

September 21, 2020

By E-Mail (lynn.haaland@zoom.us)

Lynn Haaland
Deputy General Counsel, Chief Compliance and Ethics Officer
Zoom Video Communications, Inc.

Re: September 23, 2020 Event entitled “Whose Narratives? Gender, Justice, & Resistance: A Conversation with Leila Khaled”

Dear Ms. Haaland:

I write in response to your correspondence dated September 18 and today regarding the September 23, 2020 event at San Francisco State University entitled “Whose Narratives? Gender, Justice, & Resistance: A Conversation with Leila Khaled.”

San Francisco State University is one of the California State University’s 23 campuses, which is the largest four-year public university system in the United States. At present, nearly all CSU instruction (to more than 480,000 students) is offered virtually due to the COVID-19 pandemic. We are very grateful to Zoom for its important role in this achievement.

As you know, Dr. Rabab Abdulhadi and Dr. Tomomi Kinukawa, both San Francisco State University faculty members, have invited a number of speakers, including Ms. Khaled, to speak to their classes as part of an open classroom event this Wednesday, “a historic roundtable conversation with Palestinian feminist, militant, and leader, Leila Khaled, followed by Q&A discussion with students, activities and scholars.”

As a public institution of higher education, we vigilantly protect the rights of free speech and academic freedom. We are equally mindful of our responsibility to follow other laws, including of course any criminal laws (e.g., prohibiting providing aid to terrorists). Indeed, when information about Ms. Khaled was brought to our attention, we undertook to determine whether her participation in the September 23 class might violate any laws, such as 18 U.S.C. §2993B. We determined that the Popular Front for the Liberation of Palestine (PFLP) is listed as a Foreign Terrorist Organization (FTO) (*see* <https://www.state.gov/foreign-terrorist-organizations>), however, we are unable to confirm Ms. Khaled’s membership in the PFLP. Nor is Ms. Khaled listed on the State Department’s Specially Designated Nationals and Blocked Persons Lists (SDN) (*see* <https://home.treasury.gov/policy-issues/financial-sanctions/specially-designated-nationals-and-blocked-persons-list-sdn-human-readable-lists>.)

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Therefore, on September 18, SF State Provost Jennifer Summit sent an inquiry to the event's organizers. Provost Summit identified the subject concerns and specifically asked them to confirm that: (i) Ms. Khaled is not speaking as a member, representative, spokesperson, or surrogate for the PFLP; and (ii) Ms. Khaled is not receiving compensation from the university of any kind for her participation in this event, including but not limited to a speaker fee, honorarium or expense reimbursements. (See attached correspondence from Provost Summit to Professors Abdulhadi and Kinukawa, dated September 18.) Later that day, attorney Dan Siegel responded to Provost Summit's inquiry on behalf of Professor Abdulhadi confirming the University's understanding and further assuring the Provost that the professors are well aware of the "material support" law and have no intention of violating it. (See attached email from Dan Siegel to Provost Summit dated September 18, 2020.)

Based on the information that the University has received to date, we understand that Ms. Khaled's participation in the event does not violate 18 U.S.C. §2993B. Your correspondence asks for "confirmation that Ms. Khaled is not presently a member or otherwise a representative of the PFLP or any other FTO." We are unable to provide such confirmation, and suggest that you contact Mr. Siegel directly. He can be reached at danmsiegel@gmail.com.

Best,



Leora D. Freedman
Associate Vice Chancellor & Deputy General Counsel

Enclosures

ec: Dr. Lynn Mahoney, President, San Francisco State University
G. Andrew Jones, Executive Vice Chancellor & General Counsel
Alison N. Kleaver, University Counsel