COVID-19 Shelter-in-Place Executive Orders 50-State Survey

(including the District of Columbia and Certain Counties)

Last updated: May 15, 2020 @ 18:00 EDT

Highlighted text: This means the information is new as of the "last updated" time (see above). If a state's name is the only highlighted text, that means the state just issued a stay-at-home order; all information in that state's row is new and should be reviewed.

Note: This survey covers "shelter-in-place orders" for all 50 states, including Washington D.C. and certain counties within states. The "summary" in this survey specifically applies to the defense- and nuclear-contractor sectors. For all other sectors, click on the link to each state's order to determine whether a special carve-out applies. Be aware that some cities and counties are issuing their own "shelter-in-place" orders; this survey does not cover those orders. Please check you're your local workforce's city or county website to ensure optimum compliance and to determine whether additional carve-outs apply. It is also recommend that you ensure compliance with all orders (other than "shelter-in-place") by checking each state and county's website for updates.

As of April 24, 2020, we will begin updating each state with a brief summary of "reopening efforts" as they apply to the defense and nuclear sectors.

State	Order Title	Effective Date	Enactor Title Name	Defense Carve- Out	Summary	Reopening Plans Yes/No
		Exp. Date		Yes/No		Summary
Alabama	Order of the	4-3-2020	State Health	Yes	❖ A carve-out applies to the	Yes
	State Health		Officer		defense and energy sectors.	
	Officer	4-30-2020	Scott Harris			Governor McKay has issued an
	Suspending				"Essential businesses and	amended Safer at Home Order,
	Certain Public	(Prior to 4-			operations" is defined to include	which will take effect May 11,
	Gatherings	30-2020, a			those workers and industries	2020 and will remain in effect
	Due to Risk of	determinatio			identified in the Department of	until May 22, 2020. The Order
	Infection by	n will be			Homeland Security's CISA	was amended to allow more
	COVID-19	made to			Memorandum. CISA's	business to reopen sooner with
		extend or			Memorandum includes the	certain restrictions. The Order
		relax this			following as Essential Critical	permits retailers, close-contact
		Order)			Infrastructure:	service providers, athletic
					→ Workers at nuclear facilities	facilities, and restaurants to open
						effective May 11, 2020 subject to

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					 → Workers who support the essential services required to meet nation security commitments to the federal government and U.S. Military → Personnel working for companies, and their subcontractors, who perform under contract to the Department of Defense, and government-owned/contractor-operated and government-owned/government-operated facilities ❖ In addition, the Order specifically exempts "employers who support the essential products and services required to meet national security commitments," including companies who perform under contract to the Department of Defense and provide materials and services to the Department of Defense. Also exempted are "nuclear facilities and other generating facilities," manufacturing companies involved in energy, and ship manufacturers. 	certain sanitation and social- distancing guidelines, as well as beaches. However, higher risk businesses must remain closed, in addition to schools and child care facilities. All employers must take reasonable steps to protect employees, including (1) maintaining six feet separation; (2) regularly disinfecting items and surfaces; (3) encouraging handwashing; (4) preventing employees who are sick from coming into context with other persons; (5) facilitate remote work; and (6) minimize employee travel. This amendment removed the requirement that employers avoid gatherings of 10 or more employees. Because the nuclear/defense sectors were essential under the Governor's prior stay at home order, there is nothing in this new order that will affect the nuclear/defense sectors other than general sanitation guidelines.

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					Employers may, but need not, issue credentials to their employees verifying their status as an essential business	
Alabama (Birmingham City)	Ordinance No. 20-50	4-3-2020 4-30-20	The Birmingham City Council	Yes	 The defense and nuclear sectors appear to be exempt from the Order. Exempt from this order are "persons employed by the federal, state, county or city government or their agencies working within the course and scope of their public service employment." Also exempt from the Birmingham Ordinance are those businesses that provide "essential goods and services" and that "provide services, goods or work necessary to build, operate, maintain or manufacture essential infrastructure." This ordinance defines this to include those businesses deemed essential by the Jefferson County Public Health Order (referenced above). The City Council has clarified that a business not specifically listed as "non-essential" by the Jefferson County Public Health Order may continue to operate 	

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
					subject to social distancing. As mentioned above, because the Jefferson County Public Health Order does not identify defense contractors or those operating in the nuclear energy sector as "non-essential," this suggests that such businesses are exempt and may continue to operate. The City Council does recommend that such essential businesses use their best judgment to keep their employees and patrons safe, which may include teleworking.	
Alabama (Jefferson County)	Executive Public Health Order	Enacted 3-22-20 Effective 3-23-20 @ 5 p.m. The Order is to continue for the duration of the current emergency conditions.	Jefferson County Chief Health Officer Dr. Mark Wilson	Yes	 Defense and nuclear sector carve-outs are not specifically excluded, <u>but</u> these sectors may remain open because they appear to be essential under the Order. All non-essential businesses and services are to be closed. The non-essential businesses specifically identified in the Order include, for example, entertainment venues, recreation facilities, non-essential retail stores, nail salons, theaters, and others. 	

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		•			 Defense contractors and those operating in the nuclear energy sector are not included in the list of non-essential businesses. All businesses not identified in the list of non-essential businesses may continue to operate and are to engage in social distancing. The Order is to continue for the duration of the current emergency conditions. 	
Alaska	Health Mandate 011 – Social Distancing; Health Mandate 012 – Intrastate Travel – Limiting travel between communities to critical infrastructure or critical personal need	3-27-20 In effect until rescinded	Gov. Mike Dunleavy, Commission er Adam Crum (Alaska Dept. of Health and Social Services) Chief Medical Officer Dr. Anne Zink	Yes	 A carve-out applies to the defense industrial base and energy sectors. Per Mandate 11, all individuals in Alaska are directed to stay at home except for those identified in Alaska's Essential Services and Critical Workforce Infrastructure Order. Section IV of the Order incorporates by reference the Critical Infrastructure Sectors defined by the Department of Homeland Security CISA guidelines, which exempts workers at nuclear facilities and personnel working for companies, and their subcontractors, who perform 	 Yes ❖ Phase 1 of the reopening plan is going into effect April 24, 2020. The order allows select activities and businesses to resume under certain conditions and guidance (i.e., regarding social distancing, staffing, hygiene, disinfecting, etc.), including non-essential public facing businesses, retail, restaurants, personal care, and non-essential non-public-facing businesses. ❖ Because the defense sector was already an essential business, it does not appear that any changes will affect the client.

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			Name	Out		Yes/No
		Exp. Date		Yes/No		Summary
		Exp. Date		Yes/No	under contract to the Department of Defense. Section II of the Order also includes in its definition of essential services "Essential Government Functions," which includes all services needed to ensure the continuing operation of government agencies and provide for the health, safety, and welfare of the public. It specifically includes the Dept. of Defense, but only identifies personnel returning from temporary duty or engaging in mission essential travel. Per Mandate 12, all in-state travel between communities is prohibited unless travel is to support critical infrastructure. Per the Mandate, if a business is included in Alaska's Essential Services and Critical Infrastructure, the company must submit a travel plan or protocol for maintaining critical infrastructure to akcovidplans@ak-prepared.com. The plan should outline how the company will avoid the spread of COVID-19 and not endanger the lives of the community,	Summary
					those who serve as part of the	

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					infrastructure, or the ability of the infrastructure to function.	
Arizona	Executive Order 2020-12 Executive Order 2020-18	3-23-20 Exp. Indefinite 3-30-20 Exp. 5-15-20	Gov. Douglas A. Ducey	Yes	 A carve-out applies to manufacturing and supply chain companies in industries such as "energy" and "national defense." Per Order 2020-18, all individuals are to limit their time away from home, except for employment in Essential Functions (among other conduct) as defined in Order 2020-12. Manufacturing companies, distributors and supply chain companies producing and supplying essential products and services for industries including "national defense" and "energy" are exempt. Construction companies are also exempt, including "public works construction." "Essential Governmental Functions" are exempt, and are defined to include all services provided by the state, county, city, or town that is needed to ensure the continuing operation of the government agencies or to support the health, safety, and 	 ★ Executive Order 2020-36, which goes into effect on May 16, 2020, rescinds all previous stay at home orders and allows for the gradual reopening of businesses. It provides that all businesses should develop, establish, and implement policies to mitigate the spread of COVID-19, including, for example, intensifying cleaning, ensuring physical distancing, providing necessary protective equipment, limiting groups to no more than 10 persons when feasible, and more. The Arizona Department of Health Services also released additional guidance for businesses to resume partial operations. ★ Because the nuclear/defense sectors were essential under the Governor's prior stay at home orders, the reopening will not affect the nuclear/defense sectors other than requiring businesses to implement policies to mitigate the spread of COVID-19.

