

A SAFER-AT-HOME ORDER OF THE ST. LUCIE COUNTY ADMINISTRATOR IN RESPONSE TO A COUNTY WIDE THREAT FROM THE COVID-19 VIRUS

WHEREAS, the St. Lucie County Administrator has made the following determinations:

1. Novel Coronavirus Disease 2019 ("COVID-19") is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and
2. In late 2019, a new and significant outbreak of COVID-19 emerged in China; and
3. The World Health Organization previously declared COVID-19 a Public Health Emergency of International Concern; and
4. In response to the recent COVID-19 outbreak in China, Iran, Italy, Japan and South Korea, the Centers for Disease Control and Prevention ("CDC") has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and
5. On March 1, 2020, the Governor of the State of Florida issued Executive Order Number 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and
6. On March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and
7. On March 7, 2020, the Governor of the State of Florida directed the Director of the Division of Emergency Management to activate the State of Emergency Operations Center to Level 2 to provide coordination and response to the COVID-19 emergency; and
8. On March 9, 2020, the Governor of the State of Florida issued Executive Order Number 20-52 declaring that a state of emergency exists in the State of Florida as a result of the spread of the COVID-19 virus and imminent threat to the health and welfare of the citizens of Florida; and
9. The CDC currently recommends community preparedness and that everyday prevention measures should be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs

and sneezes with a tissue and disposal of the tissue immediately thereafter, washing hands often with soap and water for at least 20 seconds, using alcohol-based hand sanitizers with 60%-95% alcohol if soap and water are not readily available and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and

10. The CDC currently recommends mitigation measures for communities experiencing an outbreak including staying at home when sick, keeping away from others who are sick, limiting face-to-face contact with others as much as possible, consulting with your healthcare provider if individuals or members of a household are at high risk for COVID-19 complications, wearing a facemask if advised to do so by a healthcare provider or by a public health official, staying home when a household member is sick with respiratory disease symptoms if instructed to do so by public health officials or a health care provider; and

11. On March 13, 2020, the President of the United States issued a proclamation of a declaration of national emergency; and

12. On March 13, 2020, the Coordinating Officer for the State of Florida Division of Emergency Management issued Emergency Order No. 20-004, authorizing the Department of Education to delay school assessments and to adjust school calendars including rescheduling, extending or cancelling spring breaks; and

13. On March 16, 2020, President Donald J. Trump and the Centers for Disease Control and Prevention ("CDC") issued the "15 Days to Slow the Spread" guidance advising individuals to adopt far-reaching social distancing measures, such as avoiding gatherings of more than 10 people, and in states with evidence of community spread, recommending restrictions to certain establishments conducive to mass gatherings and congregations; and

14. On March 29, 2020, the President extended such guidance to be in effect until April 30, 2020; and

15. On March 17, 2020, the St. Lucie County Public Safety Director declared a State of Local Emergency COVID-19 Public Health Emergency ("St. Lucie County Declaration of Emergency"); and

16. On March 24, 2020, the Governor of the State of Florida issued Executive Order No.

20-83 directing the State Surgeon General and State Health Officer to issue a public health advisory to all persons over 65 years of age and persons that have serious underlying medical conditions that place them at high risk of severe illness from COVID-19 urging them to stay home and to take such other measures as necessary to limit their risk of exposure to COVID-19; and

17. Pursuant to Executive Order No. 20-83, the Governor of the State of Florida further directed the State Surgeon General and the State Health Officer to issue a public health advisory providing that individuals should cease all social or recreational gatherings of 10 or more people; and

18. On March 25, 2020, the State Surgeon General issued a Public Health Advisory consistent with Executive Order 20-83; and

19. On March 25, 2020, the President of the United States declared that a major disaster exists in the State of Florida as a result of COVID-19; and

20. The State of Florida and St. Lucie County are continuing to experience reports of illnesses and persons testing positive for the virus; and

21. There has been no indication that the spread of COVID-19 is slowing in the State of Florida and St. Lucie County; and

22. St. Lucie County must continue to take emergency action to lessen the spread of COVID-19; and

23. There is reason to believe that COVID-19 is spread amongst the population by various means of exposure, including the propensity to spread person to person and the propensity to attach to surfaces for prolonged periods of time thereby creating a dangerous physical condition spreading from surface to person and causing increased infections to persons, and also creating property or business income loss and damage in certain circumstances; and

24. This Order is being issued because of the propensity of COVID-19 to spread from person to person causing widespread infection and loss of life, and also because COVID-19 is causing property damage and business income loss due to its proclivity to attach to surfaces for prolonged periods of time and thereby creating a dangerous physical condition; and

25. As a governmental civil authority action, it is necessary to impose the regulations

and restrictions set forth herein in response to the dangerous physical conditions that currently exists and to stop the COVID-19 virus from spreading; and

26. St. Lucie County wants to take effective and reasonable steps to protect the health of residents and the community; and

27. St. Lucie County does not want to create long-term irreparable economic harm to our residents, businesses, and to the local and regional economy; and

28. St. Lucie County recognizes unified action is paramount to ensure the most effective results and cause the least confusion and panic in the community; and

29. St. Lucie County recognizes the categories and types of essential businesses and services that must remain open; and

30. Non-essential businesses that cannot maintain the required physical distancing to keep customers safe should close; and

