

April 19, 2020

To: Mr. William Daroff, Mr. Malcolm Hoenlein, Mr. Stephen Greenberg, and Mr. Arthur Stark Conference of Presidents of Major American Jewish Organizations

Gentlemen:

On behalf of the Zionist Organization of America (ZOA), the oldest pro-Zionist organization in America, and a founding member of the Conference of Presidents of Major American Jewish Organizations ("COP" or "Conference"), we write to express our deep concerns with the nomination of Dianne Lob, former Chair of the Board of HIAS, as the next COP Chair. ZOA believes that electing Ms. Lob would undermine and create multiple serious conflicts with the COP's mission to help Israel and the Jewish people, and would damage the COP's relationships with U.S. federal, state and local governments and the Israeli government and people.

We are not comfortable with Dianne Lob's nomination for the following reasons, among others:

- (1) <u>Unknown, Inexperience:</u> Ms. Lob is virtually unknown to the Conference members. She has not spent significant time at the Conference. We do not know of any COP members who have seen her at any COP meetings. Like many other COP members, we have never met Ms. Lob. She did not join the February missions to Saudi Arabia and Israel. She has not been active in Conference activities. As such, Ms. Lob lacks the requisite extensive network of relationships and experience with the complex dynamics affecting the Conference.
- (2) <u>HIAS</u>: HIAS is not the proper organization from which the top leader of the American Jewish community should be chosen. We are also deeply concerned that Ms. Lob holds the same troubling views as the organization that she led. Especially at this time with the current administration in the White House.

It is reasonable to assume that Ms. Lob's views are the same as those of HIAS. It is an understandable human trait, that when an individual desires an appointment to an important post, she will temporarily adjust her views to be palatable to persons making the decision. This phenomenon is so common that it has a name: "confirmation conversion." It is thus reasonable to be skeptical if views Ms. Lob may have expressed to the COP nominating committee differed from HIAS's positions and actions under her chairpersonship.

Specific concerns about HIAS's activities and positions, while under Ms. Lob's leadership, include the following:

(3) HIAS's collaborations are inimical to the COP's mission:

HIAS collaborates with Islamic Relief: HIAS has been "collaborating" (HIAS's term) with Islamic Relief USA (IRUSA) on various matters for several years, including initiating a joint program in 2018 to provide legal assistance to Muslim migrants flooding (usually through Turkey) into Greece (and hence into the EU). IRUSA is the American branch of, and has extensive financial and leadership ties to and interchanges with Islamic Relief Worldwide (IRW). IRW and IRUSA have extremely concerning financing and other ties to Hamas and the Muslim Brotherhood. An anonymous U.S. Department of Justice source told the media: "This is a national security issue. We know that these Muslim leaders and groups are continuing to raise money for Hamas and other terrorist organizations. Ten years ago we shut down the Holy Land Foundation. It was the right thing to do. Then the money started going to KindHearts. We shut them down too. Now the money is going through groups like Islamic Relief."

An Egyptian list of 30 alleged Muslim Brotherhood operatives in the U.S. included five current or former senior IRUSA leaders. Israel arrested an IRW official, and banned IRW due to IRW's terrorist activities (including funding Hamas). The <u>UAE declared IRW</u> to be a terrorist organization. The UK-based USBC bank shut down IRW's banking operations because funds were likely to fall into terrorist hands. IRW also has ties to IHH (the Turkish terrorist organization and Muslim Brotherhood branch that perpetrated the Gaza flotilla attack on Israeli inspectors). For detailed reports on IRUSA's and IRW's terrorism ties, see: Clarion Project report on IRUSA; Center for Security Policy report on IRUSA; and NGO Monitor report on IRW.

HIAS's collaborates with CAIR, MPAC, etc: HIAS announced that its Clearwater, Florida program to resettle Syrian refugees "works closely with the Council on American Islamic Relations [CAIR]." HIAS also signed joint letters with CAIR and other virulently antisemitic, anti-Israel groups including MPAC. The Muslim Brotherhood-affiliated CAIR is an unindicted co-conspirator in the Holy Land Foundation trial for funneling money to Hamas. The HIAS-CAIR-MPAC letters wrongly claimed that further security restrictions were unnecessary because Syrian refugees' information was checked against government databases. In fact, the databases did not exist.

HIAS signed letter, with Israel-bashing groups, defending Linda Sarsour: HIAS leaders co-signed a 2017 letter, together with Israel-bashers including JVP, If Not Now, J Street, NIF, and T'ruah, defending Jew-hating, Israel-hating, BDS-promoting, Muslim supremacist Linda Sarsour. The letter signed by HIAS condemned parties

who criticize Linda Sarsour, by declaring: "We will not stand by as Sarsour is falsely maligned, harassed and smeared."

In fact, <u>Sarsour</u> infamously <u>asserted</u>, "There is nothing creepier than Zionism"; <u>praised</u> the Palestinian Authority (PA) tactic of deploying children to hurl rocks at Israelis as the "definition of courage"; tweeted about genuine women's rights advocates Ayaan Hirsi Ali (who suffered from female genital mutilation as a child) and Lebanese-born Brigitte Gabriel, "I wish I could take away their vaginas"; and embraced <u>stated</u> she was "honored to be on this stage with Rasmeh Odeh" (a Palestinian terrorist convicted of murdering two Israelis).

