WHEREAS as of May 4, 2021, there has been 447,279 cases of COVID-19 confirmed in the State of Oklahoma, and 32,472,201 cases in the United States. To date, there have been 6,788 deaths in Oklahoma and 577,528 deaths in the United States due to COVID-19; and

WHEREAS the Cheyenne and Arapaho Tribes have lost many tribal members, particularly elders, to COVID-19; and

WHEREAS every single county in Oklahoma as well as all of the counties in the Cheyenne and Arapaho service area have active cases of COVID-19; and

WHEREAS the COVID-19’s pandemic continues to present an unprecedented and rapidly evolving challenge to our State and tribal jurisdiction. Our Tribes have taken extraordinary steps to prevent and respond to the pandemic. On March 19, 2020, I issued Executive Order 20-01 and declared a State of Emergency because this pandemic, an act of nature, threatened the lives of our Cheyenne and Arapaho members and employees, and our local resources were inadequate to address the threat. Since declaring the State of Emergency, I have extended it every 30 days.

WHEREAS the past year has required difficult decisions and substantial collective action. During the late fall and early winter of 2020, Oklahoma continued to experience a rise in COVID-19 cases. As a result, I called on all Cheyenne and Arapaho tribal members and our employees to forego large gatherings, powwows, and other social gatherings, and we continued to keep our gatherings spaces temporarily closed that posed high risks of virus transmission; and

WHEREAS thankfully, our care and concern for our tribal members and employees paid off. After weeks of measured progress, I issued Executive Orders 2020-03, 2020-05, and 2020-08 that eased some restrictions on allowing our casino operations and businesses to open, essential personnel to work in the offices, and some use of our facilities for COVID-19 related uses; and

WHEREAS on April 1, 2021, I issued a Governor’s Proclamation and declared April 2021 as Tribal Vaccination Month. Vaccines can help protect you and others around you from COVID-19 and it is our best protection against contracting and spreading the coronavirus; and
Whereas as we pass the one-year mark since the first reported case of COVID-19 in Oklahoma, we can see the finish line. Because of our adherence to our emergency measures and our careful approach, we are able to begin making more proactive steps toward moving forward; and

Whereas although there is reason for optimism, the pandemic is not over, and we cannot sacrifice the progress that we have made together. According to the United States Centers for Disease Control and Prevention ("CDC"), over 32.4 million people have been infected in the United States, resulting in over 577,000 deaths. The pandemic has brought enormous pain to the Cheyenne and Arapaho Tribes. In addition, the risks posed by new COVID-19 variants reinforce the need to be vigilant and cautious in our continued approach to the pandemic; and

Whereas as we ease restrictions, we must remember that the risk of transmission increases. As I have noted previously in my other Executive Orders, some settings continue to pose more risks than others. Unpredictable settings are riskier than more predictable and controlled settings. Experience shows that indoor activities are riskier than outdoor activities. Recognizing the impact of these variables, the Executive Order continues to limit certain settings more than others due to the varying levels of risk and impact on public health; and

Whereas we all play an integral role in preserving the recent gains that we have made. When Cheyenne and Arapaho tribal members and its employees leave their homes, they must continue to follow the science and adhere to public health guidance. The CDC estimates that wearing face coverings can reduce transmission risk by 70 to 80 percent. When face coverings are paired with consistent social distancing, we can dramatically reduce transmission. I continue to ask everyone to support these basic measures to allow our children to continue in-person learning, keep our businesses open, and protect our elders; and

Now, Therefore, I, Reggie Wassana, Governor of the Cheyenne and Arapaho Tribes, in accordance with the authority invested in me, do hereby issue the following order to become effective immediately:

It is hereby ordered that:

1. Executive Orders 20-01, 20-02 are rescinded as of Tuesday, May 4, 2021.
2. Paragraphs 10 and 11 of this Executive Order are effective as of Tuesday, May 4, 2021 at 9:00 am.
3. Masks and face coverings required. Executive Order 20-03, requiring face coverings, remains in full force and effect except as modified by this Executive Order.
4. Activities outside of the home. Mindful that we must continue to limit social interactions to protect public health, continue to follow all CDC recommendations.
   i. Activity by employees or customers. Prohibited social gatherings do not include activity by employees or customers of tribal businesses permitted to remain open under this Executive Order, providing that these businesses follow the requirements and limitations set forth in this Executive Order.
   ii. Educational and care services for children and youth. Prohibited social gatherings do not include educational and care services for children and youth, including Childcare, Emergency Youth Shelter and Head Start.
• All employees, to include teachers, that work in our Childcare, Emergency Youth Shelter and Head Start programs are required to be vaccinated with one of the approved Food Drug Administration (FDA) vaccinations (Pfizer, Moderna) no later than May 29, 2021. Failure to comply with this Executive Order will result in your dismissal from employment with the Cheyenne and Arapaho Tribes.

iii. Health care and residential facilities. Prohibited social gatherings do not include gatherings of persons in health care facilities, long-term care facilities, residential treatment facilities, elder care programs, or the Independent Living Center administered by the Tribes. These facilities and settings should continue to follow applicable tribal, state and federal guidance, including guidance related to visitation. In-person visitation may not be possible under that guidance, and individuals are strongly encouraged to visit with loved ones virtually.

iv. The Judicial Branch. The limits on gatherings in this Executive Order do not apply to proceedings held by the Cheyenne and Arapaho Tribes Judicial Branch. Proceedings held by the Judicial Branch are subject to the policies established by the Chief Justice and will occur as directed by court order.

v. Drive through gatherings. To enable safe congregation of people, drive through gatherings are encouraged, provided that all participants follow the applicable guidance of CDC.

