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October 15, 2020

The Honorable Elaine L. Chao
Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Alex M. Azar II
Secretary of Health and Human Services
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Chao and Secretary Azar:

I write today to urge the U.S. Department of Transportation (DOT), in collaboration with the U.S. Department of Health and Human Services (HHS), to immediately issue a rule requiring all individuals traveling by air to wear a face mask at all times while onboard aircrafts and in airports. COVID-19 continues to be an ongoing threat to the health and safety of Americans everywhere. As the economy begins to re-open, passengers, airline and airport employees need the reassurance that their safety is top priority above all else. While many airlines have adopted requirements of their own, there continues to be a lack of consistency, which is why I believe the issuance of a rule by DOT and HHS requiring face masks on aircrafts and in airports is necessary to protect public health.

As you know, the U.S. has surpassed 215,700 COVID-related deaths as of October 13, 2020. As a country, we are now averaging about 52,000 new cases per day, which is an increase of 21 percent from two weeks ago. Case numbers continue to rise nationally, the largest increases are mainly concentrated in the West and Upper Midwest; however, the Northeast, including my home state of New Jersey, are beginning to see an uptick in new infections recently.¹

¹ Sarah Almukhtar, *Covid in the U.S.: Latest Map and Case Count*, The New York Times (Updated October 13, 2020), <https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html>.

A recent Centers for Disease Control (CDC) study concluded that air travel continues to be a vector for contracting COVID-19.² Air travel is an interstate issue, and each state has been handling the pandemic differently. States across the country have varying restrictions on mask wearing and travel, with some requiring people to quarantine and some with no restrictions at all. These inconsistencies make containing the virus more difficult, and inconsistent mask wearing requirements and enforcement on aircrafts and at airports only exacerbates the problem.

I believe that a nationwide rule is needed because states, airlines and airports have all adopted different policies and requirements that are contradictory. These inconsistencies undermine overall public health, and a lack of federal action to set strong, clear, standards in place of the current suggested guidance does not help the American people. Any rule from your agencies should include the supply of enough Personal Protection Equipment (PPE) in the form of disposable face masks to all airports for passengers by the federal government. This rule should also include the issuance of face masks and other PPE to airline employees and certain FAA employees, including air traffic controllers and aviation safety inspectors. Issuing a set of uniform requirements across the board for wearing face masks will help keep passengers, airline and airport workers healthy by minimizing transmission of COVID-19.

As we near the holiday season, which is normally one of the busiest travel times of the year, I urge you to issue an emergency rule requiring all individuals traveling by air to wear a mask at all times while in the airport and for the duration of their flight. The American people have endured tremendous loss this year, and I believe this rule could help save lives, while also instilling confidence and reassurance that their safety is your number one priority.

Thank you for your consideration of this request, and your attention to this important issue.

Sincerely,



Albio Sires
Member of Congress

² Choi EM, Chu DKW, Cheng PKC, Tsang DNC, Peiris M, Bausch DG, et al. In-flight transmission of severe acute respiratory syndrome coronavirus 2. *Emerg Infect Dis.* 2020 Nov [October 1, 2020]. <https://doi.org/10.3201/eid2611.203254>.