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		Exp. Date	Taire	Yes/No		Summary
		,			welfare of the public. This includes contractors. The Order does <u>not</u> apply to the United States government. It states that any employee, official or contractor of the United States government will not be restricted from performing their functions under law.	
Arkansas	No order to date.	N/A	N/A	N/A	N/A	Note: Arkansas did not issue a stayat-home order, but imposed restrictions that closed certain businesses like gyms and casinos, as well as prohibiting sit-down service at restaurants. The Governor initially announced a target date of May 4, 2020 to begin lifting some of these restrictions. Beginning May 11, 2020, restaurants may resume limited dineservices. Because the nuclear/defense sectors were not affected by the Governor's restrictions, it is unlikely that any reopening plan will affect the nuclear/defense sectors.
California	Executive Order N-33-20	3-19-20 Indefinite	Gov. Gavin Newsom	Yes	 A carve-out applies to the "defense industrial base sector." All individuals in California are directed to stay at home except 	Yes ❖ On May 7, 2020, Governor Newsom issued new guidance for reopening California's economy

State	Order Title	Effective Date	Enactor Title	Defense Carve-	Summary	Reopening Plans
			Name	Out Voc/No		Yes/No
		Exp. Date		Yes/No	as needed to maintain continuity of operations of the federal critical infrastructure as outlined by the CISA. One category of critical infrastructure exempted from the Order is the Defense Industrial Base Sector. This sector is defined as the industrial complex that enables research, development, design, production, delivery, and maintenance of military weapons systems, subsystems, and components or parts, to meet U.S. military requirements. It includes personnel working for companies and their subcontractors who perform under contract to the Department of Defense providing materials and services to the Department of Defense. Another category recognized is the Energy Sector, which includes workers needed for safe and secure operations at nuclear generation. Also recognized is the Nuclear Reactors, Materials, and Waste Sector, which is defined to broadly cover most aspects of	 Summary called the Resilience Roadmap. ★ The Roadmap provides a four stage plan to reopen California's economy. We are currently in Stage 1, which is simply staying at home, except for essential functions. Stage 2 will involve reopening lower risk workplaces such as manufacturing, schools, childcare facilities, and retail businesses for curbside pickup. Stage 3 will involve reopening higher risk workplaces such as salons, gyms, and movie theaters. Stage 4 will end the stay at home order and allow for the re-opening of the highest risk parts of the economy such as concert venues and sporting events with live crowds. ★ Because the nuclear/defense sectors were essential under the Governor's prior stay at home order, this reopening plan will not affect the nuclear/defense sectors.

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					America's civilian nuclear infrastructure, including workers at nuclear facilities and workers who support nuclear waste response and cleanup.	
Colorado	Executive Order D 2020 017 Ordering Coloradans to Stay at Home Note: According to news sources, "The stay-at- home order will expire on Sunday, and the state on Monday will enter what Polis calls a "safer-at- home" period during which people should still limit their time in public as much as possible."	Enacted 3- 25-20 Effective 3- 26-20 4-26-20 (Unless rescinded or modified)	Gov. Jared Polis	Yes	 A carve-out applies to defense contractors. Executive Order D 2020 017 gave authority to the Colorado Department of Public Health and Environment to issue a Public Health Order defining critical businesses exempt from the Order. Amended Public Health Order 20-24 includes in its definition of "critical businesses" a Defense carve-out for "[d]efense, security, and intelligence-related operations supporting the State of Colorado, local government, the U.S. Government, or a contractor for any of the foregoing." 	Yes Colorado has instituted a gradual reopen plan that transitions from a "Stay at Home" order to a "Safer at Home" order. The new plan sets out guidelines for reopening (i.e., non-critical businesses may only have 50% of employees come in to work), however, the order "permit[s] all Critical Businesses and Critical Government Functions to continue to operate with mandatory Social Distancing Requirements and cleaning protocols." As a result, the nuclear/defense sectors will not be affected by the plan.

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Connecticut	Executive Order No. 7H, "Stay Safe, Stay at Home" Initiative	3-20-20 Effective 3-23-20 @ 8:00 p.m. 5-20-20 (Unless earlier modified, extended, or terminated)	Gov. Ned Lamont	Yes	 A carve-out applies to the defense industrial base and energy sectors. Executive Order No. 7H adopted, as essential businesses, the 16 Critical Infrastructure Sectors defined by the Department of Homeland Security CISA guidelines (which include Defense Industrial Base and Energy Sectors). Under CISA guidelines, subcontractors who perform under contract to the Department of Defense are exempt. Executive Order No. 7H also defines essential businesses to include "industries supporting the essential services required to meet national security commitments to the federal government and the U.S. Military; the defense industrial base, including aerospace, mechanical and software engineers, manufacturing/production workers, aircraft and weapon system mechanics and maintainers." The Connecticut Department of 	No The Governor's Reopening Task Force has proposed a four-phase reopening plan that will begin on May 20. The first stage of the reopen plan would include reopening restaurants, retail stores, offices, nail and hair salons, etc. However, an official order has not yet been released.
					Economic and Community	

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		·			Development additionally published legally binding guidance providing a carve-out specifically for "defense and national security-related business and operations supporting the U.S. Government or a contractor to the US government."	·
Delaware	"Fourth Modification of the Declaration of a State of Emergency for the State of Delaware Due to a Public Health Threat" A "Fifth Modification" was also enacted on 3/22/2020 but incorporated the "essential businesses" analysis from the Fourth Modification.	Enacted 3- 22-20 Effective 3- 24-20 Expiration: Until further notice	Gov. John C. Carney	Yes	 The "Fourth Modification" defines essential businesses to include "workers needed for safe and secure operations at nuclear generation" under its "Energy" Carve-Out. The "Fourth Modification" also includes a carve-out for "Defense Industrial Base" that includes "[w]orkers who support the essential services required to meet national security commitments to the federal government and U.S. Military." It additionally provides a carve-out for "personnel working for companies, and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense, and government-owned/government-owned/government-operated facilities." 	Yes ❖ Delaware announced the 3-part plan, and announced its planned roll-out date for June 1. ❖ The Plan does not appear to affect the defense or nuclear sectors at this time.

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District of Columbia	Mayor's Order 2020-051: Prohibition on Mass Gatherings During Public Health Emergency – Coronavirus (COVID-19) Note: Mayor claims that all non-essential businesses have been closed but stops short of calling it a shelter-in-place order.	3-27-20 5-15-20	Mayor Muriel Bowser	No	 No defense or nuclear sector carve-outs specifically but there are carve-outs for gatherings: → On property in D.C. owned by the federal government → Office space → Multiple, separate enclosed spaces in single building so long as 50 people are not present in the same space at the same time → Restrictions on gatherings of 50+ people ★ Restrictions on gatherings of 10+ people 	
Florida	Executive Order 20-91 "Stay at Home" Order	Enacted 4-1-20 Effective 4-3-20 Exp. 4-30-20 (Unless renewed or modified)	Gov. Ron DeSantis	Yes	 ❖ A carve-out applies to the defense subcontractors. ❖ Executive Order 20-91 adopted, as "essential services," the Critical Infrastructure Workforce defined by the Department of Homeland Security CISA guidelines (which include Defense Industrial Base and Energy Sectors). Under CISA guidelines, subcontractors who perform under contract to the 	Yes ❖ Gov. DeSantis announced that Florida will reopen certain businesses (including restaurants and retail spaces) throughout the state beginning on Monday, May 4 as part of its "Phase 1: Safe. Smart. Step by Step Plan". ❖ The Plan allows critical businesses, that have already been in operation, to continue to provide services. Although,

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					Department of Defense are exempt.	people must still adhere to social distancing guidelines. The reopening plan does not apply to Broward, Miami-Dade and Palm Beach counties. The Plan was updated on May 11, 2020 to include Palm Beach County to Phase 1.
Georgia	Executive Order to Ensure A Safe & Healthy Georgia	Enacted 4-2-20 Exp. 4-30-20 Note: Governor Kemp allowed the Stay at Home Order to expire on April 30, 2020.	Gov. Brian Kemp	Yes	 ❖ A carve-out applies to the defense and nuclear sectors. ❖ Executive Order defines "essential services," as the "Critical Infrastructure Workforce" guidelines issued by the Department of Homeland Security (which include Defense Industrial Base and Energy Sectors). Under CISA guidelines, subcontractors who perform under contract to the Department of Defense are exempt. 	 Yes ❖ Georgia's updated plan allows businesses including personal services, salons, gyms, movie theaters, dine-in restaurants etc. to reopen. However, through May 13, 2020, businesses must continue to abide by strict sanitation and social distancing safety precautions. Additionally, on April 30, 2020 Gov. Kemp signed an Executive Order that extends the State of Emergency through June 12, 2020 to continue enhanced testing and maintain emergency responses, and require children and the medically fragile to continue to shelter in place. ❖ As before, because our client was always an essential business, the reopening orders do not directly affect the defense sector or their

