

**Written Testimony in Opposition to Ohio HB 476**  
**Ohio Senate Government Oversight and Reform Committee**  
**By Douglas Kerr, MD, Cleveland Heights, OH 44118**

Chairman Senator Coley, Vice-Chair Senator Seitz, and Ranking Member, Senator Yuko:

Thank you for considering my written testimony in opposition to Ohio HB 476. I regret that I am unable to attend your committee hearings, as my wife is currently quite ill.

As a citizen of Ohio for 50 years and a retired physician and medical school professor serving in the Cleveland area since 1973, I would like you to consider the following reasons for not approving Ohio House Bill 476 entitled *"To enact section 9.75 of the Revised Code to prohibit a state agency from contracting with a company that is boycotting Israel or disinvesting from Israel"*.

I was born in Beirut, Lebanon in 1936, at the American University of Beirut from American parents who were born in Philadelphia and Cincinnati, and faculty at AUB. I was living in Beirut in 1948 when many thousands of Palestinian refugees streamed north to Lebanon, fleeing the Israeli forced exile. My older brother was a political scientist and became President of the American University of Beirut. He was assassinated by Iranian sponsored terrorists in 1984. Following this event, I have worked for peace and human rights for Israelis and Palestinians. My wife and I have frequently travelled to the area to visit peace activists in both Israel and the Occupied Territories. I now work with Interfaith Peace Builders and Jewish Voice for Peace.

As you know, HB-476 currently has been voted out of committee (7-1) in the Ohio House of Representatives and the late amended version (81-13) in the General Assembly. I encourage you to listen to Rep. Michael Curtin's excellent speech to the General Assembly (see link below), before you vote on this bill.

I was among more than 40 Ohio citizens who testified in opposition to this bill before the House Government Accountability and Oversight committee this past spring. My opposition is based on HB476 being:

1. In violation of the US and Ohio Constitutions under protection of the right to freedom of speech (including boycotts), and likely to be challenged in court at substantial cost to Ohio's taxpayers;
2. A burden to Ohio businesses and difficult to enforce;
3. An Indirect threat to individuals and civic or religious organizations;
4. Contrary to official US government foreign policy by both Republican and Democratic administrations for the past 50 years which have promoted Israeli-Palestinian peace negotiations;
5. Contrary to international law that Israeli settlements and their expansion in the Occupied Palestinian Territories is illegal;
6. Contrary to the best interests of many Israelis and American Jewish supporters of Israel who oppose continued expansion of settlements and military occupation, as it precludes a peace settlement that protects human rights and security. The goal of boycotting is to end the military occupation and restore human rights.
7. The amendment to HB-476 passed in the General Assembly, raising the limit of foreign investment from the State of Ohio reserve funds from 1% to 2% is unrelated to the original HB 476 and should be considered separately as in the best interests of Ohio citizens, not a political favor.

I am attaching links to three editorials by other Ohio newspapers and reference to a thorough legal analysis of HB-476. I urge you to oppose this ill-conceived bill in the Ohio Senate.

Thank you again for considering my written testimony.

Douglas S. Kerr, MD

### **Attachment links and references:**

- Speech to General Assembly by Ohio Rep. Michael Curtin on HB 476: (November 29, 2016) <http://www.ohiohouse.gov/session/session-video-library> at 1:47:40
- The Columbus Dispatch: (May 14, 2016) editorial "State shouldn't punish conscience" <http://www.dispatch.com/content/stories/editorials/2016/05/14/1-state-shouldnt-punish-conscience.html>
- Akron Beacon Journal: (May 20, 2016) editorial "Punishment for speaking freely and critically" <http://www.ohio.com/editorial/editorials/punishment-for-speaking-freely-and-critically-about-israel-1.684499>
- Cincinnati Enquirer: (May 24, 2016) editorial "Election, anti-boycott bills ill-advised" <http://www.cincinnati.com/story/opinion/editorials/2016/05/24/election-anti-boycott-bills-ill-advised/84854490/>
- Legal analysis of Ohio HB 476: [See separate testimony of Terry J. Lodge, Esq. and others.](#)