



Written by [James Murphy](#) on December 21, 2021

Supreme Court Tells Biden Admin to Respond to Challenges to Vaccine Mandate

On Monday, Supreme Court Justice Brett Kavanaugh directed the Biden administration to respond to multiple challenges against the president's September executive order directing businesses with over 100 employees to ensure that their workers are either vaccinated with the experimental COVID-19 vaccines or are tested weekly for the virus.

The Biden administration has until 4:00pm on December 30 to respond to challenges of the vaccine mandate from businesses, faith groups, and more than half the states in the nation.



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"This case is finally where it belongs: the Supreme Court. OSHA has threatened to start punishing employers like our clients starting on January 10, and we're grateful the court has ordered a briefing schedule that will allow for resolution of our petition before that deadline," Daniel Suhr of the Liberty Justice Center told *The Epoch Times*.

"We're very pleased with Justice Kavanaugh's quick response and are confident that the court will act quickly to ensure legal predictability before the deadline," said John Bursch, an attorney for the Alliance Defending Freedom noted.

On Friday, the Sixth Circuit Court of Appeals in Cincinnati [reinstated](#) the coming vaccine mandate a little more than a week after Judge Stan Baker of the U.S. District Court for the Southern District of Georgia imposed a nationwide injunction against the mandate.

On Saturday, the Occupational Safety and Health Administration (OSHA), the federal bureaucracy which would be responsible for policing the mandate, released a [statement](#) saying it was "gratified" by the Sixth Circuit's reinstatement of the mandate.

"OSHA is gratified the U.S. Court of Appeals for the Sixth Circuit dissolved the Fifth Circuit's stay of the Vaccination and Testing Emergency Temporary Standard. OSHA can now once again implement this vital workplace health standard, which will protect the health of workers by mitigating the spread of the unprecedented virus in the workplace," the statement read.

Of course, the mandate could be halted anew by the Supreme Court. In the past several days, the high court has received several appeals from diverse groups such as the Word of God Fellowship, the Heritage Foundation, Ohio's attorney general, BST Holdings, and the Southern Baptist Theological Seminary.

Kavanaugh was responsible for ordering the administration's response since he is the justice assigned to oversee the Sixth Circuit Court of Appeals, which reinstated the mandate in a 2-1 decision.

The mandate is scheduled to go into effect on January 4, although OSHA has said it plans to begin



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imposing it on January 10.

But the executive order could be paused again by the Supreme Court — though the Court has not yet accepted any of the many cases challenging the vaccine mandate.

The Biden administration claims that the mandate is necessary in order to “decrease the spread of COVID-19, which will decrease worker absence, reduce labor costs, and improve the efficiency of contractors and subcontractors at sites where they are performing work for the Federal Government.”

Opponents of the mandate claim that it is an illegal usurpation of power by the executive branch and that it would cause significant labor problems in an economy already ravaged by inflation and supply-chain issues.

If ultimately allowed to be enacted, the president’s executive order will affect over 80 million Americans. Employers who refuse to comply with the mandate will face fines of up to \$14,000 per violation.

Even the Democrat-controlled Senate has [come out against](#) this tyrannical vaccine mandate, voting on December 8, 52-48, to rescind it.

The United States is not supposed to be a nation ruled by presidential decree. One of the safeguards against this is the judicial branch. It’s time for the Supreme Court to step up and crush this overreaching order by the Biden administration.





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