

FACT SHEET: H.2722 An Act Relative to Prohibiting Discrimination in Public Accommodations



Summary: As Israeli-Americans we face multiple forms of discrimination: anti-Semitism, anti-immigrant bias, color-based prejudice, and national origin discrimination. The movement to boycott Israel, or BDS, seeks to turn Israeli-Americans into second class citizens. The discriminatory BDS movement seeks to criminalize any free association with Israel, targeting many other groups.

The term "BDS" is an acronym for boycotts, divestments, and sanctions against a nation and promotes collective punishment targeting the entire population, including those who have emigrated to permanently reside in other countries, as well as those who choose to freely associate with the target nation.

The discriminatory movement to boycott Israel purposefully conflates protests of the Israeli government to justify their discrimination of Israeli-Americans and other groups, often cloaking their discrimination in the First Amendment. Now, we can fight back against discriminatory actions perpetuated by the BDS movement with H.2722, legislation which ensures that the state won't do business with anyone who discriminates against our community.

What does the bill do?: This legislation closes a gap in current statute relative to procurement by providing Secretaries (as head of executive office designated under chapter 6A) or Commissioner of the Operational Services Division with additional authority to debar vendors who violate state or federal law relative to discrimination in public accommodations or have adopted policies against any sovereign nation or peoples recognized by the government of the United States which are used to discriminate in violation of any state or federal law prohibiting discrimination in public accommodations or employment.

Why is this bill necessary?: This bill closes a gap in the procurement and debarment process by including prohibition of discrimination in public accommodations and clarifies that policies against a foreign nation, such as federally required sanctions against a foreign government, shall not be used to justify discrimination against a resident of the Commonwealth. (example: A company complying with sanctions against the Islamic Republic of Iran may not discriminate against a person of Persian heritage in employment or public accommodations.)

Who does this bill protect?: This bill would prevent the Commonwealth from doing business with any entity that violates the MGL c.272, s.92A public accommodations statute, by "making any distinction, discrimination, or restriction in admission to or treatment in a place of public accommodation based on race, color, religious creed, national origin, sex, gender identity, sexual orientation, deafness, blindness, or any physical or mental disability, or ancestry."

This bill also provides additional protections for immigrants to the Commonwealth by distinguishing between sanctions which may be imposed upon a foreign nation and those immigrating to the United States from that foreign nation.

Update: *This bill has been scheduled for a hearing:*

Hearing Details: November 19, 2019 at 10:30 AM
Massachusetts State House, Gardner Auditorium
24 Beacon Street, Boston, MA 02133

Here's how you can support this bill:

1. Contact your Massachusetts Officials – visit <http://change.vote/nobds> to write your legislator
2. Attend the legislative hearing – visit <http://change.vote/nobds> to confirm your attendance

Learn more: <http://change.vote/nobds>



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Frequently Asked Questions

What are Public Accommodations:

- health care facilities, including medical and dental offices, hospitals, clinics, pharmacies, nursing homes, and other health care facilities;
- hotels, motels, campsites, and other places of lodging;
- restaurants, bars, nightclubs, and other establishments serving food or drink;
- retail establishments, including stores, shopping centers, car rental agencies, and other retail establishments;
- theaters, concert halls, sports arenas and stadiums, and other places of entertainment;
- convention centers, lecture halls, and other places of public gathering;
- museums, libraries, galleries, and other places of public display or collection;
- parks, zoos, amusement parks, beaches, and other places of recreation;
- public transit and bus stations, train terminals, airports, platforms, and other transportation facilities;
- public streets, highways, sidewalks, boardwalks, and other public ways;
- service establishments, including laundromats, dry-cleaners, banks, gas stations, barber shops, beauty salons, travel agents, funeral parlors, employment agencies;
- providers of professional services such as law offices, doctors, dentists, accountants, and insurance agents;
- public spaces and offices of state and local government agencies including, court rooms, hearing rooms, meeting rooms, waiting areas, lobbies, entrances, polling places, public information counters and displays.

Does H.2722 infringe upon First Amendment rights to free speech?:

No. This bill merely provides additional authority to debar government contract vendors which engage in public accommodations discrimination.

Is H.2722 a “boycott the boycotters” bill?:

No. This bill has jurisdiction only within the Commonwealth of Massachusetts and applies only to government contract vendors which engage in public accommodations discrimination.

Why do we refer to H.2722 as an “anti-BDS” bill?:

BDS has two main objectives: 1. to harm the State of Israel economically and 2. to isolate, disenfranchise, and discriminate against Israelis, Israeli-Americans, American Jews, and any others who choose to freely associate with Israel. The bill H.2722 addresses the second form of BDS activity.



