



State of New York

Executive Chamber

No. 157

EXECUTIVE ORDER

DIRECTING STATE AGENCIES AND AUTHORITIES TO DIVEST PUBLIC FUNDS SUPPORTING BDS CAMPAIGN AGAINST ISRAEL

WHEREAS, the State of Israel is a critical and invaluable ally of the United States;

WHEREAS, the State of New York and Israel enjoy a special historical relationship and share a commonly forged cultural bond;

WHEREAS, the State of New York does not support boycott related tactics that are used to threaten the sovereignty and security of allies and trade partners of the United States;

WHEREAS, in 2005, elements of Palestinian civil society issued a call for a Boycott, Divestment and Sanctions (BDS) campaign against Israel, coordinated by the Palestinian BDS National Committee;

WHEREAS, the State of New York unequivocally rejects the BDS campaign and stands firmly with Israel;

WHEREAS, the State of New York will not permit its own investment activity to further the BDS campaign in any way, shape or form, whether directly or indirectly;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, do hereby order as follows:

I. 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. "Boycott, divestment, or sanctions activity targeting Israel" means to engage in any activity, or promote others to engage in any activity, that is intended to penalize, inflict economic harm on, or otherwise limit commercial relations with Israel or persons doing business in Israel for purposes of coercing political action by, or imposing policy positions on, the government of Israel.

C. "Commissioner" means the Commissioner of the Office of General Services.

II. PUBLICLY AVAILABLE LIST OF BDS ASSETS

A. Not later than 180 days after the date of this Executive Order, the Commissioner shall develop a list of institutions and companies that the Commissioner determines, using credible information available to the public, participate in boycott, divestment, or sanctions activity targeting Israel, either directly or

through a parent or subsidiary. Such list, when completed, shall be posted on the website of the Office of General Services.

B. The Commissioner shall update the list every 180 days.

C. Prior to placing any institution or company on the list, the Commissioner shall provide to the particular institution or company written notice of the Commissioner's intent to include the institution or company on the list, and shall allow such institution or company a period of at least 90 days to present the Commissioner with evidence that the institution or company does not in fact participate in boycott, divestment, or sanctions activity targeting Israel, either directly or through a parent or subsidiary.

D. Where, pursuant to Section II(C) above, the Commissioner makes a good faith determination that the institution or company does not in fact engage in boycott, divestment, or sanctions activity targeting Israel, either directly or through a parent or subsidiary, the Commissioner shall not include the institution or company on the list.

E. An institution or company that has been included on the Commissioner's list may request removal from the list by submitting written evidence to the Commissioner that the institution or company no longer participates in boycott, divestment, or sanctions activity targeting Israel, either directly or through a parent or subsidiary. If the Commissioner makes a good faith determination that the institution or company does in fact no longer participate in such activity, the Commissioner shall remove the institution or company from the list at the next opportunity pursuant to Section II(B) above.

III. DIVESTMENT OF CERTAIN PUBLIC FUNDS

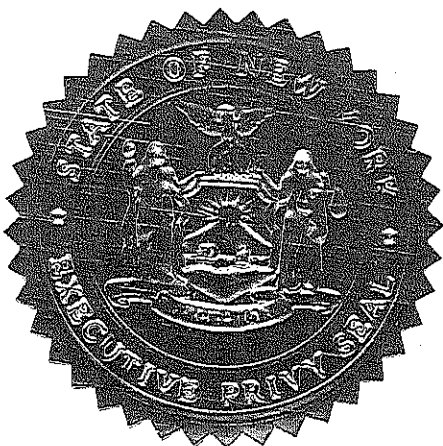
A. All Affected State Entities are hereby directed to divest their money and assets from any investment in any institution or company that is included on the Commissioner's list pursuant to Section II above.

B. This Executive Order shall not be construed to require the premature or otherwise imprudent divestment of money and assets, but Affected State Entities shall achieve compliance with the directive in Section III(A) above no later than one year after the issuance of this Executive Order.

IV. NO FURTHER INVESTMENTS IN BDS ASSETS

A. No money or assets shall be invested by any Affected State Entity in the future in any institution or company that is included on the Commissioner's list pursuant to Section II above.

