



AMERICAN SOCIETY FOR YAD VASHEM, INC.

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Established 1981

August 10, 2023

Founding Chair
Eli Zborowski*

Benjamin Netanyahu
Office of the Prime Minister
Jerusalem, Israel

Co-Chairs
Adina Burian
Mark Moskowitz

Treasurer
Barry Levine

Dear Hon. Prime Minister Netanyahu,

Assistant Treasurer
Fred Zeidman

On behalf of the American Society for Yad Vashem (ASYV), we write to express deep concerns with the current leadership of Yad Vashem. ASYV is an independent organization that has supported Yad Vashem financially and with programming and educational initiatives in the United States for more than 40 years. We do not take lightly the significance of reaching out to you directly.

Secretary
Mark Wilf

Chairman Emeritus
Leonard A. Wilf

Since Dani Dayan assumed the Chairmanship of Yad Vashem, ASYV has experienced an acute deterioration in a decades-long relationship of trust, mutual respect and shared commitment to mission. Over the past two years, Yad Vashem's largest donors have become alienated, fundraising efforts have been undermined, educational efforts have been stymied and interpersonal relationships have become toxic.

Executive Director
Stanley H. Stone

We write you only now because, last week, Dani commenced a formal and unilateral process to disaffiliate with ASYV. If left unchecked, that decision will create irreversible and long-term damage to Yad Vashem.

Executive Committee
Lawrence J. Burian
Andrew J. Groveman
David Halpern
Jeremy Halpern
Caroline Massel
Barry Rubenstein

Below is an overview of the situation:

Hon. Founding Chairs
Edgar M. Bronfman*
H.E. Abba Eban*
Prof. Elie Wiesel*

- ASYV, founded by survivors and children of survivors, has always been a stalwart partner of Yad Vashem. Over the past 15 years, ASYV has funded \$200 million to Yad Vashem and dramatically more since our inception 43 years ago. Our Board includes some of the most highly respected Jewish philanthropists in the United States, with decades of leadership of Jewish and educational institutions at the nexus of the United States and Israel. The very construction of the Yad Vashem museum was overseen personally by parents of our Board members and the family names of our leadership are affixed to nearly every installation on the Jerusalem campus. We have a strong track record of Holocaust education and commemoration in the United States and have a vibrant and growing young leadership division. It is from this group, ASYV, that Dani seeks to disaffiliate.
- On Sunday July 30th, ASYV received the extraordinary letter from Dani Dayan declaring that his directorate had unilaterally determined to disaffiliate from the ASYV. The letter was sent, without warning, to our entire Board and even to the ASYV staff who now fear for their jobs. ASYV's official Observer to the YV Board was

**Of Blessed Memory*

intentionally excluded by Dani from the Yad Vashem Board meeting at which the decision was apparently discussed and decided.

- A key reason Dani wishes to disaffiliate from ASYV, is that he refuses to accept the organization's legally required independence. Since arriving at Yad Vashem, Dani has made explicit and repeated written and oral demands that ASYV leadership violate its fiduciary duties, violate ASYV's Charter, endanger ASYV's 501(C)(3) tax exempt status, disdain the explicit provisions of wills and other estate documents, ignore written agreements between ASYV and Yad Vashem and disregard our responsibilities to our donors. We have refused to do so.
- ASYV sent a response on Wednesday (August 2nd). Despite Dani's aggressive action, we explained, positively and respectfully, why we believe disaffiliation would not be in the best interests of Yad Vashem. We requested that the decision be reconsidered. A copy of that letter is enclosed (it includes important additional context).
- On Monday morning (August 7th), we received in response to our respectful letter, an outrageous letter from Dani's CEO threatening ASYV and its Board with legal action and other "adverse consequences" (a copy of the communication is attached). The situation is now at a crisis level and will inevitably spill into the public domain. A public drama would become a deep embarrassment for Yad Vashem and we seek to avoid that harm to the sacred institution for which we care deeply.
- Of course, the issue is not just about power; it's about money. In accordance with agreements signed by Yad Vashem's prior Chairman, ASYV has successfully built an endowment for the perpetual support of Yad Vashem. The significant and growing investment income from that endowment is available to Yad Vashem annually while there is a governance process for principal to be deployed for special needs (e.g., a special grant of \$4 million that was sent to Yad Vashem from the endowment during COVID, in addition to regular allocations). But without respect for those who raised the funds and with utter disregard for the Endowment's long-term purpose, Dani focuses only on short term successes. He continues to make outrageous demands for illegal control of the funds. As the world loses its Survivor generation and fundraising becomes ever more challenging, ASYV thinks seriously and strategically about the financial future of Yad Vashem.
- Since Dani became Chairman, instead of working together on strategy, fundraising and programming, he and his team have only been focused on control. Instead of identifying projects for fundraising, ASYV has been met with unsupported demands for money. Instead of candor about the true need and use of operating funds, we have been met with false or misleading financial information. We see a complete reluctance to engage in any of the hard work of building real, sustainable, long-term, support and Holocaust education in the United States.
- With extraordinary hubris, belligerence and counterproductive behavior, Chairman Dayan regularly insults his partners, publicly belittles our staff, demeans the sanctity of Yad Vashem in front of donors, while making everything very personal. He considers it beneath his power and prestige to actually justify financial demands or to collaborate with partners. Opportunities exist for major collaborations between Yad Vashem and highly respected institutions in the United States. Those opportunities would advance Yad Vashem mission and raise more funds for the institution. But Dani will not allow his team to work with ASYV. He demonstrates no interest in long-term educational or strategic goals that require sustained focus, only on things that can make him look good immediately in the present.