31. St. Lucie County wants a measured, reasonable and unified direction for the entire county; and

32. St. Lucie County wants personal responsibility by businesses and residents to observe the mandatory behaviors that have been proven to mitigate the spread of the virus; and

33. As St. Lucie County Administrator, I have determined that a Safer-At-Home Order applicable throughout St. Lucie County is a reasonable and prudent action to take in order to ensure the health, safety, and welfare of the residents of St. Lucie County; and

34. A Safer-At-Home Order is an Order that:

- Is less restrictive than total lockdowns or shelter-in-place regulations, which prohibit movement outside of the home or a particular location until further notice;
- Encourages citizens to stay at home as much as possible during the continued COVID-19 crisis and allows travel outside the home to essential

activities (e.g. grocery shopping, outdoor activities, doctors and pharmacy visits, and providing essential structure and utility services);

- Allows non-essential activities, so long as social distancing and other CDC Public Health Mitigation Strategies requirements are followed:
- Applies to all of the unincorporated and incorporated areas of St. Lucie County.

35. Paragraph 2 of the St. Lucie County Declaration of Emergency provides that the County Administrator may take all actions necessary and appropriate to protect human life and prosperity, to the extent necessary to accommodate the emergency; and

NOW, THEREFORE, BE IT ORDERED AS FOLLOWS:

1. The determinations, orders, and declarations identified above are incorporated herein.
2. A Safer-At-Home Order is hereby established within all incorporated and unincorporated areas of St. Lucie County, effective as of _____ (am) (pm) on _____, 2020. Safer-At-Home means all residents are directed to stay at home as much as possible twenty-four hours a day, seven days a week, except in those circumstances outlined below. This Safer-At-Home Order shall continue on a daily basis until this order expires or is rescinded.
3. Residents are permitted the unlimited ability to get the necessary food, medicine and essentials. Residents are also permitted to recreate and enjoy the outdoors at any time as long as Social Distancing Requirements are observed along with the other recommended sanitary requirements.
4. This Safer-At-Home Order shall not apply to the following individuals, businesses and services:
 - a. Essential federal employees and military personnel who are acting within their employment responsibilities and are already governed by directives of their respective federal agencies.

- b. State and local government employees providing services to carry on government functions during this state of emergency and persons attending government meetings.
- c. School district employees providing services to carry on school district functions during this state of emergency.
- d. Public and Private colleges, trade schools, and technical colleges, but only as needed to facilitate online or distance learning, perform critical research, or perform essential functions, and university, college, or technical college residence halls, but only to the extent needed to accommodate students who cannot return to their homes.
- e. Medical and health related personnel while actively pursuing medical or health related activities. This includes personnel employed in the production of medical or health related products.
- f. Healthcare providers and public health operations (except to the extent precluded by the Governor's Executive Order 20-72 or any subsequent Executive Order), including but not limited to: hospitals; doctors' and dentists' offices; urgent care centers, clinics, and rehabilitation facilities; physical therapists; mental health professionals; psychiatrists; therapists; research and laboratory services; blood banks, medical cannabis facilities; medical equipment, devices, and other healthcare manufacturers and suppliers; reproductive health care providers; eye care centers; home healthcare services providers; substance abuse treatment providers; medical transport services; and pharmacies.
- g. Mass transit personnel while pursuing employment functions.
- h. Persons seeking medical treatment, persons transporting people seeking medical treatment, or caregivers traveling to assist another person with medical or caregiving needs.
- i. Fire/Rescue, Law Enforcement, or other First Responder personnel pursuing, or traveling to or from work related activities.
- j. Restaurants and other facilities that prepare and serve food, including food trucks, but subject to the limitations and requirements of the Governor's Executive Order 20-68 and 20-71, and any subsequent Executive Orders and further subject to Social Distancing Requirements.
- k. Persons commuting directly to and from places of employment.
- l. Persons walking a companion animal in the vicinity of their residence so long as Social Distancing Requirements are observed. Animal care staff (including volunteers) traveling to provide support, obtain care and/or

supplies for one's own companion animals or the companion animals of another, or in the course of fostering animals.

- m. Grocery stores, farmers markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments primarily engaged in the sale of canned food, dry goods, fresh fruits and vegetables, baby products, pet supply, liquor, fresh or frozen meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell both groceries and non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operations of residences and other structures.
- n. Newspapers, television, radio, delivery and other media services.
- o. Gas stations, auto and recreational vehicle supply and repair, auto repair, new and used automobile dealerships, motorcycles, scooters, and motorcycle or scooter repair shop, bicycle and bicycle repair shops and related facilities, and towing companies.
- P Banks and financial institutions, including insurance firms and pawn shops.
- q. Businesses engaged in food cultivation, including farming, livestock, and fishing.
- r. Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- s. Hardware, gardening, and building material stores.
- t. Contractors, utility workers and other tradesmen, building management and maintenance (including janitorial companies serving commercial businesses), home security firms, fire and water damage restoration, public adjusters, appliance repair personnel, exterminators, pool and lawn care and golf course maintenance, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures. This includes natural gas, water, wastewater, electric utilities and cable service providers, as well as any truck or shipping company that any of such utility companies have contracted with to deliver their products and services.
- u. Businesses primarily providing mailing, pick-up, and shipping services, including post office boxes, logistic providers, including warehouses, trucking, consolidators, fumigators and handlers.
- v. Laundromats, dry cleaners, and laundry service providers.
- w. Businesses engaged in providing home-based care for seniors, adults, or children, assisted living facilities, nursing homes, adult day care centers,

and home-based and residential settings for adults, seniors, children and/or people with disabilities or mental illness.

