



Office of Governor MIKE DUNLEAVY

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Administrative Order No. 352

I, Mike Dunleavy, Governor of the State of Alaska, under the authority of Article III, Sections 1 and 24 of the Alaska Constitution, issue the following order concerning contracts entered into by public agencies:

BACKGROUND

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

WHEREAS, the State of Alaska and Israel enjoy a mutually beneficial relationship; and

WHEREAS, the State of Alaska will not be complicit in the movement to boycott the Jewish state; and

WHEREAS, the State of Alaska stands firmly with Israel; and

WHEREAS, boycotts of entities and individuals of specific countries often amount to ethnic, religious, racial, or nationality discrimination, which directly contradicts with the public policy of the State of Alaska and the values of its people; and

WHEREAS, the State of Alaska has a longstanding and broad policy to refrain from contracting with business entities that unlawfully discriminate in the solicitation, selection, hiring, or treatment of its employees or customers; and

WHEREAS, it would be contrary to the public interest to contract with persons or business entities engaged in boycotts that seek to isolate or alienate Israel economically and socially for improper purposes.

ORDER

I, Mike Dunleavy, Governor of the State of Alaska, hereby order that all future contracts entered into or approved under AS 36.30 by the State of Alaska or its public agencies shall include a provision that states the support or participation of a boycott of Israel shall be grounds for termination of the contract. All future requests for information, requests for proposals, invitations to bid, or other similar requests related to contracts issued under

AS 36.30 shall include a provision that makes clear that any offeror, bidder, or interested party that is determined to support or participate in a boycott of Israel shall be disqualified from that competitive procurement.

This order does not apply to a contract between a public agency and a person if the person has fewer than 10 employees; or the amount to be paid under the contract, excluding renewals and options available under the contract, is less than \$100,000.

The Commissioner of Administration and the Commissioner of Transportation and Public Facilities are responsible for implementation of this order and shall consider promulgation of forms and regulations consistent with this order.

In this order, unless the context clearly requires otherwise:

- “person” means a for-profit or nonprofit organization, business, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, or other entity, or a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the entity, but does not include a natural person; and
- “public agency” (1) means a department, institution, board, commission, division, or other administrative unit of the executive branch of state government; (2) does not include the University of Alaska; the Alaska Railroad Corporation; the Alaska Housing Finance Corporation; a regional Native housing authority created under AS 18.55.996 or a regional electrical authority created under AS 18.57.020; the Alaska marine highway system; the Alaska Aerospace Corporation; the Alaska Retirement Management Board; the Alaska Seafood Marketing Institute; the Alaska children’s trust and the Alaska Children’s Trust Board; the Alaska Industrial Development and Export Authority; or the Alaska Mental Health Trust Authority; and
- “services or supplies” includes construction services and information technology services and products.

If a provision of this order conflicts with a state, federal, or local law against discrimination, the state, federal, or local law governs.

This Order takes effect immediately.

DATED at Juneau, Alaska this 5th day of February 2024.

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