



**Testimony of the Jewish Federation of Annapolis & the Chesapeake  
Opposition to House Bill 1184  
Civil Actions – Nonprofit Organizations – Unauthorized Support of Israeli Settlement  
Activity (Not On Our Dime Act)**

**House Judiciary Committee  
March 11, 2026 at 1:00**

Chair and Members of the Committee,

On behalf of our Federation and existing legal precedence, we respectfully submit this testimony in opposition to House Bill 1184. The bill raises serious constitutional and practical concerns that could have sweeping unintended consequences for Maryland nonprofits and the communities they serve.

### **1. The bill intrudes on federal foreign policy powers**

The U.S. Constitution vests foreign policy authority in the federal government, not the states. By attempting to regulate activity connected to the government of Israel and actions in the West Bank, HB1184 would create a state-level foreign policy, repeatedly struck down by the courts. Relevant cases include:

- **Zschernig v. Miller (1968)** – The Supreme Court invalidated an Oregon law because it intruded on foreign affairs by conditioning inheritance rights on conduct in East Germany. The Court noted states cannot create their own foreign policy frameworks.
- **Crosby v. National Foreign Trade Council (2000)** – The Court struck down a Massachusetts law restricting trade with Burma, holding that state sanctions interfering with federal foreign policy are unconstitutional.
- **American Insurance Association v. Garamendi (2003)** – California law imposing insurance disclosure requirements relating to Holocaust-era policies was invalidated because it conflicted with federal foreign policy objectives.

HB1184, by regulating U.S. nonprofits' interactions with Israeli entities and activities in the West Bank, raises the same preemption concerns. Enforcement of this law would place Maryland nonprofits in the position of acting as foreign policy regulators—authority reserved to Congress and the President.

### **2. The bill threatens First Amendment rights**

Nonprofit giving and partnerships often involve protected expressive activity. HB1184 could penalize nonprofits simply for supporting programs or organizations in the West Bank or Israel—even when the support is purely humanitarian, educational, or interfaith in nature. The

threat of civil liability and removal from the charitable registry would chill free expression and charitable speech, discouraging nonprofits from engaging in internationally beneficial work.

### **3. Vagueness and enforcement risks**

The bill defines “unauthorized support of Israeli settlement activity” in broad terms based on international law and the Geneva Conventions; but nonprofits cannot reasonably determine whether their programs could be interpreted as “aiding or abetting” prohibited activity. HB1184 is so vague that even well-intentioned charitable activities—such as providing medical care, educational programs, or joint Israeli-Palestinian coexistence projects—could trigger lawsuits and financial penalties.

### **4. Unintended consequences for humanitarian, peace, and coexistence work**

Maryland nonprofits operate programs that promote:

- Hospitals and clinics serving vulnerable populations
- Schools, educational programs, and youth initiatives
- Dialogue and joint initiatives between Israeli and Palestinian communities

HB1184 could discourage or block nonprofits from funding life-saving humanitarian aid and peacebuilding programs. The broad legal risks, potential \$1 million and even larger damages, and threat of removal from the state registry create a chilling effect that would harm the very people the bill seeks to protect.

### **Conclusion**

House Bill 1184 is **unconstitutional** because it intrudes on federal foreign policy powers, risks violating the First Amendment, and is unworkably vague. Beyond these legal concerns, it threatens Maryland nonprofits’ ability to provide humanitarian assistance, advance education, and foster peace and coexistence.

For these reasons, the Jewish Federation of Annapolis & the Chesapeake respectfully urges the Committee to give HB1184 an unfavorable report. We remain committed to supporting human dignity, coexistence, and peace, and to ensuring that nonprofits can continue their vital work without unnecessary legal risk.

Respectfully submitted,



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