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GUIDELINES FOR PREPARING, WRITING, and GIVING TESTIMONY

Giving testimony is one of the most effective ways to educate legislators and policymakers about the impact, either positive or negative, that proposed legislation or legislative change might have. Legislators and other policymakers aren't always aware of all the implications a particular piece of legislation may have on their constituents.

Oral testimony is very powerful, especially when the testifier speaks directly instead of reading from their written testimony. Your testimony should be short—no longer than 3 to 5 minutes. It is most effective when you speak from your own personal experience. As a general rule, testimonies should be delivered verbally and also submitted in writing.

It is best to type your testimony using a computer or like device from which you can print because you will be submitting copies of your testimony for distribution to your state legislators at the hearing. Bring enough copies of your prepared statement for the entire committee or task force. Be sure the committee or task force clerk has a copy for the official record of the hearing.

Many speakers write down their speeches and read directly from that written text, which audiences find dull. Others forgo notes and memorize their speeches; but if they forget something, they often become completely lost and are unable to continue. The key to preparing notes for public speaking lies between these two extremes: notes remind the speaker about what to say, but don't tell the speaker how to say it. Yet, the first step in offering effective testimony is to write down your speech.

Here are some guidelines: Write your speech. Construct an opening, well-organized paragraph, effective transitions, and a memorable closing. Pay attention to sentence structure and word choice.

1. Follow this outline for preparing your statement:
2. Identify yourself and the organization you represent (if applicable)
3. Greetings
4. Clear presentation of your position: State your position as “for” or “against” the proposed bill; identify the bill name and number
5. Factual arguments and data as evidence to support your position, if available
6. Personal story or anecdotes to demonstrate your position. This is often the most powerful part.
7. Conclusion: Restate/review your position at the end of your testimony
8. Thank the committee or task force for the opportunity to speak

Highlight the keywords in each sentence.

Rehearse your testimony! Read your speech out loud and make changes. If you stumble over a certain word or combination of words, choose alternatives that will be easier to say. Listen for the rhythm and flow of your speech and make changes so that your reading proceeds smoothly from start to finish.

Try reciting the speech from memory by referring to your highlighted transcript. Try to remember what to say based only on the keywords you've highlighted. If the keywords don't help you, find new ones.

Transfer only the keywords to a paper or notecards. Which you will use depends on the speaking situation and your own preferences.

Exceptions: Write out lengthy quotes, complex statistics or other information that must be exact on your notes. Read these word for word in your speech. In these situations, your audience will appreciate that you're taking the time to make sure you're accurate.



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Use a sheet of paper (or 2 if you need more room). Put your notes on the lectern and occasionally glance down at your keywords. This will allow you to look out at your audience most of the time, which will keep them engaged.

- Don't use more sheets than necessary for your notes. The movement and sound of turning pages over during your speech will be distracting to your audience.
- When using paper for notes, organize the keywords in a way that makes sense to you. You may want to number them, list them under general headings or use different colors. Write the keywords large enough to keep you from having to lean down and squint in order to read them.

Practice your speech using your notes. Because you haven't memorized it, your speech will be a little different each time, but it will sound more natural than a memorized speech.

- Use the notes you create to practice. If you practice from an outline and then try to use a keyword sheet or notecards when you give your speech, you'll likely become flustered.
- If you can't deliver your speech smoothly and completely, make changes to your notes.

Think carefully before you talk. Use silence; it can be a great ally and cause the audience to hang off your next words, wondering what you are about to say. Don't be intimidated by silent moments.

Anticipate questions you might be asked and practice answering them.

ON THE DAY OF THE HEARING

Arrive early and sign up. Make sure you follow any procedures that have been published, and indicate that you wish to testify. Generally, speakers will testify in the same order as their names appear on the sign-up sheet.

If there is a microphone, speak directly into it (keep the mike about 6 inches from your mouth). If necessary, move or adjust the microphone. If you cannot be heard, your testimony will not be effective, regardless of how carefully your statement was prepared.

Do not repeat points made by speakers ahead of you. If all of the points you wanted to make have been made, tell the committee you agree with the testimony given by the preceding speakers and urge them to take the appropriate action.

Answer only those questions that you can answer correctly, and answer as clearly and succinctly as you can. Offer to find the answers to other questions and promptly get back to the committee members with the information.

Do not argue with members of the committee or with people giving opposing testimony.