



*A Joint Powers Authority
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LEGAL UPDATE

May 12, 2022

To: Superintendents, Member School Districts (K-12)
From: Loren W. Soukup *LS*
Senior Associate General Counsel
Subject: Economic Sanctions Notification
Memo No. 15-2022

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (“EO”)¹ regarding economic sanctions in response to the Russian invasion in Ukraine. The EO directs all agencies and departments that are subject to the Governor’s authority, including all local educational agencies, to take certain immediate steps, including notifying all current contractors/vendors of their obligation to comply with existing economic sanctions imposed by the U.S. government in response to Russia’s actions in Ukraine, as well as any sanctions imposed under California law. The EO required that notice be provided no later than April 18, 2022.

In light of this directive, it is recommended that local educational agencies provide the required notice, via mail or email, to all current contractors and vendors as soon as possible using the attached Department of General Services template notification.² In addition, it is recommended that the notice be posted on the local educational agency’s website.

Our office has updated our template contracts to include these new requirements. Please contact us if you would like to receive any of the updated contracts. For more information regarding the economic sanction requirements, please visit <https://www.dgs.ca.gov/OLS/Ukraine-Russia>.

Please contact our office with questions regarding this Legal Update or any other legal matter.

The information in this Legal Update is provided as a summary of law and is not intended as legal advice. Application of the law may vary depending on the particular facts and circumstances at issue. We, therefore, recommend that you consult legal counsel to advise you on how the law applies to your specific situation.

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¹<https://www.madera.k12.ca.us/site/handlers/filedownload.ashx?moduleinstanceid=35974&dataid=41873&FileName=Russia-Ukraine-Executive-Order.pdf>

²<https://www.dgs.ca.gov/-/media/Divisions/OLS/Ukraine-Russia/EO-N-6-22-Template-Notification.pdf?la=en&hash=FB5E3A28136F255ADB05CC52AF870A9DFF56EEDB>

Template Notification to Send to All Contractors and Grantees (EO Paragraph #3)

March XX, 2022

[Name Here]
[Title Here]
[Name of Business or Organization]
[Address line 1]
[Address line 2]

RE: Contractor and Grantee Compliance with Economic Sanctions Imposed in Response to Russia's Actions in Ukraine

Dear [Name Here]:

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (EO) regarding sanctions in response to Russian aggression in Ukraine. The EO is located at <https://www.gov.ca.gov/wp-content/uploads/2022/03/3.4.22-Russia-Ukraine-Executive-Order.pdf>.

The EO directs all agencies and departments that are subject to the Governor's authority to take certain immediate steps, including notifying all contractors and grantees of their obligations to comply with existing economic sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law.

This correspondence serves as a notice under the EO that as a contractor or grantee, compliance with the economic sanctions imposed in response to Russia's actions in Ukraine is required, including with respect to, but not limited to, the federal executive orders identified in the EO and the sanctions identified on the U.S. Department of the Treasury website (<https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/ukraine-russia-related-sanctions>). Failure to comply may result in the termination of contracts or grants, as applicable.

Please note that for any agreements or grants valued at \$5 million or more, a separate notification will be sent outlining additional requirements specified under the EO.

Sincerely,

[Name]
[Title]