

July 1, 2022

By Email

Adam Tanswell
Executive Secretary
Hollywood Foreign Press Association
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Re: Husam Asi's Written Submission and Request for Public Hearing in Connection with Disciplinary Investigation

Dear Mr. Tanswell:

We write on behalf of Dr. Husam "Sam" Asi. As you know, Dr. Asi is a British journalist who is a longstanding member of the Hollywood Foreign Press Association (the "HFPA"), a citizen of Israel, and the only HFPA member of Palestinian descent.

In a gross overcorrection, the HFPA initiated an investigation into Dr. Asi in February 2022 after Sharon Waxman wrote a defamatory article in TheWrap about him. The HFPA initiated this investigation not by contacting Dr. Asi in an attempt to gather facts; instead, it relied on paper-thin accusations which were ultimately debunked by the HFPA's own investigators. This rush to judgment created the very problem that the HFPA was attempting to address, namely: in an attempt to be even-handed, the HFPA investigators relied on biased and prejudiced assumptions in drawing its conclusions. We ask you to reconsider.

When Dr. Asi responded in an opinion piece of his own wherein he recounted a number of incidents of adversity that Dr. Asi has faced as the only ethnically Palestinian reporter in Hollywood, the HFPA inexplicably chose to add that piece to the scope of the investigation, to determine if it was anti-Semitic, likely because the other allegations were falling apart.

Dr. Asi's article was a measured and respectful recounting of the adversity that he has faced in Hollywood while also highlighting the diversity of thought and political opinion in Hollywood. Dr. Asi told a story that is shared by many in Hollywood, including many persons of Jewish faith and ethnicity. Given the HFPA's documented struggles with diversity, it is particularly offensive that it would dilute an egregious concept like anti-Semitism by claiming that someone who is the victim of racist and closed-minded beliefs cannot criticize those beliefs.

Dr. Asi's article is far from anti-Semitic, and as described below, the investigators' eventual conclusion to that effect is supported by neither facts nor logic.

Pursuant to the HFPA's June 15, 2022, letter to Dr. Husam Asi, and as permitted under section III.B.2 of the HFPA Reporting and Grievance Policy for Members, adopted July 6, 2021, Dr. Asi requests a meeting with the Board to discuss the spurious allegations made against him, nearly all of which were debunked, as well as the inaccurate and biased conclusions of the investigation's factual findings. Dr. Asi specifically requests that the hearing be open to the public, including journalists. An open hearing comports with the HFPA's "ongoing transformation process"¹ to become more transparent. In addition, as an organization that purports to represent professional journalists, any effort by the HFPA to close Dr. Asi's hearing would run counter to the media's critical mission of shedding light on the conduct of important institutions.

We provide the following response based on only a portion of the investigation report as 70 of the 86 pages of the report—over 80% of the report by page count—were withheld from Dr. Asi, as well as all of the exhibits to the report, on the condition that he sign a confidentiality agreement. Keep in mind the HFPA made this tainted investigation public (it did not have to do so) with an announcement to the press **before** it even reviewed a single fact. And there is no reasonable argument for refusing to provide Dr. Asi with the full account of the conclusions about him. Indeed, he already received a copy of the factual findings that contained third-party information the HFPA purportedly wants to protect. What is the HFPA attempting to hide? An organization committed to journalism and transparency should conduct itself accordingly.

Dr. Asi also takes offense to the HFPA's overt threat of retaliation for exercising his constitutional right to file a civil lawsuit. In light of the very serious allegations and claims he makes against the HFPA, the HFPA's threat to discipline him for asserting substantial claims against the HFPA and certain related individuals, and seeking appropriate relief, is not well-taken. Dr. Asi reserves all rights and remedies related to the HFPA's attempt to intimidate him into dismissing his meritorious lawsuit.

I. The HFPA's Investigators Exonerated Dr. Asi

Sharon Waxman has written two hit pieces against Dr. Asi, accusing him of sexually harassment or assault. The HFPA's investigators correctly debunked all but a narrow one of these claims (and on that claim, its conclusions were erroneous).² Because the HFPA's own investigators did

¹ See May 13, 2022 HFPA Press Release entitled "Hollywood Foreign Press Association Announces Process of Review of Potential Strategic Alternatives."

