

# POLICY MATTERS

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*June 28, 2018*

**Supreme Court's Janus Decision Deals Blow to Public Sector Unions.** On the last day of the Supreme Court's term, the bench [ruled 5 - 4](#) yesterday that [public-sector unions can no longer require mandatory "fair share" fees from non-members](#) to cover their cost of collective bargaining. The ruling fell along ideological lines, with Justice Alito delivering the conservative majority's opinion that forcing workers to finance union activity [violated their First Amendment rights](#). Further, the ruling requires unions to adopt an "opt in" system for workers to join up and pay dues rather than merely allowing workers to opt out of doing so. While organized labor has been preparing for this long anticipated ruling, [significant drops in support are likely](#). Union membership nationwide is [less than 11 percent of the American workforce](#), but about a third of government employees are union members.

See our recently issued [Management Alert](#) for more information on the decision.

**SCOTUS Upholds President Trump's Travel Ban.** On Tuesday, the Supreme Court ruled to [uphold President Trump's travel ban](#) on people from seven different countries—Iran, Libya, North Korea, Somalia, Syria, Yemen, and some government officials from Venezuela—entering the United States. This was the [third iteration of the ban](#) since it was first announced in January 2017—the previous two were overturned in earlier court decisions. In a [5-4 decision](#), the court ruled that the president had the authority, on national security grounds, to enact [sweeping travel restrictions](#). Chief Justice Roberts wrote that U.S. immigration law clearly gives the president "broad discretion to suspend the entry of aliens into the United States."

**Supreme Court Justice Anthony Kennedy to Retire.** After the final decision of the Supreme Court's term was delivered yesterday, Justice Anthony Kennedy [informed President Trump](#) of his decision to retire from the bench at the end of July. Kennedy, who has been on the Supreme Court for 30 years, has been the [deciding vote on many high-profile cases](#) including legalizing same-sex marriage, ending limits on political spending in the *Citizens United* case, and upholding *Roe v. Wade*.

Kennedy's announcement presents President Trump with an opportunity to replace the pivotal justice and solidify a more conservative majority on the court. In April, the New York Times' Editorial Board published an [open letter to Justice Kennedy](#) imploring him to stay on the bench in order to avoid this very situation. After Kennedy's announcement, Senate Majority Leader Mitch McConnell [immediately promised to confirm President Trump's nominee](#) this fall before the upcoming midterm elections. The Senate voted last year to change its rules to allow Supreme Court justices to be [approved by only a simple majority](#).

**House "Compromise" Immigration Bill Soundly Defeated.** Yesterday afternoon, the House [overwhelmingly rejected](#) the Republican compromise immigration bill, defeating the measure by a [vote of 121 - 301](#). The bill would have funded President Trump's border wall, offered DACA recipients a path to citizenship, and partially addressed the family-separation crisis at the southwest border. 112 Republicans (and all Democrats) voted against the measure, despite President Donald Trump's last-minute push for the legislation and weeks of negotiation between GOP lawmakers. Republican aides said the House [would not vote this week](#) on a narrower measure dealing with the family separation policy because of disputes between Congress and the White House on how far such a bill should go.

## Midterm Election News:

- On Tuesday, Rep. Joe Crowley, Chair of the House Democratic Caucus, [suffered a shocking defeat](#) in the Democratic primary for New York's 14th District. Crowley was defeated by Alexandria Ocasio-Cortez, a 28-year-old political newcomer, who is a member of the Democratic Socialists of America and a former organizer for Bernie Sanders' presidential campaign. Ocasio-Cortez ran on a platform calling for generational, racial and ideological change, highlighted in a [2-minute campaign video](#) released only 4 weeks ago. Crowley [outspent Ocasio-Cortez](#) by a margin of 18 - 1 and was thought to be the eventual [successor to Nancy Pelosi](#) as Democratic leader.
- In other primary news from Tuesday, [Mitt Romney easily clinched](#) the Republican nomination for the Senate in Utah, garnering 73 percent of the vote. Rep. Dan Donovan [successfully fought off](#) a challenge from former Rep. Michael Grimm in NY-11 and South Carolina Gov. Henry McMaster [won the run off for the Republican gubernatorial nomination](#). In Mississippi, Democrats [nominated state Rep. David Baria](#) to challenge Sen. Roger Wicker in November.
- NBC News / Marist [released several polls earlier this week](#) showing Democrats with double-digit leads in Senate races in Arizona and Ohio, while Democratic Sen. Bill Nelson holds a [narrow lead](#) within the margin of error over Gov. Rick Scott in Florida. In Arizona, Democrat Rep. Kyrsten Sinema is ahead of all three potential Republican opponents for Sen. Jeff Flake's seat, and in Ohio Sen. [Sherrod Brown leads GOP challenger](#) Jim Renacci by 13 points.

**July 4th Recess.** Congress is out of session next week for Independence Day. Due to the recess, [Policy Matters will be off as well](#). Look for our next weekly download on July 12.

By: [Randy Johnson](#) and [Walt Mullan](#)

Randy Johnson is a Partner in Seyfarth Shaw's Washington, DC office and chairs the firm's [Government Relations and Policy Practice Group](#) (GRPG). Walt Mullan is the Senior Manager of Government Affairs and Policy for the GRPG.

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Seyfarth Shaw LLP | Policy Matters | June 28, 2018

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