

U.S. to appeal order voiding travel mask mandate

BY MICHAEL BALSAMO AND ZEKE MILLER
Associated Press

The Justice Department is filing an appeal seeking to overturn a judge's order that voided the federal mask mandate on planes and trains and in travel hubs, officials said Wednesday.

The notice came minutes after the Centers for Disease Control and Prevention asked the Justice Department to appeal the decision handed down by a federal judge in Florida earlier this week.

A notice of appeal was filed in federal court in Tampa.

The CDC said in a statement Wednesday that it is its "continuing assessment that at this time an order requiring masking in the indoor transportation corridor remains necessary for the public health."

It remained unclear

whether the Biden administration would ask the appeals court to grant an emergency stay to immediately reimpose the mask mandate on public transit. An emergency stay of the lower court's ruling would be a whiplash moment for travelers and transit workers. Most airlines and airports, many public transit systems and even ride-sharing company Uber lifted their mask-wearing requirements in the hours following Monday's ruling.

A federal judge in Florida struck down the national mask mandate for mass transit on Monday, leading airlines and airports to swiftly repeal their requirements that passengers wear face coverings. The Transportation Security Administration said Monday that it would it will no longer enforce the mask requirement.

The CDC had recently ex-

tended the mask mandate, which was set to expire Monday, until May 3 to allow more time to study the BA.2 omicron subvariant, which is now responsible for the vast majority of U.S. cases. But the court ruling Monday had put that decision on hold.

The CDC said it will continue to monitor public health conditions to determine if a mandate would remain necessary. It said it believes the mandate is "a lawful order, well within CDC's legal authority to protect public health."

Justice Department spokesman Anthony Coley said Wednesday night that the department was filing the appeal "in light of today's assessment by the CDC that an order requiring masking in the transportation corridor remains necessary to protect the public health."

Biden's administration has offered mixed messages in the wake of the Monday ruling. While officials said Americans should heed the CDC's guidance even if it was no longer a requirement, Biden himself suggested they had more flexibility on masking-up during transit.

"That's up to them," Biden declared during a Tuesday visit to Portsmouth, New Hampshire. The White House nonetheless continues to require face coverings for those traveling with him on Air Force One, citing guidance from the Centers for Disease Control and Prevention.

White House press secretary Jen Psaki said Wednesday that Biden still is encouraging Americans to wear masks when traveling and that he had been "answering the question quite literally" a day before.



Evan Vucci/AP

Passengers wait in line at the security checkpoint at Ronald Reagan Washington National Airport on Tuesday in Arlington, Virginia. The Justice Department is filing an appeal seeking to overturn a judge's order that voided the federal mask mandate on planes and trains and in travel hubs. The notice came minutes after the Centers for Disease Control and Prevention asked the Justice Department to appeal the decision handed down by a federal judge in Florida earlier this week.

"People are not legally bound to wear masks," she said, after the court order. "So, it is a point in time where it is up to people — it is their choice, in that regard."

War in Ukraine

Russia tightens noose on Mariupol as attacks intensify in the east

NABIH BULOS, LAURA KING AND KATE LINTHICUM
Los Angeles Times

RUBIZHNE, Ukraine — Russia tightened its grip Wednesday around Ukraine's last stronghold in the besieged port of Mariupol, whose desperate defenders, holed up in underground shelters beneath a massive steel plant, pleaded for international help, declaring that they were "probably facing our last days, if not hours."

Along hundreds of miles of a scythe-shaped battlefield in Ukraine's east, the din of Russian bombardment echoed in cities and towns, while Moscow's ground forces made a series of what Ukrainian military officials described as probing attacks that did not yield any substantial new territorial gains.

With the war about to grind into a ninth week and Western powers racing to supply Ukraine with heavier weapons, Ukrainian President Volodymyr Zelenskyy said in a video address to the nation that nearly all of Russia's combat-ready forces were "concentrated on the territory of our state" and just outside its borders. Moscow, he said, was deploying "almost everyone and everything that is capable of fighting."

Russia's Feb. 24 invasion of its smaller neighbor has triggered a refugee crisis on a scale not seen in Europe since World War II. The United Nations' refugee agency Wednesday put the the number who have fled Ukraine at 5 million. More than 7 million people are internally displaced.