- Dani's international relations leadership team is also unqualified for their responsibilities. They have limited experience with working with United States supporters and institutions. Anyone experienced in fundraising knows that collaboration is the key to success and taking personal credit for who raises the money is a fool's folly. But that is the lens through which they operate.
- Throughout it all, ASYV has continued to financially support Yad Vashem and make every effort to collaborate and restore a positive working relationship. We are aware that Yad Vashem has faced challenging labor and other financial challenges. We applaud the efforts to cut expenses and are deeply sensitive to the human costs of difficult decisions. But ASYV should be part of the solution. Instead, by cutting all ties with Yad Vashem's second largest source of funding (approx. 25% of the annual Yad Vashem budget), even more of the financial burden will inevitably fall on the State of Israel.
- We have tried, unsuccessfully, to address these issues directly with Dani. For more than two years, our leaders repeatedly asked to meet with Yad Vashem leadership to reset the relationship and coordinate on strategy and mission in the United States. We were rebuffed at every turn.
- Ultimately, Dani begrudgingly agreed to meet in person. Representatives from our Executive Committee flew to Israel to encourage a reset to the antagonistic approach. Our goal was to focus on the relationship, to build trust and to focus on practical ways to clear up misunderstandings and move forward constructively. Our representatives, a small delegation of mostly volunteer lay leaders, were met with accusations and legal documents for control. Ultimately, our team mistakenly thought they made a breakthrough on the second day of meetings. They believed they had persuaded Dani and team to pursue a more constructive path. Agreement was reached to set up joint working groups to focus on improving fundraising, expand educational initiatives and review our endowment strategy. Our team left Israel with great enthusiasm to make those efforts a success.
- It turns out, those meetings were a sham. Dani used the working groups as a delay tactic to plan for disaffiliation. Dani's representatives never seriously engaged with the reset effort. Our working groups faced constant cancellations, belligerence and a failure by Dani's team to meet any deliverables. ASYV offered exciting ideas for programming, joint fundraising and increased endowment support only to be met with...nothing. And during the process, Dani started to lay the groundwork for a new organization in the United States. One that he only he could control. United States donors were told not to send money to ASYV and Dani's team sought to create adverse "facts on the ground." While pretending to engage in working groups, Dani and his team ratcheted up false, disparaging and damaging accusations about ASYV's leaders in multiple contexts to third parties. This behavior no-doubt demeans Yad Vashem and confuses American philanthropists.
- Just recently, Dani sought to disparage ASYV to a very notable Jewish leader who fortunately knew that Dani's allegations were false. The leader pointedly asked Dani: "Aren't you concerned about losing your job?" Dani's response was that "the Prime Minister will never take me on. He's too distracted" and Dani expressed the view that he's too important given his constituency.
- Meanwhile, the day after Dani sent his disaffiliation letter to our Board, ASYV received another deeply disturbing communication from Dani through an intermediary. According to Dani's message, if ASYV were simply to send \$25 million dollars from the endowment (for four unidentified projects) he would withdraw the disaffiliation letter and all prior threats and false

allegations would go away. Dani would transform himself into a collaborative partner if he just receives the money. We will refrain from using the legal term for this kind of shake-down.

After two years, our organization finds itself at the existential breaking point given the barrage of false allegations, threats, legal letters, disingenuous communications, duplicitous behavior and the rest of the activities designed to create leverage for unilateral and inappropriate demands. Dani is set on a course which will permanently damage the institution we love and to which we have dedicated ourselves for decades. Yad Vashem benefits from its United States family of supporters and must remain above public scandal.

The way forward is only through mutual respect, cooperation, and commitment to our shared mission. We have regrettably concluded that it cannot be achieved with Dani Dayan as Chairman of Yad Vashem. We implore you, in the best interest of Yad Vashem, to help us restore the strong relationship, love and respect which has existed between ASYV's supporters and Yad Vashem for years prior to Dani's arrival. We respectfully request that you take action to remove Dani Dayan before this situation spins out of control. We hope and pray that you intervene in this situation where only you have the power to take action.

With great respect,

Adina Burian, Mark Moskowitz
ASYV Co-Chairs

Lawrence Burian, Andrew Groveman, David Halpern, Jeremy Halpern, Barry Levine,
Caroline Massel, Barry Rubenstein, Leonard Wilf, Mark Wilf, Fred Zeidman
ASYV Executive Committee