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
		•				business. However, they must still abide by the sanitation and social distancing safety precautions already briefed (see below). * However, the Critical Infrastructure that continue inperson operations must abide by certain guidelines including: 1. Screening and evaluating workers who exhibit signs of illness 2. Requiring workers exhibiting illness not to report to work 3. Enhancing sanitation 4. Requiring handwashing 5. Prohibiting gatherings of workers during working hours 6. Permitting workers to take breaks/lunch outside or other social distant areas 7. Implementing teleworking for all possible workers 8. Implementing staggering shifts for all possible workers, etc.
Hawaii	Third Supplementary Emergency Proclamation for COVID-19 Note: The Order states that to the	Enacted 3-23-20 Effective 3-25-20 Exp. 5-31-20	Gov. David Ige	Yes	 A carve-out applies to the energy and nation defense industries. Exemptions specifically apply to necessary to maintain continuity of operations of the federal critical infrastructure sectors, as identified by CISA, as well as manufacturing companies, 	Yes ❖ Governor Ige issued a proclamation, reopening some business within the state, including most retail stores and agricultural operations, effective May 7. The new proclamation will not impact

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		Bute	Name	Out		Yes/No
		Exp. Date		Yes/No		Summary
	extent the Order is inconsistent with the county orders we previously identified, "the relevant documents shall be read to allow for maximum flexibility so that essential businesses and operations continue unimpeded." For this reason, we have removed the County orders.				distributors, and supply chain companies producing and supplying essential products and services in and for the energy and national defense industries. To the extent this proclamation is inconsistent with any Hawaii county order, the relevant documents must be read to allow for "maximum flexibility so that essential businesses and operations continue unimpeded."	nuclear/defense sector businesses, which are already considered essential. However, the proclamation contains the following new requirements for essential businesses: → High risk populations and sick individuals are urged to stay home to the extent possible; → Employees must maintain at least six feet of separation, to the fullest extent possible; → Employees who have any contact with customers or goods to be purchased must wear a cloth face covering; → Hand sanitizer and sanitizing products must be readily available for employees; → High-touch surfaces must be regularly disinfected; → Information must be posted online about whether a facility is open and how best to reach the facility; and → Signage must be posted at the entrance of the facility informing all employees that they should wear CDC recommended face coverings while in the business or operation, avoid entering the business or operation if they have a cough or fever or

State	Order Title	Effective	Enactor	Defense	Summary	Reopening Plans
		Date	Title	Carve-		/
		п ъ.	Name	Out		Yes/No
		Exp. Date		Yes/No		Summary
						otherwise do not feel well,
						maintain a six-foot distance
						from one another, and not
						shake hands or engage in unnecessary physical contact.
Idaho	Order to Self-	3-25-20	Donoutmont	Yes	♦ A	
Idano	Isolate	3-23-20	Department of Health &	ies	❖ A carve-out applies to the defense industrial base and	Yes
	<u>1801atc</u>	4-30-20	Welfare		energy sectors.	❖ Governor Little announced a
		1 30 20	Director		chergy sectors.	four-step plan to reopen the
			Dave		 Exemptions specifically apply to 	state. Under Stage One of the
			Jeppesen		businesses that are essential	plan, which is effective May 1,
			3 11		critical infrastructure, as	places of worship and daycares
					identified by CISA, as well as	may reopen, provided they can
					public works construction and	maintain appropriate social
					commercial construction	distancing measures. All other
					companies.	Idaho residents must stay at
						home, subject to some
						exemptions.
						❖ Although there are no
						exemptions that apply specifically
						to nuclear/defense sector
						businesses, exemptions include
						businesses that are essential
						critical infrastructure, as
						identified by CISA, as well as
						public works construction and
						commercial construction
						companies.
Illinois	Executive	3-21-20	Gov.	Yes	❖ A carve-out applies to the energy	Yes
	Order 2020-10		J.B. Pritzker		and nation defense industries.	
		5-31-20				 Governor Pritzker has extended
	Note: Gov.				 Exemptions specifically apply to 	the state's stay-at-home order,
	J.B. Pritzker				construction companies and	while lifting some restrictions on

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			Name	Out		Yes/No
		Exp. Date		Yes/No		Summary
	announced he is modifying the state's stay-at-home order on May 1 through May 30 based on modeling that has analyzed the data from the last two months.				manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for the energy and national defense industries.	the order, including opening up state parks in phases, allowing garden centers and animal groomers to reopen, and allowing non-essential retailers to offer customers pickup options. The new order will not impact nuclear/defense sector businesses, which are already considered essential. However, the order contains a new requirement that residents cover their faces in public spaces where social distancing is difficult. This mandate applies to anyone over the age of 2 who is "able to medically tolerate a face-covering or a mask." Essential retail stores are required to provide face coverings to all employees who cannot maintain a 6-foot distance. Essential manufacturers must follow social distancing requirements and take appropriate precautions, which may include: → Providing face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times; → Staggering shifts; → Reducing line speeds; → operating only essential lines, while shutting
						down non-essential lines;

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						 → ensuring that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing; and → downsizing operations to the extent necessary to allow for social distancing and to provide a safe workplace in response to the COVID-19 emergency.
Indiana	Executive Order 20-22 Note: Gov. Eric Holcomb said a decision will be made this Friday if Indiana will extend its stay- at-home order.	4-20-20 5-15-20	Gov. Eric Holcomb	Yes	A carve-out applies to the energy and national defense industries. Exemptions specifically apply to construction companies and manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for the energy and national defense industries.	Yes Governor Holcomb issued an executive order, effective May 11, reopening some business within the state, including most retail stores and – after one week – most restaurants. The new executive order will not impact nuclear/defense sector businesses, which are already considered essential. However, the executive order contains the following new requirements for essential businesses: → Six feet of spacing for employees must be designated with signage, tape, or other means;

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						→ Hand sanitizer and sanitizing
						products must be readily available for employees;
						→ Separate operating hours for
						elderly and vulnerable
						customers must be
						implemented; and
						→ Information must be posted
						online about whether a
						facility is open and how best
						to reach the facility.
						A • • • • • • • • • • • • • • • • • • •
						* In addition, all Indiana employers
						must develop a plan to implement measures and institute safeguards
						to ensure a safe environment for
						their employees. The plan must
						be provided to each employee
						and posted publicly, and must
						address:
						→ Instituting an employee
						health screening process;
						→ Employing enhanced cleaning
						and disinfecting protocols for
						the workplace, including
						regularly cleaning high-touch surfaces;
						→ Enhancing the ability of
						employees, customers, and
						clients to wash hands or take
						other personal hygiene
						measures such as use of hand
						sanitizer; and
						→ Complying with social
						distancing requirements

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						and/or other separation measures such as wearing face coverings or using barriers.
Iowa	No order to date. Note: Although Gov. Kim Reynolds never issued a stay-at-home order, limits on non-essential surgeries, farmers' markets and other non-essential business were lifted April 27.	N/A	N/A	N/A	N/A	N/A
Kansas	Executive Order No. 20- 16	3-28-20 5-3-20	Gov. Laura Kelly	Yes	 A carve-out applies to the defense and energy sectors. All individuals must stay at home, unless performing an essential function as identified in the Kansas Essential Function Framework ("KEFF"). The KEFF provides that companies providing "material 	Yes ★ Kansas just issued a new Executive Order No. 20-29 implementing Phase One of "Ad Astra: A Plan to Reopen Kansas." It repeals the Stay At Home Order effective May 4, 2020.

