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December 22, 2020

Vanessa Countryman
Secretary, Securities and Exchange Commission
100 F Street, NE
Washington, DC 200549-0609

Re: Support for File No. SR-NASDAQ-2020-081, Related to Board Diversity

Dear Secretary Countryman:

Thank you for the opportunity to comment on NASDAQ's proposed rule change related to board diversity. I proudly support NASDAQ's proposal to achieve greater gender, racial, and ethnic diversity in corporate leadership.

Over the last several months we have seen a racial reckoning triggered by the killing of George Floyd. The public continues to protest demanding that we tear down racial biases, starting with our police departments, but really demanding that racial biases be torn down in all our systems. The message is clear and the NASDAQ must do all it can to prioritize equality and equity now, we can no longer wait to answer the cries for justice with meaningful changes to board diversity. We know that people of color don't have a glass ceiling to break because we can't even get in the door. This rule change helps blow the door open.

To put this into perspective, 80% of the 1,033 available board seats on Fortune 500 companies were filled by White or Caucasian directors and 59.6% of those directors were White men. Similarly, out of the 1,222 new board members of Fortune 100 companies, 77% of new directors were White or Caucasian and 51% of those directors were white men. Boards that lack racial, ethnic, and gender diversity not only work to reinforce systemic racism in our country, they also hinder potential financial growth for the company and limits responsiveness to market shifts. The Harvard Business Review states that a diverse board contributes to better decision making, improves company governance, and responds to market shifts more effectively. A recent report by McKinsey & Company found that ethnically diverse companies are 35% more likely to outperform other companies that lack a diverse workforce. These reports show that diversity at the board level impacts diversity at all levels of the company.

This proposal is a continuation of our work in California to ensure diversity and hold companies accountable. As a joint author of California State Assembly Bill (AB) 979, which amended California law to guarantee representation of underrepresented communities in the boardrooms of public companies effective January 1, 2021, I was part of the movement towards monumental change in a state whose economy outperforms most industrialized nations. It is for these reasons that I respectfully share my support of SR-NASDAQ-2020-08.

Sincerely,

Cristina Garcia
Chair, California Legislative Women's Caucus
Assemblymember, 58th District