



January 4, 2021

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To Whom It May Concern:

The year 2020 will be forever known for the racial and health pandemics that negatively impacted the lives of every single American throughout the US. Black Americans especially felt the impact of how racism has impacted every aspect of their lives in health care, housing, education, sustainable employment opportunities, clean air and water, generational wealth and policing in our communities. The impact has caused black and brown communities to bear a disproportionate share of pain, deaths and inequality in every American system.

The mission of One Hundred Black Men, Inc. of New York (OHBM) is to play a proactive role in leveraging our collective talent, ability and energy toward achieving meaningful gains for the Black community. We applaud this effort to diversify the boards of directors of Nasdaq-listed companies. However, we believe that the rule does not go far enough to right the injustices of the past, including the historical and ongoing racial strife, economic and health inequality as well as the disproportionate death toll resulting from the health pandemic.

We recommend that Rule 5605(f) is revised to include at least two (2) directors—who self-identify as Black or African American—separate from other ethnicities or races. Truly, our country has started to come to grips with the reality that past racism has caused an inequality among the races that needs to be addressed immediately with actions that help to decrease this inequality. In the current proposal, there is a significant chance that a Black/African American person still may not be selected to serve on Nasdaq-listed companies

“to adopt Rule 5605(f) (Diverse Board Representation), which would require Nasdaq-listed companies, subject to certain exceptions, (A) to have at least one director who self-identifies as a female, and (B) to have at least one director who self-identifies as Black or African American, Hispanic or Latinx, Asian, Native American or Alaska Native, Native Hawaiian or Pacific Islander, two or more races or ethnicities, or as LGBTQ+, or (C) to explain why the company does not have at least two directors on its board who self-identify in the categories listed above;”

We also request the “...certain exceptions” be spelled out and the inclusion of a 25 year push to diversify the boards of Nasdaq-listed companies with Blacks/African Americans.

Our mission still remains core to who OHBM is and informs our ongoing belief that a fair and just America can only be accomplished through collective solutions that break barriers and address the inequalities that have plagued our society for generations.

Respectfully submitted,

Aldrin K. Enis
President