5. Emergency Response Centers (ERCs)/Community Halls. Following CDC guidelines, the ERCs will be available for benefit dances, funerals, and meetings on a limited and reserved basis. Making reservations for the use of these facilities and payment of all deposits and fees must be adhered to and in accordance with the policy set out by the Department of Parks and Recreation. **ALL ERC’S WILL BE CLOSED TO THE PUBLIC DURING TRIBAL CEREMONIES – NO EXCEPTIONS.**

Entry into these facilities should be controlled with attendees screened for vaccination status, COVID-19 symptoms, and/or rapid testing. Tribal health program, Tribal security (when available), and party renting the facility, should work cooperatively to ensure compliance with Tribal COVID policies.

Cheyenne and Arapaho Tribal Health Department should conduct rapid COVID tests and offer COVID-19 vaccinations at all gatherings utilizing the tribal facilities.

Attendees should be notified and reminded throughout the events about the policies and the reasons for implementing them.

6. Voting. Individuals are permitted and encouraged to vote in all tribal, state and local elections. Voters are encouraged to vote by mail using an absentee ballot where feasible and allowable.

7. Essential personnel. Essential personnel and those not furloughed will continue reporting to their workplace in accordance with this Order.

8. Unnecessary travel discouraged. Consistent with federal guidance and to protect our neighbors, tribal members and employees are encouraged to stay close to home and are discouraged from engaging in unnecessary travel, particularly to other states or countries.

• Employees who have not received one of the FDA approved vaccines will not be authorized to go on any work related travel.
9. **Employees and businesses.** Employees and businesses are subject to the requirements set forth below. These requirements may be clarified, as deemed necessary by the Governor, to ensure the health, safety, and security of all Cheyenne and Arapaho tribal members and employees.
   
i. Beginning Monday, May 10, 2021 at 9:00 am, employees work hours will be 9:00 am to 4:30 pm.
   
   ii. Executive Directors are strongly encouraged to allow employees who can work from home to continue to work from home. Executive Directors are also strongly encouraged to implement reasonable accommodations for at-risk employees or employees with one or more members of their household who have underlying medical conditions and are not yet eligible for vaccination.
   
   iii. All tribal government offices will remain closed to the public except by appointment.
   
   iv. Beginning Monday, May 10, 2021, the Tribes motor vehicle registration office will expand its drive-through hours of operation to Monday through Thursday, 9:00 am to 3:00 pm.
   
   v. Employees who have not been vaccinated may not attend in-person meetings and must join meetings via zoom or another virtual option.

10. **Places of Public Accommodation.** Places of Public Accommodation are subject to the following requirements and limitations.

   i. Outdoor Recreational Activity. Following CDC guidelines, effective May 8, 2021, all Cheyenne and Arapaho tribal powwows for 2021 may be allowed to take place at tribal powwow grounds or on tribal land.

   ii. Beginning Saturday, May 8, 2021 at 9:00 am, establishments and facilities with indoor and outdoor space and sufficient normal occupant capacity may exceed 250 people indoors and outdoors in accordance with CDC guidelines.

   iii. Indoor gymnasiums, fitness centers, recreation centers may be open in accordance with the applicable CDC guidelines for social distancing.

11. **Youth/Elders Programs.** Youth and Elder programs that provide services to youth and elders can resume operations if they can do so safely and in accordance with all CDC recommended guidelines. This includes organized youth sports and programs.

   i. Recreation leagues

   ii. Tournaments

   iii. Camps (Summer/Fall)

12. **Organized Adult Sports.** Organized Adult Sports organization programs may resume operations if they can do so safely and in accordance with all CDC recommended guidelines.

   i. Recreation leagues

   ii. Tournaments

   iii. High school/College

13. **The HOPE Program.** If necessary and when additional Recovery Act funds arrive, the HOPE program may continue to make necessary amendments and/or relax its guidelines to assist tribal members with emergency assistance who have been directly impacted by COVID-19.

14. **Tribal programs.** In responding to this emergency, tribal programs may continue to make necessary emergency acquisitions to fulfill the purposes of this declaration. If using a credit card to make such acquisitions, programs may purchase the necessary acquisitions without regard to the current procurement policy, but purchases are limited to $3,000. Programs may make the necessary emergency acquisitions without the requirement to follow bidding requirement/limitations on such
emergency acquisitions. Such necessary emergency purchases shall be capped at $50,000 per transaction. All such purchases must be readily identifiable as such, as following the conclusions of this threat, all such necessary emergency acquisitions will be audited to determine if they were made for emergency purposes.

15. **Task Force.** The Cheyenne and Arapaho Tribes COVID-19 Task Force shall continue to provide regular updates and recommendations to tribal leadership.

16. **Respect for employees.** Cheyenne and Arapaho tribal members and employees must respect the efforts of contract workers, employees and our businesses to protect the safety of employees and customers by complying with the screening process, social distancing and hygiene instructions at all entrances and facilities.

17. **Enforcement.** I urge all Cheyenne and Arapaho tribal members and employees to voluntarily comply with this Executive Order.

18. As noted, this Executive Order shall supersede any provisions found in all previous Executive Orders unless otherwise noted. Nothing in this Executive Order is intended to encourage or allow individual constitutional rights to be denied or transgressed.

**IT IS FURTHER ORDERED** that as soon as thereafter possible, this Order be filed in the Office of Records and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the Cheyenne and Arapaho Tribes, its departments, programs, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto signed this Order on this 4th day of May 2021.

Reggie Wassana, Governor
Cheyenne and Arapaho Tribes