MIKE DEWINE
GOVERNOR
STATE OF OHIO

Executive Order 2019-12D

Governing the Expenditure of Public Funds for Offshore Services

WHEREAS, the retention and creation of jobs in the State of Ohio is fundamental to the future prosperity of all Ohioans: and

WHEREAS, the use of public funds for services provided outside the United States potentially undermines economic development; and

WHEREAS, it shall be the policy of my Administration to prohibit the expenditure of public funds for services provided outside the United States;

NOW THEREFORE, I, Mike DeWine, Governor of the State of Ohio, by virtue of the authority vested in me by the Constitution and laws of this State do hereby order and direct that:

1. No State Cabinet Agency, Board or Commission ("Executive Agency") shall enter into any contract which uses any funds within its control to purchase services which will be provided outside the United States. This Executive Order applies to all purchases of services made directly by an Executive Agency and services provided by subcontractors of those providing services purchased by an Executive Agency.

2. This Executive Order will be personally provided, by the Director, Chair or other chief executive official of each Executive Agency, to the Chief Procurement Officer or other individual at that entity responsible for contracts for services.

3. The Department of Administrative Services, through Ohio's Chief Procurement Officer, shall continue to maintain procedures to ensure all of the following:

   a. All agency procurement officers (APOs), or the person with equivalent duties at each Executive Agency, have standard language in all Executive Agency contracts which:

      i. Reflect this Order's prohibition on the purchase of offshore services.
      ii. Require service providers or prospective service providers to:

         1. Affirm that they understand and will abide by the requirements of this Order.
         2. Disclose the location(s) where all services will be performed by any contractor or subcontractor.

3. Disclose the location(s) where any State data associated with any of the services they are providing, or seek to provide, will be accessed, tested, maintained, backed-up or stored.
4. Disclose any shift in the location of any services being provided by the contractor or any subcontractor.
5. Disclose the principal location of business for the contractor and all subcontractors who are supplying services to the State under the proposed contracts

b. All APOs confirm that all quotations, statements of work, and other such proposals for services affirm this Order's prohibition on the purchase of offshore services and include all of this Order's disclosure requirements.

i. Any such proposal for services lacking the affirmation and disclosure requirements of the Order will not be considered.
ii. Any such proposal where the performance of services is proposed to be provided at a location outside the United States by the contractor or any subcontractor will not be considered.

c. All procurement manuals, directives, policies, and procedures reflect the requirements of this Order.

d. All APOs have adequate training which addresses the terms of this Order.

4. Nothing in this Order is intended to contradict any State or federal law. In addition, this Order does not apply to:

a. Services necessary to support the efforts to attract jobs and business to Ohio;

b. Academic, instructional, educational, research or other services necessary to support the international missions of Ohio's public colleges and universities; or

c. Situations in which the Director of the Department of Administrative Services, or the Director's designee, shall determine that it is an emergency or that it is necessary for the State to waive some or all of the requirements of this Order. The Director shall establish standards by which Executive Agencies may request a waiver of some or all of the requirements of this Order and by which such requests will be evaluated and may be granted.

I signed this Executive Order on March 4, 2019 in Columbus, Ohio and it will expire ten (10) calendar days after my last day as Governor of Ohio unless rescinded before then.

Mike DeWine, Governor

ATTEST:

Frank LaRose, Secretary of State

MIKE DEWINE
GOVERNOR
STATE OF OHIO

Executive Order 2022-02D

State of Ohio's Response to Russia's Unjust War on the Country of Ukraine

WHEREAS, under President Vladimir Putin, the Russian forces are waging a war against the Ukrainian people, indiscriminately killing innocent civilians, destroying homes and communities, and creating a refugee crisis in Europe; and

WHEREAS, the Ukrainian people, under the leadership of President Volodymyr Zelenskyy, have shown enormous resolve and incredible courage in the face of this attack by Russia; and

WHEREAS, the State of Ohio is home to approximately 80,000 Ukrainians, both immigrants and their descendants – many of whom still have family in Ukraine; and

WHEREAS, the State of Ohio and Ukraine share common values including freedom, democracy, and the rule of law; and

WHEREAS, the State of Ohio stands firmly with Ukraine and strongly condemns Russia's actions; and

WHEREAS, the State of Ohio supports the federal sanctions imposed against Russia in response to its senseless attack on the Ukrainian people; and

WHEREAS, the State of Ohio will not permit its own investment or purchasing activity to aid Russia in violation of the rights of the Ukrainian people; and

WHEREAS, the State of Ohio supports the domestic production of technology and energy, which are essential to the United States' national security, so that freedom is not threatened by hostile foreign actors, and the State of Ohio encourages the federal government to do the same.

NOW THEREFORE, I, Mike DeWine, Governor of the State of Ohio, by virtue of the authority vested in me by the Constitution and laws of this State do hereby order and direct that:

- All State agencies, boards and commissions, state educational institutions, and pension funds, to the extent practicable:

1. Divest their money in assets from any investment in any Russian institution or company and to refrain from making any investments in such institutions or companies in the future; and
2. To terminate any contracts with a Russian institution or company and to refrain from entering into any new contracts with such institutions or companies in the future.

- The Department of Administrative Services, through Ohio's Chief Procurement Officer, shall ensure all of the following:

    1. All agency procurement officers (APOs), or the person with equivalent duties at each executive agency, board, or commission shall have standard language in all contracts, to the extent practicable, which:
        i. Reflect this Order's prohibition on the purchases of services from or investments in Russian institutions or companies.
        ii. Require service providers or prospective service providers to:
            a. Affirm that they understand and will abide by the requirements of this Order; and
            b. Disclose the principal location of business for the contractor and all subcontractors who are supplying services to the State under the proposed contracts.
    2. All APOs confirm that all quotations, statements of work, and other such proposals for services affirm this Order's prohibition on the purchase of Russian institutions or companies' services and include all of this Order's disclosure requirements.
        i. Any such proposal for services lacking the affirmation and disclosure requirements of the Order will not be considered.
        ii. Any such proposal for purchases of services from or investments in Russian institutions or companies will not be considered.
    3. All procurement manuals, directives, policies, and procedures reflect the requirements of this Order.
    4. All APOs have adequate training which addresses the terms of this Order.
    5. For purposes of this Order, "Company" means a sole proprietorship, partnership, corporation, national association, société anonyme, limited liability company, limited partnership, limited liability partnership, joint venture, or other business organization, including their subsidiaries and affiliates, that operates to earn a profit.

Nothing in this Order is intended to contradict any State or federal law.

This order shall be read in conjunction with Executive Order 2019-12D "Governing the Expenditure of Public Funds for Offshore Services" which already largely prohibits the contracting and purchasing of services from overseas sources including subcontractors.

I signed this Executive Order on March 3, 2022, in Columbus, Ohio, and it shall remain in effect unless rescinded or modified by a future Executive Order of the Governor.

Mike DeWine, Governor

ATTEST:

Frank LaRose, Secretary of State

Filed on March 3, 2022
Per H. Atwood-Gr
In the Office of the Secretary
of State at Columbus, OH
FRANK LaROSE
Secretary of State