Week in Regulation

Glimmers of Rulemaking as Shutdown Persists

DAN GOLDBECK | OCTOBER 20, 2025

The federal government shutdown continues with no clear end in sight. This led to a virtually complete rulemaking vacuum during the first full week of October. This past week, however, saw a couple of agency actions with meaningful – albeit quite minimal – economic effects finding their way onto the pages of the Federal Register. Across these rulemakings, agencies published roughly $1.9 million in total costs and added 1,660 paperwork burden hours.

REGULATORY TOPLINES

- Proposed Rules: 5
- Final Rules: 6
- 2025 Total Pages: 48,265
- 2025 Final Rule Costs: -$74.8 billion
- 2025 Proposed Rule Costs: -$628 billion

NOTABLE REGULATORY ACTIONS

The two rulemakings of any real substance for this past week included:

- A final rule from the Financial Crimes Enforcement Network (FinCEN) regarding the "Imposition of Special Measure Regarding Huione Group, as a Foreign Financial Institution of Primary Money Laundering Concern," that involved annual costs and paperwork burdens of roughly $43,000 and 360 hours, respectively, and;

- A proposed rule from the Patent and Trademark Office (PTO) seeking to implement a "Revision to Rules of Practice Before the Patent Trial and Appeal Board" that carries $581,100 and 1,300 hours of additional costs and paperwork burdens.

Neither of these actions could be confused for being a major economic game-changer in their own right, but their publication during a time when most agency activity should be at a standstill is noteworthy. The FinCEN rule likely broke through the morass based upon fitting into one of the agency's "Excepted Activities" categories. Meanwhile, PTO plans to function at least somewhat regularly for the foreseeable future due to reserve funds from its previous fee collections.

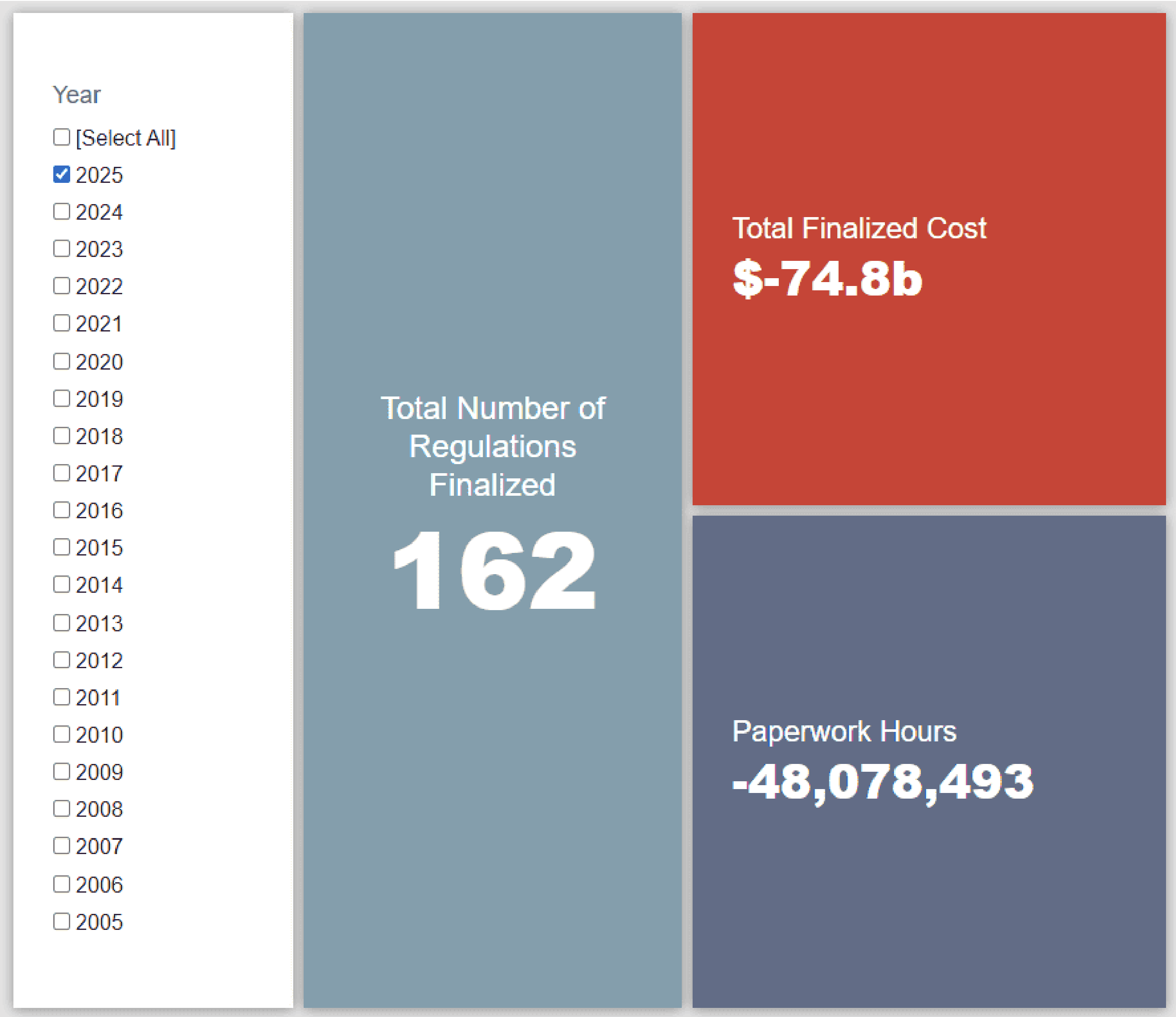
TRACKING TRUMP 2.0

There were no further regulatory policy announcements from the White House, nor any developments regarding Congressional Review Act (CRA) matters.

The American Action Forum (AAF) CRA tracker provides a full survey of activity under the law thus far in 2025. As of today, members of the 119th Congress have introduced CRA resolutions of disapproval addressing 65 rulemakings across the Biden and Trump Administrations that collectively involve $138 billion in compliance costs. Of these, 16 have been passed into law, repealing a series of Biden Administration rules that had a combined $3 billion in associated compliance costs – roughly 2 percent of that potential $138 billion total. While the main window of CRA action has largely passed, there are still outstanding resolutions that could move legislatively. AAF will continue to monitor and update such developments as appropriate.

TOTAL BURDENS

Since January 1, the federal government has published $702.8 billion in total regulatory net cost savings (with $74.8 billion in cost savings from finalized rules) and 69.6 million hours of net annual paperwork cuts (with 48.1 million hours coming from final rules).


Year
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2022
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2019
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2011
2010
2009
2008
2007
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2005
Total Number of Regulations Finalized
162
Total Finalized Cost
$-74.8b
Paperwork Hours
-48,078,493