FURTHER, this Order shall take effect immediately and shall remain in effect until further notice.



BY THE GOVERNOR

G I V E N under my hand and the Privy Seal of the
State in the City of Albany this fifth day
of June in the year two thousand sixteen.

A handwritten signature in black ink, appearing to read "Andrew Cuomo", written over a faint, illegible printed name.

William J. Mahon
Secretary to the Governor



State of New York

Executive Chamber

No. 6

EXECUTIVE ORDER

Continuation and Expiration of Prior Executive Orders

WHEREAS, pursuant to Executive Order 1, a review has been completed of all Executive Orders and amendments thereto that are in effect as of this date;

WHEREAS, during the course of that review, it has been determined that certain Executive Orders are unnecessary, outdated, or otherwise should not be continued;

WHEREAS, it also has been determined that certain Executive Orders address ongoing issues and should be continued; and

WHEREAS, it is important to identify for the public those Executive Orders that remain in effect and those that are no longer valid;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and laws of the State of New York, do hereby order that upon due consideration, deliberation and review, all Executive Orders issued by previous Governors are hereby repealed, cancelled and revoked in their entirety, with the exception of the Executive Orders set forth below and any amendments thereto, which shall remain in full force and effect until otherwise revoked, superseded or modified:

- I. **Executive Orders of Governor Nelson A. Rockefeller Being Continued**
 - a. Executive Order No. 42, issued October 14, 1970 (Relating to procedures for submission and settlement of certain grievances of State employees).
- II. **Executive Orders of Governor Mario M. Cuomo Being Continued**
 - a. Executive Order No. 5, issued February 16, 1983 (Establishing the Women's Division in the Executive Chamber);
 - b. Executive Order No. 7, issued February 18, 1983 (Establishing a Governor's Advisory Committee for Hispanic Affairs);
 - c. Executive Order No. 8, issued February 25, 1983 (Directing State agencies to consider labor relations practices when awarding State contracts);
 - d. Executive Order No. 11, issued April 26, 1983 (Expanding the membership and powers of the Securities Coordinating Committee);
 - e. Executive Order No. 12, issued May 3, 1983 (Directing the State Office for the Aging to review and comment upon policies affecting the elderly);
 - f. Executive Order No. 17, issued May 31, 1983 (Establishing State Policy on Private Institutions which Discriminate);
 - g. Executive Order No. 19, issued May 31, 1983 (New York State Policy Statement on Sexual Harassment in the Workplace);
 - h. Executive Order No. 23, issued September 1, 1983 (Establishing the Office of New York State Ombudsman);
 - i. Executive Order No. 26, issued October 7, 1983 (Directing the State Office of Advocate for the Disabled to review comment upon policies affecting persons with disabilities);
 - j. Executive Order No. 34, issued January 13, 1984 (Establishing the New York State Human Rights Advisory Council);
 - k. Executive Order No. 46, issued August 28, 1984 (Naming the State Office Building Campus in Albany the Governor W. Averell Harriman Campus State Office Building Campus);

