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# United States Senate

April 25, 2022

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AND FORESTRY  
ENVIRONMENT  
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SMALL BUSINESS  
AND ENTREPRENEURSHIP

The Honorable Merrick B. Garland  
Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530

Dear Attorney General Garland,

I write today following reports that the Department of Justice (DOJ) is appealing a decision from the U.S. District Court for the Middle District of Florida, which struck down the federal mask mandate for travel. I have long been supportive of individuals taking action to protect their own health. However, your attempt to continue this mandate takes the decision making out of the hands of individuals and creates uncertainty for travelers, as well as businesses tasked with enforcing this unpopular mandate.

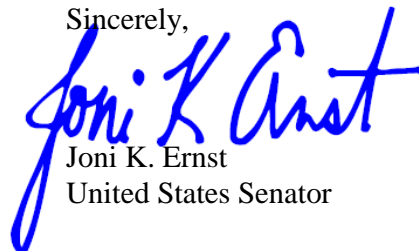
In addition to being overly burdensome, the mandate is inconsistent with policies instated by cities and states across the country who have elected to repeal their own mask mandates, as well as commentary by President Biden. Oftentimes, travelers are able to decide whether to wear face masks while at their originating site, and destination, and are only forced to wear face masks while traveling between the two. Moreover, President Biden recognized the legitimacy of the District Court's ruling by commenting that it is now "up to [travelers]" to decide whether or not to wear a face mask.<sup>1</sup>

As cities across the United States continue to fully reopen, I respectfully request that the Biden Administration withdraw their appeal. Additionally, I request a written response to Congress within 30 days answering the following questions:

1. Is there scientific evidence that masking while traveling reduces the spread of COVID-19 either in the individual's originating or destination site?
2. Is the administration weighing national case counts while making decisions on whether or not to enforce mask mandates for domestic travel? If so, what is the threshold that would allow individuals to travel without masking?
3. What guidance and/or support has the administration provided to businesses tasked with enforcing the travel mask mandate?

I appreciate your prompt reply by May 25, 2022.

Sincerely,



Joni K. Ernst  
United States Senator

<sup>1</sup> <https://www.nytimes.com/2022/04/19/us/politics/biden-masks-public-transportation.html>