- x. Businesses engaged in the provision of office space and administrative support necessary for the operation of any essential business.
- y. Businesses that primarily supply office products needed for people to work from home, but not including businesses that primarily sell or lease furniture, unless the business is operating an on-line service only.
- z. Hotels, motels, other commercial lodging establishments, and temporary vacation rentals, subject to the limitations stated in the Governor's Executive Order Nos. 20-71 and 20-87.
- aa. Veterinarian clinics, pet hospitals, pet boarding facilities and animal care staff (including volunteers) who own, operate, or work in the capacity of providing continued care of animals at rescue organizations, boarding facilities, veterinarians and similar businesses, whether or not housed in a shelter, as well as pet supply stores.
- bb. Mortuaries, funeral homes, and cemeteries including funeral and cremation services and supplies of products to funeral service providers and related services such as body storage or disposal services, an organ donation, or related service providers service.
- cc. Firearm and ammunition supply stores.
- dd. Any business that employs five (5) or fewer persons, including management/ownership, where the employees do not come in regular contact with the general public in the regular course of business.
- ee. Moving, storage and relocation services.
- ff. Marinas and boat launches, docking, fueling, marine supply, and other marine services, including marine repairs.
- gg. Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their residence and stay at a safe alternative location. For purposes of this Order, residences include hotels, motels, shared rental units, shelters, and similar facilities.
- hh. Janitorial personnel.
- ii. Personnel supporting educational needs.
- jj. Religious personnel.

- kk. Any parent or guardian transporting a child or children pursuant to a custody sharing agreement or Order.
- ll. Airlines, taxis and other private transportation providers providing transportation services via, automobile, truck, boat, bus or train.
- mm. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, these childcare facilities should operate under the following conditions: Childcare must be carried out in stable groups of 10 or fewer (inclusive of childcare providers for the group); children and child care providers shall not change from one group to another; if more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix or interact with each other. All play equipment used by one group of children must be cleaned and sanitized before use by another group of children. Any child exhibiting symptoms consistent with COVID-19 illness shall not be allowed to stay in the childcare facility.
- nn. Attorneys and all personnel associated with supporting essential court proceedings including all federal, state, and county personnel.
- oo. Persons commuting directly to or from an exempted activity.
- pp. Personnel employed by an entity identified as one of the sixteen critical infrastructure sectors by the Cyber-Infrastructure Security Agency (CISA) of the U.S. Department of Homeland Security when pursuing work related functions or traveling directly to or from work and their respective residents. The CISA essential infrastructure guide is attached to and made a part of this Order. See pages 5-11 of the CISA essential infrastructure guide for detailed descriptions of these critical infrastructure sectors.
- qq. Businesses that primarily supply other essential businesses and operations as stated in this Emergency Order, with the support or supplies necessary to operate, and which do not interact with the general public, including cybersecurity firms (but not including businesses that primarily sell or lease furniture), provided the businesses comply with the Social Distancing Requirements.
- rr. Businesses that primarily ship or deliver groceries, food, goods, or services directly to residents;
- ss. Businesses engaged in providing home-based care for seniors, adults, or children.
- tt. Businesses providing professional services, such as legal or accounting services, to the extent those services comply with the social distancing requirements referenced herein.

- uu. Businesses operating at any airport, or other government facility, except as provided in the Governor's Executive Order 20-71.
 - vv. Logistics providers, including warehouses, trucking, consolidators, fumigators, and handlers.
 - ww. Telecommunications providers, including sales of computer or telecommunications devices and the provision of home telecommunications.
 - xx. Businesses engaged in the provision of propane or natural gas.
 - yy. Businesses providing architectural, engineering, or land surveying services.
 - zz. Factories, warehouses, manufacturing facilities, bottling plants, or other industrial uses.
 - aaa. Waste management services, including businesses engaged primarily in the collection, transfer or disposal of waste and recycling.
 - bbb. Businesses providing goods or services to any local, state, or federal government, pursuant to a contract with such government.
 - ccc. Electrical production and distribution services.
 - ddd. Real estate sales and real property title services subject to compliance with Social Distancing Requirements.
 - eee. Golf Course Maintenance and golf cart sales and repairs.
 - fff. Open construction sites, regardless of type of building.
 - ggg. Any business that is interacting with customers solely through electronic or telephonic means, and delivering products via mailing, shipping or delivery services.
 - hhh. The sale of alcoholic beverages is authorized consistent with Executive Order 20-71.
5. Essential Infrastructure. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure. Essential Infrastructure includes, but is not limited to: food production, distribution, and sale; construction; building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; roads, highways, railroads, and public transportation; cybersecurity

operations; flood control; 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.