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					and operational support to defense" are exempt. Also exempt are companies performing government contracts. In addition to those performing government contracts, the KEFF also exempts companies that "manage hazardous materials and waste" and "generate electricity." Also exempted are those that provide and maintain "critical infrastructure" or maintain supply chains for "critical infrastructure," which is defined with reference to the DHS guidelines which includes the defense industrial base, the energy sector, and nuclear energy sector.	 Employers and businesses are "strongly encouraged" to follow the guidance attached to the order. Bars, nightclubs, casinos (non-tribal), theaters, museums, fitness centers/gyms, nail salons, barber shops, hair salons, tattoo parlors, tanning salons and other personal service businesses where close contact cannot be avoided are still closed to the public. Local governments are permitted to implement more restrictive orders or provisions regarding businesses but must continue to permit the performance of essential functions identified in the Kansas Essential Functions Framework outlined in Executive Order 20-16, which includes the defense and nuclear sectors.
Kentucky	Executive Order 2020- 246	3-22-20 Indefinite (Until state of emergency ends)	Gov. Andy Beshear	Yes	 The Executive Order requires all retail businesses that are not life-sustaining to close. Note that this Order applies exclusively to retail businesses and likely does not impact the energy or nation defense industries. 	Yes Gov. Beshear did not issue an Executive Order, but he did unveil a tentative re-opening schedule as follows: → May 11 – Manufacturing, construction, vehicle and vessel dealerships, professional services (at 50% of pre-outbreak capacity),

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		Date	Title	Carve-		
			Name	Out		Yes/No
		Exp. Date		Yes/No		Summary
						horse racing (without
						spectators), pet grooming
						and boarding
						\rightarrow May 20 – Retail, houses of
						worship
						→ May 25 – Social gatherings
						of no more than 10 people,
						barbers, salons, cosmetology
						businesses and similar
						services
						 Each business must adhere to the
						10 rules to re-opening:
						→ Continue telework where
						possible;
						→ Phased return to work;
						→ Onsite temperature/health
						checks;
						→ Universal masks and any
						other necessary PPE;
						→ Close common areas;
						→ Enforce social distancing;
						→ Limit face to face meetings;
						→ Sanitizer/hand wash
						stations;
						→ Special accommodations;
						and
						→ Testing plan
						01
						 As stated before, because the
						nuclear/defense sectors were
						not affected by the Governor's
						restrictions, it is unlikely that
						any reopening plan will affect
						the nuclear/defense sectors.

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
Louisiana	Stay at Home Order	3-23-20 @ 5 p.m. 5-15-20	Gov. John Bel Edwards	N/A (TBD once the full Order is issued)	 ❖ It is unclear at this time whether the defense and nuclear sectors are excluded at this time. ❖ The one-page tentative Order states that "You should not go to work unless you are providing essential services as defined by this Order." As of 3-22-20 @ 1:23 p.m. PST, the Gov. has not defined "essential services." 	
Maine	Executive Order No. 19	3-24-20 5-31-20	Gov. Janet T. Mills	Yes	 A carve-out applies to DoD subcontractors, including those in the "energy" sector. Closes all non-essential businesses until April 8 unless modified or renewed. Incorporates essential businesses identified by Department of Homeland Security, Cybersecurity & Infrastructure Security Agency Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response dated March 19, 2020. This memorandum includes "Defense Industrial Base" defined to include personnel working for companies, and their 	 Yes ★ The Governor of Maine issued a new Executive Order on April 29 "An Order To Stay Safer At Home" which extends the prior order to May 31, 2020 while at the same time implementing the "Together We Are Maine: Restarting Maine's Economy Plan (the "Restarting Plan"). ★ The Restarting Plan shall be implemented by the Commissioner of the Department of Economic and Community Development (DECD) effective May 1, 2020. ★ The Commissioner shall identify businesses and activities where

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
					subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense. It also includes the "Energy" sector.	current restrictions may be adjusted to safely allow for more economic and personal activity. Businesses and activities so identified may receive a conditional approval consistent with the Restarting Plan. Any such approval is subject to change depending upon the demonstrated efficacy of the conditions imposed or the changing or general needs of public health. We do not believe that these plans will affect the current exemptions that apply to the nuclear and defense sectors.
Maryland	Order No. 20- 03-30-01	3-30-20 Indefinite	Gov. Larry Hogan	Yes	 A carve-out applies to the defense sector. Amends and restates prior Order No. 20-03-23-01 and adds a requirement for all persons to stay home. As in the prior Order, the "Defense Industrial Base Sector" is permitted to remain open. This includes companies that manufacture weapons, defense, or intelligence and private contractors that support defense and intelligence agencies. 	Yes ❖ On April 24, Gov. Hogan announced the "Maryland Strong: Roadmap to Recovery." ❖ Because the nuclear/defense sectors were not affected by the Governor's restrictions, it is unlikely that any reopening plan will affect the nuclear/defense sectors.

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
Massachusetts	COVID-19 Order No. 13	3-23-20 5-4-20	Gov. Charles D. Baker	Yes	 ❖ There is a carve-out for the defense sector and energy sector. → The defense carve-out applies to personnel working for companies under contract with the Department of Defense. → The energy, public works, critical manufacturing, and hazardous materials carve-outs allow workers to continue working for companies involved in nuclear energy. 	
Michigan	Executive Order No. 2020-21 Note: Gov. Withmer recently said, "I want to be clear we will likely need another short term extension of the 'Stay Home, Stay	3-23-20 5-1-20	Gov. Gretchen Whitmer	Yes	 ❖ There is a carve-out for the defense sector and energy sector. ❖ Allows workers in the defense industrial base and energy sectors to continue working. ❖ Follows the U.S. Cybersecurity and Infrastructure Security Agency's guidance on critical infrastructure workers. → Includes defense and nuclear energy carveouts. 	

State	Order Title	Effective Date	Enactor Title Name	Defense Carve- Out	Summary	Reopening Plans Yes/No
	Safe' order."	Exp. Date		Yes/No		Summary
Minnesota	Emergency Executive Order 20-20	3-25-20 5-4-20	Gov. Tim Walz	Yes	 ❖ There is a carve-out for the defense sector and energy sector. ❖ Allows all energy workers to continue working → Includes all energy workers defined under the U.S. Cybersecurity and Infrastructure Security Agency's guidance ❖ Allows workers in the defense industrial base, as defined under the U.S. Cybersecurity and Infrastructure Agency's guidance, to continue working 	Yes ❖ Gov. Tim Walz says he might allow some businesses to reopen, beginning April 27. This will allow 80,000 to 100,000 people in the industrial, manufacturing and office settings to go back to work. ❖ Because the nuclear/defense sectors were not affected by the Governor's restrictions, it is unlikely that any reopening plan will affect the nuclear/defense sectors.
Mississippi	Executive Order 1466	4-1-20 4-27-20 @ 8:00 a.m.	Gov. Tate Reeves	Yes	 ❖ A carve-out applies to the defense and nuclear sectors. ❖ Allows all energy workers to continue working → Includes all energy workers at nuclear facilities ❖ Allows workers in the defense industrial base 	Mississippi's "Stay at Home" order will be replaced by a "Safer at Home" order beginning on April 27, 2020. The new order, which will be in effect until May 11, unless rescinded, modified, or extended, permits all businesses and non-profit entities to reopen, subject to certain safety conditions. All businesses are encouraged to utilize telework procedures, if available. For employees who return to work, social distance of at least 6 feet should be enforced. Defense industry businesses were already permitted

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
						to remain open in Mississippi under a carve out within the stay at home order. The new "safer at home" order permits other businesses to reopen.
Missouri	Executive Order 8	4-3-20 5-3-20	Gov. Michael Parson	Yes	 ❖ A carve-out applies to the defense and nuclear sectors. ❖ The EO does not limit people from working → All non-essential workers must work in a setting that abides by the social gathering and social distancing rules ❖ Any workers described as "essential" under the U.S. Cybersecurity and Infrastructure Security Agency's guidance do not have to abide by social distancing guidelines while working → This includes energy and defense workers 	
Montana	Directive Implementing Executive Orders 2-2020 and 3-2020 providing measures to stay at home and	Enacted 3-26-20 Effective 3- 28-20 Exp. 4-24- 2020	Gov. Steve Bullock	No (But see summary)	A carve-out applies to "essential infrastructure," which presumably includes the defense sector. We recommend contacting state officials for further guidance (which we would be happy to do – please let us know).	Yes ❖ On April 22, 2020, Gov. Bullock enacted the <u>Directive</u> implementing Executive Orders 2-2020 and 3-2020 and providing guidance for the phased reopening of Montana and establishing conditions for Phase