² The only allegation that the investigators somehow found credible was Tian Li's claim that Dr. Asi misrepresented that she would have her own hotel room while she allegedly worked for Dr. Asi at Comic-Con in July 2017. As an initial matter, the story told by Ms. Li is inherently incredible. Ms. Li claimed Dr. Asi brought her to Comic-Con under the pretense of shooting B-roll film. However, there was no need for B-roll film at that time. Dr. Asi did not have a television show until October 2017, so there would be no need for B-rolls in July 2017. Moreover, he has never shot anything at Comic-Con, and Ms. Li never shot any B-roll for him anywhere. Dr. Asi was at Comic-Con to moderate HFPA press conferences, which HFPA records can surely corroborate. Furthermore, there was no evidence, or even allegation, of any sexual innuendos, sexual advances, sexual comments, or anything else that would suggest Dr. Asi's motives.

not find support for these claims, Dr. Asi does not discuss them herein. We note that notwithstanding the correct conclusions, the investigators failed to take into consideration even more evidence supporting Dr. Asi's position, and we are happy to provide that information to the HFPA directly.

II. The Report Demonstrates the Investigators' Failings and Its Own Biases

With no credible support that Dr. Asi committed the wrongdoing alleged by Ms. Waxman, the investigators then turned to Dr. Asi's deeply personal article about his experience as the only journalist of Palestinian descent in Hollywood.

Before addressing the substance of the investigators' findings, it is important to note that their unsupported and analytically deficient conclusion that Dr. Asi's article in Al Quds Al Arabi was anti-Semitic is explained by the abundant evidence in the report of anti-Arab bias by the investigators.

First, the report states: "In the [AQAA] article, Mr. Asi describes events that Mr. Asi **characterizes as 'attacks' on him**—including someone **accusing him of terrorism...**" (Emphasis added.) As discussed in the article, it wasn't just "someone" accusing him of being a terrorist. The HFPA's then-president refused to support his press visa application because he "could be a terrorist." The investigators' trivialization of this incident is astounding. ***Dr. Asi almost lost his ability to work in the United States because he was called "a terrorist" by the President of the HFPA.*** The investigators' incredibility that Dr. Asi would describe this accusation as an "attack" illuminates their own prejudices.

Second, the report offers as proof of anti-Semitism that "Mr. Asi was targeting potential readers of Al-Quds Al-Arabi, an Arabic-language publication. Mr. Asi explained that he published the article because he would not be able to have a career if 'his people' would not support him. Mr. Asi sought this support from his audience by relying on an anti-Semitic trope." The fact that Dr. Asi wrote in his newspaper is not suspicious; in fact, that is ***the entire purpose of the HFPA.***

This passage also makes no sense. It quotes the term "his people." Who said that? Dr. Asi would not say "his people;" he would say "my people." At best, this is an improper quotation attributed to Dr. Asi; at worst, this is another piece of evidence that the report is a fabrication by a sham investigation.

Moreover, there were numerous examples of Ms. Li's lack of credibility (including based upon the investigators' own findings to that effect).

Nevertheless, the investigators leap from assuming that Dr. Asi promised Ms. Li her own room (for which there was no corroborating evidence) to concluding that it "comprised a knowing, unwelcome sexual advance towards someone he was working with." The investigators erroneously concluded that Dr. Asi contradicted himself in a reference he made to this allegation in an Arabic-language article, but that purported contradiction was the result of the investigators' failure to accurately translate the article. There is zero support for the conclusion that Dr. Asi made any sexual advances to Ms. Li or that he misrepresented the hotel room situation. This claim is as unfounded as the rest.

But the most damning piece from this report is the assumption that “Mr. Asi sought this support from his audience by relying on an anti-Semitic trope.” This statement, supported by no evidence whatsoever, **assumes that Palestinian and Arabs** would merely support Dr. Asi based on anti-Semitism. Considering the investigators’ conclusions are based on the lie that Dr. Asi grouped entire swaths of people together, this is particularly damning.