6. Businesses which are not described above in paragraph 4 and are able to maintain the required physical distancing (6 feet) may operate.
7. Businesses which are not described above in paragraph 4 and which, by the nature of their business cannot remain open because they are unable to maintain the required physical distancing (6 feet) to keep employees and customers safe, must close (except to extent necessary to perform minimum basic operations, meaning minimum activities necessary to maintain the value of inventory, preserve physical plant and equipment condition, ensure security, process payroll and employee benefits, communicate with vendors and patrons, and facilitate employees working remotely, provided such businesses shall comply with Social Distancing Requirements, set out in Paragraph 15 and Cleaning Protocols, set out in Paragraph 17.
8. Essential Businesses whose function and safety allow them to maintain the required physical distance (6 feet), and those businesses that are able to maintain the required physical distancing (6 feet) shall:
 - a. Comply with Social Distancing Requirements.
 - b. Comply with the Essential Business Employee Screening.
 - c. Comply with Essential Business Cleaning Protocol.
 - d. Direct workers to telecommute when that is feasible.
 - e. Use best efforts to provide employment opportunities to those who lose jobs because of this emergency by working directly with CareerSource and other designated employment and job agencies.
9. Individuals experiencing homelessness are exempt from this Order, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable and to use in their operation COVID-19 risk mitigation practices recommended by the U.S. Centers for Disease Control and Prevention (CDC) and the Florida Department of Health.
10. Hotels, motels, other commercial lodging establishments, and temporary vacation rentals, subject to the limitations stated in the Governor's Executive Order 20-70.

Hotels, motels, and other commercial lodging establishments shall give reservation priority to Essential Lodgers. "Essential Lodgers" are defined as: (a) healthcare professionals; (b) first responders; (c) National Guard members; (d) law enforcement; (e) local state and federal government employees; (f) airline crewmembers; (g) patients; (h) patients' families; (i) journalists; (j) others providing direct services in response to COVID-19; (k) displaced residents or visitors dislodged from local lodging due to the COVID-19 virus; (l) persons utilizing hotels as transitional living arrangements; (m) persons sheltering in hotels due to domestic violence; (n) hotel employees, service providers, and contractors; or (o) St. Lucie County residents, who for any reason, are temporarily unable to reside in their home due to exigent circumstances

11. Local businesses that produce and provide essential necessities such as food, medicines, medical equipment and supplies will make best efforts to prioritize those goods for the use of St. Lucie County.
12. Local businesses that have the ability to do so shall alter their production and manufacturing in Order to provide products to meet the need in the County for critical testing, collection, protective gear and treatments.
13. Those with the financial means are encouraged to increase their financial support to local charities and organizations that provide direct social service and employment services to displaced workers.
14. Limit on Gatherings: Social or recreational gatherings of 10 or more persons are prohibited in St. Lucie County, except as provided above. Social Distancing Requirements shall be observed. Local law enforcement is authorized to disperse gatherings of 10 or more persons and treat violations of this emergency measure as a second-degree misdemeanor. This provision does not prohibit the gathering of a members of a household or residence. A "social or recreational gathering" does not include a group of persons at the following locations:
 - a. Office space, childcare facilities, residential buildings, or any type of temporary shelter or housing;
 - b. Hospitals, nursing homes, assisted living facilities, and other health care facilities;
 - c. Places of worship - Persons attending religious services are urged, but not required to practice Social Distancing;
 - d. Grocery stores and pharmacies;
 - e. Airport;

- f. Any other location at which persons purchase supplies and services in furtherance of their employment.
15. Social Distancing Requirements. A person in a public space shall:
- a. Practice social distancing by staying at least 6 feet away whenever practicable from another person, excluding immediate family members, caretakers or, household members;
 - b. Cover all coughs and sneezes with their elbow or tissue;
 - c. Not shake hands;
 - d. Not enter any public place if the person exhibits any flu or COVID-19 like symptoms and/or has a fever over 99.9 degrees Fahrenheit unless that person is traveling to or from a hospital, doctor's office, urgent care, walk-in clinic, or pharmacy;
 - e. If a person is exhibiting flu or COVID-19 like symptoms or has a fever over 99.9 degrees Fahrenheit and is seeking medical treatment, the person shall first contact their medical provider by phone before appearing at the medical provider's office; and
 - f. If a person is exhibiting flu or COVID-19 like symptoms or has a fever over degrees Fahrenheit and requires a prescription or a refill thereof and the pharmacy has a drive-thru window and/or delivery service, that person shall utilize the drive-thru window and/or delivery service to receive their medication.
16. Essential Business Employee Screening. For those businesses deemed to be an Essential Business, as set forth above, these facilities shall implement employee screening and prohibit any employee from entering the premises if they affirmatively answer any of the below questions, as recommended by the Center for Disease Control and Prevention (CDC):
- a. Have you returned from international travel (anywhere outside the United States) or been on a cruise within the last 14 days?
 - b. Have you been in contact with anyone who has returned from international travel or been on a cruise within the last 14 days?
 - c. Have you been in any gathering of 50 people or more in the last 14 days?
 - d. Have you traveled through any airport within the past 14 days?

