FY 2026 appropriations bills. Senate Democrats hot lined a proposal to package together four appropriations bills: Defense, Labor-HHS, Treasury-HUD, and C-J-S. Hot lining tests for any objections to allowing the Senate to bypass regular procedure and move legislation to a vote with little or no floor debate. In this case, it was used to show that there would be no issues on Democrats' side to move forward with such a spending package. That said, Republicans could object to moving those bills together. Controversial provisions in the bills relate to the location of the new FBI headquarters and an amendment that would require Attorney General Pam Bondi to report on disgraced financier Jeffrey Epstein.

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### **CISC Offers Comments on OSHA's Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings Proposed Rule**

The Construction Industry Safety Coalition (CISC), which FCA is allied with, submitted comments following a written post-hearing brief regarding the Occupational Safety and Health Administration's (OSHA)'s Notice of Proposed Rulemaking concerning the Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings.

The CISC has played an active role throughout the rulemaking process for OSHA's proposed heat safety standards. It submitted thorough pre-hearing written comments outlining its perspectives and recommendations. The CISC has consistently stressed that any regulatory framework adopted needs to be flexible and performance based. Additionally, if OSHA establishes a federal heat standard, the CISC has repeatedly urged for a separate rulemaking tailored specifically for the construction industry, as has been done with other major regulations. In preparing its written comments, CISC members held multiple meetings and teleconferences, soliciting direct feedback from their association members regarding OSHA's approach to managing hazardous heat in construction. The comments provided are based on this specific input from

member organizations.

OSHA's proposed rule aims to regulate hazardous heat in almost every workplace, both outdoors and indoors, without limiting requirements by industry. The proposed measures would apply equally across general industry, construction, maritime, and agriculture sectors under OSHA's jurisdiction. Employers would need to develop written plans to evaluate and control heat hazards. Additional controls like easily accessible water, paid rest breaks, and acclimatization protocols for new or returning workers would be mandated when the heat index reaches either 80°F or 90°F, depending on severity. There are also proposed training and new recordkeeping requirements.

While CISC values OSHA's effort to simplify compliance through a uniform standard, it feels the current proposal falls short. The one-size-fits-all approach lacks the necessary flexibility for construction work. Fixed temperature thresholds don't account for regional climate differences, diverse job tasks, or individual responses to heat. The strict acclimatization procedures do not let employers tailor protocols to suit their particular workforce or site, potentially leading to significant financial and operational consequences. Some requirements may inadvertently increase risks for construction workers, given the specific challenges of working at heights or around heavy machinery. Furthermore, the mandate for written plans essentially means all employers, including small businesses with ten or fewer workers, must document compliance, which is impractical.

A distinct regulation for construction is crucial, as the industry operates very differently from general industry, shipbuilding, or agriculture. Construction sites are hybrid environments that change significantly during the course of a project. The proposed rule's rigid definitions of "indoor" and "outdoor" worksites do not fit the reality of construction work. Multi-employer settings are common in construction, and OSHA's policy would unfairly burden general contractors, often small businesses, with ensuring subcontractors comply, though they may not have control or access to needed records.

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### **Federal Reserve Cuts Interest Rates**

The Federal Reserve cut interest rates by 0.25 percentage points, marking the second consecutive rate cut of the year. The new rate range is now 3.75% to 4%, the lowest since December 2022. The U.S. labor market has slowed throughout 2025, adding an average of just 29,000 jobs a month. The unemployment rate has risen to 4.3 percent from 4 percent in January, and the rate of hiring has slowed to levels not seen since the COVID-19 pandemic. Inflation has also steadily risen since the summer, hitting an annual rate of 3 percent in September, per the latest Consumer Price Index (CPI) data.