Not only are the investigators’ conclusions false, the report demonstrates the investigators’ bias and prejudice against Palestinians and Arabs. The HFPA should not only reject the investigators’ conclusions, it should seriously evaluate the bias injected into this investigation by the investigators and/or others.

III. The Al Quds Al Arabi Article Is Not Inappropriate

Dr. Asi’s article in Al Quds Al Arabi is a deeply personal recount of the racism, Islamophobia, and adversity that he has faced as the only Palestinian Muslim member of the HFPA. The article is a thought-provoking piece that also highlights a number of Jewish people that have helped him along the way.

The Al Quds Al Arabi article was written only after Ms. Waxman’s defamatory and debunked lies began harming Dr. Asi’s career. He wrote the article to defend himself and explain the struggles that he has faced. Indeed, a primary reason for this harm was the HFPA’s decision to lend credence to the false accusations by suspending Dr. Asi and initiating an investigation.

Apparently ignoring the substance and the context of the article, the investigators twisted Dr. Asi’s words and concluded that he “promote[d] a stereotype that Hollywood is run by a small number of Jewish persons.” For the investigators to claim that this article is anti-Semitic because it groups all Jewish persons together is not only wildly incorrect, but also utterly offensive.

Moreover, it is the height of irony and hypocrisy that a person describing instances of harassment he experienced on the basis of his race, ethnicity, religion, national origin and ancestry is found to be committing harassment by doing so.³

A. Reliance on an Overbroad Definition of Anti-Semitism Was Misguided

The investigators’ first failure was its whole-hearted reliance on a single, overbroad definition of anti-Semitism. As discussed on pages 79-80 of the report, the investigators **only** considered one

³ This investigation also flies in the face of the HFPA’s purported commitment to the freedom of the press. The HFPA donated \$1 million to the Reporters Committee for Freedom of the Press in 2019. See Jenn Topper, The Reporters Committee for Freedom of the Press receives \$1 million grant from the Hollywood Foreign Press Association, Reporters Committee for Freedom of the Press (Jan 6, 2019) <https://www.rcfp.org/the-reporters-committee-for-freedom-of-the-press-receives-1-million-grant-from-the-hollywood-foreign-press-association>. And in 2020, the HFPA made a \$250,000 multi-year grant to the committee, and the HFPA president said that the HFPA “recognizes and supports the critical role of the Reporters Committee for Freedom of the Press in protecting the rights of journalists and news outlets to gather and distribute the news guaranteed by the First Amendment.” See HFPA Joins in Support of Reporters Committee (Nov. 25, 2020) <https://www.goldenglobes.com/articles/hfpa-joins-support-reporters-committee#:~:text=%E2%80%9CThe%20HFPA%20%E2%80%94%20an%20organization%20of,of%20the%20Hollywood%20Foreign%20Press>.

definition of anti-Semitism – which is overbroad in that it equates criticism of Israel with anti-Semitism – and unquestionably accepted that definition.

By applying a definition that includes political criticism (which is not prohibited or mentioned by the HFPA Code of Conduct), the investigators were grossly negligent and their report is flawed on that basis alone.

Specifically, the definition incorrectly equates criticism of certain policies enacted by the State of Israel as a condemnation or criticism of all Jewish people – nothing could be further from the truth in this case. Dr. Asi, himself a citizen of Israel, holds numerous Jewish people in his highest esteem based on their political philosophies, not their religious affiliation. This has not been a secret. For example, Dr. Asi **repeatedly** differentiated between those who attacked him and those who supported him, including Jewish persons.⁴

B. Under Any Definition, The Article Is Not Biased or Inappropriate

No matter the definition of anti-Semitism that is used, Dr. Asi's article does not qualify. The investigators concluded that Dr. Asi "utilized an anti-Semitic trope repeatedly" by asserting "the promotion of thought that Jewish persons have too much power and, among other things, control the media" (their words, not Dr. Asi's). The investigators then leap to the conclusion that "Dr. Asi is referring to Israel's supporters and backers as a substitute for Jewish persons" (again, their words).

The investigators' conclusion is nonsense and utterly dilutes the severity of what anti-Semitism is.

The investigators ignored Dr. Asi's balanced and thoughtful account of his experiences in Hollywood and only focused on the criticisms that he leveled. Of course, if one ignores all of the discussion on one side in a balanced article while focusing on the other side, one will reach a false conclusion.

