

Health Freedom Group Asks Court to Vacate Federal Travel Mask Mandate

Health Freedom Defense Fund asks a federal court to strike down the Biden administration's federal mask mandate for conveyances and travel hubs.

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“

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HFDF president Leslie Manookian

Defense Fund ([HFDF](#)) and individual plaintiffs [filed a motion](#) asking a federal court in Tampa, Florida to strike down the Biden administration's federal mask mandate for airlines, interstate transportation, and travel hubs. (Case No. 8:21-cv-1693-KKM-AEP)

Plaintiffs' attorney, Brant Hadaway of Davillier Law Group (DLG), argues that while CDC does have the authority to abate sources of infection from animals and things, it does not have the statutory authority from Congress to require people to wear masks.

To wit, the Supreme Court has ruled that the statute CDC relies on to claim this power only authorizes the CDC to isolate and destroy the disease itself.

DOJ attorneys for CDC argue that masks are a form of sanitation and therefore fall under CDC's authority but CDC's own regulations show that “sanitation” doesn't apply to people, and that masks are not “sanitation.”

In a revelation that will likely stun most Americans, CDC relied on inconclusive data regarding the efficacy of masks absent a single controlled trial in the administrative record.

Health Freedom Defense Fund president Leslie Manookian said, “I am shocked and outraged that CDC would issue a policy requiring Americans to cover their two and only airways on the basis of inconclusive data and not one single controlled trial in what can only be described as a blatant dereliction of their duty and responsibility to Americans.”

In an earlier [stipulation to the court](#), DOJ attorneys for CDC admitted that the federal government has never once fined, jailed, or other penalized a single individual for failing to wear a mask while traveling. The implication of this admission is clear - the federal government does

not believe a law exists requiring America's to mask while traveling so there is nothing to enforce.

CDC relied on the same statute under which they claim authority to mandate masks to issue an eviction moratorium mandate and a conditional sailing order for the cruise industry. In both of those cases, courts rebuked CDC for usurping the law-making power and authority of Congress.

Additionally, while CDC attempted to justify the mask mandate claiming their intention to prevent interstate spread, this argument never made sense as by the time the rule was enacted, COVID had already spread throughout the country.

The CDC also failed to follow proper administrative procedures when it created the rule, not allowing for notice and comment and CDC failed to follow its own internal regulatory requirements.

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