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## **NCLA Clients Vindicated as Biden Ends Covid Vaccine Mandates that Federal Courts Already Enjoined**

**Washington, DC (May 11, 2023)** – Today, the Biden-Harris Administration is officially [ending](#) the disgraceful Covid-19 vaccine mandates it never should have implemented for federal employees and federal contractors. These unlawful mandates, which were ordered without a vote of Congress, compelled millions of Americans to take an experimental vaccine without their consent—and, for those with naturally acquired immunity, against the medical advice of experts. These mandates violated unwilling recipients’ constitutional rights to bodily integrity and to refuse unwanted medical care, as well as their statutory right to informed consent. While portraying the end of the mandates as a “good news” story, federal courts had already ruled the federal employee and federal contractor vaccine mandates illegal earlier this year. Hence, this decision appears to be a cynical ploy seeking to evade the precedents set by the Administration’s mounting losses in federal court.

On September 9, 2021, the Biden Administration announced several new administrative actions aimed at coercing a total of 100 million Americans to receive a Covid-19 vaccine. In addition to private employer, healthcare facility, and federal employee mandates, the announcement covered those working for federal contractors. The U.S. Supreme Court set aside the private employer mandate and upheld the healthcare facility mandate last year. The New Civil Liberties Alliance has brought multiple lawsuits against government-mandated vaccines—[Norris v. Michigan State University](#), [Rodden v. Fauci](#), [Skoly v. McKee](#), [Vanderstelt v. Biden](#), [McArthur v. Brabrand](#), and [Zywicki v. George Mason University](#). Most of these cases are still pending on appeal in courts across the country.

NCLA represents plaintiffs employed by state universities, government contractors, and federal agencies, including the Department of Homeland Security, the Department of Transportation, the Department of Agriculture, and the U.S. Secret Service. Some worked remotely and presented zero risk of workplace transmission. All possessed natural immunity confirmed by antibody tests. The government could never establish a compelling governmental interest in overriding the constitutional rights and personal autonomy of those with natural immunity by making their continued employment contingent upon their receiving a Covid-19 vaccine.

While the Biden Administration is belatedly following the science in abandoning the Covid-19 vaccine requirement, unfortunately it is too late for some NCLA clients and many other Americans who lost their jobs for merely exercising their medical autonomy and declining a new, medically unnecessary vaccine. The Administration has not announced plans to re-hire federal employees, contractors, soldiers, and healthcare providers who were fired after refusing the Covid-19 vaccine. Courts must declare all of these mandates unlawful, so that similar civil liberties violations will never happen again.

### **NCLA released the following statements:**

“Forcing an experimental Covid-19 vaccine on millions of Americans who did not need it due to their naturally acquired immunity or other reasons is likely the worst violation of civil liberties I have witnessed in my lifetime. Anthony Fauci and other dishonest bureaucrats foisted these mandates on all of us with misleading claims about their efficacy and safety. In the process, the Biden Administration has done incalculable damage to Americans’ trust in the public health system—lasting damage whose full consequences may not be realized for decades.”

— **Mark Chenoweth, President and General Counsel, NCLA**

“While we are happy to see the mandates lifted, it is far too late to help countless Americans who were forced to choose between jobs and jabs. The mandates coerced employers into firing hardworking employees for simply making personal health decisions, even when those employees already had natural immunity or worked remotely. Unless and until the Supreme Court holds these mandates unlawful, the government will feel free to re-impose similar mandates in the future.”

— **Sheng Li, Litigation Counsel, NCLA**

“The Federal Contractor Vaccine Mandate ignored the language of the federal acquisition statutes and was directly in conflict with their purpose—to ensure the Federal Government has maximum access to the goods and services produced by the American economy. This federal edict was unlawful, and more courts should say so.”

— **John J. Vecchione, Senior Litigation Counsel, NCLA**

## **ABOUT NCLA**

[NCLA](#) is a nonpartisan, nonprofit civil rights group founded by prominent legal scholar [Philip Hamburger](#) to protect constitutional freedoms from violations by the Administrative State. NCLA’s public-interest litigation and other pro bono advocacy strive to tame the unlawful power of state and federal agencies and to foster a new civil liberties movement that will help restore Americans’ fundamental rights.

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