

World News Roundup

Unions

Gorsuch silent

Divided justices spar over unions

WASHINGTON, Feb 27, (AP): With the justice holding the decisive vote silent, a divided Supreme Court sparred Monday over a case that could undermine the financial footing of labor unions that represent government workers.

The justices heard arguments in a challenge to an Illinois law that allows unions representing government employees to collect fees from workers who choose not to join.

Amid colorful, occasionally angry comments from his colleagues, Justice Neil Gorsuch asked no questions during the hourlong session.

The court split 4-4 the last time it considered the issue in 2016 following the death of Justice Antonin Scalia.

Gorsuch joined the court in April and has yet to weigh in on union fees. Organized labor is a big supporter of Democratic candidates and interests. Unions strongly opposed Gorsuch's nomination by President Donald Trump.

The unions say the outcome could affect more than 5 million government workers in 24 states and the District of Columbia.

In many respects, Monday's arguments were a replay of what happened in 2016, when the court took up so-called fair share fees and appeared to be ready to overrule a 1997 high court decision that serves as their legal foundation. But Scalia's death left the court tied, and a lower court ruling in favor of the fees remained in place.

Representing

"You're basically arguing, do away with unions," Justice Sonia Sotomayor told William Messenger, a lawyer with the National Right to Work Legal Foundation. The group is representing Illinois worker Mark Janus in his Supreme Court challenge.

On the other side, Justice Anthony Kennedy, who has voted against unions in past related cases, scoffed at labor's argument that there is a difference between collective bargaining over government employees' pay and benefits, and unions' political activities, which nonmembers do not have to support.

If the unions lose, won't they have less political influence, Kennedy asked David Frederick, representing the American Federation of State, County and Municipal Employees Illinois affiliate. Yes, Frederick said.

"Isn't that the end of this case?" Kennedy replied.

Janus says he has a constitutional right not to contribute anything to a union with which he disagrees. Janus and the conservative interests that back him contend that everything unions representing public employees do is political, including contract negotiations.

Janus and Illinois Gov. Bruce Rauner, a Republican who has had a contentious relationship with the state's unions since taking office in 2015, were both in the courtroom Monday. "I am confident that they will side with free speech for the people of our great nation," Rauner said of the justices, following the arguments.

The Trump administration is supporting Janus in his effort to persuade the court to overturn its 1977 ruling allowing states to require fair share fees for government employees.

Union

The unions argue that so-called fair share fees pay for collective bargaining and other work the union does on behalf of all employees, not just its members. More than half the states already have right-to-work laws banning mandatory fees, but most members of public-employee unions are concentrated in states that don't, including California, New York, and Illinois.

American Federation of Teachers President Randi Weingarten said wealthy conservative business interests are behind the legal challenge. "They're attacking us because they see a strong labor movement as a threat to their wealth and power," Weingarten said.

Labor leaders fear that not only would workers who don't belong to a union stop paying fees, but that some union members might decide to stop paying dues if they could in essence get the union's representation for free.

Justice Ruth Bader Ginsburg suggested it would be natural for union members to say "I would rather keep the money in my own pocket," potentially seriously cutting union revenues.

"I submit that's a perfectly acceptable result," Messenger said.

The lawyers' arguments and some of the justices' comments appeared to be pitched to attract Gorsuch. Frederick, a former law firm colleague of the justice, made an originalism appeal on the unions' behalf, borrowing a typically conservative argument that judges should look to what the Constitution meant when it was written.

Gorsuch has spoken of his fidelity to reading the Constitution and laws as they were originally intended.

But Justice Samuel Alito, who has written two opinions attacking fair share fees, said Frederick's argument was "something I thought I would never see in a brief filed by a public employee union."

Justices Stephen Breyer and Elena Kagan stressed again and again how much might be upset if Janus wins, which might appeal to Gorsuch if he is reluctant to overturn the 1977 decision, *Abood v. Detroit Board of Education*.

"Property and contract rights, the statutes of many states and the livelihoods of millions of individuals affected all at once," Kagan said. "When have we ever done something like that?"

