



No. 16

#### EXECUTIVE ORDER

##### Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia

WHEREAS, Russia has engaged in an unjustified and unprovoked attack on the sovereign nation of Ukraine;

WHEREAS, the State of New York is home to the largest Ukrainian population in the United States;

WHEREAS, New York stands firmly with Ukraine and strongly condemns Russia's actions against Ukraine;

WHEREAS, on February 27, 2022, I signed Executive Order 14, prohibiting State Entities from contracting or investment with businesses headquartered in Russia or with their principal place of business in Russia, firmly establishing the State's refusal to contribute to the atrocities occurring against the Ukrainian people;

WHEREAS, the State will not permit its activities as a participant in the marketplace to support an unjustified war by Russia and the killing of innocent Ukrainians;

WHEREAS, protecting New York from financing discrimination against the Ukrainian people is a compelling State interest;

NOW, THEREFORE, I, Kathy Hochul, Governor of the State of New York, do hereby order, effective until such time as the sanctions imposed by the federal government are no longer in effect, as follows:

1. Definitions:
  - a. "Affected State Entities" means (i) all agencies and departments over which the Governor has executive authority, and (ii) all public-benefit corporations, public authorities, boards, and commissions, for which the Governor appoints the Chair, the Chief Executive, or the majority of Board Members, except for the Port Authority of New York and New Jersey.
  - b. An "Entity conducting business operations in Russia" means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership.
2. All Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.

3. Notwithstanding the foregoing, an Affected State Entity may contract with an entity conducting business operations in Russia provided that the head of the Affected State Entity makes a determination in writing that the investment or contract is necessary for the Affected State Entity to perform its functions and that no suitable investment or contractual alternatives exist.
4. The Commissioner of the Office of General Services shall establish guidelines for Affected State Entities in evaluating the requirements of this order and making determinations of applicability to potential contracts.



GIVEN under my hand and the Privy Seal of the  
State in the City of Albany this  
seventeenth day of March in the year  
two thousand twenty-two

BY THE GOVERNOR

  
Secretary to the Governor

