Domestic flight vaccine mandate? Not 'off the table'

Requiring the shots would present significant logistical and political challenges

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The White House's recommendation to require all visitors flying into the United States to provide proof of vaccination has sparked speculation over whether the federal government will ultimately require passengers on domestic flights to be vaccinated as well.

The speculation increased even before the new requirements when Dr. Anthony Fauci told podcast The Skimm earlier this month that he would support requiring vaccination for air travel. "If you want to get on a plane and travel with other people … you should be vaccinated," Fauci, director of the National Institute of Allergy and Infectious Diseases and a top medical adviser to the Biden administration, said.

White House COVID-19 response coordinator Jeff Zients, announcing the international requirement Monday, fed that speculation by refusing to rule out an eventual domestic travel requirement. "We're not taking any measures off the table," he said.

But such a requirement has led aviation-related stakeholders to complain that the logistical hurdles would be challenging at best and a nightmare at worst.

For example: Who would check for proof of vaccination? What safeguards would be in place to ensure that the documents weren't fraudulent? Would the paper cards currently given to the vaccinated suffice? What sort of central records exist to help airlines track if people are vaccinated? How would airlines handle children not yet eligible for such a vaccine? And would such a requirement extend to other sorts of travel, such as buses and trains?

"It should have been obvious a long time ago that it was going to be necessary to have a more reliable mechanism for authenticating immunization status than a flimsy, handwritten cardboard card — if only because other countries were likely to require it for travel, whatever we did in the United States," said Julian Sanchez, a senior fellow at the libertarian Cato Institute.

He said such a process could've been done without requiring any kind of master federal database of who has been vaccinated. The CDC could have — and possibly still can — simply say that vaccine records have to be offered in both physical and digital forms by providers, and use any one of the various protocols already in existence for cryptographically authenticating the information on the record.

That model would've kept lists of the vaccinated with states and health care providers on a centralized database to authenticate the card was issued by a real provider and verify the printed information.

"It's much trickier now, of course, because we've got tens of millions of people already vaccinated who'd have to be provided with updated records," he said.

Lawmakers' response to an air travel vaccine mandate ranged from ambivalence to outright opposition.

"I think that's up to the airlines to decide for themselves," said Sen. Jacky Rosen, D-Nev.

Mandate opposition

"I don't think the American people would stand for it," said Sen. Roger Wicker, R-Miss., ranking Republican on the Senate Commerce, Science and Transportation Committee.

"I do not believe there should be any COVID mandates," said Sen. Ted Cruz, R-Texas. "That means no vaccine mandates, that means no mask mandates, that means no vaccine passports."

Cruz, who has introduced a bill banning vaccine mandates, said he is worried the Biden administration will institute such a requirement. "Joe Biden has demonstrated a willingness to trample on individual freedom and medical privacy in order to distract from the catastrophe of the Afghanistan withdrawal," he said.

Rep. Thomas Massie, R-Ky., was similarly concerned. He introduced an amendment to the Transportation and Infrastructure Committee's budget resolution to bar funds from the draft measure from being used to impose or support vaccine requirements as a condition for traveling on public or private transportation. The committee did not approve the amendment.

Massie said Fauci's comments spurred him to introduce the amendment. "I think it's absolutely wrong, bad idea, going to hurt the economy," he said.

By contrast, Rep. Donald S. Beyer Jr., D-Va., has introduced a bill that would require full COVID vaccination or a negative test for domestic air and Amtrak travel.

"Every regulatory piece is a balancing of rights," Beyer said. "You have a right to smoke, but you can kill yourself. But you don't have a right to blow second-hand smoke in someone's air space. It's the same thing with the vaccine. It's sad if you choose to put yourself at risk of early

death or long COVID, but it's unacceptable to put other people at risk. You can get to choose for yourself, but you don't get to choose for everyone else."

Beyer said he's received more calls on this bill than most others. Only about 3 percent oppose it, he said. "The other 97 percent says, 'Why aren't we doing this already?'"

Among the organizations that have spoken out against vaccine mandates for domestic travel is the U.S. Travel Association, a national nonprofit organization representing the travel industry. It warned in a statement last month that the policy would "have an unfair, negative impact on families with young children who are not yet eligible to get the vaccine."

"U.S. Travel has long maintained that there should be no mandatory vaccination requirement for domestic travel," said Tori Emerson Barnes, executive vice president of public affairs and policy. She pointed to the federal mask mandate as providing ample protection for domestic travelers.

Delta Airlines CEO Ed Bastian told CNN in August that such a requirement "would be quite a logistical snafu."

"There's no evidence that there's been spread of COVID in the domestic air transport system," Bastian said.

United Airlines CEO Scott Kirby told CNN any decision on vaccine mandates for U.S. travel would be "up to the government."

While stakeholders are concerned, polls indicate a majority of people support proof of vaccination for air travel. A poll by Monmouth University found 59 percent of Americans said people should need to show proof of vaccination to get on an airplane.