State	Order Title	Effective Date	Enactor Title	Defense Carve-	Summary	Reopening Plans
		Even Data	Name	Out		Yes/No
	docionatino	Exp. Date		Yes/No	• MT	Summary
	designating certain				 MT residents must stay home. Relevant here, the Directive 	<u>One</u> .
	essential				Includes the following exception	 Under the Directive, effective,
	functions				for "Essential Infrastructure:	April 27, 2020, Business may
						open effective April 27, 2020. As
					 "For purposes of this Directive, 	of that date, there will be no
					individuals may leave their	distinction between essential
					residence to provide any services	and non-essential businesses.
					or perform any work necessary	
					to offer, provision, operate,	Effective April 27, 2020,
					maintain and repair Essential	employers must continue to
					Infrastructure. Essential	encourage telework whenever
					Infrastructure includes, but is	possible and feasible with
					not limited to: food production,	business operations. When
					distribution, storage, and sale;	telework is not feasible,
					construction (including, but not limited to, construction required	employers are encouraged to accommodate alternative work
					in response to this public health	schedules such as shift work and
					emergency, hospital	staggered scheduling in order to
					construction, construction of	adhere to social distancing
					long-term care facilities, public	guidelines.
					works construction, and housing	gardemies
					construction); building	 Employers must also close
					management and maintenance;	common areas where personnel
					airport operations; aircraft	are likely to congregate and
					fueling services; operation and	interact, or enforce strict social
					maintenance of utilities,	distancing protocols, minimize
					including water, sewer, and gas;	non-essential business travel and
					electrical (including power	make special accommodations for
					generation, distribution, and	members of a vulnerable
					production of raw materials);	population or those with
					distribution centers; oil and	vulnerable household members.
					biofuel refining; roads, highways,	In addition, businesses that
					railroads, and public	reopen must adhere to the
					transportation; cybersecurity	reopening guidelines for Phase

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
					operations; flood control; operation of dams, locks, ditches, canals, diversions, and levies; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services). Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.	One provided in Appendix A of the Directive (linked above).
Nebraska	Directed Health Measure 2020- 009 Directed Health Measure 2020- 010 Note: These Health Measures are not shelter-in- place orders.	Expiration date varies by county and range from 4-30-20 to 5-11-20	Gov. Peter Ricketts	No (But see summary)	 Although no express carve-out applies to the defense and nuclear sectors, the order does not appear to apply to those sectors. The Directed Health Measure prohibits "gatherings" which does not include normal operations at "typical office environments, factories, or retail or grocery stores where large numbers of people are present but it is typically unusual for them to by within six feet of one another 	Yes In the 10 public health districts across the state that have been "lightly impacted," effective May 4, 2020, restaurants can partially reopen, religious services can resume with proper social distancing, and barbershops and beauty salons may open. The ban on gatherings of more than 10 people will remain in effect statewide through May. ★ Assuming the defense and nuclear sectors were already exempted (see summary),

State	Order Title	Effective Date	Enactor Title Name	Defense Carve- Out	Summary	Reopening Plans Yes/No Summary
		Exp. Date		Yes/No	logistics/distributions centers." Gov. Ricketts also issued a proclamation that "urges" Nebraska residents to stay home, not engage in non-essential errands and "work from home or use the six-foot rule as much as possible in the workplace." This remains in effect until 4-30-2020.	these measures do not appear to impact them.
Nevada	Declaration of Emergency Directive 003 Note: In an interview, Gov. Sisolak said, "Unfortunately, we're going to have to extend the 'Stay at Home' order that we have for a little bit because we have not reached exactly where we want to get on the downward trajectory."	3-20-20 5-15-20	Gov. Steve Sisolak	Yes	 ❖ A carve-out applies to the defense industrial base and workers at nuclear facilities. ❖ The Directive provides: This Directive shall not be construed to hinder the ability of the industries identified in the Department of Homeland Security Cyber & Infrastructure Security Agency Essential Critical Infrastructure Workforce memorandum dated March 19, 2020 ("CISA Memo") to continue their operation appropriately modified to account for CDC workforce and consumer protection guidance. 	Yes Non April 29, 2020, Gov. Steve Sisolak announced that the stayat-home order would be extended until May 15, 2020 with the following revisions: → All retail businesses, including those previously deemed nonessential, will be allowed to operate under a "curbside commerce model" similar to curbside pickup now allowed for restaurants and eateries. This includes curbside sales for retail marijuana dispensaries, which have been limited to only delivery orders since mid-March. → Places of worship can have drive-up religious services, as long as people stay in their vehicles and maintain social

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
		Exp. Date		165/140		distancing parameters with people who are not part of their household. → Certain outdoor activities (golf, pickleball and tennis) are permitted "as long as [participants] do it safely and in a way that prevents the spread of COVID-19." ❖ These revisions do not affect the nuclear or defense sectors.
New Hampshire	Emergency Order # 17 Pursuant to Executive Order 2020-04	03-27-20 5-4-20	Gov. Christopher Sununu	Yes	 ❖ A carve-out applies to the defense and nuclear sectors. ❖ The order requires the closing of all non-essential business. ❖ The list of Essential Business which may remain open appears to closely track the CISA Memo, which includes the "Defense Industrial Base," which in turn includes: (1) Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military. These individuals, include but are not limited to, aerospace; mechanical and software engineers, manufacturing/production workers; IT support; security 	 Yes ❖ On May 1, 2020, Gov. Sununu issued Stay At Home 2.0. ❖ Stay at Home 2.0 extends a modified stay-at-home order until May 31, 2020. It establishes four dates of re-opening for certain businesses, the first of which begins May 1st. All businesses that are open or may be re-opening must meet the health and safety standards established by Department of Public of Health Universal Guidance. Additionally, certain industries must meet industry-specific standards. Subject to health and safety standards, the industries able to immediately phase-in services on May 1 are public and private

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
					staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers; and (2) Personnel working for companies, and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense, and government-owned/contractor-operated and government owned/government-operated facilities. It also includes business in the Energy Sector.	parks, campgrounds, and manufacturing businesses. On May 4, 2020, phase-in may begin for certain health care operations, including elective and non-urgent procedures. On May 11, 2020, phase-in may begin for drive-in movie theaters, public and private golf courses, and barber/hair salons. On May 18, 2020, phase-in may begin for dine-in restaurants. The Order does not affect the nuclear/defense sectors.
New Jersey	Executive Order No. 107	3-21-20 6-5-20	Gov. Philip Murphy	No	 ❖ There are no specific carve outs for the defense and nuclear sectors. ❖ Executive Order No. 107 mandates that all businesses in the State must accommodate their workforce, wherever practicable, for telework or work-from-home arrangements. To the extent a business has employees that cannot perform their functions via telework or work-from-home arrangements, the business should make best efforts to reduce staff on site to the minimal number necessary to ensure that essential operations 	Yes ❖ Governor Murphy announced a 6-point "Road Back" to recovery and re-opening but did not issue a timeline in connection with that plan. ❖ The 6 points are: → Sustained reductions in new cases: The governor said state officials will look for a 14-day trend showing sustained drops in new cases, hospitalizations and other metrics. → Expand testing in the state: Murphy said he wants to at

State	Order Title	Effective Date	Enactor Title	Defense Carve-	Summary	Reopening Plans
			Name	Out		Yes/No
		Exp. Date		Yes/No		Summary
					 ❖ The Order provides that "Examples of employees who need to be physically present at their work site in order to perform their duties include, but are not limited to, law enforcement officers, fire fighters, and other first responders, cashiers or store clerks, construction workers, utility workers, repair workers, warehouse workers, lab researchers, information technology maintenance workers, janitorial and custodial staff, and certain administrative staff. ❖ Presumably the nature of the client's business includes employees who must perform their jobs on site. It does not appear that the Order prohibits them from doing so. However, the Order mandates that the client reduce staff on site to the minimal number necessary to ensure that essential operations can continue. Moreover, if any of the client's New Jersey-based employees can perform their work from home, the client 	least double testing in the state. Health care workers and first responders will still be prioritized, but the governor wants the ability for all residents to be tested. → Robust contact tracing: The governor said he wants an "army" of people to perform contact tracing so new cases or outbreaks could be immediately tracked and mitigated. → Safe places for isolation: People who test positive need to have proper contacts with officials so they can get needed support service so they can remain in quarantine. → An economic restart: Murphy announced he created a commission to advise on the process of reopening. → Resiliency: Officials need to prepare for the possibility of a resurgence. ❖ This was "issued" via press briefing and thus there is no related order at this time. It does not affect the nuclear/defense sectors.

