



BRAD LITTLE
GOVERNOR

November 9, 2021

The Honorable Janice McGeachin
Lieutenant Governor
Statehouse
Boise, Idaho 83720

Dear Lieutenant Governor McGeachin,

I write in response to your October 28, 2021, letter. I am opposed to all forms of anti-Semitism and, as Idaho's Governor, fully support lawful measures to ensure the State of Idaho does not contract with companies that boycott Israel. That is why, on April 26, 2021, I signed Senate Bill 1086 into law thus enacting Idaho's *Anti-Boycott Against Israel Act* codified at Idaho Code § 67-2346.

The Department of Administration promptly implemented SB 1086 by educating executive agencies and political subdivisions of the new law and incorporating language into solicitations and contracts requiring companies doing business with the State of Idaho to provide written certification that they do not engage in a boycott of goods or services from Israel or territories under its control.

For solicitations that were active when the law went into effect, the Division of Purchasing amended solicitations with the following question:

On April 26, 2021, Governor Little signed Senate Bill 1086. The bill creates a new section of code requiring all public entities in Idaho to insert a certification regarding boycotts of Israel in contracts and renewals of contracts that are effective on or after July 1, 2021. Offeror must agree to the following certification: failure to do so will result in the Offeror's Bid/Proposal being deemed non-responsive.

Do you certify as follows? Certification Concerning Boycott of Israel. Pursuant to Idaho Code section 67-2346, if payments under the Contract exceed one hundred thousand dollars (\$100,000) and Contractor employs ten (10) or more persons, Contractor certifies

that it is not currently engaged in, and will not for the duration of the Contract engage in, a boycott of goods or services from Israel or territories under its control. The terms in this section defined in Idaho Code section 67-2346 shall have the meaning defined therein. (Vendor must click "yes" or "no.")

As for those solicitations issued after the law went into effect, the Division of Purchasing amended the standard contract terms and conditions as follows:

CERTIFICATION CONCERNING BOYCOTT OF ISRAEL:
Pursuant to Idaho Code section 67-2346 (effective July 1, 2021), if payments under the Contract exceed one hundred thousand dollars (\$100,000) and Contractor employs ten (10) or more persons, Contractor certifies that it is not currently engaged in, and will not for the duration of the Contract engage in, a boycott of goods or services from Israel or territories under its control. The terms in this section defined in Idaho Code section 67-2346 shall have the meaning defined therein.

The Department of Administration has confirmed that the state does not have any active contracts with Unilever or any other companies purportedly engaged in a boycott of Israel. For more information regarding the Department of Administration's implementation of SB 1086, please feel free to contact Director Keith Reynolds at keith.reynolds@adm.idaho.gov.

Sincerely,



Brad Little
Governor