

**CHAIRMAN**  
MENTAL HEALTH &  
DEVELOPMENTAL DISABILITIES

**COMMITTEE MEMBER**  
CITIES  
CIVIL SERVICE AND PENSIONS  
CORPORATIONS, AUTHORITIES  
AND COMMISSIONS  
ENVIRONMENTAL CONSERVATION  
HIGHER EDUCATION  
LOCAL GOVERNMENT  
VETERANS, HOMELAND SECURITY  
AND MILITARY AFFAIRS

THE SENATE  
STATE OF NEW YORK



**ROBERT G. ORTT**  
**SENATOR, 62<sup>ND</sup> DISTRICT**

**ALBANY OFFICE:**  
ROOM 815  
LEGISLATIVE OFFICE BUILDING  
ALBANY, NEW YORK 12247  
(518) 455-2024  
FAX: (518) 426-6987

**DISTRICT OFFICE:**  
175 WALNUT STREET, SUITE #6  
LOCKPORT, NEW YORK 14094  
(716) 434-0680  
FAX: (716) 434-3297

September 11, 2015

Comptroller Thomas P. DiNapoli  
Office of the State Comptroller  
110 State Street  
Albany, NY 12236

Dear Comptroller DiNapoli,

As the sole trustee of the New York State Common Retirement Fund, you oversee the assets of retirees and beneficiaries and are accountable to the taxpayers of New York. You also serve as one of the largest investors in the world, with the Fund recently valued at \$184.5 billion. We share your viewpoint that in addition to elected responsibilities to our constituents, we share a deep obligation to our state and our nation. For these reasons, we believe that New York should prohibit investments in the Islamic Republic of Iran.

It appears that the President's nuclear deal with Iran will, in all likelihood, move forward. This is despite not having support from a single Republican in the U.S. House of Representatives or the U.S. Senate. In fact, even prominent members of his own party have bucked the President, including our own Senator Schumer. Despite the apparent inevitability of the deal, we believe that we as New Yorkers still have a duty: Iran should not benefit from our state's retirement funds.

As proud members of our nation's military, we served in the Middle East – within Iran's sphere of influence. We saw firsthand the leading role that Iran played in destabilizing the region, supporting terrorism, and stifling human rights.

The United States led the international community (P5 +1) in introducing strict economic sanctions in 2006 as a response to Iran's illegal nuclear program. Unfortunately, as a result of the nuclear arrangement between President Obama and Iranian President Hassan Rouhani, these sanctions are removed and an estimated \$100 billion of Iranian assets are unfrozen. These funds will undoubtedly extend beyond buttressing the anemic Iranian economy. These resources will bolster a military hostile to American lives and American interests. If history is any guide, Iranians will continue fighting proxy wars as they have in Syria, Bahrain, Yemen, Lebanon, Iraq, and Kuwait. It is improbable that Iran's well-documented human rights abuses, such as the execution of social and political activists or imprisonment of American citizens, will subside. Finally, Iranians will likely maintain their chief regional export – terrorism – and use it as a

execution of social and political activists or imprisonment of American citizens, will subside. Finally, Iranians will likely maintain their chief regional export – terrorism – and use it as a tactical resource against American allies and American soldiers. Iran has controlled terrorist organizations like Hezbollah, overtly supported others such as Hamas, and loosely affiliated with jihadist groups including Al Qaeda.

In 2009, you took the bold step of divesting New York's stocks from nine companies doing business with Iran and Sudan. Building upon that precedent, we ask that you establish a policy to ensure that our state's portfolio in no way supports the Iranian regime. Global financial analysts anticipate a boon in Iranian investment, particularly from Russian and Chinese companies, resulting from the lifting of economic sanctions. It's concerning that vital industries like aviation or advanced technologies such as ballistic missiles will dramatically benefit as they enter the Iranian market. However, we should be unequivocal in our message to these companies. It should be made clear that the State of New York will not allow its assets to support a dangerously-fanatic, anti-Semitic, and anti-American regime in Iran. Put simply, we should not be investing in companies doing business in Iran.

Many of us are disappointed in a deeply-flawed agreement that gives legitimacy, money, and power to one of the world's most appalling actors. But we cannot let our disappointment discourage us from action and from doing what is right. We have an opportunity for our state to show audacious leadership. You oversee the substantial New York State Common Retirement Fund on behalf of retirees, beneficiaries, and taxpayers. We hope that you will join us in sending a statement that will reverberate across the country and throughout the world: until Iranian leaders considerably improve their record of human rights abuses, state-sponsored support of terrorism, and its hostility toward American allies and U.S. military personnel; New York State will not invest in Iran.

Sincerely,



Robert G. Ort  
Senator, 62<sup>nd</sup> District



Thomas D. Croci  
Senator, 3<sup>rd</sup> District