



News

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AGC NYS President & CEO Mike Elmendorf Statement on Governor Hochul's Data Center Moratorium Executive Order

"A moratorium is a moratorium, whether it arrives by legislation or executive order. And, in either form, it is the wrong policy for New York.

Halting permits for as much as a year in this fast-moving sector will not simply delay projects—it will send them permanently to Virginia, Texas, Georgia and other states actively competing for these investments and the construction and other jobs that come with them. Once a developer breaks ground somewhere else, that project—and the opportunities and tax revenue that come with it—are not coming back.

It is particularly disappointing that the Executive Order impacts projects well down the road to development where tens of millions of dollars have already been invested as they await final regulatory approvals.

Data center construction is the strongest-performing segment in an otherwise uncertain construction market nationwide, and New York's construction industry—which still has not recovered to pre-pandemic employment levels—cannot afford to forfeit it. New York already has among the most robust environmental review frameworks in the nation. The right approach is a targeted study conducted concurrently with permitting, not a de facto ban that tells the marketplace New York is closed for business.

AGC NYS stands ready to work with the Governor and her Administration to develop appropriate, legally sound standards that address legitimate environmental, community and ratepayer concerns—while keeping New York in the game. New York should lead in the AI and digital infrastructure economy, not be left behind," said Mike Elmendorf, President & CEO, AGC NYS.

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For more information about AGC NYS, please visit www.agcnys.org.

AGC NYS is New York's largest statewide contractor association providing advocacy and education for contractors and affiliated firms helping grow the State's economy and constructing its \$30+ billion annual building, transportation, civil and environmental infrastructure.