

Jenner & Block Team Analyze *Shen v. Simpson* Decision

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Partners Jason Hipp and Ben Alter and Associate Sarah Geller analyze the Eleventh Circuit's decision in *Shen v. Simpson* and its implications for federal preemption challenges to state-level national security regulations in an article titled "Eleventh Circuit Decision Reveals Limits of Preemption Challenges to State-Level National Security Regulation."

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The Eleventh Circuit upheld Florida's SB 264, which restricts real property purchases by individuals domiciled in China, rejecting arguments that federal law preempts the state statute. The court found that state laws touching on foreign policy survive preemption challenges when they complement rather than contradict federal objectives.

The decision reflects a broader trend of states asserting themselves on national security and foreign affairs issues. Businesses and foreign nationals must now navigate a patchwork of state regulations on matters traditionally handled exclusively by the federal government.

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