



Written by [James Murphy](#) on December 6, 2021

Democrat Manchin Joins GOP Bid to Scrap Biden's Vaccine Mandate

On Thursday, West Virginia Democrat Senator Joe Manchin said he would join 50 Republican senators in a bid to challenge President Joe Biden's vaccine mandate for private businesses that employ more than 100 people.

Manchin issued a [statement](#) saying that the government should "incentivize, not penalize" businesses in order to get employees vaccinated with the experimental COVID-19 vaccines. The West Virginian also blasted the idea of vaccine mandates for private businesses.

"Let me be clear, I do not support any government vaccine mandate on private businesses," Manchin said. "That's why I have cosponsored and will strongly support a bill to overturn the federal government vaccine mandate for private businesses."

Manchin has taken the experimental vaccine, and urges citizens to also get the shot, but is reluctant to mandate it. "I have personally had both vaccine doses and a booster shot and I continue to urge every West Virginian to get vaccinated themselves."

And while the West Virginia Democrat is opposed to vaccine mandates for the private sector, he's been in lock-step with Biden on vaccinating public sector employees: "I've been very supportive of the mandate for federal government, for military, for all the people that work on government payroll," Manchin said last week. "I've been less enthused about the private sector."

In September, the Biden administration issued an executive order as part of its ["Path Out of the Pandemic,"](#) plan, which would "require all employers with 100 or more employees to ensure their workforce is fully vaccinated or require any workers who remain unvaccinated to produce a negative test result on at least a weekly basis before coming to work."

Multiple courts have put a pause on the mandate, including the U.S. 5th Circuit Court of Appeals in New Orleans, which said it was delaying the federal vaccine requirement because of potential "grave statutory and constitutional issues." At least 27 GOP-led states have challenged Biden's vaccine mandate.

Sometime this week, the Senate is expected to vote on a resolution of disapproval of the Biden administration executive order. According to Manchin, he can be counted on for a vote to disapprove that order. While the resolution is unlikely to change Biden's mind about the mandate, a bi-partisan vote would send a strong signal to the White House that such authoritarian measures are not appreciated.



AP Images
Joe Manchin



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Senate Minority leader Mitch McConnell chimed in on Thursday: “Multiple courts have pushed the pause button on these government vaccine mandates. There is a decent chance the courts will strike them down,” McConnell said. “Secondly, next week we are going to have a vote on the vaccine mandate prohibiting that regulation from going into effect. I think it has a decent chance of passing the Senate.”

Asked on Friday about Manchin’s stance on Biden’s vaccine mandate, White House Press Secretary Jen Psaki said, “We simply disagree.”

“We disagree based on what we feel is a preponderance of evidence of the effectiveness of requirements — vaccinating or testing,” Psaki continued.

“We have implemented requirements and we have seen 96.5 percent compliance, something we’re going to continue to build on,” Psaki said. “And these companies and the federal government are doing it for a range of reasons. It creates certainty. It allows people to feel safe in the workplace, and it’s good for the economy. So we disagree on that front, and we’re going to continue to press forward with these requirements.”

The leader of the effort for the Senate to officially disapprove of Biden’s vaccine mandate in Senator Mike Braun (R-Ind.). In a [statement](#) issued on Friday, Senator Braun lauded Manchin and called for more Democrats to follow his lead.

“President Biden’s unconstitutional vaccine mandate for private businesses is not a partisan issue: it jeopardizes the freedoms and livelihoods of Americans in all 50 states, and I hope that more Democratic Senators and Representatives will follow Senator Manchin’s strong lead and stand up against this federal overreach that will wreak havoc on our recovering economy and trample on the rights of millions of Americans,” Braun said.

Led by Braun and McConnell, the GOP senators are challenging the vaccine mandate under the Congressional Review Act, first signed into law by President Bill Clinton in 1996. Should a rule be overturned using this procedure, federal administrations are prohibited from issuing the same or a similar rule in the future.





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