- e. Have you traveled to any area known to have high numbers of positive cases of COVID-19, including but not limited to California, Washington, New Jersey, New York, Connecticut, Massachusetts, or Washington D.C. within the past 14 days?
 - f. Have you experienced signs or symptoms of COVID-19, such as fever over 99.9 degrees Fahrenheit, cough or shortness of breath?
17. Essential Business Cleaning Protocols. For those businesses deemed to be an Essential Business, as set forth above, these facilities must make every effort to:
- a. Provide disinfectant wipes or equivalent for shopping carts and baskets or disinfect shopping carts and baskets after each use.
 - b. Disinfect hourly, at a minimum all check out areas, including but not limited to, conveyor belts, cash registers, and credit card areas.
 - c. Disinfect after closing or before opening all areas of the business that customers may touch or come into contact.
 - d. Require employees or independent contractors present to wash and/or disinfect their hands at least once per hour.
 - e. Clean and disinfect any pen, stylus or screen used to sign receipts after each customer or waive the need to sign a receipt.
 - f. Ensure that no more than 10 people, including staff, are gathered in any particular area of the Essential Business.
 - g. Ensure that customers at checkout are separated by at least 6 feet.
 - h. Disinfect all door handles used by the general public at least hourly during business hours.
 - i. Essential Businesses with waiting rooms must ensure that no person shall be seated within 6 feet of another person and all seats must be disinfected after each use.
 - j. Do not allow more than 25% of their approved maximum capacity into any location.
18. It is the intent of this Order to seek voluntary compliance with the provisions contained herein and to educate and warn of the dangers of noncompliance, However, in the event voluntary compliance is not achieved then in that event and as a last resort, a violation of this Order, pursuant to the provision of section 252.50, Florida Statutes, may be prosecuted as a second degree misdemeanor punishable as provided in section 775.082 or 775,083, F.S.

Applicability.

This Order does not affect or limit the operations of St. Lucie County, any public utility, any municipality, the St. Lucie County School District, any other local government entity in St. Lucie County, or any State or Federal office or facility, and utility providers and contractors while engaged in their duties.

The provisions of this Order shall apply to the incorporated and unincorporated areas within St. Lucie County.

Severability.

Any provision(s) within this Order that conflict(s) with any State or Federal law or constitutional provision, or conflict(s) with or are superseded by a current or subsequently-issued Executive Order of the Governor or the President of the United States, shall be deemed inapplicable and deemed to be severed from this Order, with the remainder of the Order remaining intact and in full force and effect. To the extent application of some or all of the provisions of this Order is prohibited on the sovereign land of a federally or state recognized sovereign Indian tribe, such application is expressly excluded from this Order.

This Order is effective twenty-four hours after adoption as of 6 a.m./p.m. on 4th day of April, 2020. This Order will expire upon the expiration of the existing State of Local Emergency, as same may be extended by subsequent order or declaration, unless earlier terminated by subsequent Order.

This Order is in addition to the Executive Orders issued by Governor DeSantis.

Prior resolutions and emergency orders remain in force and effect unless modified or superseded.

This Order shall be filed in the Office of the Clerk of the Circuit Court.

Signed this 31st day of March, 2020 at 4:00 (am)(pm)


Howard N. Tipton
County Administrator



CISA
CYBER+INFRASTRUCTURE

March 19, 2020

**MEMORANDUM ON IDENTIFICATION OF ESSENTIAL CRITICAL
INFRASTRUCTURE WORKERS DURING COVID-19 RESPONSE**

FROM: Christopher C. Krebs
Director

Cybersecurity and Infrastructure Security Agency (CISA)

A handwritten signature in black ink, appearing to read "Chris Krebs", written over the printed name.

As the Nation comes together to slow the spread of COVID-19, on March 16th, the President issued updated Coronavirus Guidance for America. This guidance states that:

“If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule.”

The Cybersecurity and Infrastructure Security Agency (CISA) executes the Secretary of Homeland Security’s responsibilities as assigned under the Homeland Security Act of 2002 to provide strategic guidance, promote a national unity of effort, and coordinate the overall federal effort to ensure the security and resilience of the Nation’s critical infrastructure. CISA uses trusted partnerships with both the public and private sectors to deliver infrastructure resilience assistance and guidance to a broad range of partners.

In accordance with this mandate, and in collaboration with other federal agencies and the private sector, CISA developed an initial list of “Essential Critical Infrastructure Workers” to help State and local officials as they work to protect their communities, while ensuring continuity of functions critical to public health and safety, as well as economic and national security. The list can also inform critical infrastructure community decision-making to determine the sectors, sub-sectors, segments, or critical functions that should continue normal operations, appropriately modified to account for Centers for Disease Control (CDC) workforce and customer protection guidance.

The attached list identifies workers who conduct a range of operations and services that are essential to continued critical infrastructure viability, including staffing operations centers, maintaining and repairing critical infrastructure, operating call centers, working construction, and performing management functions, among others. The industries they support represent, but are not necessarily limited to, medical and healthcare, telecommunications, information technology systems, defense,

food and agriculture, transportation and logistics, energy, water and wastewater, law enforcement, and public works.

We recognize that State, local, tribal, and territorial governments are ultimately in charge of implementing and executing response activities in communities under their jurisdiction, while the Federal Government is in a supporting role. As State and local communities consider COVID-19-related restrictions, CISA is offering this list to assist prioritizing activities related to continuity of operations and incident response, including the appropriate movement of critical infrastructure workers within and between jurisdictions.

Accordingly, this list is advisory in nature. It is not, nor should it be considered to be, a federal directive or standard in and of itself.

In addition, these identified sectors and workers are not intended to be the authoritative or exhaustive list of critical infrastructure sectors and functions that should continue during the COVID-19 response. Instead, State and local officials should use their own judgment in using their authorities and issuing implementation directives and guidance. Similarly, critical infrastructure industry partners will use their own judgment, informed by this list, to ensure continued operations of critical infrastructure services and functions. All decisions should appropriately balance public safety while ensuring the continued delivery of critical infrastructure services and functions.

