

Fourth Judge Blocks Biden Shot Mandate for Federal Contractors

A federal court in Florida has sided with the state of Florida and issued a preliminary injunction against Joe Biden's COVID shot mandate for federal contractors and subcontractors.

On Sept. 9, 2021, Biden issued Executive Order 14042, which requires federal contractors and subcontractors to become "fully vaccinated." In response, the State of Florida sued Biden, NASA Administrator Bill Nelson, the Office of Management and Budget (OMB) and the General Services Administration.

In his Dec. 22, 2021, ruling, U.S. District Judge Steven Merryday states, "Florida demonstrates a substantial likelihood that Executive Order 14042 exceeds the President's authority" and "intrudes into a matter traditionally committed to the state." Florida also shows the likelihood of "irreparable economic injury" the mandates would cause, and a denial of the injunction "would substantially injure Florida entities faced with violating either a federal contract or state law."

The conflict between state and federal law arises from the Florida legislature's passage of the "Keep Florida Free" joint agenda in November 2021, banning shot mandates on public and private employees in the state.

Judge Merryday is the fourth judge to block Biden's shot mandate for federal contractors.

On Nov. 30, 2021, U.S. District Judge Gregory Van Tatenhove issued a preliminary injunction against Biden's federal contractor shot mandate in Kentucky, Ohio and Tennessee.

Dec. 7, 2021, U.S. District Judge R. Stan Baker expanded the injunction nationwide in a seven-state lawsuit brought by Georgia, Alabama, Idaho, Kansas, South Carolina, Utah, West Virginia and a trade organization.

Dec. 20, 2021, U.S. Magistrate Judge David D. Noce issued a preliminary injunction against Biden's shot mandate for federal contractors in 10 states: Alaska, Arkansas, Iowa, Missouri, Montana, Nebraska, New Hampshire, North Dakota, South Dakota and Wyoming.

The Supreme Court has set oral argument in four shot mandate cases, two involving OSHA and two involving the health care mandate, on Jan. 7, 2022.

Liberty Counsel founder and Chairman Mat Staver said, "Joe Biden and the federal government have clearly overstepped their bounds in demanding a COVID shot mandate for federal contractors. Now that four federal judges have agreed, it's time for the federal government to reconsider its enforcement role and its relationship with state governments." {eo}

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