

# We need a Federal Mask Law that is supported by both Republicans *and* Democrats

By Glenn Weinreb

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Currently, there is much interest in mandating the use of masks by the federal government. However, many Republicans and Governors prefer instead to delegate to states. How might we structure a federal mask law to gain their support?

The solution might be a partnership between the federal gov't and the states, where states are represented by a Pandemic Control Board (PCB). This consists of the Governors from the seven largest states, which entails 45% of USA population.

European countries like France, Germany and Italy all climbed the mountain; saw the harm; became willing to mitigate hard; and are now doing relatively well. The same is true with several states such as NY, NJ, CT and MA. In all cases, both in Europe and America, government leaders needed to be stung hard before they were willing to mitigate hard. Asian countries were stung hard during previous pandemics, and are now gliding through COVID-19 with relative ease.

The governors of the seven largest states are more likely to be stung first, due to higher densities and more international exposure. In theory, they could then pressure less dense states to mitigate hard *before* each climbs the mountain.

One might prefer to let the President preside over national mitigation requirements; however, local officials implement and enforce, and if unwilling, are likely to ignore. And herein lies our conundrum. Thus far, the federal gov't has been hesitant to require mitigation, in large part due to independent minded local officials. PCB Governors help bridge this gap since they are both sympathetic to state interests, and also keen on stopping virus.

I propose The United States Pandemic Act of 2020 (PA2020), a federal law that mathematically controls COVID-19, along with future pandemics, and is supported by both Republicans and Democrats. It consists of seven constructs:

- 1) A Pandemic Control Board (PCB) is established which consists of the Governors of the seven largest states, population wise. CDC, NIH, and FDA scientists are instructed to provide maximum support to the PCB.
- 2) During a pandemic, protective masks are required in cities, towns and counties within the United States for  $P1$  weeks which experience more than  $P2$  new confirmed pandemic cases per day, per 100K population. Individuals who do not comply are given a citation by local law enforcement for  $P3$  dollars after  $P4$  warnings.

- 3) Mitigation Parameters (e.g. *P1...P9*) are set by this law and can be over-ridden by authorities in the following order: 65% majority of the PCB, President of the United States, and the Director of CDC. PCB Governors are given the highest authority since states implement and enforce, and one needs their support for significant compliance.
- 4) There are two types of mitigation: Social Mitigation and Economic Mitigation. Social Mitigation is uncomfortable yet does *not* suppress economic activity. It includes things like wearing a mask and social distancing when outdoors. Alternatively, Economic Mitigation *does* suppress economic activity, and includes things like a 3 to 1 reduction in building maximum occupancy. The Pandemic Act of 2020 (PA2020) regulates Social Mitigation, yet not Economic Mitigation. The latter is placed into the hands of the Governors.
- 5) Governors who do not enforce PA2020 forfeit *P5* dollars of federal funding for each day of non-compliance, with *P6* days of warning. The Director of the CDC or 65% of the PCB has the authority to declare a state out-of-compliance. 65% of the PCB also has the authority to set *P5* low. However, we can expect it to be maintained at an effective level since PCB states do not want virus.
- 6) Households are required to maintain at least *P7* masks per resident, employers are required to maintain at least *P8* masks per employee, and schools are required to maintain at least *P9* masks for each student; with no penalty for non-compliance.
- 7) It is established that the nation conduct pandemic readiness training during one day each year. On this day, PA2020 requires that everyone Socially Mitigate, and local officials provide warnings to those who do not comply. All residents are required to wear a mask when outside their home. We call this "Mask Day". We practice suppressing a virus *while* running our economy, and we transition from no Mitigation to full Social Mitigation in 24 hours. Economic Mitigation is not required by the Federal Gov't during Mask Day.

## ANALYSIS

Now let's break it down and see how this works.

- \* The seven member PCB establishes a partnership between the federal gov't and the states, and is of a size that is conducive to conversation. It currently consists of CA, TX, FL, NY, PA, IL, and OH; and represents 45% of US population. Four of these states voted for a Republican President in 2016, and is therefore politically balanced to some extent.
- \* It is unlikely the US Senate would support federally mandated Economic Mitigation at this time. However, if political support for a stronger PA2020 became available in the future, it could be amended.
- \* Annual Mask Day requires everyone to wear a mask when outside their home and near people, one day each year. This does several things:

- 1) Solves the problem of waiting two months for mask shortages to resolve at the beginning of each pandemic. Mask Day ensures that citizens maintain masks at home, and are therefore available when a pandemic begins.
  - 2) Ensures that state and local officials are familiar with applying pressure to non-compliant individuals.
  - 3) Encourages American children to become familiar with masks, to the extent they are more accepting as adults. The Chinese, Taiwanese, and Singaporeans are able to glide through COVID-19 with relative ease; in part due to early mask training.
- \* What is our national plan for dealing with future pandemics? Climb the mountain as we did with COVID-19? Be dependent on federal and state leaders making the right decisions? Wait for each state to be stung hard before they are willing to mitigate hard? PA2020 would be a national plan, based on mathematics, which helps us to avoid the mountain, is not dependent on future government leaders knowing what to do, and does not wait for each state to be stung hard.
  - \* IHME is an independent research center which predicts daily USA deaths both with masks (dotted green), and without, as shown below. Masks help suppress virus.



- \* Republicans would prefer to enter November with the claim "We Slayed the Dragon". According to IHME, they cannot do this without something like PA2020.