CISA will continue to work with you and our partners in the critical infrastructure community to update this list as the Nation's response to COVID-19 evolves. We also encourage you to submit how you might use this list so that we can develop a repository of use cases for broad sharing across the country.

Should you have questions about this list, please contact CISA at CISA.CAT@cisa.dhs.gov.

Attachment: "Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response"



Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response

Version 1.0 (March 19, 2020)

THE IMPORTANCE OF ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

Functioning critical infrastructure is imperative during the response to the COVID-19 emergency for both public health and safety as well as community well-being. Certain critical infrastructure industries have a special responsibility in these times to continue operations.

This guidance and accompanying list are intended to support State, Local, and industry partners in identifying the critical infrastructure sectors and the essential workers needed to maintain the services and functions Americans depend on daily and that need to be able to operate resiliently during the COVID-19 pandemic response.

This document gives guidance to State, local, tribal, and territorial jurisdictions and the private sector on defining essential critical infrastructure workers. Promoting the ability of such workers to continue to work during periods of community restriction, access management, social distancing, or closure orders/directives is crucial to community resilience and continuity of essential functions.

CONSIDERATIONS FOR GOVERNMENT AND BUSINESS

This list was developed in consultation with federal agency partners, industry experts, and State and local officials, and is based on several key principles:

1. Response efforts to the COVID-19 pandemic are locally executed, State managed, and federally supported
2. Everyone should follow guidance from the CDC, as well as State and local government officials, regarding strategies to limit disease spread.
3. Workers should be encouraged to work remotely when possible and focus on core business activities. In-person, non-mandatory activities should be delayed until the resumption of normal operations.
4. When continuous remote work is not possible, businesses should enlist strategies to reduce the likelihood of spreading the disease. This includes, but is not necessarily limited to, separating staff by off-setting shift hours or days and/or social distancing. These steps can preserve the workforce and allow operations to continue.

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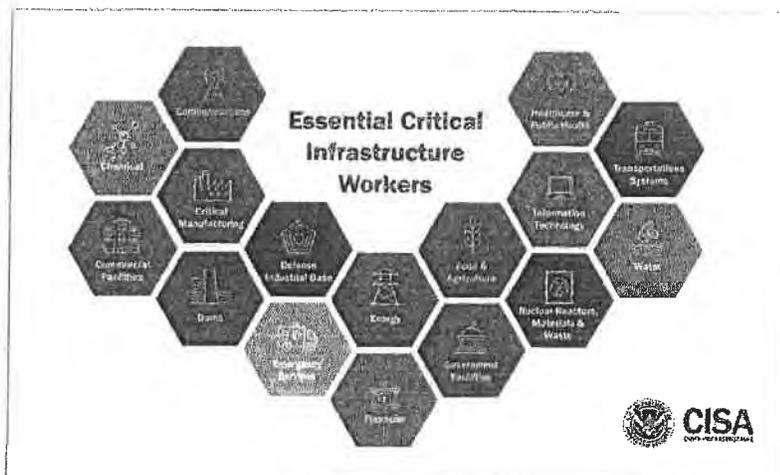


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5. All organizations should implement their business continuity and pandemic plans, or put plans in place if they do not exist. Delaying implementation is not advised and puts at risk the viability of the business and the health and safety of the employees.
6. In the modern economy, reliance on technology and just-in-time supply chains means that certain workers must be able to access certain sites, facilities, and assets to ensure continuity of functions.
7. Government employees, such as emergency managers, and the business community need to establish and maintain lines of communication.
8. When government and businesses engage in discussions about critical infrastructure workers, they need to consider the implications of business operations beyond the jurisdiction where the asset or facility is located. Businesses can have sizeable economic and societal impacts as well as supply chain dependencies that are geographically distributed.
9. Whenever possible, jurisdictions should align access and movement control policies related to critical infrastructure workers to lower the burden of workers crossing jurisdictional boundaries.

IDENTIFYING ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

The following list of sectors and identified essential critical infrastructure workers are an initial recommended set and are intended to be overly inclusive reflecting the diversity of industries across the United States. CISA will continually solicit and accept feedback on the list (both sectors/sub sectors and identified essential workers) and will evolve the list in response to stakeholder feedback. We will also use our various stakeholder engagement mechanisms to work with partners on how they are using this list and share those lessons learned and best practices broadly. We ask that you share your feedback, both positive and negative on this list so we can provide the most useful guidance to our critical infrastructure partners. Feedback can be sent to CISA.CAT@CISA.DHS.GOV.



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HEALTHCARE / PUBLIC HEALTH

- Workers providing COVID-19 testing; Workers that perform critical clinical research needed for COVID-19 response
- Caregivers (e.g., physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists)
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.)
- Workers in other medical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers)
- Manufacturers, technicians, logistics and warehouse operators, and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products
- Public health / community health workers, including those who compile, model, analyze and communicate public health information
- Blood and plasma donors and the employees of the organizations that operate and manage related activities
- Workers that manage health plans, billing, and health information, who cannot practically work remotely
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely
- Workers performing cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely
- Workers conducting research critical to COVID-19 response
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely
- Workers who support food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing in shelters
- Pharmacy employees necessary for filling prescriptions
- Workers performing mortuary services, including funeral homes, crematoriums, and cemetery workers
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident

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LAW ENFORCEMENT, PUBLIC SAFETY, FIRST RESPONDERS

- Personnel in emergency management, law enforcement, Emergency Management Systems, fire, and corrections, including front line and management
- Emergency Medical Technicians
- 911 call center employees
- Fusion Center employees
- Hazardous material responders from government and the private sector.
- Workers – including contracted vendors – who maintain digital systems infrastructure supporting law enforcement and emergency service operations.