- l. Executive Order No. 56, issued December 20, 1984 (Establishing the New York State Task Force on Life and the Law);
- m. Executive Order No. 66, issued June 5, 1985 (Establishing a Governor's Advisory Committee for Black Affairs);
- n. Executive Order No. 77, issued October 31, 1985 (Establishing membership of the Martin Luther King, Jr. Commission);
- o. Executive Order No. 80, issued March 21, 1986 (Juvenile justice planning);
- p. Executive Order No. 82, issued May 2, 1986 (Establishing the Governor's Office for Hispanic Affairs);
- q. Executive Order No. 95, issued April 15, 1987 (Designating the Disaster Preparedness Commission as the State Emergency Response Commission);
- r. Executive Order No. 96, issued April 27, 1987 (Promoting a New York State policy against age discrimination in the workplace);
- s. Executive Order No. 97, issued April 27, 1987 (Designating the Governor's Traffic Safety Committee as the State Agency to coordinate and approve State highway safety programs);
- t. Executive Order No. 98, issued May 13, 1987 (Establishing a new State Council on Graduate Medical Education);
- u. Executive Order No. 100, issued August 31, 1987 (Naming the Watertown State Office Building the Dulles State Office Building);
- v. Executive Order No. 111, issued August 11, 1988 (Directing the Attorney General to inquire into matters of bias-related crimes);
- w. Executive Order No. 114, issued December 9, 1988 (Naming the Poughkeepsie State Office Building the Eleanor Roosevelt State Office Building);
- x. Executive Order No. 125, issued May 22, 1989 (Establishing a council of contracting agencies);
- y. Executive Order No. 131, issued December 4, 1989 (Establishing administrative adjudication plans);
- z. Executive Order No. 147, issued July 31, 1991 (Establishing an Office of Indian Relations);
- aa. Executive Order No. 150, issued October 9, 1991 (New land use and development by State agencies within the Adirondack Park);
- bb. Executive Order No. 158, issued June 23, 1992 (Naming the New Scotland Avenue Laboratory Building the David Axelrod Institute for Public Health);
- cc. Executive Order No. 169, issued March 22, 1993 (Directing State Agencies to Act Consistently with the Upper Delaware River Management Plan);
- dd. Executive Order No. 170.1, issued June 23, 1993 (Establishing Uniform Guidelines for Determining the Responsibility of Bidders); and
- ee. Executive Order No. 179, issued December 30, 1993 (Establishing the New York State Commission on National and Community Service).

III. Executive Orders of Governor George E. Pataki Being Continued

- a. Executive Order No. 26.1, issued September 28, 2006 (Incorporating the National Incident Management System as the Management System for Emergency Response);
- b. Executive Order No. 40, issued July 26, 1996 (Ordering State Agencies to Register Emission Reduction Credits);
- c. Executive Order No. 49, issued February 12, 1997 (Establishing Procedures to Consider, in its Proprietary Capacity, the Utilization of One or More Project Labor Agreements);
- d. Executive Order No. 51, issued May 20, 1997 (Activities of State Agencies Within the New York City Watershed);
- e. Executive Order No. 57, issued October 23, 1997 (Establishing the New York City Watershed Protection and Partnership Council);
- f. Executive Order No. 83, issued July 1, 1998 (Establishing the Jackie Robinson Empire State Freedom Medal and the Jackie Robinson Empire State Freedom Medal Commission);
- g. Executive Order No. 86, issued August 19, 1998 (Establishing the New York City Watershed Inspector General);
- h. Executive Order No. 116, issued January 7, 2002 (Reconstituting the State Drought Management Task Force);
- i. Executive Order No. 117, issued January 28, 2002 (Establishing the Position of Chief Information Officer (CIO) of the State of New York);
- j. Executive Order No. 125, issued March 24, 2003 (Directing State Officials to Ensure that the Appropriate Protections and Benefits are Extended to Members of the Reserve Armed Forces of the United States and the Organized Militia of New York State);
- k. Executive Order No. 128, issued June 16, 2003 (Designation of Lower Manhattan Development Corporation to Carry Out Environmental Impact Review and to Fulfill Requirements For Receipt of Federal Assistance in Connection With the Redevelopment of Lower Manhattan Following the Terrorist Attacks of September 11, 2001); and
- l. Executive Order No. 142, issued November 21, 2005 (Directing State Agencies and Authorities to Diversify Transportation Fuel and Heating Oil Supplies Through the Use of Bio-Fuels in State Vehicles and Buildings).

IV. Executive Orders of Governor Eliot L. Spitzer Being Continued

- a. Executive Order No. 3, issued January 1, 2007 (Promotion of Public Access to Government Decisionmaking);

- b. Executive Order No. 9, issued March 5, 2007 (Ordering the Commissioner of the Department of Correctional Services to Bar Certain Offenders from Participating in Temporary Release Programs);
- c. Executive Order No. 13, issued May 18, 2007 (Establishing the New York State Council on Food Policy);
- d. Executive Order No. 17, issued September 5, 2007 (Establishing the Joint Enforcement Task Force on Employee Misclassification);
- e. Executive Order No. 19, issued October 22, 2007 (Requiring the Adoption of Domestic Violence and the Workplace Policies);