The investigators list just three examples of purported anti-Semitism, but they are all taken out of context or otherwise not anti-Semitic. In fact, many of the issues stem from translation errors. At the outset, it must be noted that neither the HFPA nor its investigators provided Dr. Asi with the translated version of the article that they relied upon. But based on the quotes in the report, it is clearly inaccurate. Both Google Translate and the author's own translation are very different from the translation used by the investigators. The differences are, not coincidentally, related to the

⁴ Among other things, Dr. Asi complimented former Congressman Henry Waxman's immediate response to a request for a visa after Dr. Asi was accused of terrorism. Congressman Waxman is of Jewish descent and is proud of his "strong Jewish identity." When discussing his confirmation as a permanent member of the HFPA, he described that when one person accused Al Quds Al Arabi of anti-Semitism, "an **Israeli member intervened** and conducted an investigation." (Emphasis added.) He concluded that the paper was no different than other Israeli newspapers. He also showed gratitude to his renowned Israeli Jewish professor for providing a letter recommending him. Further, he described Israeli-born Natalie Portman's refusal to attend a party in Israel in protest of "racist practices towards Palestinians and Ethiopian Jews." He concluded his article by explaining that most of the support that he has received through his struggles was from "Jews and Israelis, and without their support I would've not survived more than one or two years in Hollywood."

purportedly inflammatory and anti-Semitic language attributed to Dr. Asi in the report. This alone demonstrates the impropriety of the investigation.

Finally, the investigators concluded that “Mr. Asi called Ms. Waxman a ‘hateful Zionist’ in an *ad hominem* attack based on her religion.” This is unpersuasive for several reasons.

First, the investigators turn a blind eye to the fact that Ms. Waxman first brought Dr. Asi’s heritage into the fold in her 2022 article, where the prominent description of him in her article, as “a Palestinian journalist,” is completely irrelevant. Not only did she mention that he is Palestinian, but she also mentioned it before describing any of the other facts, encouraging readers to interject their own biases. And to make matters worse, Dr. Asi is a **British** journalist of Palestinian heritage. His country on the HFPA website accurately states “United Kingdom.” But Ms. Waxman likely knew that referring to him as a “British journalist” would not cause as much of an uproar when discussing her false claims.

Second, as discussed above, and as discussed in the article, Dr. Asi did **not** group all Jewish persons together. For example, Dr. Asi talks about Natalie Portman, his Israeli Jewish professor, and others who supported him. But here, he is referencing a reporter who wrote a debunked article about him, where the first words out of her proverbial mouth were that he is Palestinian.

IV. Conclusion

Dr. Asi has been the target of Ms. Waxman’s defamatory articles for nearly a decade. In years past, they have received exactly the amount of traction they deserved: zero. For reasons that we may yet learn, the HFPA chose to take them seriously now. To their credit, the HFPA’s investigators did what Ms. Waxman should have: investigate the claims and assess whether they are credible. The investigators found virtually no evidence to support any of those claims.

Based on the investigators’ conclusions regarding the false claims of sexual misconduct, Dr. Asi should be relieved. But the HFPA and its investigators would not let Dr. Asi escape this witch hunt unscathed. Relying on specious—and downright racist—logic, the investigators incorrectly decided that the only member of the HFPA of Palestinian descent was anti-Semitic in his deeply personal first-person recounting of adversity in the United States. Despite Dr. Asi recounting and commending all of the help that he received from Jewish persons and Israelis, as well as positive experiences and attributes, the investigators ignored that and concluded that Dr. Asi was grouping all Jewish people together.

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The HFPA should put an end to this matter. It should find that the preponderance of the evidence shows that Dr. Asi did not conduct the sexual misconduct alleged by Ms. Waxman's articles, and it should find that Dr. Asi's article did not violate the HFPA's Code of Conduct. Finally, in light of the fact that the HFPA improperly announced this investigation and tarnished Dr. Asi's reputation, it should immediately release a statement of apology clearing Dr. Asi's name.

Regards,



Amin Al-Sarraf

cc: Dr. Husam Asi