

Appeals court temporarily halts rule on larger businesses that would require vaccine or weekly testing

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NEW ORLEANS (AP) — A federal appeals court on Saturday temporarily halted the Biden administration's vaccine requirement for businesses with 100 or more workers. The 5th U.S. Circuit Court of Appeals granted an emergency stay of the requirement by the federal Occupational Safety and Health Administration that those workers be vaccinated by Jan. 4 or face mask requirements and weekly tests.

Louisiana Attorney General Jeff Landry said the action stops Democrat President Joe Biden "from moving forward with his unlawful overreach." "The president will not impose medical procedures on the American people without the checks and balances afforded by the constitution," said a statement from Landry, a Republican.

Such circuit decisions normally apply to states within a district — Mississippi, Louisiana and Texas, in this case — but Landry said the language employed by the judges gave the decision a national scope. The Biden administration had no immediate comment.

At least 27 states filed lawsuits challenging the rule in several circuits, some of which were made more conservative by the judicial appointments of former Republican President Donald Trump. The Biden administration has been encouraging widespread vaccinations as the quickest way to end the pandemic that has claimed more than 750,000 lives in the United States.

The administration says it is confident that the requirement, which includes penalties of nearly \$14,000 per violation, will withstand legal challenges in part

because its safety rules pre-empt state laws. The 5th Circuit, based in New Orleans, said it was delaying the federal vaccine requirement because of potential "grave statutory and constitutional issues" raised by the plaintiffs. The government must provide an expedited reply to the motion for a permanent injunction Monday, followed by petitioners' reply on Tuesday.

History of vaccine mandates in the US:

On Sept. 9, 2021, President Joe Biden announced new **COVID-19 vaccine requirements** for government employees, large employers, and healthcare workers to combat the latest surge in COVID-19 cases. Similar vaccine mandates like these are nothing new in the United States—they date back to the Revolutionary War, when smallpox outbreaks hindered the Continental Army as it fought British troops.

Public backlash against vaccine requirements also has a long history in this country, as protests have led states to grant **religious and philosophical exemptions** from such mandates. The requirement that children be vaccinated before attending public school has sparked debate about whether safeguarding public health trumps a child's right to an education. Several **landmark Supreme Court cases** have upheld the idea that public health takes precedence.

The federal government has recognized the importance of vaccines for protecting public health by passing legislation and establishing agencies to oversee their safe manufacture and distribution.

Stacker used online resources from the **National Institutes of Health (NIH)**, the **National Conference of State Legislatures (NCSL)**, the **U.S. Centers for Disease Control and Prevention (CDC)**, and **Cornell Law School** to put together a timeline of important events in the history of vaccines and vaccine mandates in the U.S.