FOOD AND AGRICULTURE

- Workers supporting groceries, pharmacies and other retail that sells food and beverage products
- Restaurant carry-out and quick serve food operations - Carry-out and delivery food employees
- Food manufacturer employees and their supplier employees—to include those employed in food processing (packers, meat processing, cheese plants, milk plants, produce, etc.) facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging
- Farm workers to include those employed in animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically
Farm workers and support service workers to include those who field crops; commodity inspection; fuel ethanol facilities; storage facilities; and other agricultural inputs
- Employees and firms supporting food, feed, and beverage distribution, including warehouse workers, vendor- managed inventory controllers and blockchain managers
- Workers supporting the sanitation of all food manufacturing processes and operations from wholesale to retail
- Company cafeterias - in-plant cafeterias used to feed employees
- Workers in food testing labs in private industries and in institutions of higher education
- Workers essential for assistance programs and government payments
- Employees of companies engaged in the production of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids
- Animal agriculture workers to include those employed in veterinary health; manufacturing and distribution of animal medical materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, etc.; transportation of live animals, animal medical materials; transportation of deceased animals for disposal; raising of animals for food; animal production operations; slaughter and packing plants and associated regulatory and government workforce
- Workers who support the manufacture and distribution of forest products, including, but not limited to timber, paper, and other wood products
- Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary to agricultural production and distribution

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ENERGY

Electricity industry:

- Workers who maintain, ensure, or restore the generation, transmission, and distribution of electric power, including call centers, utility workers, reliability engineers and fleet maintenance technicians
- Workers needed for safe and secure operations at nuclear generation
- Workers at generation, transmission, and electric blackstart facilities
- Workers at Reliability Coordinator (RC), Balancing Authorities (BA), and primary and backup Control Centers (CC), including but not limited to independent system operators, regional transmission organizations, and balancing authorities
- Mutual assistance personnel
- IT and OT technology staff – for EMS (Energy Management Systems) and Supervisory Control and Data Acquisition (SCADA) systems, and utility data centers; Cybersecurity engineers; cybersecurity risk management
- Vegetation management crews and traffic workers who support
- Environmental remediation/monitoring technicians
- Instrumentation, protection, and control technicians

Petroleum workers:

- Petroleum product storage, pipeline, marine transport, terminals, rail transport, road transport
- Crude oil storage facilities, pipeline, and marine transport
- Petroleum refinery facilities
- Petroleum security operations center employees and workers who support emergency response services
- Petroleum operations control rooms/centers
- Petroleum drilling, extraction, production, processing, refining, terminal operations, transporting, and retail for use as end-use fuels or feedstocks for chemical manufacturing
- Onshore and offshore operations for maintenance and emergency response
- Retail fuel centers such as gas stations and truck stops, and the distribution systems that support them

Natural and propane gas workers:

- Natural gas transmission and distribution pipelines, including compressor stations
- Underground storage of natural gas
- Natural gas processing plants, and those that deal with natural gas liquids
- Liquefied Natural Gas (LNG) facilities
- Natural gas security operations center, natural gas operations dispatch and control rooms/centers natural gas emergency response and customer emergencies, including natural gas leak calls
- Drilling, production, processing, refining, and transporting natural gas for use as end-use fuels, feedstocks for chemical manufacturing, or use in electricity generation
- Propane gas dispatch and control rooms and emergency response and customer emergencies, including propane leak calls
- Propane gas service maintenance and restoration, including call centers
- Processing, refining, and transporting natural liquids, including propane gas, for use as end-use fuels or feedstocks for chemical manufacturing
- Propane gas storage, transmission, and distribution centers

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WATER AND WASTEWATER

Employees needed to operate and maintain drinking water and wastewater/drainage infrastructure, including:

- Operational staff at water authorities
- Operational staff at community water systems
- Operational staff at wastewater treatment facilities
- Workers repairing water and wastewater conveyances and performing required sampling or monitoring
- Operational staff for water distribution and testing
- Operational staff at wastewater collection facilities
- Operational staff and technical support for SCADA Control systems
- Chemical disinfectant suppliers for wastewater and personnel protection
- Workers that maintain digital systems infrastructure supporting water and wastewater operations

TRANSPORTATION AND LOGISTICS

- Employees supporting or enabling transportation functions, including dispatchers, maintenance and repair technicians, warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-border travel)
- Employees of firms providing services that enable logistics operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use.
- Mass transit workers
- Workers responsible for operating dispatching passenger, commuter and freight trains and maintaining rail infrastructure and equipment
- Maritime transportation workers - port workers, mariners, equipment operators
- Truck drivers who haul hazardous and waste materials to support critical infrastructure, capabilities, functions, and services
- Automotive repair and maintenance facilities
- Manufacturers and distributors (to include service centers and related operations) of packaging materials, pallets, crates, containers, and other supplies needed to support manufacturing, packaging staging and distribution operations
- Postal and shipping workers, to include private companies
- Employees who repair and maintain vehicles, aircraft, rail equipment, marine vessels, and the equipment and infrastructure that enables operations that encompass movement of cargo and passengers
- Air transportation employees, including air traffic controllers, ramp personnel, aviation security, and aviation management
- Workers who support the maintenance and operation of cargo by air transportation, including flight crews, maintenance, airport operations, and other on- and off- airport facilities workers