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary should be require that they do so.	Reopening Plans Yes/No Summary
New Mexico	Stay at Home Public Health Order for all individuals not engaged in an "Essential Service."	Enacted 3-23-20 Effective 3-24-20 @ 8 a.m. Exp. 5-15-20	Gov. Lujan Grisham and New Mexico Department of Health Secretary Kathy Kunkel	Yes	 ❖ A carve-out applies to the defense and national security industries. ❖ Essential Services include: DEFENSE RESEARCH → Laboratories → Defense and national security-related operations supporting the U.S. government or a U.S. government contractor • ENERGY → Gas and oil drilling and refining → Electrical production and distribution → Natural resources extraction or mining operations 	New Mexico extended its stay at home order until May 31 but announced some upcoming guidelines for reopening beginning May 16. The formal order has not yet been released, and the Governor is holding a press conference shortly. Per the NM Dep't of Health, the new guidelines for reopening will include: → All retailers may operate according to COVID-Safe Practices ("CSPs") at 25 percent fire code occupancy (a "retailer" is any business that sells goods directly to the ultimate consumer or endusers and does not include wholesalers or suppliers, not does it include entertainment venues such as movie theaters, concert halls, or amusement parks); → Non-essential businesses (other than retailers; such as office spaces, call centers) generally may operate according to CSPs at up to 25 percent of pre-crisis staffing

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
					→ Utilities, including their contractors and suppliers, engaged in power generation, fuel supply and transmission	levels. All employees should continue to work from home wherever possible; Houses of worship may operate at 10 percent occupancy; Additional state parks and certain outdoor recreation guides with COVID-Safe Practices; Masks will be required of everyone in public places, with exceptions for eating, drinking and exercising and medical requirements. The other provisions of the Stay at Home order remain the same. Because national defense contractors were included in the original Stay at Home order as an essential business, the extension and modifications do not impact those industries.
New York	Executive Order 202.8: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster	3-20-20 Effective 3-22-20 @ 8:00 p.m. EST Exp. 6-13-20	Gov. Andrew Cuomo	Yes	 A carve-out applies to the defense and national security industries. In his March 20, 2020 Executive Order 202.8, or PAUSE, Gov. Cuomo directed all "nonessential businesses" statewide to close effective March 22, 2020 at 	Yes The following cities/counties may move into the Phase 1 reopening, which includes Construction, Manufacturing, Retail for Curbside Pickup, & Agriculture, Forestry & Fishing: Finger Lakes, Central New York, Mohawk

State	Order Title	Effective Date	Enactor Title	Defense Carve-	Summary	Reopening Plans
		Date	Name	Out		Yes/No
		Exp. Date	1 (01110	Yes/No		Summary
	Emergency or 10-Point Policy that Assures Uniform Safety for Everyone ("PAUSE") E.O. 202.8 expanded the restrictions of E.O. 202.6, enacted by Gov. Cuomo on March 18, 2020, which required all non-essential businesses to reduce their inperson workforce by 50%. E.O. 202.8 expanded this restriction to 100% of the workforce for non-essential businesses.				 Under both E.O. 202.8 and its predecessor 202.6, "essential businesses" are not subject to the in-person work restrictions. Gov. Cuomo instructed the Empire State Development Corporation ("ESDC") to issue guidance regarding which businesses are "essential" and thus exempt from PAUSE. Pursuant to the ESDC guidance (found here) "essential" businesses include: Defense: defense and national security related operations supporting the U.S. Government or a contractor to the U.S. Government 	Valley, Southern Tier and the North Country regions comprising the counties of: Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, Yates Cayuga, Cortland, Madison, Onondaga, Oswego, Fulton, Herkimer, Montgomery, Oneida, Otsego, Schoharie, Broome, Chemung, Chenango, Delaware, Schuyler, Steuben, Tioga, Tompkins Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis, and St. Lawrence. These industries (to the extent they were not declared essential business in the original order) may reopen but must comply with safety metrics such as wearing face masks and practicing social distance. New York City cannot move into Phase 1 because it has not met the benchmarks established by NY for reopening (provided in a previous update). Per the Order, all enforcement mechanisms by state or local governments shall continue to be in full force an effect until June 13, 2020 unless later extended or amended by a future Executive Order.

State	Order Title	Effective	Enactor Title	Defense	Summary	Reopening Plans
		Date		Carve-		Ves/No
		Exp. Date	1 varie	Yes/No		Summary
North Carolina	NC Executive Order No. 121 Stay at Home Order Note: Gov. Cooper recently said "We have a team examining how North Carolina can emerge with the right practices in place to keep us healthy and strong and ready to jump start our economy We're considering the most effective ways to modify executive orders to help boost the economy while continuing to prevent our	Exp. Date Issued 3-37-20 Effective 3-30-20 @ 5 p.m. Exp. 5-8-20	Gov. Roy Cooper	Out Yes/No Yes	 ❖ A carve-out applies to defense and nuclear sectors. ❖ All non-essential businesses must close. ❖ Section 2.C(2) defines "Essential Businesses and Operations" to include the Department of Homeland Security, Cybersecurity & Infrastructure Agency ("CISA")'s definition of Essential Businesses as set forth in CISA's Memorandum of Identification of Essential Critical Infrastructure Workers During COVID-19 Response. CISA's Memorandum includes the following as Essential Critical Infrastructure:	Yes Yes North Carolina's stay at home order is set to expire May 8, on which date North Carolina will move into Phase 1 of its reopening plan under its modified Stay at Home Order, found here. The modified Stay at Home Order, or Phase 1, is in place until May 22. The modified Order removes the distinction between essential and non-essential businesses, allowing most non-essential businesses (with exceptions) to reopen. Because businesses in the nuclear/defense sectors were already included on the essential business list, they can continue to operate as they have been. Social distancing and other hygiene requirements remain in place and teleworking where possible is still highly encouraged.
	~					

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
	overwhelmed with Covid-19 patients."				government- owned/contractor- operated and government- owned/government- operated facilities The Order also defines Essential Businesses and Operations to include: Section 2.C(26). Manufacture, distribution and supply chain which includes "manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as energy." Section 2.C(27). Defense and military contractors. Defense and military contractors that develop products, processes, equipment, technology, and related services that serve the United States military, national defense, and national security interests."	

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
North Dakota	No order to date. Note: Although Gov. Burgum has not yet issued a SIP order, he has temporarily closed bars, restaurants, theaters, schools, and other venues and businesses.	N/A	N/A	N/A	N/A	N/A
Ohio	Director's Stay at Home Order	3-22-20 Effective as of 3-23-20 @ 11:59 Exp. 5-1-20	Amy Acton, Director of the Ohio Department of Health	Yes	 A carve-out applies to the defense and nuclear sectors. Businesses defined as "Essential Businesses" are exempt from the Director's Order that all individuals in Ohio stay home and that all non-essential businesses cease operations (with the exception of minimum basic operations). Section 12(a) also incorporates the Department of Homeland Security, Cybersecurity & Infrastructure Agency ("CISA")'s definition of 	 Yes "Responsible ReStart Ohio" is Ohio's reopening plan. It can be accessed through a variety of links from here. Certain businesses may reopen on May 1, including non-essential healthcare operations. General offices, construction, manufacturing and distribution centers may reopen (if not already operating as an essential business) on May 4, but must follow strict guidelines:

State	Order Title	Effective Date	Enactor Title	Defense Carve-	Summary	Reopening Plans
		Date	Name	Out		Yes/No
		Exp. Date	Tairie	Yes/No		Summary
					Essential Businesses as set forth in CISA's Memorandum of Identification of Essential Critical Infrastructure Workers During COVID-19 Response. CISA's Memorandum includes the following as Essential Critical Infrastructure: Workers at nuclear facilities Workers who support the essential services required to meet nation security commitments to the federal government and U.S. Military Personnel working for companies, and their subcontractors, who perform under contract to the Department of Defense, and government-owned/contractor-operated and government-owned/government-owned/government-operated facilities Section 12(v) of the Order also defines "Manufacture, distribution and supply chain for critical products and industries," which includes energy and national defense, as an Essential Business.	 → Require face masks or covering for all employees and clients and customers → Conduct daily health assessments of employees and employers → Maintain good hygiene, social distancing and hand washing → Clean and sanitize workplaces often → Maintain social distancing practices of 6-feet between people, use barriers when 6-feet of distance is not possible, establish maximum capacity to 50% of fire code → ★ Retail, service and consumer businesses can reopen on May 12. ❖ Because the nuclear/defense sectors were not affected by the Governor's restrictions, it is unlikely that any reopening plan will affect the nuclear/defense sectors.

