

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HR 1001 Anti-Israel Boycott, Divestment, & Sanctions Campaigns

SPONSOR(S): Berman and others

TIED BILLS: **IDEN./SIM. BILLS:** SR 1184

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local & Federal Affairs Committee	17 Y, 0 N	Walker	Kiner
2) State Affairs Committee			

SUMMARY ANALYSIS

United States-Israel relations are characterized by support, cultural resonance, and cooperative mutual interests. In recent years, there has been an increase in anti-Semitism as well as violence in Israel and around the world. The Boycott, Divest, and Sanctions Movement advocates for economic and social pressures to be applied to force Israel to accede to the demands of Palestinian citizens. Although the organization has been condemned by many as anti-Semitic, it continues to have a presence in the United States, particularly on college campuses.

This resolution pronounces that the members of the Florida House of Representatives condemn the international Boycott, Divestment, and Sanctions Movement against the State of Israel and calls upon Florida governmental institutions to denounce hatred and discrimination.

Resolutions are not subject to action by the Governor, nor are they subject to the constitutional one-subject limitation or to the constitutional title requirements and do not have the effect of law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

United States-Israel relations

United States-Israel relations are characterized by support, cultural resonance, and cooperative mutual interests. In 1948, the United States was the first country to recognize Israel as a state.¹ Relations have evolved through legislation as well as diplomatic memoranda of understanding, resulting in important benefits to the United States including economic, scientific, military, and trade agreements.²

Today, Israel is America's "most reliable partner in the Middle East."³ The United States' continued commitment to Israel's security and well-being is demonstrated by its continued economic and security assistance to Israel.⁴

BDS Movement

The Boycott, Divest, and Sanctions Movement (BDS) began in 2005 with a call from Palestinian civil society to take action against Israel in response to perceived civil rights infractions against Palestinian citizens.⁵ The organization advocates for economic and social pressures to be applied to Israel in order to force a series of policy changes.⁶ The three main objectives of BDS are for Israel to: 1) relinquish control over the lands subsumed in June 1967 as a result of the Six-Day War; 2) recognize the rights of Palestinian citizens of Israel; and 3) grant Palestinian refugees a right to return to Israel.⁷ The BDS Movement is opposed to the two-state solution supported by the United States.⁸ The right of return if granted would cause the population demographics to shift, making Jewish people a minority in Israel.⁹ For this reason, the right of return is criticized as being an attempt to destroy the existence of a Jewish state.¹⁰

In order to promote third party decisions to boycott, divest, and sanction Israel, BDS runs a series of campaigns aimed at individual goals. The divestment campaign calls for withdrawal of capital investments in Israeli companies.¹¹ The consumer boycott campaign calls for consumers to stop purchasing the products of Israeli companies.¹² The sanction campaign calls for entities at the state, regional, and institutional levels to enact military, economic, and diplomatic sanctions on Israel.¹³ Finally, the organization calls for cultural and academic boycotts of Israel, including moratoriums on Israeli academic institutions and institutions which collaborate with Israeli academic institutions.¹⁴

¹U.S. Relations with Israel, U.S. DEPARTMENT OF STATE, <http://www.state.gov/r/pa/ei/bgn/3581.htm> (last visited Jan. 12, 2016).

²Michael Eisenstadt and David Pollock, *Friends with Benefits: Why the U.S.-Israeli Alliance Is Good for America*, THE WASHINGTON INSTITUTE, <https://www.foreignaffairs.com/articles/2012-11-07/friends-benefits?gp=135637%3A36ce918050c21605> (Last Visited Jan. 15, 2016).

³U.S. Relations with Israel, U.S. DEPARTMENT OF STATE, <http://www.state.gov/r/pa/ei/bgn/3581.htm> (last visited Jan. 12, 2016).

⁴Id.

⁵Introducing the BDS Movement, BDS MOVEMENT, <http://bdsmovement.net/bdsintro> (last visited Jan. 13, 2016).

⁶Id.

⁷Id.

⁸Maurice Ostroff, *BDS opposes the two state solution of the Arab-Israel conflict*, THE JERUSALEM POST, <http://www.jpost.com/Blogs/2nd-Thoughts/BDS-opposes-the-two-state-solution-of-the-Arab-Israel-conflict-364648> (last visited Jan. 15, 2016).

⁹Is BDS Hate Speech?, FORWARD, <http://forward.com/opinion/editorial/171165/is-bds-hate-speech/> (last visited Jan. 13, 2016).

¹⁰Id.

¹¹Divestment, BDS MOVEMENT, <http://bdsmovement.net/activecamps/divestment> (last visited Jan. 13, 2016).

¹²Consumer Boycott, BDS MOVEMENT, <http://bdsmovement.net/activecamps/consumer-boycott> (last visited Jan. 13, 2016).

¹³Sanctions, BDS MOVEMENT, <http://bdsmovement.net/activecamps/sanctions> (last visited Jan. 13, 2016).

¹⁴Academic Boycott, BDS MOVEMENT, <http://bdsmovement.net/activecamps/academic-boycott> (last visited Jan. 13, 2016).

