

**Steve Marshall**  
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## **Eleventh Circuit Agrees with Attorney General Marshall-Led Coalition Against Biden’s Unconstitutional Ban on State Tax Cuts**

(**Montgomery**) - Alabama Attorney General Steve Marshall announced today that the U.S Court of Appeals for the 11th Circuit has denied the U.S. Department of Treasury’s motion for a full panel review of their appeal. The appeal request comes after Biden’s Administration lost to an Alabama-led coalition of states in a dispute over a key provision of the American Rescue Plan Act that would have punished states for reducing taxes.

“It is astounding how many times we have had to take legal action against Biden and his administration for their illegal and perilous attempts to circumvent executive power,” said Attorney General Steve Marshall. “Let me be clear, states have the fundamental authority to determine fiscal policies, and I will continue to defend that authority from the power hungry Biden Administration.”

In January, a three-judge panel from the 11th Circuit denied the federal government’s appeal noting in their opinion that the tax mandate violated the U.S. Constitution by impinging on “the States’ sovereign authority to tax by binding them to a deal with ambiguous terms and placing them on the hook for billions of dollars in potential recoupment actions.”

Alabama, leading this lawsuit in conjunction with West Virginia and Arkansas, was joined by Alaska, Florida, Iowa, Kansas, Montana, New Hampshire, Oklahoma, South Carolina, South Dakota, and Utah.

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