

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 25-64

FOR: PROTECTING CRITICAL INFRASTRUCTURE AND HOOSIER
RESOURCES BY INCREASING PROHIBITIONS ON DEALING WITH
CERTAIN FOREIGN ADVERSARIES

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

- WHEREAS, in 2021 the United States Department of Commerce (“USDOC”) identified China, Russia, Iran, North Korea, Cuba, and Venezuelan politician Nicolás Maduro as “foreign adversaries” because they “have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons,” 86 Fed. Reg. 4909, 4914;
- WHEREAS, President Trump has pursued executive actions and policies protecting and strengthening the American economy from foreign trade practices and abuses;
- WHEREAS, several current and former high-ranking federal officials have identified China and the Chinese Communist Party (“CCP”) as the greatest long-term threat to the United States’ economy and national security;
- WHEREAS, current FBI Director Kash Patel recently made “eradicating CCP interference and infiltration in the United States a relentless, uncompromising priority;”
- WHEREAS, the Director of National Intelligence published a series of memorandums between 2022 and 2024 outlining threats to state and local governments by Chinese intelligence operations, which include engaging in cultural exchanges, providing gifts, and offering other incentives to Americans in exchange for advocating for policies that advance Chinese interests;
- WHEREAS, the FBI has stated that China employs a deliberate strategy to use “the local to surround the center,” by manipulating local political leaders “to turn Americans against their own government's interests and their society's interests;”
- WHEREAS, there have been highly-publicized incidents of Chinese infiltration of state governments, such as when the United States Department of Justice (“USDOJ”) charged a former senior aide to two New York Governors with acting as an undisclosed Chinese foreign agent, and a suspected Chinese intelligence operative developed deep connections with several local and national politicians in California, including a United States congressman;
- WHEREAS, there have been several well-publicized Chinese infiltrations of U.S. information systems, including the United States Office of Personnel Management in 2015 and multiple telecommunication companies in 2024;
- WHEREAS, just last month the USDOJ charged 12 Chinese nationals, including two officers of China’s Ministry of Public Security, with hacking into the computers of United States-based critics and dissidents of China, a large religious organization in the United States, the foreign ministries of multiple governments in Asia, and federal and state government agencies, including the United States Department of the Treasury (“USDOT”);

WHEREAS, the incidents described above, dating back many years, are just a few of the many examples of foreign adversaries attempting to compromise government personnel and information systems in the United States and elsewhere;

WHEREAS, protecting critical infrastructure requires ensuring that components are not procured from foreign adversaries; and

WHEREAS, Indiana is committed to full compliance with all applicable federal laws and regulations to protect its citizens, government, and critical infrastructure;

NOW, THEREFORE, I, MIKE BRAUN, by virtue of the authority vested in me as the Governor of the State of Indiana, do hereby order that:

1. Pursuant to Indiana Code § 1-1-16-8(b), in addition to the countries listed in Indiana Code § 1-1-16-9(a)(2), I hereby designate Cuba and Venezuela as threats to critical infrastructure.
2. All executive state agencies and state educational institutions (“SEIs”) are directed to review and strictly comply with Indiana Code chapters 1-1-15 and 1-1-16.
3. Separately elected officials, the Judicial and Legislative departments of state government, and political subdivisions are respectfully requested to review Indiana Code Chapters 1-1-15 and 1-1-16 and take all steps necessary or appropriate in their judgment to ensure compliance.
4. With respect to a contract for goods or services, all executive state agencies and SEIs shall require any company that submits a bid or proposal to certify that the company and, if applicable, any of its holding companies, affiliates, or subsidiaries (collectively, the “Company”), is not:
 - a. Listed in Section 889 of the 2019 National Defense Authorization Act (“NDAA”);
 - b. Listed in Section 1260H of the 2021 NDAA;
 - c. Owned by the government of a country, or controlled by any governing or regulatory body located in a country, on the USDOC’s foreign adversaries list under 15 C.F.R. 791.4;
 - d. Included on or controlled by an entity on the Specially Designated Nationals (“SDN”) list maintained by the USDOT’s Office of Foreign Asset Control (“OFAC”), currently available at <https://sanctionslist.ofac.treas.gov/Home/SdnList>.
5. An executive state agency shall not enter a new contract, contract amendment, contract extension, or contract renewal (collectively, “Contract”) for a good or service with any Company that meets any of the above-listed criteria. However, if the executive state agency can sufficiently demonstrate that the good or service (a) is necessary for the executive state agency to fulfill a core function that directly benefits Hoosiers and (b) can be provided by only a Company that meets one or more of the above-listed criteria, then the executive state agency may enter into a new Contract with the Company for no more than one year from the date of issuance of this order, and never thereafter so long as the Company remains on one of the lists in subparagraphs 4.a to 4.d above.
6. All executive state agencies shall also search OFAC’s Consolidated Non-SDN sanctions list for the name of any foreign entity with which it proposes to transact business and shall strictly comply with any relevant sanctions. This list is currently available at <https://sanctionslist.ofac.treas.gov/Home/ConsolidatedList>.
7. No executive state agency shall approve any exception to any of these federal regulations unless such exception is also expressly authorized by federal law (general license, special license, exemption, or otherwise).

