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Florida Attorney General's Office News Release

AG Moody Sues Biden Over Unlawful Vaccine Mandate



TALLAHASSEE, Fla.—Following through on a promise to hold President Joe Biden accountable for his unlawful vaccine mandate, Attorney General Ashley Moody today took legal action to stop his egregious federal overreach. Attorney General Moody's lawsuit seeks an immediate end to the unlawful requirement that federal government contractors ensure that all employees receive a COVID-19 vaccine. Florida companies, public and private, receive millions of dollars in federal contracts annually and will be negatively impacted by the unlawful requirements.

Attorney General Ashley Moody said, "I have never seen such blatant disregard for the Constitution or the laws governing our country. President Biden does not have the authority to force millions of Americans to receive a shot, nor does he have the ability to punish Florida economically for not abiding by his authoritarian, unlawful and unconstitutional executive order.

"I promised to challenge this gross abuse of power and to stand up for hardworking Floridians and that is exactly why I am suing this President and his reckless administration. As Attorney General, I have an obligation to defend the rule of law, Florida's workers and our state against heavy-handed federal overreach."

Governor Ron DeSantis said, "Just months ago Joe Biden was saying that it wouldn't be appropriate or lawful for the federal government to mandate these COVID shots. But now we have somehow gone from 15 days to slow the spread to 3 jabs to keep your job. The federal government is exceeding their power and it is important for us to take a stand because in Florida

we believe these are choices based on individual circumstances."

Attorney General Moody filed the Complaint for Declaratory and Preliminary and Permanent Injunctive Relief in the U.S. District Court for the Middle District of Florida. The filing outlines the harm to the state, particularly universities, Space Florida and the Florida Department of Education—public entities executing important work for the federal government financed through federal contracts. The complaint outlines the threat to these institutions and the state. Florida and Florida companies should not be forced to comply with arbitrary and capricious mandates enacted through an executive order to receive funding.

The complaint highlights the lack of historical precedent for this infringement on the autonomy of individual Americans, stating: "Nothing in that statute authorizes such a radical intrusion on the personal autonomy of American workers—especially, as is the case here, when many of those workers are officials of a sovereign state."

Additionally, the filing establishes the unconstitutional nature of the rule by outlining that Congress never provided the president authority to mandate that contractors ensure employees are vaccinated: "Providing the federal government with an economic and efficient system for procurement is not a broad enough delegation to impose nationwide social policy that Congress has not separately authorized. Further, the executive order is divorced from the practical needs of procurement. It will exclude otherwise competitive bidders, cause contractors to suffer labor shortages, and is substantially overbroad in, for example, refusing to account for natural immunity and ignoring the low transmission risk for COVID-19 outdoors."

To read the complaint, click here.

Attorney General Moody is demanding the court hold President Biden's executive order unlawful and issue injunctive relief to stop the enforcement of the illegal action.