HIAS collaborates with Antisemitic United Nations agencies: HIAS relies on for its refugee streams and closely collaborates with antisemitic, anti-Israel United Nations agencies (UNCHR and UNICEF). (For instance, UNICEF falsely accused Israel of killing 25 Palestinian children and wounding 1300 Palestinian children.) Placing a leader of an organization that relies on UN agencies at the helm of the COP would conflict with the COP's mission of confronting and ending the United Nations' anti-Israel bias.

(4) <u>Litigation and Advocacy Conflicts</u>: HIAS has been initiating and has long been involved in divisive, left-wing litigation and public advocacy on the national and international stage, in opposition to the U.S. federal, state, local and Israeli governments. HIAS's litigation positions are detrimental to the safety of the American (and especially American Jewish) public.

For instance, HIAS initiated and served as a lead plaintiff in multiple lawsuits against the Trump administration, to try to overturn the Trump administration's travel bans to protect Americans (especially including vulnerable Jewish Americans). The travel bans suspended entry from six Muslim majority countries and two non-Muslim countries that do not share adequate information with the United States and/or present other serious risks of foreign terrorists entering the United States. These countries included 3 designated state sponsors of terrorism and 5 countries where violence shut down the U.S. embassy, rendering vetting impossible. The U.S. Supreme Court ultimately ruled in favor of the Trump administration. See <u>Trump v. Hawaii</u>, 585 U.S. __ (2018).

HIAS's litigation directly conflicts with the COP's <u>missions</u> to "advance the interests of the American Jewish community, . . . aid endangered Jewish communities, [] fight anti-Semitism, combat terrorism at home and abroad, strengthen domestic security, and safeguard American Jewish institutions." See, e.g., <u>ZOA's amicus brief</u> in support of the Trump administration. ZOA's brief provided some factors adopted by the Supreme Court, and details the safety issues affecting the Jewish community and all Americans.

HIAS essentially acknowledged at the outset of its lawsuits that the Trump administration's position was legally correct. HIAS thus adopted an aggressive "embarrassment" public relations strategy. HIAS' president stated: "[I]t is not at all clear that there is any way to overturn the [U.S. President's] executive order. The 1980 Refugee Act... gives the president broad control over immigration.... The strategy HIAS is adopting now is 'to be as public and as aggressive as we can. The only way we can change this policy is to embarrass the president.""

We believe that the HIAS's strategy was ethically questionable. We further believe that the COP's mission to help Israel and the Jewish people would be compromised if the COP is led by the head of an organization that adopted such an uncalled-for aggressive strategy to embarrass a U.S. president who is following the law, and who has been a great friend to Israel and the Jewish people.

HIAS also initiated a lawsuit *opposing* state and local governments' ability to control resettlement in their districts. States, localities and <u>concerned citizens</u> have long been upset about resettlement agencies, such as HIAS, resettling refugees in their communities without the communities' consent. *See <u>HIAS v. Trump</u>*, Case 8:19-cv-03346-PJM (Jan. 15, 2020) (challenging E.O. 13888, 84 Fed. Reg. 52,355 (Sept. 26, 2019).) In addition, when Texas Governor Greg Abbott (a great friend of Israel and the Jewish people) withheld consent for more resettlement in his overburdened state, <u>HIAS publicly condemned Governor Abbott</u>.

<u>HIAS undermines Israeli policy</u>: HIAS repeatedly *opposes* and *undermines* Israel's efforts to contend with and repatriate the thousands of illegal Eritrean migrants whose criminal activities have made life virtually unlivable for Israel's South Tel Aviv residents, especially elderly Jews. HIAS' primary activity in Israel is assisting illegal, non-Jewish migrants against the Israeli government and people.

- (5) HIAS is Not a Jewish organization: HIAS is, by its own definition, not a Jewish organization, having officially dropped, in 2014, the word "Hebrew" from its name as being "exclusionary." The vast majority of material on HIAS's website does not promote Jews or Israel. Given this, and HIAS's lack of Jewish clients (discussed in the next section), HIAS likely does not even qualify for COP membership. The "Processes and Procedures of the Conference of Presidents" (updated March 2017) limits COP membership "to those national Jewish organizations whose primary purpose is to serve the interests of the American Jewish community and whose activities are consistent with the goals and objectives of the Conference." It would be inappropriate to select a COP Chair from an organization that likely does not meet the COP's membership requirements.
- (6) <u>HIAS has Primarily Non-Jewish (especially Muslim) clients</u>: Today, HIAS primarily serves non-Jewish (especially Muslim) clients; while ignoring endangered Jews who need to emigrate from Europe due to increasing antisemitism.

<u>HIAS's own Complaint</u> (in a HIAS lawsuit opposing the Trump administration's efforts to protect American safety) states: "HIAS's client base includes refugees abroad and in the United States who are from Syria, Iraq, Iraq, Sudan, Somalia, Ukraine, Bhutan, the Democratic Republic of Congo, Afghanistan, Eritrea, Tanzania, Ethiopia, Burundi, South Sudan, Uganda, Russia, Belarus, and Burma, among other countries. Many of these clients are Muslim."

