



VCHR Urges General Assembly to Vote NO on HB 758

The Virginia Coalition for Human Rights (VCHR) calls on the Virginia House of Delegates to reject HB 758 “*Virginia Public Procurement Act; prohibition on boycotting Israel.*” HB 758 would require “all public bodies to include in every contract in excess of \$100,000 with a business that employs more than 10 employees and in every subcontract or purchase order in excess of \$10,000 a provision that states that during the performance of the contract, neither the contracting business nor any of its affiliates shall engage in a boycott of Israel.” This bill would clearly violate free speech guaranteed by the First Amendment of the United States Constitution and Article I Section 12 of the Constitution of Virginia.

There are many reasons why this bill should be rejected, including the following:

1. Boycotts are a constitutionally protected form of free speech.
2. The state legislature should not be dealing with foreign policy.
3. This bill would require a loyalty oath to a foreign government.
4. This bill would be bad for business and free enterprise. Contractors should be hired based on the best value to the state, not based on politics.
5. This bill was previously introduced and defeated three times in the Virginia General Assembly in 2016, 2022 and 2023.
6. This bill is intended to, and indeed would, suppress advocacy for civil rights and human rights in Virginia.
7. This bill would suppress legitimate and constitutionally protected criticism of Israel and Israeli human rights abuses.

According to the ACLU Virginia, “Government contract restrictions cannot be based on the desire to punish First Amendment activities” and “federal courts have repeatedly found that bills targeted at restricting boycotts of Israel—bills identical in substance [to HB 758]—violate the Constitution.” Examples of such bills being struck down in court include the following:

- In January 2018, a federal court blocked Kansas from enforcing the law on grounds that the “First Amendment protects the right to participate in political boycotts.”
- In January 2022, the U.S. District Court of Southern Texas ruled that the City of Houston cannot forbid an engineering firm from boycotting Israel as part of its contract.

Boycotts are an American tradition--from the Boston Tea Party to the Montgomery Bus Boycott. The boycott of Israel should not be an exception to our nation’s documented history of participating in similar actions for social justice and human rights. In *NAACP v. Claiborne Hardware Co.*, 458 U.S. 886 (1982), the Supreme Court ruled that “an economic boycott constitutes a form of constitutionally protected expression akin to traditional means of communication.”

Therefore, the General Assembly must reject HB 758 to affirm that everyone in Virginia has the freedom to participate in boycotts to support human rights, civil rights, and social justice!

The Virginia Coalition for Human Rights (VCHR) is a broadly based coalition that advocates for Palestinian human rights. We support and defend universal human rights, equity, free speech (including the right to boycott) and academic freedom. We believe that the attainment of human rights, equal rights, and civil rights, requires an open and free debate, and we object to any efforts to curtail or forestall such debate by placing limits on free speech or academic freedom. We oppose all types of racism, oppression, and violations of international law wherever they occur; and we also oppose hate speech and any type of discrimination based on race, religion, ethnicity, or national origin, wherever it may occur, domestically or abroad. We celebrate our diversity and strongly oppose any manifestation of racism against anyone. <https://vchr.org/>.

Participating Organizations

Alliance of Baptists
 American-Arab Anti-Discrimination Committee (ADC)
 American Muslims for Palestine (AMP)
 AMP Richmond Chapter
 Appalachian Peace Education Center (APEC)
 Arab American Association of Central Virginia
 Central Atlantic Conference (UCC) Palestine/Israel Network
 Defenders for Freedom, Justice, and Equality
 Episcopal Peace Fellowship—National Capital Regional Chapter
 Israel Palestine Mission Network of the Presbyterian Church – USA (IPMN)
 Jewish Voice for Peace (JVP)
 National Arab American Women’s Association (NAAWA)
 New Dominion PAC
 Northern Virginians for Peace & Justice
 Palestinian Christian Alliance for Peace (PCAP)
 Plowshares Peace & Justice Center
 Richmonders for Peace in Israel-Palestine (RPIP)
 Unitarian Universalists for Justice in the Middle East, Northern Virginia Chapter
 United Methodists for Kairos Response (UMKR)
 US Campaign for Palestinian Rights (USCPR)
 Washington Interfaith Alliance for Middle East Peace (WIAMEP)