



EXECUTIVE DEPARTMENT  
EXECUTIVE ORDER NUMBER JBE 2018 - 15

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***RELATING TO THE PROHIBITION OF DISCRIMINATORY  
BOYCOTTS OF ISRAEL IN STATE PROCUREMENT***

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**WHEREAS**, Israel is a faithful friend of the United States and the State of Louisiana;

**WHEREAS**, the State of Louisiana does not support boycott-related tactics that are used to threaten the sovereignty and security of allies and trade partners of the United States;

**WHEREAS**, in 2005, a Boycott, Divestment, and Sanctions (BDS) campaign was initiated against Israel that pressured companies to sever commercial ties with Israel for the purpose of economically isolating the country;

**WHEREAS**, Israel and the State of Louisiana enjoy a robust trading relationship that is in the best interests of the people of Louisiana;

**WHEREAS**, the refusal by a company operating in Louisiana to do business with Israel with the goal of advancing the BDS campaign harms the Israel-Louisiana relationship and the Louisiana economy; and

**WHEREAS**, the State of Louisiana unequivocally rejects the BDS campaign and stands firmly with Israel.

**NOW, THEREFORE, I, JOHN BEL EDWARDS**, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

**SECTION 1:** Consistent with existing Louisiana non-discrimination provisions and regulations governing purchases, executive branch agencies may not execute a procurement contract with a vendor if that vendor is engaging in a boycott of Israel. Further, executive branch agencies shall reserve the right to terminate any procurement contract with a vendor that engages in a boycott of Israel during the term of the contract.

**SECTION 2:** A vendor must certify in writing, when a bid is submitted or when a procurement contract is awarded, that:

- a. it is not engaging in a boycott of Israel; and
- b. it will, for the duration of its contractual obligations, refrain from a boycott of Israel.

All competitive sealed bids and proposals issued for procurement contracts with executive branch agencies shall include the text of the following certification: "By submitting a response to this solicitation, the bidder or proposer certifies and agrees that the following information is correct: In preparing its response, the bidder or proposer has considered all proposals submitted from qualified, potential subcontractors and suppliers, and has not, in the solicitation, selection, or commercial treatment of any subcontractor or supplier, refused to transact or terminated business activities, or taken other actions intended to limit commercial relations, with a person or entity that is engaging in commercial transactions in

Israel or Israeli-controlled territories, with the specific intent to accomplish a boycott or divestment of Israel. The bidder also has not retaliated against any person or other entity for reporting such refusal, termination, or commercially limiting actions. The state reserves the right to reject the response of the bidder or proposer if this certification is subsequently determined to be false, and to terminate any contract awarded based on such a false response.”

**SECTION 3:** The Commissioner of the Division of Administration or his designee shall oversee this Order to ensure implementation as quickly and efficiently as practicable. The Commissioner or his designee may promulgate regulations to implement the provisions of this Order so long as they are consistent with this section and do not create any exceptions to it.

**SECTION 4:** This Order should not operate to modify any obligations of executive branch agencies under State or federal law.

**SECTION 5:** If any provision of this Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Order are severable.

**SECTION 6:** This section does not apply to procurement contracts with a value of less than \$100,000 and for vendors with fewer than five employees.

**SECTION 7:** The Commissioner of the Division of Administration or his designee may waive application of this section on a procurement contract if he determines that compliance is not practicable or in the best interests of the State.

**SECTION 8:** This Order is effective upon signature and shall continue in effect until amended, modified, terminated or rescinded by the Governor.

**IN WITNESS WHEREOF**, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 22<sup>nd</sup> day of May, 2018.

**s/John Bel Edwards**

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**GOVERNOR OF LOUISIANA**