



NORTHERN CHEYENNE TRIBE

ADMINISTRATION

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NORTHERN CHEYENNE TRIBAL PRESIDENT'S EXECUTIVE ORDER REVISING THE CURFEW GUIDELINES AND LIFTING THE COMPLETE LOCKDOWN WITHIN THE EXTERIOR BOUNDARIES OF THE NORTHERN CHEYENNE RESERVATION (RESERVATION) DUE TO THE CORNAVIRUS. CONFIRMED CORONAVIRUS CASE NUMBERS HAVE BEGUN A DOWNWARD TREND DUE TO INCREASED COMMUNITY ADHERENCE TO MULTIPLE EMERGENCY MEASURES IMPLEMENTED BY THE PRESIDENT'S OFFICE. THIS EXECUTIVE ORDER WILL CONTINUE WITH A 8:00 P.M. TO 6:00 A.M. CURFEW MONDAY THROUGH SUNDAY. THE CURFEW WILL CONTINUE UNTIL PUBLIC HEALTH OFFICIALS RECOMMEND ENDING THE 10 HOUR CURFEW. THE BIA POLICE WILL CONTINUE TO ASSIST WITH THE ENFORCEMENT OF THE CURFEW. THE WEEKEND LOCKDOWN WILL BE REINSTATED IF THE RESERVATION EXPERIENCES A SIGNFICANT SURGE OF CORONAVIRUS INFECTIONS. THESE ARE EXTREME EMERGENCY MEASURES TO PREVENT THE FURTHER RAPID SPREAD OF CORONAVIRUS AND TO PROTECT THE HEALTH, SAFETY AND WELFARE OF ALL RESIDENTS OF THE RESERVATION ESPECIALLY THE ELDERS, CHILDREN, AND PEOPLE WITH UNDERLYING HEALTH CONDITIONS.

October 13, 2020,

Section 1. Authority

PURSUANT TO THE AUTHORITY vested in the Northern Cheyenne President's office under Northern Cheyenne Tribal Council Ordinance No. DOI-006 (2020) the Tribal Council has authorized the President's office to take any emergency actions (including enforcement of applicable sections 7-4-9, 7-7-5 and 7-7-10 of the Tribal Law & Order Code, as amended) that do not conflict with Federal law, to protect the health, safety and welfare of Tribal members and other residents living on the Northern Cheyenne Reservation during this period of a State of Emergency due to the outbreak of COVID-19 or Coronavirus. Executive Orders are issued by the President's office for the purposes of protecting the Cheyenne way of life and our people.

Section 2. Significant Ongoing Events

Currently, the State of Montana is reported to have the third highest increase in

LITTLE WOLF AND MORNING STAR - Out of defeat and exile they led us back to Montana and won our Cheyenne homeland that we will keep forever.

Coronavirus cases in the United States; North Dakota is first and South Dakota is second. Yellowstone County is reporting the most increase in new COVID-19 cases followed by Flathead County.

The Northern Cheyenne Tribe is cautiously optimistic with the decrease in new cases on the Reservation. As of 10/13/2020 the Indian Health Service (I.H.S.) reported 57 active COVID-19 cases on the Reservation, 3 new positive cases, 15 hospitalizations, and at least twenty-seven (27) deaths of Tribal members due to the surge of Coronavirus cases on the Reservation. It has been reported that American Indians rate of COVID-19 infections is five times the national average.

Community members are urged to continue practicing social distancing, essential travel only, avoidance of large public and private gatherings of people, hand washing or use of sanitizer, wearing face masks and to stay home. Please remember that COVID-19 outbreak conditions will require a continuous assessment of rapidly changing conditions that may require revision of Executive Orders with updated background information and emergency measures.

We fight an up-hill battle given that our Tribal members living in our Tribal homeland (Reservations) are more prone to the spread of infectious diseases due to substandard health care, a lower life expectancy, higher infant mortality, higher rates of chronic diseases, higher levels of substance abuse and alcoholism, crowded housing, homelessness and other poverty indicators.

Federal and Montana authorities recognize that Tribal nations may have more restrictive ordinances and rules concerning emergency actions and measures, that are culturally appropriate to help prevent the spread of COVID-19 or Coronavirus into our Tribal homelands. There exists a common understanding that Tribal nations retain the sovereign authority to protect the health, safety and welfare of their Tribal members.