8. If any executive state agency procures goods or services from a foreign entity at a time when the entity is not on one of the lists identified in paragraph 4.a to 4.d above, but later learns the entity has been added to one of the lists, the executive state agency shall comply with the following the procedures:

First, the executive state agency shall promptly stop any use of the goods that is not absolutely necessary. If use of the goods is deemed absolutely necessary, the executive state agency shall prepare a detailed memorandum explaining all the reasons for the determination and provide it to the Indiana Department of Administration (“IDOA”) and the Indiana Department of Homeland Security (“IDHS”), which shall assist in the effort to identify reasonable substitutions. Second, the executive state agency shall diligently investigate the reason(s) the entity was added to one or more of the lists and whether the reason(s) are related to the purchased goods or services.

Third, if the executive state agency learns the entity was added to the list for national security reasons that relate to purchased goods or services, it shall immediately cease their use and instead shall dispose of such goods for the highest possible value. If the executive state agency learns that the entity was added to the list for other reasons or reasons that do not relate to the purchased goods or services, it may continue their use after thoroughly documenting its findings to IDOA and IDHS.

9. No personnel of an executive state agency shall accept any gift, regardless of value, from an entity associated with, or travel for professional purposes to, a country on the USDOC’s foreign adversaries list under 15 C.F.R. 791.4 or OFAC’s SDN list.
10. All personnel of an executive state agency affected by this order who are aware of alleged violations of this order or who are approached by a person or group representing one or more of these countries, Companies, or individuals that offer gifts or travel, shall promptly report the incident to the Office of the Inspector General.
11. The Indiana State Personnel Department (“SPD”) shall amend the state employment application to include an attestation by applicants that they are not employed by and do not have any connection to (1) any governmental entity or political apparatus of a country listed in 15 C.F.R. 791.4 or (2) a person or entity on, or controlled by a person or entity on, OFAC’s SDN list.
12. The Indiana Commission for Higher Education (“CHE”) shall submit a report to the Governor’s Office and Legislative Council by December 1st of each year with the most recently available disclosures submitted by SEIs pursuant to Indiana Code chapter 21-30-7 of any foreign gift or contract of any value.
13. All SEIs shall include in their employment manuals or policies a prohibition against their faculty and employees taking part in any foreign recruitment program by a foreign adversary nation, including but not limited to the China’s Thousand Talents Program.
14. In case of ambiguity, all executive state agencies and SEIs shall construe the provisions of this Executive Order broadly, with a presumption to enforce this Executive Order to the greatest extent possible, and shall not narrowly construe this Executive Order to attempt to circumvent it. Any questions concerning the interpretation of this Executive Order should be directed to the Governor’s General Counsel.
15. All executive state agencies shall certify, and submit documentation supporting their certification, to the Governor’s Office by June 30, 2025, that they have executed the requirements of this Executive Order. All SEIs shall certify that they have executed the requirements of this Executive Order, and submit documentation supporting their certification, to CHE by June 30, 2025. CHE shall collect and submit a report on behalf of the SEIs to the Governor’s Office by July 31, 2025.



IN TESTIMONY WHEREOF, I, Mike Braun, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 21st day of April, 2025.

Mike Braun
Mike Braun
Governor of Indiana

ATTEST: ^DDIEGO MORALES
Diego Morales
Secretary of State