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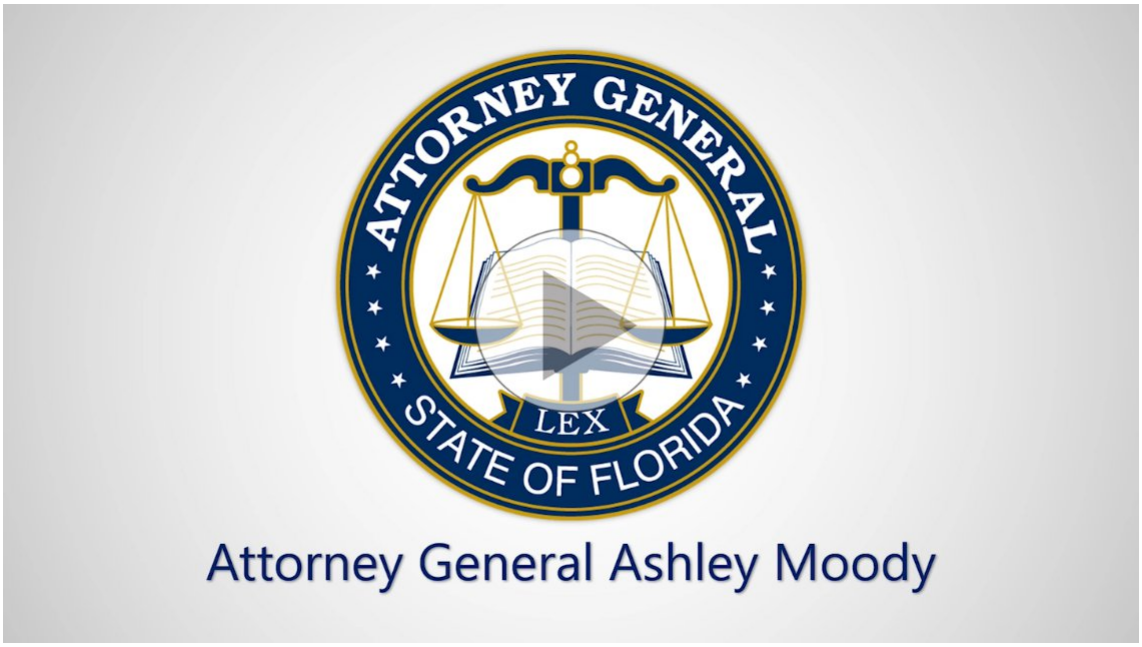
Florida Attorney General's Office News Release

AG Moody Demands Public Access to Biden's Court-Packing Commission Meetings



TALLAHASSEE, Fla.—Attorney General Ashley Moody is demanding President Joe Biden allow public access to every meeting of the Presidential Commission on the U.S. Supreme Court. According to news reports, the Commission will examine expanding the nation's highest court—a political power grab maneuver known as court packing. Attorney General Moody sent a letter to President Biden reminding the president that all meetings of the newly-created advisory commission must be open to the public in accordance with the Federal Advisory Committee Act, U.S.C. app. 2 § 10(a)(1).

Attorney General Ashley Moody said, "The potential political takeover of our courts is a threat to the foundation of our system of government and the separation of powers instilled in our Constitution. As Florida's Attorney General, I will do everything in my power to stand against President Biden's radical power grab.

"The Federal Advisory Committee Act is designed to ensure public access to all meetings of advisory committees like President Biden's Commission on the Supreme Court of the United States. We must be allowed to observe and challenge any and all undemocratic, un-American policy recommendations that threaten our democracy. If the president ignores my request to conduct these meetings in the sunshine, I will utilize the full power entrusted to me by the voters of Florida to preserve America's judicial system."

The president's Executive Order creating the Presidential Commission on the U.S. Supreme Court casts doubt on whether the administration will comply with FACA. A White House news release announcing the Commission is similarly vague about whether or not all meetings will be open to the public.

Additionally, the letter Attorney General Moody sent to President Biden states, "during the campaign, you indicated that you would let voters know your position on court-packing after the election. If EO 14023 is not an outright endorsement of court-packing, then your failure to explain your views on the matter is a broken campaign promise."

The letter challenges President Biden to publicly commit to making all Commission meetings—including phone calls and video conferences—open to the public. The letter ends with an additional request for the president to publicly commit to complying with all other requirements of FACA. To view the letter, click here.