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Attorney General Steve Marshall Statement on Supreme Court Rulings on Biden Vaccine Mandates

(MONTGOMERY) – Attorney General Steve Marshall offered the following statement on the U.S. Supreme Court’s rulings Thursday that blocked the Biden administration’s private-employer vaccine mandate while allowing its healthcare-worker vaccine mandate to go into effect. Alabama filed legal challenges to block both vaccine mandates.

“I applaud the U.S. Supreme Court’s stay of Biden’s private-employer vaccine mandate, which affects the greatest number of Americans,” said Attorney General Marshall. “This is a win for the Constitution over the most overreaching of Biden’s unlawful, unconstitutional, and un-American mandates, which sought to force some 80 million employees to submit to vaccinations or lose their jobs. As I noted when Alabama filed its legal challenge to the private-employer vaccine mandate, not only is this mandate based on a faulty public health premise—that workplace immunization will stop the spread of COVID-19—but it is based on an utterly flawed legal premise as well.

“As the Supreme Court majority opinion stated succinctly: ‘Although Congress has indisputably given OSHA the power to regulate occupational dangers, it has not given that agency the power to regulate public health more broadly. [The private-employer vaccine mandate] certainly falls in the latter category.’

“I am, however, greatly disappointed with the Court’s decision regarding the Biden administration’s healthcare-worker vaccine mandate. As with the private-employer vaccine mandate, the healthcare-worker vaccine mandate far exceeded any power Congress gave the administration, and the mandate will cause many frontline healthcare workers to find new work, precisely at a moment when hospitals around the country are struggling to find doctors and nurses. By allowing this vaccine mandate to continue, the Court has further empowered the federal administrative state, eroded state sovereignty, and likely guaranteed worse health outcomes in Alabama and beyond, as overburdened healthcare workers are stretched thinner still.

“As Justice Alito, joined by Justices Thomas, Gorsuch, and Barrett, explained in dissent: ‘Today’s decision will ripple through administrative agencies’ future decision making. The Executive Branch already touches nearly every aspect of Americans’ lives. . . . Neither CMS nor the Court articulates a limiting principle for why, after an unexplained and unjustified delay, an agency can regulate first and listen later, and then put more than 10 million healthcare workers to the choice of their jobs or an irreversible medical treatment.’”

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