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PUBLIC WORKS

- Workers who support the operation, inspection, and maintenance of essential dams, locks and levees
- Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues
- Workers such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences
- Support, such as road and line clearing, to ensure the availability of needed facilities, transportation, energy and communications
- Support to ensure the effective removal, storage, and disposal of residential and commercial solid waste and hazardous waste

COMMUNICATIONS AND INFORMATION TECHNOLOGY

Communications:

- Maintenance of communications infrastructure- including privately owned and maintained communication systems- supported by technicians, operators, call-centers, wireline and wireless providers, cable service providers, satellite operations, undersea cable landing stations, Internet Exchange Points, and manufacturers and distributors of communications equipment
- Workers who support radio, television, and media service, including, but not limited to front line news reporters, studio, and technicians for newsgathering and reporting
- Workers at Independent System Operators and Regional Transmission Organizations, and Network Operations staff, engineers and/or technicians to manage the network or operate facilities
- Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables
- Installation, maintenance and repair technicians that establish, support or repair service as needed
- Central office personnel to maintain and operate central office, data centers, and other network office facilities
- Customer service and support staff, including managed and professional services as well as remote providers of support to transitioning employees to set up and maintain home offices, who interface with customers to manage or support service environments and security issues, including payroll, billing, fraud, and troubleshooting
- Dispatchers involved with service repair and restoration

Information Technology:

- Workers who support command centers, including, but not limited to Network Operations Command Center, Broadcast Operations Control Center and Security Operations Command Center
- Data center operators, including system administrators, HVAC & electrical engineers, security personnel, IT managers, data transfer solutions engineers, software and hardware engineers, and database administrators
- Client service centers, field engineers, and other technicians supporting critical infrastructure, as well as manufacturers and supply chain vendors that provide hardware and software, and information technology equipment (to include microelectronics and semiconductors) for critical infrastructure
- Workers responding to cyber incidents involving critical infrastructure, including medical facilities, SLTT governments and federal facilities, energy and utilities, and banks and financial institutions, and other critical infrastructure categories and personnel

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- Workers supporting the provision of essential global, national and local infrastructure for computing services (incl. cloud computing services), business infrastructure, web-based services, and critical manufacturing
- Workers supporting communications systems and information technology used by law enforcement, public safety, medical, energy and other critical industries
- Support required for continuity of services, including janitorial/cleaning personnel

OTHER COMMUNITY-BASED GOVERNMENT OPERATIONS AND ESSENTIAL FUNCTIONS

- Workers to ensure continuity of building functions
- Security staff to maintain building access control and physical security measures
- Elections personnel
- Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks
- Trade Officials (FTA negotiators; international data flow administrators)
- Weather forecasters
- Workers that maintain digital systems infrastructure supporting other critical government operations
- Workers at operations centers necessary to maintain other essential functions
- Workers who support necessary credentialing, vetting and licensing operations for transportation workers
- Customs workers who are critical to facilitating trade in support of the national emergency response supply chain
- Educators supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other essential functions, if operating under rules for social distancing
- Hotel Workers where hotels are used for COVID-19 mitigation and containment measures

CRITICAL MANUFACTURING

- Workers necessary for the manufacturing of materials and products needed for medical supply chains, transportation, energy, communications, food and agriculture, chemical manufacturing, nuclear facilities, the operation of dams, water and wastewater treatment, emergency services, and the defense industrial base.

HAZARDOUS MATERIALS

- Workers at nuclear facilities, workers managing medical waste, workers managing waste from pharmaceuticals and medical material production, and workers at laboratories processing test kits
- Workers who support hazardous materials response and cleanup
- Workers who maintain digital systems infrastructure supporting hazardous materials management operations

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FINANCIAL SERVICES

- Workers who are needed to process and maintain systems for processing financial transactions and services (e.g., payment, clearing, and settlement; wholesale funding; insurance services; and capital markets activities)
- Workers who are needed to provide consumer access to banking and lending services, including ATMs, and to move currency and payments (e.g., armored cash carriers)
- Workers who support financial operations, such as those staffing data and security operations centers

CHEMICAL

- Workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food and food additives, pharmaceuticals, textiles, and paper products.
- Workers supporting the safe transportation of chemicals, including those supporting tank truck cleaning facilities and workers who manufacture packaging items
- Workers supporting the production of protective cleaning and medical solutions, personal protective equipment, and packaging that prevents the contamination of food, water, medicine, among others essential products
- Workers supporting the operation and maintenance of facilities (particularly those with high risk chemicals and/ or sites that cannot be shut down) whose work cannot be done remotely and requires the presence of highly trained personnel to ensure safe operations, including plant contract workers who provide inspections
- Workers who support the production and transportation of chlorine and alkali manufacturing, single-use plastics, and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine, and other essential products, including glass container manufacturing

DEFENSE INDUSTRIAL BASE

- 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 staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers
- 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

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