



Written by [Raven Clabough](#) on April 1, 2022

Florida Leads 20 Other States in Lawsuit Over Federal Transportation Mask Mandate

Led by the state of Florida, 21 states are suing the Biden administration over its federal mask mandate for commercial airplanes and public transportation. Among its arguments, the lawsuit contends the mandate violates the U.S. Constitution and Administrative Procedure Act (APA), violates the plaintiffs' sovereign interests, and poses health risks to individuals being forced to mask, particularly young children.

Plaintiffs in the lawsuit are Florida, Alabama, Alaska, Arizona, Arkansas, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Ohio, Oklahoma, South Carolina, Utah, Virginia, and West Virginia.



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“Faced with a government that displays outright disdain for the limits on its power — especially when it comes to the COVID-19 pandemic — Plaintiffs seek vacatur of that mask mandate and a permanent injunction against its enforcement,” the 30-page lawsuit reads in part.

The mask mandate for public transportation was set to expire in March 2022 but was extended by the Biden administration until at least April 18, Life Site News reported. The mandate has been in place for approximately 14 months.

The Transportation Security Administration (TSA) cited recommendations from the Centers for Disease Control & Prevention (CDC) [last week](#) when it announced it would extend the mandate for mask use on public transportation and transportation hubs through April 18th, while “work[ing] with government agencies to help inform a revised policy framework for when, and under what circumstances, masks should be required in the public transportation corridor ... based on the COVID-19 community levels, risk of new variants, national data, and the latest science.”

During a press conference at the State Capitol in Tallahassee, Florida Governor Ron DeSantis suggested that more people would be likely to fly to popular destinations such as Florida if they were not required to wear masks when they travel.

“We’ve been very clear that we want people to be able to make their own decisions. We don’t believe in COVID theater,” DeSantis opined, adding that “forcing people to wear masks on airplanes” isn’t “something that’s grounded in any science.”

The lawsuit contends that the mandates have forced states to “expend resources to enforce the mandate” to avoid risk of criminal and civil penalties. The mandate has also harmed the plaintiffs’ sovereign interests by forcing states that have otherwise enforced policies that prohibit or discourage mask requirements in schools to continue to enforce masking on school buses.



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The lawsuit also asserts the mandate harms the Plaintiffs' "quasi-sovereign interests in the health, safety, and welfare of their citizens." It continues, "Forced masking — especially for toddlers — causes a variety of negative health consequences, including psychological harms, reduced oxygenation, reduced sanitation, and delayed speech development."

According to Life Site News, the lawsuit was filed shortly after the CEOs of all major U.S. airlines penned an open letter to the Biden administration asking for a stop to the mandate, noting the absence of reasoning in stripping mask recommendations for 99 percent of indoor venues where crowds tend to congregate but continuing to enforce masking on airplanes that have protective air-filtration systems.

"The persistent and steady decline of hospitalization and death rates are the most compelling indicators that our country is well protected against severe disease from COVID-19," the letter read. "Given that we have entered a different phase of dealing with this virus, we strongly support your view that 'COVID-19 need no longer control our lives.'"

The letter argued that ending the mandate would benefit not only travelers but airline employees who have had to enforce these regulations.

"It is critical to recognize that the burden of enforcing both the mask and predeparture testing requirements has fallen on our employees for two years now," the letter noted. "This is not a function they are trained to perform and subjects them to daily challenges by frustrated customers. This in turn takes a toll on their own well-being."

That is not the first time airline CEOs argued against the mask mandate. A December Senate committee hearing also witnessed testimony from the CEOs of Southwest Airlines and American Airlines in which they asserted masks had minimal, if any, impact in stopping the spread of COVID-19 on airplanes.

Their testimonies prompted the U.S. Senate to vote 57-40 on a resolution introduced by Senator Rand Paul (R-Ky.) to show disapproval of the federal mask mandate earlier this month. Eight Democrats voted with Republicans, and just one Republican, Senator Mitt Romney of Utah, voted in favor of the mandate, Roll Call reported.

The White House responded to the vote, saying that it would not likely pass the Democrat-controlled House of Representatives and would be vetoed by President Biden even if it did.

Meanwhile, studies continue to disprove the effectiveness of mask mandates. One [study](#) by biology professor Damian D. Guerra from the University of Louisiana and Biochemistry professor Daniel J. Guerra, which looked at the total number of cases in 50 states from March 2020 to March 2021, found that mask mandates were not only ineffective in reducing transmission, but produced negative health consequences.

"Mask mandates are not predictive of smaller or slower shifts from low to high case growth," the professors found. "Our main finding is that mask mandates and use are not associated with lower SARS-CoV-2 spread among US states. 80% of US states mandated masks during the COVID-19 pandemic. Mandates induced greater mask compliance but did not predict lower growth rates when community spread was low (minima) or high (maxima)."

"We infer that mask mandates likely did not affect COVID-19 case growth, as growth rates were similar on all days between actual or modelled issuance dates and 6 March 2021," they added.

The professors noted several risks associated with mask wearing, including "facial alkalinisation and inadvertently encourages dehydration, which ... can enhance barrier breakdown and bacterial infection



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risk,” “increase[d] headaches and sweating and decrease[d] cognitive precision,” “interfere[nce] with social learning in children,” and distortion of “verbal speech” and “visual cues to the detriment of individuals with hearing loss.”





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