Please note that citations will be issued to individuals violating Section 7-7-10 (3) of the Tribal Law & Order Code, as amended.

Section 3. Updated Emergency Measures For the General Public. Previously issued emergency measures shall remain in effect unless they are specifically removed from the updated Executive Order

- ❖ The Stay at Home Order (also referred to as Shelter-In-Place) has been extended until October 31, 2020. The Order may be extended or revised based on the recommendations

from public health experts, health care providers, and emergency management professionals. For example, a Coronavirus outbreak on the Reservation.

- ❖ **The daily curfew is revised to 8:00 P.M in the evening to 6:00 A.M. in the morning. CURFEW WILL BE MONDAY THROUGH SUNDAY FOR ALL PERSONS LIVING ON THE NORTHERN CHEYENNE RESERVATION.** The revised curfew will take effect starting October 13, 2020 at 8:00 p.m. Exceptions are travel to essential businesses, travel to and from certain businesses allowed by Executive Order, adherence to approved road checkpoint guidelines, and emergency travel for health and safety of individuals and their family members. The complete lockdown on weekends may be reactivated if COVID-19 cases surge on the Reservation. The local grocery store (IGA/Lame Deer Trading) is considered an essential business and will open under certain circumstances pertaining to the Executive order.
- ❖ The number of daily and weekly cases will be monitored closely.
- ❖ **THE CURFEW WILL BE ENFORCED WITH THE ASSISTANCE OF THE BURUEAU OF INDIAN AFFAIRS POLICE:**
 - (a) Applicable sections of the Northern Cheyenne Law and Order Code, as amended by Tribal Council Ordinance No. DOI-012 (2020) include the following:
 - 1) 7-7-5, Subsection A, no. 10: Violating any curfew mandate ordained by the Tribal Council. Breach of Peace or Disorderly Conduct are class C offenses.
 - 2) 7-7-10, Subsection, A—A person is guilty of a sanitation and public health offense if he/she: (1) Violates any rules and regulations enforced by the Department of Public Health, or United States Public Health Service, Division of Indian Health, as adopted by Tribal Council ordinances, or any Indian group, organization, or committee for the tribal celebrations or gatherings; (2) Fails to properly dispose of all body wastes, garbage, trash, and other materials and litter, or, (3) Violates any Tribal Council ordinances or resolution prohibiting or requiring conduct pertaining to public health, and/or the safety and welfare of the Tribal members and other residents living within the exterior boundaries of the Northern Cheyenne Reservation.

The sanitation and public health offense(s) is a Class B offense. The current Tribal Court bond/fee schedule is applicable. Citations maybe issued and repeat offenders are subject to incarceration. The above amendments cited in this Executive Order are enforceable by the BIA/OJS police.

❖ **ALL BUSINESSES UNDER THE JURISDICTION AND OWNERSHIP OF THE NORTHERN CHEYENNE TRIBE ARE ORDERED TO CLOSE BUSINESS ACTIVITIES AT 6:00 P.M. DAILY.**

- ❖ Community members are encouraged to wear face masks, use hand sanitizer or wash hands, take temperature checks (if available) and to practice social distancing when entering businesses.
- ❖ If Tribal members or others residing on the Northern Cheyenne Reservation show signs of COVID-19 or Coronavirus infection they are to self-isolate and immediately contact PHNs or I.H.S. Service Unit for medical attention and a testing determination.
- ❖ Strong recommendation is made to not allow visitation to Elders' homes and Elderly care/living facilities (e.g. Shoulderblade Complex and Heritage Center) housing Tribal members. Exemptions are compassionate care by family members and necessary healthcare.
- ❖ Residents of the Northern Cheyenne Indian Reservation are recommended to take essential travel only. Residents may request to be tested by PHN or I.H.S. if they are concerned with potential infection due to the high risk area they may have travelled to. Continue good hygiene and practice prevention measures while on travel.
- ❖ No vendors or public gatherings are authorized to be conducted on Cheyenne Avenue in the down-town area of Lame Deer,
- ❖ Absolutely no outside vendors will be allowed to set up sales in Lame Deer's down-town area.

Section 4. Additional Restrictions Limiting the Movement of People on the Northern Cheyenne Reservation and Enforcement of the President's Shelter-In-Place Order.