State	Order Title	Effective Date	Enactor Title	Defense Carve-	Summary	Reopening Plans
		Exp. Date	Name	Out Yes/No		Yes/No Summary
Oklahoma	Executive Department Executive Memorandum 2020-01	3-24-20 5-6-20	Gov. J. Kevin Stitt	Yes	 ❖ The Order specifically exempts Critical Infrastructure Security, as defined by the Department of Homeland Security, and which includes the Defense Industrial Base. ❖ Requires all businesses not identified as being within a critical infrastructure section, and located in one of the following counties, to close:	Yes The Open UP and Recover Safely ("OURS") Plan was released by the Governor on April 22, 2020. The plan opens the state in three phases. As of April 24, 2020, personal care businesses, such as salons, spas, and pet groomers may reopen. On May 1, 2020, dining, entertainment, and sporting venues may operate using recommended social distancing protocols. Gyms and places of worship may also reopen. ★ The order does not impact defense sector business, which were already exempt from the "stay at home" order. Employers should continue to implement appropriate social distancing and sanitation protocols.
Oregon	Executive Order No. 20- 12	3-23-20 Indefinite (Until further notice)	Gov. Kate Brown	No (None needed at this time)	 ❖ Although the Order does not specifically define carve-outs, it mandates the closure of certain, enumerated, businesses which require close personal contact. → Manufacturing/constructions is not currently prohibited from 	

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
					continuing operations under this Order.	
Pennsylvania	Order of the Gov. of the Commonwealt h of Pennsylvania Regarding the Closure of All Businesses That are not Life Sustaining	3-20-20 Exp. 5-8-20 @ 12:01 a.m.	Gov. Tom Wolf	Yes	 A carve-out applies to defense-industrial base manufacturing sectors. The Order mandates "non-life-sustaining businesses" in Pennsylvania to close their physical locations. Along with the Order, the Gov. issued a list of industries, sectors, and subsectors with guidance as to what may remain operational. The Order prohibits most manufacturing from remaining open, but excepts defense industrial base manufacturing under CISA. While there is no exception specifically for nuclear energy, the Order does permit companies engaged in electric power generation, transmission, and distribution to remain open. 	 Yes ★ The Pennsylvania Process to Reopen Pennsylvania was released by the Governor on April 25, 2020. The process reopens the state in three phases: red, yellow, and green. Phased reopening is scheduled to begin on May 8. The red phase represents the stay at home orders as currently in place. In the yellow phase, telework must continue where feasible, but businesses with in-person operations must follow social distancing and all CDD and DOH requirements. In the green phase, all businesses reopen, with CDC and DOH guidelines in place. ★ This order does not impact defense sector businesses, which were already exempt from the "stay at home order" already in place under the red phase.
Rhode Island	Eleventh Supplemental Emergency Declaration—	3-28-20 5-8-20	Gov. Gina M. Raimondo	No (But none	❖ Although there is no specific carve-out for the defense and nuclear sectors, these sectors can	

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
	Staying at Home, Reducing Gatherings, Certain Retail Business Closures and Further Quarantine Provisions	(Unless renewed, modified, or terminated by Executive Order)		needed at this time)	 The Order requires Rhode Island residents to stay home unless traveling to work, for medical reasons, or to obtain necessities (food, medicine gas, etc.) The Order closes certain retail businesses, but it silent as to businesses outside the retail industry. 	
South Carolina	Executive Order No. 2020-21	4-6-20 5-27-20 (via <u>EO No.</u> 2020-35)	Gov. Henry McMaster	Yes	 A carve-out applies to the defense and nuclear sectors. The Order mandates the closure of "non-essential" businesses, venues, facilities, services, and activities. The Order specifically exempts Critical Infrastructure Operations, including individuals performing or assisting with military operations, and services identified by the CISA memorandum. 	 Yes ❖ On May 3, Governor McMaster issued Executive Order No. 2020-31. This Order authorizes restaurants to provide outdoor customer dining services and food for off-premises consumption. ❖ Previously, Executive Order No. 2020-28, which was issued at the end of April, permitted certain retail businesses to reopen. Both orders require employers to continue enforcing social distancing practices. ❖ Neither order impacts defense sector businesses, which were permitted to remain open

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
						under South Carolina's Stay at Home order.
South Carolina (City of Charleston)	The City of Charleston has an Emergency Ordinance on Stay at Home	3-25-20 4-7-20 (Unless otherwise extended)	Mayor John J. Tecklenburg	Yes	 A carve-out applies to U.S. Government contractors and "power generation." The State of South Carolina has yet to enact a state-wide order. The City of Charleston, however, has an Ordinance requiring individuals to stay at home and certain businesses to close. The Ordinance has a carve out for defense operations, including contractors to the U.S. Government. The Ordinance also has a carve-out for power generation. 	
South Dakota	Executive Order 2020-08 Note: This Order appears to be voluntary based on Gov. Noem's comments.	3-23-20 5-2-20	Gov. Kristi Noem	Yes	 ❖ There are potential carve-outs for the defense and nuclear sectors. → "Consider business arrangements and innovative ideas intended to support the critical infrastructure sectors, as defined by the Department of Homeland Security." 	

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
		-			→ "This Order should be read in conjunction with CISA 3/19/2020 Memorandum."	
Tennessee	Safer-At-Home	Effective 3-31-20 4-30-20	Gov. Bill Lee	No (But see summary)	 ❖ Although a carve-out does not specifically apply to the defense and nuclear sectors, the Order does not appear to restrict employers from remaining open. → However, employers are urged to take steps "to the greatest extent practicable to equip and permit employees to work from home" ❖ Non-essential business closure ❖ Definition of essential business includes day care centers, insurance companies, going to church, attending weddings and funerals ❖ Avoid social gatherings of 10 or more ❖ Caring for or visiting a family member, friend, or pet in another household 	 Yes ❖ On April 28, 2020, the Governor signed Executive Order No. 30, which was an Order allowing Tennesseans to return to work safely. Here is the announcement. ❖ The "Reopening Tennessee Responsibly" webpage contains general business guidelines, as well as guidelines for specific businesses such as retail, restaurants, exercise facilities, and close contact businesses such as hair salons. The report recommends screening employees, taking temperatures, wearing face coverings and gloves, social distancing. ❖ This not does appear to affect the defense and nuclear sectors.

Exp. Date Name Out Yes/No	Yes/No Summary es to DoD Yes
	•
	es to DoD Yes
Texas Executive Order	 On April 27, 2020, Governor Greg Abbot released a report "The Governor's Report to Open Texas" (the "Report"). The Report states that all businesses in Texas must follow the minimum health protocols recommended by the DSHS, in addition to federal and state employment laws

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
						specifically mentioned, however, all health protocols pursuant to federal law and workplace safety standards would apply. As a result, we recommend that Huntington's Texas operations follow these protocols.
Utah	Stay Safe Stay Home Directive Note: Although Gov. Gary Herbert issued a voluntary initiative to stay home, he has not issued an official statewide order.	3-27-20 5-1-20 @ 11:59 p.m.	Gov. Gary R. Herbert	No (But see summary)	 Although there is no specific carve-out to the defense and nuclear sector, there is no language in the Orders that would suggest the defense and nuclear sectors must close. Businesses that remain open are reminded to comply with all public health orders, offer telework options wherever possible, continue following strict hygiene policies, and implement enhanced social distancing measures in the workplace where telework is not an option. Utah has enacted Closures of public schools. Gov. has Recommended limiting gatherings of more than 100 people. Individuals over 60 or immunocompromised should not participate in gatherings with 	Yes ❖ On March 24, 2020, Governor Gary Herbert issued a report titled "Utah Leads Together" on how to restart the economy. The risk assessment was color coded with red as "high risk," orange "moderate risk," yellow "low risk," and "green "new normal." ❖ At this time, the report does not suggest any impact on the nuclear and defense sectors.

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
					 w Utah is restricting access to long-term care facilities. → Restaurants and bars to suspend dine-in services. 	
Vermont	Executive Order Addendum 6 to Executive Order 01-20	Enacted 3-24-20 Effective 3- 25-20 @ 5 p.m. Exp. 5-15-20	Gov. Phil Scott	No (But see summar y)	 While there is no specific carve-out for defense or nuclear sectors, there is a carve-out for businesses deemed critical to "economic and national security," which likely includes defense contractors. We recommend verifying with the state. The Vermont Agency of Commerce and Community Development (ACCD) shall permit businesses to operate deemed: critical to public health and safety; and economic and national security. 	No Construction, home appraisers, property management and municipal clerks returned to work on April 20. Businesses only allowed maximum of two workers to maintain social distancing. On May 1, farmers markets can start to operate with social distancing guidelines in place.