As the fighting's ferocity has increased — and in the weeks since gruesome evidence began emerging of Russian atrocities against civilians in the suburbs of Kyiv, the capital — diplomatic efforts have floundered. On Wednesday, Kremlin spokesman Dmitry Peskov blamed Ukraine for the impasse, saying that Moscow had sent Zelenskyy's government a draft document



Alexei Alexandrov/AP

Damaged and burned vehicles are seen at a destroyed part of the Illich Iron & Steel Works Metallurgical Plant, as smoke rises from the Metallurgical Combine Azovstal during heavy fighting, in an area controlled by Russian-backed separatist forces in Mariupol, Ukraine, on Monday.

with "absolutely clear" proposals and that Ukraine had not responded.

"The ball is in their court," Peskov told reporters. In the past, Ukraine has accused Moscow of distorting what was said in negotiations. The capture of Mariupol, a port city on the Sea of Azov that has been nearly wiped off the map by continuous Russian bombardment, would be a significant triumph for Russia. In a message recorded deep within a sprawling steelworks plant where Ukrainian forces and some frightened civilians are holed up, a Ukrainian commander said the defenders were outnumbered 10 to 1 by Russian attackers.

"We are probably facing our last days, if not hours," the officer, Serhiy Volnya of the 36th Marine Brigade, said in the video, which was posted on Facebook. He pleaded with world leaders to arrange for Ukrainian forces remaining in the steel plant and its underground tunnels to be evacuated and taken "to the territory of a third-party state."



Leo Correa/AP

Alexandra Kusminova pets her cat, named Mouse, as she sits on a bed settled in a restaurant that was transformed into a shelter in Dnipro, Ukraine, on Wednesday.

Russia has been dropping heavy bombs on the steel complex even as it issues repeated surrender demands, promising that holdouts who give up would be unharmed. But previous ultimatums, on Sunday and Tuesday, were ignored by the Ukrainian side, as was Wednesday's. Ukraine says a Mariupol hospital where hundreds of civilians had taken shelter was also targeted Wednesday.

Several thousand Ukrainian troops, by the Russians' estimate, remained in the plant and its labyrinth of tunnels and bunkers spread out across about 4 square miles. Zelenskyy said about 1,000 civilians were also trapped there.

All told, more than 100,000 people were believed trapped with little if any food, water, medicine or heat in Mariupol, which had a pre-war population of over 400,000.

Officials have tried to arrange the evacuation of tens of thousands of residents who remain trapped in the city under dire conditions, without access to drinking water, food or medical supplies.

Iryna Vereshchuk, Ukraine's deputy prime minister, said that a plan to rescue civilians from Mariupol via a humanitarian corridor "did not work as planned" Wednesday and that another attempt would be made Thursday. "Due to the lack of control over their own military at the place, the occupiers were unable to ensure a proper cease-fire," she said of Russia.

Mariupol, a once-thriving city of nearly half a million people, now lies in ruins, with three-quarters of its prewar population either displaced or dead. Still, it is considered a strategic prize. Capturing it would allow the creation of a land corridor linking Russian-controlled parts of the Donbas — Ukraine's eastern industrial heartland — to the Crimean Peninsula, which Moscow annexed eight years ago.

While Russia was focusing its "main effort" on capturing Mariupol, the Ukrainian military said Moscow's forces were also making repeated thrusts in the eastern regions of Donetsk and Luhansk, which make up the Donbas. Ten Russian ground attacks were repulsed in the previous 24 hours, the military said in an operational report early Wednesday.

Since both sides declared Monday that the war had entered a new phase, Russian forces have captured Kreminna, an eastern town of about 18,000 people on the front lines.

Nearby, the city of Rubizhne was the site of intense artillery fusillades.

Shelling had devastated wide parts of the city, turning Rubizhne into a landscape of smashed, scorched buildings and cratered boulevards.

Russian forces had reportedly taken much of the city, but on Wednesday, street battles were ongoing, with an especially intense skirmish around the train station.

Although some Western officials and analysts have questioned whether the Russian offensive in the east was underway in earnest, British military intelligence said in a new assessment that fighting in the Donbas was growing in intensity, with Russian forces seeking to break through Ukrainian defenses and disrupt supply lines and troop redeployment on the Ukrainian side.

"Russian attacks on cities

across Ukraine show their attempt to try and disrupt the movement of Ukrainian reinforcements and weaponry to the east of the country," the assessment said.

Supply and reinforcement, combined with serious morale problems, were key weaknesses in Russia's drive to capture Kyiv, an effort that Moscow abandoned a month ago. Analysts say those same issues could beset Moscow's efforts in the east as well.