A. The following guidelines are issued to prevent the spread of the lethal Coronavirus and potential death of Tribal members:

- Northern Cheyenne Tribal Road Security with the assistance of local law enforcement, will implement designated road checkpoints on Tribal and BIA roads. The Check Point Plan will be phased-in and implemented to control access "in and out" of our Reservation communities due to the rapid spread of the COVID-19. The Tribe's Road Checkpoint Plan was approved on August 7, 2020 by the Acting BIA Superintendent. The Checkpoint Plan is funded through December 30, 2020.
- Any person traveling within the Northern Cheyenne Reservation will be requested to return home if they are performing non-essential travel. Person(s) that are not residents of the Reservation will be requested to leave the Reservation.
- All persons on the Northern Cheyenne Reservation must wear face masks or covering in public areas.

A. Special Considerations:

- Religious/Cultural Activities.
- First Responders, e.g. police, EMS, fire protection, wildland firefighters, etc.
- Early morning dialysis patients.
- Essential workers with late hour shifts.
- Medical supply deliveries from supply companies.
- Freight deliveries (food, other essential goods and supplies to local businesses). No out-of-state freight deliveries (unless pre-approved by the President).
- Emergency medical
- Essential Tribal employees

B. Other Special Considerations: The following is a listing of a number of considerations that grant essential personnel authorization to have access in and out of the designated checkpoints:

- Tribal members/residents who work outside of the Northern Cheyenne Reservation will be allowed to leave and return with a valid work identification (e.g. vehicle window sticker) or letter from their employer validating their employment.
- Essential non-Tribal member who resides outside the Northern Cheyenne Reservation and is employed within the Reservation with proper work credentials or identification will be allowed entry.
- Delivery of goods, services, supplies, equipment ordered by Tribal Programs, federal and state offices. Other deliveries and services include: U.S. mail delivery; FedEx and UPS deliveries; TRECO, Range Telephone, medical supply delivery, grocery and fuel supply trucks will be allowed into the Reservation communities.
- Cattle ranchers and farmers whose ranching or farming operations outside of the checkpoints will have in and out privileges, however, they will be required to abide by established curfew hours.
- All general contractors working within the Reservation must submit employee names to the Tribal Employment Rights Office (TERO) to obtain a temporary construction permit in order to be allowed on to the Reservation. If an employee is not on the contractor's list, they will be not allowed on to the Reservation. Contractor and associated employees will be required to comply with COVID-19 safety measures required by the Tribe.
- General contractors are required to inform the TERO office of all anticipated delivery of construction material at least two (2) business days prior to delivery for truck deliveries to be allowed on the Northern Cheyenne Reservation.
- The Charging Horse Casino is ordered to close operations due to surge in COVID-19 cases on the Reservation. Re-opening date will be in consultation with the President's office.
- The President's office has been in consultation with area schools with enrolled Northern Cheyenne students concerning re-opening of "in-person" classroom instruction. There is a high risk for the potential spread of the Coronavirus to our children, parents/guardians and school staff at this time. The President's office recommends online/virtual learning

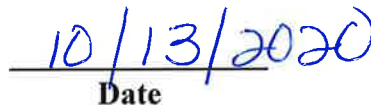
until there is a determination that the current Coronavirus surge no longer poses an imminent threat to the health, safety and welfare of our children. On-going consultation with areas schools will be a priority.

- Wake and Funeral services (a very sensitive area) should be limited to family and relatives with strict adherence to social distancing, face masks, hand washing or use of hand sanitizer and pre-cautions if serving food. Burial services only is highly recommended for the safety of all attendees.
- Large public gatherings are prohibited until further notice. Large private or family gatherings are not advised.

The people of the Northern Cheyenne Nation are encouraged to continue to comply with the previously issued recommended health and safety advisements and to please observe and adhere to the additional restrictions controlling the movement of people on the Reservation. We have observed a decrease in the number of confirmed Coronavirus cases on the Reservation due to our united effort to contain the spread of the virus. Together we must continue to take precautions to limit the spread of this deadly disease. As noted: fines for repeated violation of emergency measures will be implemented. Please contact the President's office for clarification on any items discussed in the content of this Executive Order. During this time of a global COVID-19 or Coronavirus pandemic it is your personal responsibility to take of yourself and our collective responsibility to take care of our families, communities and our Northern Cheyenne homeland that we will keep forever. Thank you for your cooperation.



Rynalea Pena, President
Northern Cheyenne Tribe



Date