State	Order Title	Effective Date	Enactor Title	Defense Carve-	Summary	Reopening Plans
		Exp. Date	Name			· ·
Virginia	Executive Order No. 53 Executive Order No. 55, Temporary Stay At Home Order	Exp. Date 3-23-20 Indefinite (Until further notice) 3/30/20 6-10-20 (Unless extended)	Gov. Ralph S. Northam	Out Yes/No Probably Yes	 Executive Order No. 53 A carve-out likely applies to the defense and nuclear sectors. Executive Order closes non-essential retail businesses. Notes that businesses offering professional rather than retail services may remain open, but must practice teleworking, and if that isn't possible then social distancing/sanitation practices, and apply relevant workplace guidance from state and federal authorities. The order shall not limit the operation of the government. Executive Order No. 55 Carve out for travel to and from work. Says Executive Order No. 53 is still in effect, and that this Order No. 55 does not apply to the operation of businesses not required to close under Executive Order No. 53. This order shall not limit the 	Yes/No Summary Yes On May 12, 2020, Governor Northam issued Executive Order Number Sixty-Two entitled Jurisdictions Temporarily Delayed From Entering Phase One In Executive Order 61 And Permitted To Remain In Phase Zero Northern Virginia Region. The Order will remain in effect until 11:59 p.m. on May 28, 2020. The Order indicates that the Northern Virginia Region consisting of the Counties of Arlington, Fairfax, Loudoun, and Prince William, and the Cities of Alexandria, Fairfax, Falls Church, Manassas, Manassas Park, as well as the Towns of Dumfries, Herndon, Leesburg, and Vienna, will remain in Phase Zero. There will be continued closure of dining in restaurants and public access to recreational/entertainment businesses in that region. Essential retail businesses can remain open. Professional businesses may remain open, but
					operation of the government.	must use teleworking as much as possible. If teleworking is not

State	Order Title	Effective Date	Enactor Title	Defense Carve-	Summary	Reopening Plans
			Name	Out		Yes/No
		Exp. Date		Yes/No		Summary
						feasible, they must adhere to physical distancing guidelines, sanitation practices, and workplace guidelines issue by state and federal authorities. All businesses are encouraged to follow the Guidelines for All Business Sectors as best practices and other appropriate workplace guidance from state and federal authorities while in operation. Nothing in the Order shall limit the operation of government. It does not appear this Order affects the client since they would likely be considered to be performing an operation of government.
Washington	Proclamation 20-25 Stay Home – Stay Healthy Proclamation 20-25.1 Extending Stay Home – Stay Healthy to May 4, 2020	Eff. 3-23-20 Exp. 5-31-20	Gov. Jay Inslee	Yes	 There is a carve-out for the Defense Industrial Base Sector, which includes companies and their subcontractors who perform under contract to the Dept. of Defense. Must be part of the "essential workforce" of an essential business to be exempt. There is a carve-out for the Defense Industrial Base Sector, which includes companies and 	Yes ❖ On April 27, 2020, Governor Inslee signed Proclamation 20-25.2 Adjusting Stay Home − Stay Healthy. ❖ It indicates that on May 5, 2020 the following outdoor recreational activities are permitted as long as participants fully comply with social distancing and coronavirus related hygiene requirements: Recreational hunting, fishing, and

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
					their subcontractors who perform under contract to the Dept. of Defense. Essential workforce includes personnel working for companies, and their subcontractors, who perform under contract to the Dept. of Defense providing materials and services to the Dept. of Defense, and government-owned/contractor-operated and government-owned/government-owned/government-owned/government-owned/government-operated facilities. There is a carve-out for the Energy Sector. Essential workforce includes workers needed for safe and secure operations at nuclear generation. Essential businesses can only remain open if they practice social distancing and sanitation measures established by the U.S. Dept. of Labor's Guidance on Preparing Workplaces for COVID-19 (https://www.osha.gov/Publications/OSHA3990.pdf) and the Washington State Dept. of Health Workplace and Employer Resources & Recommendations (https://www.doh.wa.gov/Coronavirus/workplace).	boating; Outdoor exercise, including hiking, running, walking and biking; Golfing; Day-use activities at public parks and public lands. The Proclamation further indicates that Proclamations 20-25 and 20-25.1 (Stay Home – Stay Healthy) are amended to extend all of their provisions, except those specifically listed above, and each expiration date therein, to May 4, 2020. This not does appear to affect the defense and nuclear sectors.

State	Order Title	Effective Date	Enactor Title	Defense Carve-	Summary	Reopening Plans
			Name	Out		Yes/No
		Exp. Date		Yes/No		Summary
West Virginia	Executive Order 32-20	Exp. Date Effective 5-4-20 @ 12:01 a.m. EST Exp. None.	Gov. Jim Justice	Yes	 A carve-out applies to the nuclear and defense sectors. Effective as of 12:01 a.m. EST on May 4, 2020, the previous stay-at-home order 9-20 is amended to now declare a general safer-at-home order. People are strongly encouraged to stay at home unless performing an essential activity. Non-essential businesses must generally continue to temporarily cease operations, but certain small businesses may resume operations under certain precautions. Essential activities still include those in the stay-at-home order of 9-20, including those industries and workers defined by the Department of Homeland Security CISA guidelines (which include Defense Industrial Base and Energy Sectors). 	Yes As part of the Comeback Plan: On May 8, 2020, Governor Justice signed an Executive Order allowing businesses in the "Week 3" phase (wellness centers, drivein movie theaters, outdoor fishing) to resume operations. On May 11, 2020 Governor Justice announced that businesses in the Week 3 phase are now permitted to resume services provided they follow additional safety guidelines issued by the state. On May 11, 2020 Governor Justice announced the businesses that will be permitted to resume operations in the Week 4 phase. He also provided additional guidelines for the reopening of these businesses, including indoor dining at restaurants, reopening of large/specialty retail stores, campgrounds, outdoor recreation rental outfitters, hotels/motels/rental properties/cabins (noting the executive order requiring out-of-state travelers to self-quarantine

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
		Exp. Date		103/140		will be lifted during Week 4), public restrooms, outdoor guided fishing, cabins/lodges, and youth sports activities. Other than following recommended safety guidelines, it does not appear these Orders/Announcements affect Huntington Ingalls since they were likely subject to a carve out to the stay at home order under defense and nuclear sectors.
Wisconsin	Emergency Order #12 Safer At Home Order	Enacted 3-24-20 Effective 3-25-20 @ 8:00 a.m. Exp. 5-26-20	Gov. Tony Evers	Yes	 A carve-out applies to DoD subcontractors. The executive order adopted, as essential businesses, the 16 Critical Infrastructure Sectors defined by the Department of Homeland Security CISA guidelines (which include Defense Industrial Base and Energy Sectors). Under CISA guidelines, subcontractors who perform under contract to the Department of Defense are exempt. Shall comply with DHS and CDC guidelines at https://www.dhs.wisconsin.gov / covid-19/index.htm and 	Yes ❖ On May 11, 2020, Governor Evers issued Emergency Order #36 Interim Order to Turn the Dial, which is effective immediately and shall remain in effect for the duration of the Safer at Home Order. Huntington Ingalls will need to review the guidelines at the site noted below, and consider adopting them if possible. ❖ This Order reduces certain restrictions on certain businesses. It indicates that certain restrictions will be lifted with respect to in-person retail

State	Order Title	Effective Date Exp. Date	Enactor Title Name	Defense Carve- Out Yes/No	Summary	Reopening Plans Yes/No Summary
	Emergency Order #28 Safer At Home Order	Enacted 4-16-20 Effective 4- 24-20 @ 8:00 a.m. Exp. 5-26-20 @ 8:00 a.m.	Same	Yes	https://www.dhs.wisconsin.gov / covid19/employers.htm; shall meet social distancing requirements, and work from home to the greatest extent possible. Same as above, additionally must restrict number workers to no more than is necessary, increase standards of facility cleaning, adopt policies to prevent workers from entering with respiratory symptoms or have been in contact with a person with Covid-19	and public amusement/activity. It also indicates that all businesses, including essential businesses, must follow safe business practices including reviewing the Wisconsin Economic Development Corporation guidelines on safe business practices, available here: https://wedc.org/reopen-guidelines/ . Businesses must consider integrating and adopting the applicable guidelines for the operations that are currently permitted under the Safer at Home Order.
Wyoming	No order to date.	N/A	N/A	N/A	N/A	N/A