



Week Ending 3-27-26
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This Week in Congress!

Congress was in session this week in anticipation of a two-week Passover/Easter break starting next week, but the Senate may cancel all or part of that recess.

The House voted on the following bills:

- **H.R. 8029:** A new DHS appropriations bill, nearly identical to two earlier FY26 DHS spending bills passed by the House.
- **H. Res. 1128:** A resolution expressing support for DHS employees and highlighting risks from a prolonged funding lapse.
- **H.R. 7084:** Allows the president to deny U.S. port access to foreign vessels that previously accessed a U.S.-owned port seized by a Western Hemisphere trade partner.
- **H.R. 5103:** Establishes a federal commission to oversee law enforcement and implement a beautification program in Washington, D.C.
- **H.R. 2474:** GAO study on using satellites in Appalachian Regional Commission broadband projects.
- **H.R. 7388:** Requires GSA to consult real estate experts on alternative methods to reduce costs of federal building projects.
- **H.R. 7342:** Expands Commerce Department economic development grants for infrastructure projects aimed at job creation.
- **H.R. 6427:** Allows states to use their own highway standards for small-airport airfield pavements funded federally.
- **H.R. 6422:** Reauthorizes multiple EPA programs to improve water quality and restore ecosystems through 2031.

The Senate confirmed Sen. Markwayne Mullin (R-OK) as Department of Homeland Security (DHS) Secretary, debated the SAVE America Act along with voting on the Department of Homeland Security Appropriations Bill.

SAVE America Act

The Senate began debate last Tuesday on the voter identification bill, a top priority for President Trump and on Saturday, the chamber voted strictly along party lines to reject two amendments: a Republican proposal to bar transgender women from competing in women's college sports, and a Democratic amendment from Minority Leader Schumer (D-NY) attempting to force a vote on a bill to pay Transportation Security Administration (TSA) employees.

Senate Majority Leader Thune (R-SD) offered amendments requiring photo identification to vote, along with targeting mail-in voting and banning gender-affirming surgery for minors are expected.

Meanwhile, President Trump continues to pressure Republicans to eliminate the filibuster to pass the bill, despite Republican leadership noting that they lack both the votes to remove the filibuster and the numbers to pass the legislation by simple majority. President Trump has further warned that he will publicly target Republican senators if the chamber recesses at the end of the week without advancing the bill.

FY26 DHS Appropriations

TSA lines and airport wait times continued to worsen over the weekend as more agents quit or stayed home. In response, President Trump announced that ICE agents will be deployed to airports and some Democrats interpret this as an effort by the administration to avoid blame for travel disruptions caused by the shutdown, while some Republicans have expressed concern about the optics of sending immigration agents to manage airport crowds.

Bipartisan negotiations continue, with a group of Senators—including several Democrats who supported ending last year's full government shutdown—working with the White House on Democrats' demands to restrict ICE enforcement activities as a condition for funding DHS. Last week, a tentative breakthrough emerged when Sen. Mullin (R-OK), the President's nominee to lead DHS, indicated at his confirmation hearing that he would accept Democratic calls requiring ICE agents to obtain a judicial warrant before entering homes or businesses. The following day, Senate negotiators met with Border Czar Tom Homan, and on Friday evening, the White House submitted draft legislative text to the Senate. Leaders from both parties expressed cautious optimism that a deal could be reached.

Senate Majority Leader Thune spoke with the President, proposing that all DHS components be funded immediately, except ICE, which Republicans would fund later through a partisan budget reconciliation package. The President rejected the proposal, declaring that no DHS funding negotiations should proceed until the SAVE America Act passes in the Senate—a reversal from his prior willingness to pursue DHS appropriations alongside the election security bill. Leader Thune has warned that he may cancel the Senate's upcoming recess if DHS remains unfunded at the end of this week.

Iran War Funding

The Pentagon is reportedly preparing to request \$200 billion in FY 2026 supplemental funding to support operations in Iran. Many Democrats have already vowed to oppose any such spending, characterizing the effort as an unauthorized war. Without a major unifying event, it is highly unlikely that the measure could pass the Senate on its own, leaving passage feasible only as part of a budget reconciliation package.

War Powers Resolution

Last Wednesday, Senate Democrats forced a vote on one of five pending War Powers resolutions, this one sponsored by Sen. Booker (D-NJ) (S.J. Res. 118). The measure, which would have directed the removal of U.S. armed forces from hostilities within or against Iran that have not been authorized by Congress, failed by a vote of 47-53. As with the last such Iran war resolution, one Democrat (Sen. Fetterman (D-PA)) and one Republican (Sen. Paul (R-KY)) broke ranks on what was otherwise a party-line vote. Democrats plan to continue to bring up similar resolutions for floor votes.

Department of Labor Updates

On March 16, the Department of Labor's Wage and Hour Division submitted for review a new proposed rulemaking on joint employer status under the Fair Labor Standards Act, Family and Medical Leave Act, and Migrant and Seasonal Agricultural Worker Protection Act. Wage and Hour explained the basis for the rule:

"Since 2021, the Department has had no regulatory guidance addressing joint employer liability under the Fair Labor Standards Act (FLSA). The Department is considering a notice of proposed rulemaking to adopt regulations that would guide WHD's enforcement of FLSA joint employer liability, and help promote greater uniformity among court decisions nationwide."

The review can last anywhere from a few days to several months. Once we have the proposal, we will be drafting comments accordingly.

OSHA issued a press release announcing its new “OSHA Cares” initiative, described as an “agency-wide effort focused on helping businesses meet federal workplace safety requirements, while also building strong, successful safety and health programs that benefit employers and workers.” OSHA states the initiative is intended to “strengthen customer service” and “prioritize prevention and collaboration,” with a focus on making the agency “more approachable” and encouraging employers to “seek assistance or guidance to improve safety and health at their worksite.”

As part of this effort, OSHA highlights expanded compliance assistance, including “increasing access to OSHA experts and compliance assistance specialists,” “improving access to educational and training materials,” and offering “consistent workplace assistance during enforcement visits and meetings.” Notably, OSHA’s Directorate of Enforcement Programs is “launching a training program that will standardize how the agency’s Compliance Safety and Health Officers will offer real-time assistance during inspections and enforcement activities.”

Gas Prices

One way the war is hurting Americans is at the gas pump. Per AAA, the war with Iran has pushed gas prices up to an average of \$3.98 per gallon this week in the United States and there is no sign that it’s going to let up. The highest recorded average price for regular unleaded was \$5.02 per gallon on June 14, 2022.