But vast tracts of open territory and superior firepower could favor the Russian push in the east — the main reason that Zelenskyy has been making near-daily pleas for more heavy weaponry from the West.

"If we had access to all the weapons we need, which our partners have and which are comparable to the weapons used by the Russian Federation, we would have already ended this war," he said in his address.

The United States, Canada and Britain have promised Ukraine more artillery, and Norway is sending air-defense missiles. In addition to new sanctions on Russia that the White House says are in the works, President Joe Biden is expected to announce a new military aid package for Kyiv in coming days.

Some allied countries, including Germany, have been name-checked by Ukrainian officials as flagging in their provision of armaments just when the need is greatest. Seemingly stung by the criticism, German Foreign Minister Annalena Baerbock on Wednesday cited recent shipments of anti-tank weapons and Stinger anti-aircraft missiles to Ukraine.

Baerbock, speaking at the start of a visit to the three Baltic states, said Germany was also providing "other things that we didn't talk about in public."

■ — Information from The Associated Press is included in this report.

Land Act

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Jermayne Tuckta, an archivist at the Museum at Arm Springs, finds irony in the numbers.

"It's interesting that a lot of rural people would find this unfair because they are the ones who benefited from the Donation Land Act the most," said Tuckta, a member of the Confederated Tribes of Warm Springs.

Tuckta said the difference between rural and urban attitudes could come down to which side is more exposed to Native American issues on a daily basis. People in urban areas do not regularly see the impacts of the Land Donation Act on Native Americans, he said.

"Those in the rural areas probably often run into tribal members who are looking for places to gather edible roots," said Tuckta. "So people in rural areas are seeing first hand

the cause and effects of what the land donation act did."

Tuckta said Native Americans often ask permission from local landowners to dig for roots on private property, common situations that bring the two sides in direct contact. Improving relations between Native and non-Native peoples may have changed attitudes toward historic events and policies, he said.

Now when tribal members venture off the reservation in search of edible roots they are finding more hospitable landowners.

"When my grandmother was younger, they would try to gather the edible roots in the Shaniko area. The landowners of that generation weren't as lenient or nice toward tribal members," said Tuckta.

"But today that has changed. This new generation of landowners are open, as long as they know we are not out there leav-

Bio Box

The Oregon Values and Beliefs Center is committed to the highest level of public opinion research. To help obtain that, the nonprofit is building a large research panel of Oregonians to ensure that all voices are represented in discussions of public policy in a valid and statistically reliable way.

Selected panelists earn points for their participation, which can be redeemed for cash or donated to a charity. To learn more, click here.

ing trash or anything and we are just out there to gather our roots."

This generational change of heart towards the needs of Native Americans is reflected in the survey, said Tuckta.

■ Reporter: 541-617-7818, mkohn@bendbulletin.com

Levy

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The levy, if approved by voters in the May 17 primary election, would pay for improvements, such as housing police and fire operations under the same roof, building an interview room and a holding cell, and providing covered parking for police vehicles to prevent cars from getting buried in snow during the winter.

"Both the police facilities and the fire station are not up to current standards, and they are not buildings that are adequate in the future," said Bill Hepburn, the chair of the Sunriver Service District.

The levy would assess 47 cents per \$1,000 of assessed property value. It is

difficult to determine an average assessed value of a home in Sunriver, Hepburn said — on his street alone he said it fluctuates between \$290,000 and \$1.4 million.

Hepburn said someone who owns a home with an assessed value of \$400,000 would pay \$188 in the first year of the levy.

The rest of the \$18 million project will be covered by \$3 million from service district reserves and \$8 million in Deschutes County transient room tax revenue.

Hepburn said it is critical for the district to pass a levy now versus five years from now, because the \$8 million from the county helps keep the cost low for Sunriver taxpayers.

"There is absolutely no guarantee we would

be able to do something like that again," Hepburn said, referring to receiving \$8 million from Deschutes County. "This is a unique opportunity to have the county funding almost half the cost of the project. That opportunity may never come up again."

Hepburn said the service district has yet to hear any negative comments about the levy since the district began campaigning for it last year, and the secretary of state website does not show any organized opposition groups to the levy.

"We worked hard at limiting the impact on the Sunriver taxpayer, and I think we've done it," he said.

■ Reporter: 541-633-2160, bvissier@bendbulletin.com