



STATE OF FLORIDA

**ASHLEY MOODY
ATTORNEY GENERAL**

March 28, 2024

Henry A. Fernandez
Chairman and CEO
MSCI Inc.
7 World Trade Center, 49th Floor
250 Greenwich Street
New York, NY 10007

VIA U.S. MAIL

Dear Chairman Fernandez:

We, the Attorneys General of 18 States, write to you with great concern regarding recent reports that MSCI may be embracing the boycott, divestment, and sanctions (BDS) movement against Israel. The States we represent unequivocally support Israel's right to exist and oppose the BDS movement. In fact, at least 38 States have taken actions to oppose that movement.¹

While the BDS movement "markets itself as a non-violent movement" designed to pressure Israel to "withdraw to its pre-1967 borders," its leadership in reality "seeks nothing less than the elimination of Israel as a Jewish state."² According to a co-founder of the BDS movement, it is "but the first stage on the road to fulfilling the vision of the dismantling of Israel."³ The movement often focuses on pressuring large investment portfolios—such as those run by a municipality or university—to divest from companies that "aid Israel's occupation."⁴ In doing so, the BDS movement seeks to achieve two goals: (1) economically cripple Israel, and (2) create a false narrative of Israeli "occupation" and "colonization."

Given the fundamentally genocidal goals of the BDS movement, we were surprised to hear reports that MSCI may be embracing that movement. Specifically, last week the Jewish News Syndicate

¹ <https://www.jewishvirtuallibrary.org/anti-bds-legislation>.

² <https://www.ajc.org/issues/bds>.

³ <https://unitedwithisrael.org/lawmaker-yair-lapid-urges-israeli-travelers-to-become-emissaries-in-defense-of-the-jewish-state/>.

⁴ <https://www.adl.org/resources/backgrounder/boycott-divestment-and-sanctions-campaign-bds>.

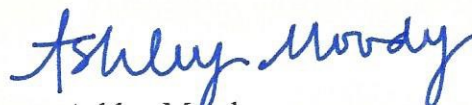
(JNS) reported that “MSCI’s environmental, social, and corporate (ESG) governance ratings appear to downgrade companies” for “conducting business in Judea and Samarian and eastern Jerusalem.”⁵ In other words, it appears that MSCI is embracing the BDS movement’s false narrative of Israeli occupation and taking actions designed to pressure companies to boycott Israel—specifically by downgrading those companies’ ESG scores if they do business in Israel.

As reported by JNS, the allegations against MSCI strike us as very similar to the recent behavior of Morningstar, which many of us wrote to expressing concerns.⁶ In response to our efforts, Morningstar conducted an internal investigation and ultimately committed to make significant changes to its business practices.⁷

As evidenced by our efforts against Morningstar, we oppose the BDS movement in all forms, especially given the recent rise in antisemitism across the United States. Having said that, one of the allegations against MSCI is uniquely egregious. According to JNS, MSCI deducted ESG points from an Israeli company *specifically* because of the company’s “participation in the construction of security and surveillance barriers designed to protect Israelis from terrorists.”⁸ It is unthinkable to us that MSCI would stand by this position following the terrorist attacks on Israel last October.

If true, these allegations are deeply disturbing. We therefore request a response to this letter by Thursday, April 18, 2024.

Sincerely,



Ashley Moody
Florida Attorney General

⁵ <https://www.jns.org/florida-reviewing-major-finance-firm-that-punishes-elbit-for-protecting-israelis/>.

⁶ <https://www.timesofisrael.com/gop-officials-press-investment-firm-morningstar-over-claims-of-anti-israel-bias/>.

⁷ <https://www.jewishfederations.org/fedworld/morningstars-esg-rating-reform-459348>.

⁸ <https://www.jns.org/florida-reviewing-major-finance-firm-that-punishes-elbit-for-protecting-israelis/>.



Steve Marshall
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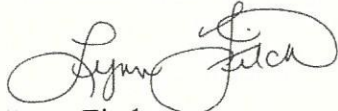
Tim Griffin
Arkansas Attorney General



Todd Rokita
Indiana Attorney General



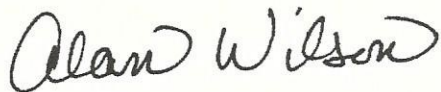
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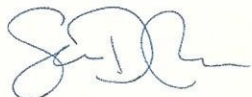
Lynn Fitch
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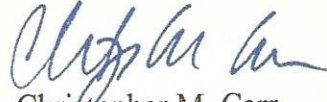
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