

POLICY MATTERS

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Deadline Set for Additional Kavanaugh Hearing. Senate Republicans are moving forward with [plans for a hearing](#) this upcoming Monday to consider sexual assault allegations against Supreme Court nominee Brett Kavanaugh. Sen. Chuck Grassley (R-IA), chairman of the Senate Judiciary Committee, sent a letter to Dr. Christine Blasey Ford's attorneys yesterday, setting a deadline for 10:00 a.m. on Friday for submitting prepared testimony. However, just this afternoon, Ford's [attorneys responded to Grassley](#) stating that she would be open to testifying next week, but not on Monday and only if she is offered "terms that are fair and which ensure her safety." Chairman Grassley has yet to respond.

DOL's Wage and Hour to Wrap Up "Overtime" Listening Sessions Next Week. On September 24, the U.S. Department of Labor's Wage & Hour Division (WHD) will host the last of its five "[Overtime Rule Listening Sessions](#)." These sessions, held around the country, were intended to allow employers, employees, and the entire regulated community to provide their input into WHD's efforts to revisit the white collar exemptions, including the minimum salary level required.

Join Seyfarth's wage and hour experts on September 25 for a 30-minute recap of the sessions and a preview of what to expect out of WHD in the coming months. Learn more [here](#).

Senate HELP Committee Considering Next Steps on NLRB Nominee Pearce. The Senate Committee on Health, Education, Labor, and Pensions (HELP) is deliberating over [how to proceed with Mark Gaston Pearce \(D\)](#), who President Trump recently renominated for a third term on National Labor Relations Board (NLRB). If the Senate HELP Committee approves Pearce's nomination, he would then be up for a confirmation vote before the full Senate.

Business groups have been staunchly opposed to Pearce serving a third term on the Board. On Monday, the U.S. Chamber of Commerce [submitted a letter](#) to Chairman Alexander (R-TN) and ranking member Murray (D-WA) outlining its opposition to Pearce, concluding that "[t]here is no urgency for a confirmation vote, and certainly better candidates for nomination can be found."

Midterm Election News:

- Earlier this week, Axios published a list of [eight midterm races](#) that it believes will serve as bellwethers for determining if the "blue wave" will be strong enough for Democrats to recapture the House and possibly the Senate. The list includes the reelection races of Sen. Ted Cruz (R) and Rep. Will Hurd (R) in Texas, the Ohio governor's race, Rep. Carlos Curbelo's (R) reelection bid in Florida, and Rep. Mimi Walters's (R) reelection race in Southern California.
- Recent [polling from Quinnipiac University](#) shows Sen. Ted Cruz (R-TX) with a 9-point lead (54-45) over his Democratic challenger, Rep. Beto O'Rourke. In Texas' gubernatorial race, Republican Governor Greg Abbott leads his Democrat opponent, Lupe Valdez, 58 - 39.

- Republican Gov. Scott Walker is trailing Democratic challenger Tony Evers by 5 points (49-44) in a [Marquette Law School poll](#) released on Tuesday. The same poll shows incumbent Democratic Sen. Tammy Baldwin with an 11-point lead (53-42) over Republican challenger Leah Vukmir.
- Rep. Chris Collins (R-NY), who is currently under indictment on insider trading charges, reversed course yesterday and announced that he [plans to seek another term](#). Rep. Collins made the decision on the advice of lawyers who said his removal from the ballot would most likely result in a Democratic lawsuit, muddling the election for his replacement and ultimately [leaving the seat vulnerable to Democrats](#).

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