A 2016 letter to the editor in the *Forward*, co-authored by Ms. Lob, <u>revealed</u> that the Syrians and Iraqis brought into the U.S. are not Jews (and that 90% of Syrians and 65% of Iraqis brought into the U.S. by HIAS are Muslim).

Notably, according to the <u>ADL Global 100 Antisemitism Index</u>, in 16 Muslim majority Middle Eastern countries, 74% to 93% of the population is antisemitic. HIAS's activities thus risk harming American Jews, and conflict with the COP's missions of combating antisemitism and assuring American Jews' safety.

A January 2017 Forward article stated that, in 2016, "about half" the refugees HIAS assisted were Muslim, and only 169 (just 4%) were Jews, out of a total of 4,188 refugees. Mr. Hetfield admitted in 2018, during HIAS's internal COP litigation to try to silence ZOA from speaking up about HIAS's activities, that approximately 45% to 80% of HIAS's clientele is Muslim; and about 5% is Jewish. (The 5% appears to be an over-estimate.) HIAS's website reveals that virtually its entire focus is on assisting non-Jews.

Chairmanship of the Conference is viewed by many as the highest honor in the American Jewish community. This honor should not be bestowed on a person – however competent and accomplished she has been in her own unrelated finance career – who lacks experience in the larger organized Jewish community and remains closely associated with an organization that promotes policies that conflict with the Conference's mission to fight for Jews and Israel.

And, even more so, not at this time. The American Jewish community is fractured; Israel has been unable to form a government; we are all dealing with the virus; almost none of us have met this virtual unknown (in our circles) candidate; and the Conference is in the midst of an historic leadership transition.

The help and guidance of an experienced hand as Chair, who has at least a centrist background, is especially important now, with our current administrations in both Washington and likely in Israel, and with a new CEO, William Daroff, starting his position as leader of the Conference.

We should not underestimate the potential harm that Ms. Lob's election could do to the Conference's needed close relationships with the White House, and Israel.

We also note that, unlike in the past, the Nominating Committee's recommendation was *not* announced as "unanimous." Widespread concerns have been expressed about Ms. Lob's nomination since it was announced. There is, and will continue to be significant opposition to this nomination.

We should also keep in mind that the virus has disrupted the Conference's ability to operate in its customary, essential, face-to-face close interpersonal fashion. We are being asked to vote for someone whom most of us have never met and whom we cannot currently meet and assess in person. An election in this time of virus would be electronic, cutting out the interpersonal connections and give-and-take which are the hallmark of how the Conference operates.

We also do not know if the COP's Constitution and By-laws restrict electronic meetings or voting. Please promptly send us a copy of the COP **Constitution and By-laws**. (Incidentally, we previously requested these documents. Other COP members also told us that they requested, but did not receive, these documents.) The COP's Policies and Procedures say nothing about electronic voting.

Recommendations: Given all of the above, we strongly and urgently recommend that the COP should:

- (A) Immediately withdraw Ms. Lob's nomination; and/or
- (B) Retain the current COP Chair, Arthur Stark, and postpone an election for a new COP Chair until at least the end of 2020, and until after the coronavirus pandemic is fully resolved and the COP's members have had an opportunity to meet, assess and vet Ms. Lob; and/or
- (C) Hold a COP meeting solely to vote on the timing of the election for COP Chair (*i.e.*, whether the election for Chair should take place now, or after the coronavirus pandemic has receded and COP members have had an opportunity to meet, assess and vet Ms. Lob); and/or
- (D) Refrain from holding a one-person election in which Ms. Lob is the only candidate, and instead hold a competitive election that gives the COP's 54 member organizations the opportunity to choose a highly-qualified, fully-vetted, non-conflicted candidate instead of Ms. Lob.

Regarding recommendation (B), we would hope that, just as Stephen Greenberg stayed on for an extra year as COP Chairman prior to Arthur Stark's election, that Arthur would also consent to remain in office as Interim Chair, in order to accommodate current extraordinary circumstances. If Arthur is unwilling to remain in office, another Interim Chair (such as Mr. Greenberg) could be appointed.

<u>Inadequate Notice</u>: We also note that inadequate notice was received regarding an election meeting. The COP's Policies and Procedures provide that: "The Conference shall endeavor to provide at least two weeks' notice of all meetings." However, we received only 11 days' notice that an election would take place on April 28. The notice moreover provided no

information as to the time of the meeting, and thus was not even a proper notice. Further, the belated notice did not provide members with adequate time to put forth alternate candidates.

Regarding recommendation (D), the COP Nominating Committee's announcement of Ms. Lob's nomination admitted that that the Committee reviewed "a remarkable group of impressive candidates" and that "Committee members believed that each would have served with distinction." These alternate candidates should be permitted to stand for this election.

Thank you.

Sincerely,

Morton A. Klein, President

MKlein@zoa.org

917 974-8795

Mark S. Levenson, Esq., Chair

Mlevenson@zoa.org

Zionist Organization of America