A decision in *Janus v. AFSCME Council 31, 16-1466*, is expected by late June.



Gorsuch



Activists rally in front of the US Supreme Court on Feb 26 in Washington, DC. The court is scheduled to hear the case, *Janus vs AFSCME*, to determine whether states violate their employees' First Amendment rights to require them to join public sector unions which they don't want to associate with. (AFP)



US President Donald Trump speaks during the 2018 White House business session with state governors in the State Dining Room of the White House on Feb 26 in Washington, DC. (AFP)



Hicks



Parscale

America

Trump aide Hicks testifies: Hope Hicks, a close aide to President Donald Trump, arrived at the US House of Representatives Intelligence Committee on Tuesday morning for what could be several hours of testimony in its investigation of Russia and the 2016 US election campaign.

White House communications director Hicks was Trump's spokeswoman during the 2016 election campaign. Committee members told reporters they did not know before her testimony whether she would answer their questions, or refuse by invoking executive privilege.

Other Trump aides, such as former White House adviser Steve Bannon, have declined to answer many of the committee's questions for that reason.

Hicks arrived at about 10 a.m. EST (1500 GMT) for a closed door session with the panel, which is conducting one of three main congressional investigations of allegations that Russia sought to interfere in the 2016 election to boost Trump's chances of victory, and whether his associates colluded with Russia. (RTRS)

Parscale to manage Trump re-election: President Donald Trump on Tuesday named political strategist Brad Parscale as manager of his 2020 presidential re-election campaign, rewarding a digital expert who was critical to Trump's 2016 victory and who is trusted by the Trump family.

In a statement, the Trump campaign said it planned to use Parscale's talent to help Republicans in the 2018 congressional elections in November as they try to hold on to control of the US Congress.

Trump, 71, had already signaled plans to run for re-election, filing a letter of intent with the Federal Election Commission on Jan. 20, 2017, the day he took office. He frequently relives his improbable 2016 victory in speeches and interviews. (RTRS)

WH, Boeing reach deal: President Donald Trump has reached an informal deal with Boeing to provide the next generation presidential aircraft.

Deputy press secretary Hogan Gidley says the \$3.9 billion "fixed price contract" for the new planes, known as Air Force One when the president is on board, "will save the taxpayers more than \$1.4 Billion."

Boeing, in a statement, said it is "is proud to build the next generation of Air Force One." The company added: "President Trump negotiated a good deal on behalf of the American people." (AP)

Panama slips into hotel dispute: Panama's government said Monday it was formally investigating a complaint that executives for President Donald Trump's family hotel business were illegally occupying a 70-story luxury Trump hotel amid a management dispute.

The Public Ministry said it was investigating whether there was any "punish-

Immigration

SC curbs rights of those awaiting deportation

No bond hearing for held immigrants

WASHINGTON, Feb 27, (Agencies): The US Supreme Court on Tuesday curbed the ability of immigrants held in long-term detention during deportation proceedings to argue for their release in a ruling in sync with President Donald Trump's get-tough approach toward immigration.

The justices, in a 5-3 decision, overturned a lower court's ruling that required that immigrants held by the US government who are awaiting the outcome of deportation proceedings get a bond hearing after six months of detention to seek their release.

The court's five conservatives were in the majority in the ruling written by Justice Samuel Alito, and three liberals dissented, including Justice Stephen Breyer, who sharply criticized the decision. Another liberal, Justice Elena Kagan, did not participate in the ruling.

The court threw out a 2015 decision by the San Francisco-based 9th US Circuit Court of Appeals, which had ruled that the government must provide bond hearings to gauge danger and flight risk when detention exceeds six months, and every six months after that. Former President Barack Obama's Justice Department appealed that ruling.

Breyer, in a lengthy dissent, said that forbidding bail would likely violate the US Constitution's guarantee of due process under the law. Breyer said he doubted the US Congress, in crafting the immigration provisions at issue in the case, would have wanted to put thousands of people at risk of lengthy confinement in the United States without any hope of bail.

