

Steve Marshall
Alabama Attorney General



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**Attorney General Steve Marshall Warns President Biden to Drop Illegal
Vaccine Mandate or Face Lawsuit**

(MONTGOMERY) – Attorney General Steve Marshall warned President Joe Biden that he will face a lawsuit if his administration proceeds with his mandate that private-sector employees either get a COVID-19 shot, submit to weekly testing, or be fired. Attorney General Marshall joined a coalition of 24 attorneys general in issuing the warning in a letter to President Biden on Thursday.

“President Biden’s vow to impose an unlawful and unprecedented vaccination mandate on nearly 100 million Americans is an authoritarian power grab that the State of Alabama will not allow to go unchecked,” said Attorney General Marshall. “The president has no legal grounds to use the Department of Labor to order businesses to broadly force employees to submit to his get-vaxxed-or-get-fired dictate. As I have said, when his administration issues its rule, we file our lawsuit.”

Attorney General Marshall and 23 other attorneys general underscored that President Biden’s vaccine mandate misuses its authority in attempting to impose a nationwide health decree through an emergency labor order that heretofore has been directed to address workplace safety.

“According to you, Mr. President, this [mandate] would affect nearly 80 million Americans. But many millions more would be directly and indirectly harmed. Millions of Americans are threatened with losing their jobs and the benefits that come with them, including life and health insurance and retirement benefits. Your threat carries with it the threat of people losing their homes and shifting the financial obligation of supporting currently independent and employed individuals to public support systems. Worse still, if your expansive reading of the law succeeds, the American people can expect further abuses, as it is hard to imagine any requirement that the law would not allow. You are clearly acting beyond the scope of the statute, and you will fail in court.”

“Some proponents of broad government mandates have claimed authority from a previously little-known case of *Jacobson v. Massachusetts*. But that case is irrelevant. It holds only that a *State’s* vaccine mandate does not always violate the Fourteen Amendment right to due process. The case does not come close to suggesting that the *federal government* has the power to impose such sweeping federal mandates.”

“We thus urge you to reconsider your unlawful and harmful plan and allow people to make their own decisions. If your Administration does not alter its course, the undersigned state Attorneys General will seek every available legal option to hold you accountable and uphold the law.”



Attorney General Marshall joined attorneys general of Alaska, Arizona, Arkansas, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Utah, West Virginia and Wyoming in sending the letter to President Biden Thursday.

The Attorneys General letter can be read [here](#).