

'Happy warriors' Georgia Republicans ready to fight Biden's vaccine mandate

[Greg Bluestein](#)



Credit: Alyssa Pointer

Gov. Brian Kemp hasn't wavered from his opposition to vaccine requirements. But he hasn't put his objection to the idea in terms quite like he did at a conservative gathering this week assailing President Joe Biden's pandemic agenda.

Kemp warned of creeping government overreach that threatened to push Georgians to a breaking point.

"People are going to revolt. Government is only as good as what people can withstand," he said. "And if you try to do more than that, you have an uprising, or a mutiny."

The vaccine mandates announced by Biden last week gave state Republicans who have long objected to mask requirements and other restrictions new fuel to energize supporters in advance of the 2022 campaign season.

Kemp and other state leaders portray Biden's plan to push millions more Americans to get vaccinated as infringing on personal liberties and imposing more regulations on small businesses struggling to bounce back from the pandemic.

The governor and Attorney General Chris Carr, both of whom are running for re-election next year, have vowed to take legal action to challenge the restrictions, which could set up a court showdown over the executive branch's ability to respond to public health emergencies.



Credit: Steve Schaefer

The administration's new rules have also drawn widespread praise from Democrats and public health experts, who have called for more aggressive action steps to contain a fourth wave of the disease spurred by the highly infectious delta variant.

They point to soaring hospitalization rates in Georgia that have strained healthcare systems and packed intensive care units with coronavirus patients, most of whom are unvaccinated. The situation is so dire that Kemp is prepared to deploy as many as 2,500 Georgia National Guard troops

to work at short-staffed medical facilities.

"Kemp is approaching an attempt to save lives by requiring testing or vaccination in our major workplaces as an election issue," said state Rep. Rebecca Mitchell, a Snellville Democrat who has a doctoral degree in epidemiology focusing on infectious disease. "It's about keeping people alive. Let's get back to that focus.

'Have at it'

The deepening political divisions over coronavirus vaccinations and Biden's authority were on display on Monday at an event at a west Atlanta brewery sponsored by Heritage Action, a conservative group that embarked on a nationwide tour to rally opposition against Biden's \$3.5 trillion social policy proposal.

A quartet of Republican U.S. House members assailed what they framed as Biden's reckless agenda. And Kerry Luedke, a prominent Cherokee County GOP activist, said the administration's "tyranny" with vaccine requirements will hamper small businesses.

"American businesses have a lot of things to worry about, from not being able to find workers to not being able to find supplies to make our products," she said. "The last thing we need to worry about is a mandate that will weaponize our

human resources department."

It was Kemp, however, who outlined the opposition to vaccine requirements in the starkest terms, casting the feud as a struggle for personal freedom.

"People have to make that decision for themselves. The government pushing that on them is only going to make people turn away and fight that even more," Kemp said. "If they decide to do that, it's their right to as an American. Even if somebody disagrees."

Kemp isn't alone with his confrontational stance. Republican officials in Arizona, Florida, South Dakota, Texas and Wyoming strongly criticized Biden's new vaccine mandates, with several also vowing court challenges. South Carolina Gov. Henry McMaster said he'd fight Biden "to the gates of hell."



Credit: Jeffrey Collins

And Montana recently adopted a state law that makes it illegal for private employers to require vaccines as a condition for employment, though legal experts say the federal law will supersede the state legislation.

The threat of legal blowback hasn't deterred Biden, who said if GOP governors won't "help us beat the pandemic, I will use my power as president to get them out of the way." His message to Republican critics who threatened lawsuits: "Have at it."

'Silent majority'

The president has reason to brush off the threat of legal backlash. Legal scholars say the Biden Administration is relying on legal precedent [rooted](#) in a 1941 U.S. Supreme Court ruling to regulate commerce and a 1970 law establishing the Occupational Safety and Health Administration.

Chris Anulewicz, a constitutional law expert and partner at Balch & Bingham, said the court challenges would likely focus on whether OSHA has the authority to require vaccinations, whether the mandates impinge on religious liberty, and whether they're written to unduly affect certain companies.



Credit: Evan Vucci

“Those challenges may need to come from the companies and individuals subject to the mandates and fines, rather than public officials, as public officials’ standing to do so will likely come under substantial attack,” Anulewicz said.

Biden’s more aggressive approach reflects frustration with a rising national death toll from a pandemic that’s killed more than 650,000 Americans, including about 23,000 Georgians.

Under the rules, all employers with more than 100 workers must ensure their staffers are vaccinated or tested weekly for the virus, affecting about 80 million workers. Another 17 million workers at healthcare facilities that receive federal Medicaid or Medicare funding will also have to be fully vaccinated. All told, the orders will affect 100 million Americans.

While some employers and business boosters have welcomed the new requirements, saying it frees them from having a patchwork of rules and regulations, others have expressed reservations or outright opposition.

Many Georgia firms say they’ll take [a wait-and-see approach](#), worried about losing workers during an [ongoing labor shortage](#), along with concerns about incorrectly following regulations that are still under development by the

Biden administration.

Kemp's talk of an "uprising" sparked comparisons on social media to incendiary comments ahead of the Jan. 6 riot at the U.S. Capitol by a violent pro-Donald Trump mob. Kemp said he was speaking broadly about a growing "silent majority" that opposes Biden's policies and will show up at the ballot box in 2022 to back the GOP ticket.

"It has never been more important for us to be happy warriors, to fight the good fight," he said. "But we have to be happy and we have to be excited about our ideas, because they're better than the other side."



Credit: JOHN SPINK / AJC

About the Author

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