V. Executive Orders of Governor David A. Paterson Being Continued

- a. Executive Order No. 4, issued April 25, 2008 (Establishing a State Green Procurement and Agency Sustainability Program);
- b. Executive Order No. 6, issued June 4, 2008 (Ensuring the Cost-Effectiveness of Contracts for Personal Services);
- c. Executive Order No. 7, issued June 18, 2008 (Prohibition Against Personal Use of State Property and Campaign Contributions to the Governor);
- d. Executive Order No. 16, issued April 15, 2009 (Establishing the Statewide Council of Addictions Collaborative to Improve Outcomes for New Yorkers (ACTION));
- e. Executive Order No. 17, issued April 27, 2009 (Establishing Measures to Evaluate Costs of Mandates on Local Government to Advance Property Tax Relief);
- f. Executive Order No. 18, issued May 5, 2009 (Restricting the Use of Bottled Water at State Facilities and Promoting Executive Agency Sustainability);
- g. Executive Order No. 20, issued May 29, 2009 (Naming the State Justice Building the Robert Abrams Building for Law and Justice);
- h. Executive Order No. 24, issued August 6, 2009 (Establishing a Goal to Reduce Greenhouse Gas Emissions Eighty Percent by the Year 2050 and Preparing a Climate Action Plan);
- i. Executive Order No. 31, issued November 25, 2009 (Setting Forth the Responsibilities, Duties and Powers of the Stimulus Oversight Panel);
- j. Executive Order No. 32, issued December 14, 2009 (Establishing the Governor's Task Force on the Implementation of the 2009 Public Authorities Reform Act);
- k. Executive Order No. 33, issued December 16, 2009 Prohibiting Discrimination in State Employment on the Basis of Gender Identity);
- l. Executive Order No. 35, issued February 18, 2010 (Rescinding Section II of Executive Order 142);
- m. Executive Order No. 38, issued June 8, 2010 (Continuing the Task Force on the Implementation of the Public Authorities Reform Act);
- n. Executive Order No. 39, issued November 4, 2010 (Establishing State Policies for the Promotion of Sustainable Local Farms and the Protection of Agriculture Lands);
- o. Executive Order No. 41, issued December 13, 2010 (Requiring Further Environmental Review of High-Volume Hydraulic Fracturing in the Marcellus Shale);
- p. Executive Order No. 42, issued December 13, 2010 (Establishing an Executive Chamber Records Management Policy);

VI. Executive Orders of Governor Andrew M. Cuomo Being Continued

- a. Executive Order No. 1, issued January 1, 2011 (Removing the Barriers to State Government);
- b. Executive Order No. 3, issued January 2, 2011 (Ethics Training);
- c. Executive Order No. 10, issued March 2, 2011 (Reducing Costs for Personal Services Contracts);
- d. Executive Order No. 11, issued March 2, 2011 (Prescribing Procedures to Allocate the State Low Income Housing Credit under Section 42 of the United States Internal Revenue Code);
- e. Executive Order No. 15, issued April 27, 2011 (Establishing Judicial Screening Committees);
- f. Executive Order No. 26, issued October 6, 2011 (Statewide Language Access Policy) and Executive Order No. 26.1, issued March 23, 2021 (Statewide Language Access Policy);
- g. Executive Order No. 88, issued December 28, 2012 (Directing State Agencies and Authorities to Improve the Energy Efficiency of State Buildings);
- h. Executive Order No. 95, issued March 11, 2013 (Using Technology to Promote Transparency, Improve Government Performance and Enhance Citizen Engagement);
- i. Executive Order No. 110, issued July 17, 2013 (Creation of the Mohawk Valley and 2013 Upstate Flood Recovery Program);
- j. Executive Order No. 130, issued March 20, 2014 (Establishing the New York State Council on Veterans, Military Members and Their Families);
- k. Executive Order No. 147, issued July 8, 2015 (A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers); 147.28, issued October 4, 2019; 147.36, issued July 15, 2020; 147.37, issued July 15, 2020; 147.38, issued July 15, 2020; 147.40, issued October 7, 2020; 147.41, issued December 28, 2021; 147.42, issued January 4, 2021;
- l. Executive Order No. 156, issued April 5, 2016 (Prohibiting State Funded or State Sponsored Travel to Mississippi);
- m. Executive Order No. 157, issued June 5, 2016 (Directing State Agencies and Authorities to Divest Public Funds Supporting BDS Campaign Against Israel);
- n. Executive Order No. 159, issued July 20, 2016 (Establishing a Permanent Joint Task Force to Fight Worker Exploitation and Employee Misclassification);

