

United States Senate

WASHINGTON, DC 20510

May 25, 2021

Dr. Rochelle Walensky, MD, MPH
Director
Centers for Disease Control and Prevention
1600 Clifton Road
Atlanta, GA 30329

Admiral Karl Schultz
Commandant
United States Coast Guard
2703 Martin Luther King Jr., Ave, S.E.
Washington, DC 20593

Dear Director Walensky and Admiral Schultz:

On May 13, 2021, the Centers for Disease Control and Prevention (CDC) issued updated COVID-19 guidance related mask wearing stating that fully vaccinated people can resume many pre-pandemic activities without wearing a mask or physically distancing.¹ This guidance is welcomed news, and a clear confirmation that the COVID-19 vaccines authorized by the Food and Drug Administration (FDA) are safe and effective at preventing COVID-19, especially cases that lead to severe illness and death. We are deeply grateful for the work conducted by CDC, the National Institutes of Health, and the larger scientific and public health communities that enabled us to reach this critical milestone.

Under the new guidance, CDC notes that all travelers will still be required to wear a mask on all planes, buses, trains, and other forms of public transportation, and in transportation hubs such as airports and train and bus stations. We recognize the importance of continued mask-wearing for travelers throughout the country, and strongly urge all Americans to abide by the latest COVID-19 safety recommendations, as well as other federal, state, local, tribal, or territorial laws, rules, and regulations related to mask-wearing and social distancing, including those in local businesses and workplaces.

However, we encourage the CDC – in partnership with the U.S. Coast Guard (Coast Guard) – to revisit mask-wearing requirements specific to workers in the commercial fishing industry. In response to the CDC guidance published on May 13, 2021, the commercial fishing community has expressed confusion about the implementation of the new guidance on fishing vessels that are operating with all fully vaccinated staff. In response, we sought clarification from the Coast Guard about whether fully vaccinated commercial fishing crew are still required to wear masks. On May 14, 2021, Coast Guard personnel confirmed that the agency would need to wait for changes to the CDC Mask Order and associated CDC guidance for conveyances and

¹ “Guidance for Fully Vaccinated People,” Updated May 13, 2021, Centers for Disease Control and Prevention. <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html>

transportation hubs before it could revise its Marine Safety Information Bulletin and address requirements for fishing vessels.²

The CDC Mask Order issued on January 29, 2021 requires that persons operating or traveling on conveyances must wear masks “for the duration of travel.”³ On February 1, 2021, the Coast Guard issued a Marine Safety Information Bulletin in response to the CDC order.⁴ The Bulletin notes that the Executive Order applied to all “public maritime vessels, including ferries’ to mitigate the risk of spreading COVID-19,” and further requires that “all persons travelling on all commercial vessels to wear a mask.”

Many fishing vessel operators were therefore understandably dismayed to learn that the most recent CDC guidance does not loosen restrictions for fishing vessels that are staffed by fully vaccinated persons and are not passenger-carrying vessels as defined under 42 CFR 70.1. It is worth noting that wearing a mask on a fishing vessel may increase safety risks for operators and crew. Fishing vessels frequently use loud motors or machinery that can make it difficult for crew members to hear one another, so they may rely on lip-reading to improve communication and work together safely. Masks are also frequently wet from sea spray, which can make it more difficult to breathe. This is a condition that the CDC has generally recognized is problematic.⁵ Despite these facts, fishermen have continued to abide by the order and guidance to address the public health threat posed by COVID-19.

We urge the CDC and the Coast Guard to work swiftly together to reconsider their guidance as it applies to commercial fishing vessels in order to promote the safe operation of fishing vessels and safety of the crew.

² Email from U.S. Coast Guard to U.S. Senate Emerging Threats and Spending Oversight subcommittee staff, “RE: USCG guidance – time sensitive request,” May 14, 2021.

³ “Requirement for Persons to Wear Masks While on Conveyances and at Transportation Hubs,” January 29, 2021, Centers for Disease Control and Prevention, Department of Health and Human Services. https://www.cdc.gov/quarantine/pdf/Mask-Order-CDC_GMTF_01-29-21-p.pdf

⁴ “COVID-19 Safety Requirements in the Maritime Transportation System,” Commandant, U.S. Coast Guard, Inspections and Compliance Directorate, February 1, 2021. <https://www.dco.uscg.mil/Portals/9/DCO%20Documents/5p/MSIB/2021/MSIB-02-21-Mask-Requirement.pdf?ver=AYSvn-il9fInn4LDmdFdzw%3D%3D>

⁵ See sections for “Water activities” and “High intensity activities” in “Guidance for Wearing Masks,” Updated April 19, 2021, Centers for Disease Control and Prevention, Department for Health and Human Services. <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html#:~:text=CDC%20recommends%20wearing%20a%20mask,6%20feet%20of%20others%20increase>

Thank you for your attention to this matter. If you have any questions, please do not hesitate to reach out to Kaitlyn Kelly (Kaitlyn.Kelly@hassan.senate.gov) or Jason Yanussi (Jason.Yanussi@hsgac.senate.gov) with Senator Hassan's staff, or Jamie O'Connor (Jamie_O'Connor@murkowski.senate.gov) with Senator Murkowski's staff.

Sincerely,



Margaret Wood Hassan
United States Senator



Lisa Murkowski
United States Senator