The organization has been heavily criticized as being anti-Semitic.¹⁵ On January 22, 2015, the United Nations General Assembly met to discuss a global rise in anti-Semitism, resulting in a statement signed by 40 member countries, condemning anti-Semitism and requesting all signatories and government officials to “[d]eclare their categorical rejection of [a]nti-[S]emitism.”¹⁶ Recently, in the wake of sharp increases in anti-Semitic hate crimes, the former President of France condemned the BDS Movement as racist.¹⁷ The current Prime Minister of France echoed this statement condemning the boycott of Israel.¹⁸

Despite the criticism, the BDS Movement enjoys recognition and in some cases even support, particularly on college campuses. Currently, 44 college student governments in the United States have taken a total of 70 votes proposing to support the BDS with a 36 percent passage rate.¹⁹ In the past several years, students at both UCLA and Stanford have experienced discrimination in running for student leadership positions based upon their Jewish identity and involvement with Jewish community organizations.²⁰ The climate of anti-Semitism on campus has recently begun emerging in Florida as well. In 2013, a prominent Jewish speaker was heckled during a presentation on the Israeli-Palestinian conflict at the University of Florida.²¹ In response to the growing issues with anti-Semitism, the California Legislature is currently considering legislation condemning the BDS and refusing to do business with companies that support the organization or boycott Israel.²² The BDS has also been condemned by several other state legislatures including New York, Tennessee, Indiana, Illinois, and Pennsylvania.²³

Effect of the Resolution

This resolution pronounces that the members of the Florida House of Representatives condemn the international Boycott, Divestment, and Sanctions Movement against the State of Israel and calls upon Florida governmental institutions to denounce hatred and discrimination.

B. SECTION DIRECTORY: Not applicable.

¹⁵ *Is BDS Hate Speech?*, FORWARD, <http://forward.com/opinion/editorial/171165/is-bds-hate-speech/> (Last visited January 13, 2016); *Rise of Global Genocidal Antisemitism*, ISRAEL MINISTRY OF FOREIGN AFFAIRS, <http://mfa.gov.il/MFA/ForeignPolicy/AntiSemitism/Pages/Rise-of-Global-Genocidal-Antisemitism-12-Aug-2015.aspx> (Last visited Jan. 15, 2016); *Are calls to boycott Israel anti-Semitic?*, THE ECONOMIST, <http://www.economist.com/blogs/democracyinamerica/2015/05/campus-politics> (Last Visited Jan. 15, 2016).

¹⁶ *UN General Assembly: Joint Statement against Antisemitism*, UN GENERAL ASSEMBLY, <http://mfa.gov.il/MFA/ForeignPolicy/AntiSemitism/Pages/UN-General-Assembly-Joint-Statement-against-Antisemitism-22-Jan-2015.aspx> (Last Visited Jan. 15, 2016).

¹⁷ Josh Nass, *Nicolas Sarkozy Condemns BDS Movement*, INTERNATIONAL OBSERVER, <http://observer.com/2016/01/nicolas-sarkozy-condemns-bds-movement/> (Last Visited Jan. 15, 2016).

¹⁸ *French PM Valls condemns BDS: ‘Criticism of Israeli policies that turned into anti-Semitism’*, THE JERUSALEM POST, <http://www.jpost.com/International/French-PM-Valls-condemns-BDS-Criticism-of-Israeli-policies-that-turned-into-anti-Semitism-437814> (Jan. 15, 2016).

¹⁹ *The Anti-Semitic BDS Campaigns on Campus: What is Their Impact?*, THE JERUSALEM POST, <http://www.jpost.com/Blogs/Classroom-Battlegrounds/The-Anti-Semitic-BDS-Campaigns-on-Campus-What-is-Their-Impact-413235> (Last Visited Jan. 15, 2016).

²⁰ Abraham H. Foxman, *Anti-Semitism on Campus: Old Wine in New Bottles*, THE HUFFINGTON POST, http://www.huffingtonpost.com/abraham-h-foxman/anti-semitism-on-campus-o_b_7172986.html (last visited Jan. 19, 2016).

²¹ Doni Kandel, *Israeli Counter-Terror Expert Stands Up To Anti-Israel Hecklers At U of Florida Speech*, BREAKING ISRAELI NEWS, <http://www.breakingisraelnews.com/6029/israeli-counter-terror-expert-stands-anti-israel-hecklers-u-florida-speech/#BJSKbclVLsCcPbUc.99> (last visited Jan. 19, 2016).

²² Adelle Nazarian, *California Assemblyman Introduces Anti-BDS Bill*, BREITBART, <http://www.breitbart.com/california/2016/01/07/california-assemblyman-introduces-anti-bds-bill/> (last visited Jan. 19, 2016).

²³ Toby Tabachnick, *Pennsylvania’s anti-BDS resolution sends message to Israel: ‘We support you’*, THE JEWISH CHRONICLE, http://thejewishchronicle.net/view/full_story/26730559/article-Pennsylvania-s-anti-BDS-resolution-sends-message-to-Israel---We-support-you (last visited Jan. 19, 2016).

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: None.
2. Expenditures: None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: None.
2. Expenditures: None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR: None.

D. FISCAL COMMENTS: None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision: Not applicable.
2. Other: None.

B. RULE-MAKING AUTHORITY: Not applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS: None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.