- o. Executive Order No. 161, issued January 9, 2017 (Ensuring Pay Equity by State Employers);
- p. Executive Order No. 162, issued January 9, 2017 (Ensuring Pay Equity by State Contractors);
- q. Executive Order No. 166, issued June 1, 2017 (Redoubling New York's Fight Against the Economic and Environmental Threats Posed by Climate Change and Affirming the Goals of the Paris Climate Agreement);
- r. Executive Order No. 167, issued June 9, 2017 (Ban on Insurers that Withdraw from NY State of Health, New York's Official Health Plan Marketplace);
- s. Executive Order No. 169, issued July 24, 2017 (State Policy Concerning Voter Registration);
- t. Executive Order No. 170, issued September 15, 2017 (State Policy Concerning Immigrant Access to State Services);
- u. Executive Order No. 171, issued October 16, 2017 (Organ Donation Policy);
- v. Executive Order No. 175, issued January 24, 2018 (Ensuring Net Neutrality Protections For New Yorkers);
- w. Executive Order No. 177, issued February 22, 2018 (Prohibiting State Contracts With Entities That Support Discrimination);
- x. Executive Order No. 180, issued April 2, 2018 (Declaring a Public Housing Disaster in the Counties of Bronx, Kings, New York, Queens, and Richmond);
- y. Executive Order No. 183, issued June 27, 2018 (Protecting the Personal Privacy of Public Sector Workers);
- z. Executive Order No. 184, issued July 9, 2018 (Protecting Women's Access to Contraception);
- aa. Executive Order No. 185, issued August 13, 2018 (Establishing the 2023 World University Games Commission and Reflecting the State's Support of the Games);
- bb. Executive Order No. 187, issued August 23, 2018 (Ensuring Diversity and Inclusion and Combating Harassment and Discrimination in the Workplace);
- cc. Executive Order No. 190, issued November 14, 2018 (Incorporating Health Across All Policies into State Agency Activities);
- dd. Executive Order No. 192, issued January 15, 2019 (Executive Order Imposing Continuing Vendor Integrity Requirements in State Contracts);
- ee. Executive Order No. 196, issued September 12, 2019 (Including E-Cigarette Prevention Within all Tobacco Prevention and Cessation Programming and Materials and Deploying Comprehensive Educational Programming for School Children);
- ff. Executive Order No. 198, issued November 20, 2019 (Declaring a Disaster in the Counties of Cayuga, Jefferson, Monroe, Niagara, Orleans, Oswego, St. Lawrence, and Wayne) and its successors up to and including Executive Order No. 198.19;
- gg. Executive Order No. 201, issued February 14, 2020 (Naming the State University of New York Plaza the H. Carl McCall SUNY Building);
- hh. Executive Order No. 211, issued July 6, 2021 (Declaration of a State Wide Disaster Emergency Due to Gun Violence) and its successors up to and including Executive Order No. 211.1;
- ii. Executive Order No. 212, issued August 19, 2021 (Declaring a Disaster in Steuben County);
- jj. Executive Order No. 213, issued August 21, 2021 (Declaring a Disaster in the Counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, Westchester, Putnam, Rockland, Orange, Dutchess, Sullivan, Columbia, Delaware, Greene, Broome, Chenango, Otsego, Rensselaer, Schoharie, Albany, Montgomery, Schenectady, Saratoga, and Contiguous Counties).



GIVEN under my hand and the Privy Seal of the State in the City of Albany this eighth day of October in the year two thousand twenty-one.

Ruth Hochstetler

BY THE GOVERNOR

[Signature]

Secretary to the Governor