"We need only recall the words of the Declaration of Independence, in particular its insistence that all men

and women have 'certain unalienable Rights,' and that among them is the right to 'Liberty,'" Breyer wrote.

Alito said that the immigration law provisions in question cannot be interpreted to limit the length of detention. He called Breyer's view of the statutes "utterly implausible."

Class action litigation brought by the American Civil Liberties Union challenged the US government's practice of placing immigrants facing deportation proceedings in detention for months or years without a chance to argue for release.

The case assumed added importance in light of the Trump administration's decision to ramp up immigration enforcement, with growing numbers of people likely to end up in detention awaiting deportation.

Hearings

The government has argued that bond hearings can be permitted in certain instances, but opposed a blanket rule requiring them.

Those suing included immigrants who were held at the border when seeking illegal entry as well as others, including lawful permanent residents who hold so-called green cards, who have been convicted of crimes.

In dissent, Breyer said that asylum seekers or non-citizens who arrive at the US border still have due process rights.

"We cannot here engage in this legal fiction," Breyer wrote.

"Whatever the fiction, would the Constitution leave the Government free to starve, beat, or lash those held within our boundaries? If not, then, whatever the fiction, how can the Constitution authorize the Government to imprison arbitrarily those who, what-

ever we might pretend, are in reality right here in the United States?"

Breyer added, "No one can claim, nor since the time of slavery has anyone to my knowledge successfully claimed, that persons held within the United States are totally without constitutional protection."

The lead plaintiff is Alejandro Rodriguez, a legal immigrant from Mexico living in California who was brought to the United States as a baby. He was working as a dental assistant when he was detained for three years without a hearing after being placed in deportation proceedings based on two non-violent convictions, joyriding and misdemeanor drug possession.

Although Rodriguez was released eventually, the case brought on his behalf continued.

The justices issued the ruling on Tuesday after hearing the case for a second time. The Oct. 3 arguments came after they decided to rehear the case with a full complement of nine justices, with Trump's conservative appointee Neil Gorsuch joining the court in April 2017, after earlier holding arguments while shorthanded by one.

The Trump administration took the same position in the case during the October arguments as the Obama administration had taken previously.

Earlier, the Supreme Court on Monday rejected the Trump administration's highly unusual bid to bypass a federal appeals court and get the justices to intervene in the fate of a program that protects hundreds of thousands of young immigrants from deportation.

The announcement means the case affecting "Dreamers" will have to work its way through the lower courts before any Supreme Court ruling is possible.

able conduct" in the matter at the Trump International Hotel in Panama, and that it intended to ask for more information from both sides.

The dispute has brought armed guards on the property, allegations of improperly shredding documents and a pitched fight for control over a room filled with computer servers. Employees acting at the direction of Trump's hotel business retained physical control over the property, but the hotel's owners now control at least some of the hotel's bank accounts.

Monday's announcement comes in response to a tense standoff between the hotel's owners and Trump's executives, who were hired to run the hotel by the building's developer, many years before Trump was elected US president. Hotel owners have been seeking to dump Trump's brand and management team since October over allegations of poor financial performance and financial misconduct. Led by Orestes Fintiklis, a Miami-based private equity investor who runs Ithaca Capital, the owners voted to fire Trump's management company last year. (AP)

Melania cuts ties with adviser: Melania Trump has cut ties with an adviser whose firm was paid \$26 million to help plan the president's inauguration.

Mrs. Trump's spokeswoman, Stephanie Grisham, confirms Tuesday that the first lady's office has "severed the gratuitous services contract" it had with Stephanie Winston Wolkoff.

Winston Wolkoff is a New York-based event planner and longtime friend of the first lady. She'd been working as an unpaid White House adviser to Mrs. Trump.

The New York Times first reported on the termination of Winston Wolkoff's White House contract.

The first lady's spokeswoman has said Mrs. Trump had no role with the inaugural committee and didn't know how the money was being spent. (AP)

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