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March 7, 2024

Delegate Joseline Penalty-Melnyk

Chair, House Health and Government Operations Committee

**Re: HB 1460 — State Procurement - Prohibited Certifications – Boycotts of Foreign Countries**

Dear Delagate Pena-Melnyk:

I write in support of HB 1460, which would protect the right to boycott without the fear of having access to participation in State procurement blocked. This legislation seeks to correct the effects of a 2017 Executive Order issued by then-Governor Larry Hogan that targeted persons who participated in the BDS movement to boycott the State of Israel out of concern for Palestinian rights.

The right to engage in boycotts is an important civil right. In 1982, the US Supreme Court ruled that boycotts to “bring about political, social, and economic change” are a form of political speech. Political speech requires the maximum protection afforded by the First Amendment of the Constitution.

The late South African Archbishop Desmond Tutu said in 2014 in support of BDS and against legislative efforts in the United States to punish BDS efforts, *“Whether used in South Africa, the US South, or India, these boycotts resulted in a transformative change that not only brought freedom and justice to the victims but also peace and reconciliation to the oppressors. And I remain forever hopeful that, like the nonviolent efforts that have preceded it, the BDS movement will ultimately become a catalyst for honest peace and reconciliation for all our brothers and sisters, both Palestinian and Israeli, in the Holy Land.”*

I respectfully urge the committee’s favorable consideration of this legislation.

Sincerely,

Laila Atallah