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Mara Verheyden-Hilliard • 617 Florida Avenue NW, Washington, DC 20001
202.232.1180 x202 • mvh@justiceonline.org • JusticeOnline.org

August 7, 2026

The Honorable Jason Smith
Chairman, Committee on Ways and Means
U.S. House of Representatives
1130 Longworth House Office Building
Washington, D.C. 20515
Via email

Re: The People's Forum – Response to July 21, 2026, Subpoena and Letter

Dear Chairman Smith:

On behalf of our client, The People's Forum, a nonprofit organization that supports movements for justice and works to build unity across historic lines of division, we are responding to your July 21, 2026, Subpoena and letter.¹ The People's Forum's organizing, speech, educational work, and advocacy are core First Amendment protected expression. Similar to the Committee's previous letters, the Committee now directs its compulsory process at that constitutionally protected expression as it continues its uncloaked public attack on The People's Forum's expressed viewpoints with which the Committee leadership disagrees.

It bears noting that the Committee's July 21, 2026, letter disclaims that it is operating with the hallmarks of a modern-day House Un-American Activities Committee (HUAC). Such protestation is belied not only by the open attacks that smear and vilify viewpoints disfavored by the Committee leadership in its letters to its targets, making plain that First Amendment-protected speech is a core part of the inquiry, but also by the Committee's public statements. As Chairman of the Committee, in conjunction with this investigation, you issued a statement in February of this year explaining the purpose of the inquiry in which you denounced the TPF and asserted that "The People's Forum, ha[s] amplified anti-American, foreign-aligned narratives on social media, and pushed messaging that mirrors hostile government propaganda."² In conjunction with this Subpoena, you publicly explained your purpose stating, "I will absolutely not stand by and allow our tax code to be abused to push anti-American rhetoric on our home soil."³ This is the language of the Red Scare, where Americans who advocated for racial and social justice and for peace between nations were labeled as promoting "anti-American" and "Un-American" views, were investigated and accused of mirroring and

¹ Letter from Jason Smith, Chairman, H. Comm. on Ways and Means, to Mara Verheyden-Hilliard, Partnership for Civil Justice Fund (July 21, 2026) and Subpoena to The People's Forum.

² Jason Smith, Chairman, Capitol Report: Tax-Exempt Status is a Privilege – Not a Right, Ozark Radio News (February 13, 2026) <https://ozarkradionews.com/missouri-news/capitol-report-tax-exempt-status-is-a-privilege-not-a-right-february-13-2026>

³ Jason Smith, Chairman, Protecting America's Tax-Exempt Sector from Foreign Influence (July 24, 2026) <https://jasonsmith.house.gov/2026/07/24/protecting-americas-tax-exempt-sector-from-foreign-influence/>

promoting talking points of the Soviet Union, of sowing division, and of being tools of a foreign entity in an effort to discredit and silence dissent through fear and punishment. As we said in our letter of May 18, 2026, “a witch-hunt is not a valid legislative purpose.”⁴

The Committee has notably failed and refused to respond to our inquiry regarding the receipt by FOX News of the September 4, 2025, letter *prior to* transmission to the TPF as an improper leak. As noted in our May 18, 2026, letter to the Committee, the “Supreme Court has been unequivocal that, ‘Investigations conducted solely for the personal aggrandizement of the investigators or to ‘punish’ those investigated are indefensible.’”⁵ In fact, once again, someone with inside access to the Committee and its files provided to FOX News the most recent July 21, 2026, correspondence and Subpoena to be issued to The People’s Forum *prior to* transmission to the intended recipient. The silence from the Committee to what one would expect to be considered a professional breach indicates the intentionality and ratification of this conduct. This demonstrates that the purpose of the letters and the subpoena is not legislative but rather for public exposure, public smearing, and personal aggrandizement, all based on the disfavored viewpoints of the target of the Committee leadership.

The Committee also continues to refuse to respond to the specific inquiries and questions that we have asked in good faith requesting information and explanation. Due process entitles the recipient of compulsory congressional process to judge the pertinency of the demand and engage in legal analysis, and it can do so only where the subject and the demands are stated “with undisputable clarity.”⁶

The Committee has now given three different accounts of why it is investigating The People’s Forum (TPF), each supplied only after The People’s Forum pressed for the legislative purpose the last account had failed to state. The Committee initiated its inquiry by letter of September 2025, which explicitly identified protected viewpoints expressed by The People’s Forum that the Committee leadership disfavored as the basis of its investigation, including protests expressing opposition to the U.S.-backed Israeli genocide in Gaza, opposition to the round-up of immigrants through ICE raids, and “protests in response to President Trump’s strikes against Iran’s nuclear program.”⁷ The Committee stated that it was questioning TPF’s tax-exempt status and the application of the Foreign Agents Registration Act (FARA) and raised potential Department of Justice (DOJ) indictment based on TPF receiving donations from a U.S. citizen whose viewpoints the Committee also disfavors. The Committee, of course, has no jurisdiction over any element of FARA nor may it use investigative authority for criminal investigatory purposes. We responded on behalf of The People’s Forum on September 18, 2025, that the letter, rife with factual and smearing inaccuracies, was “a political attack on cherished First Amendment rights,” that it openly targeted protected

⁴ Letter from Mara Verheyden-Hilliard, Partnership for Civil Justice Fund to The Hon. Jason Smith, Chairman, Comm. On Ways and Means (May 18, 2026).

⁵ May 18 letter (quoting *Watkins v. United States*, 354 U.S. 178, 187 (1957)).

⁶ *Watkins*, 354 U.S. at 214–215.

⁷ Letter from Jason Smith, Chairman, H. Comm on Ways and Means, to Manolo De Los Santos, Executive Director, The People’s Forum (September 4, 2025).

viewpoints and that it failed to identify a valid legislative purpose. We requested information and identification as to such purpose in order to properly respond to the letter's requests.⁸

The Committee did not respond for eight months. In May of 2026, the Committee sent another letter which it characterized as a response to our inquiry of eight months earlier, in which it shifted its explanation of the basis for inquiry. The Committee's new presentation did not alter the fact that its inquiry, as publicly stated, was openly targeting the TPF based on perceived viewpoints with which the Committee leadership disagreed. However, its statement of its legislative purpose changed materially and purported to be "whether legislative reform is necessary to ensure tax-exempt status is neither extended nor maintained in circumstances that raise significant concerns involving foreign influence or control," and if current "legal standards" adequately account for an organization's connections to foreign nationals.⁹ The Committee issued reformulated requests with its letter, however, as we raised in our response, those requests did not match, and were not recalibrated to, the new focus with regard to purported legislative charge and jurisdiction. While it stated that its requests had become "more focused and narrowed," it in fact expanded demands for donor identification.¹⁰ We requested that the Committee provide a sufficiently clear statement of the operative legislative purpose to understand the pertinency of the requested material so that The People's Forum could assess the pertinency, assert applicable privileges, and identify burden concerns. We stated that where the operative purpose has been recast while the requests have not, "the articulated rationale and [] actual evidentiary demands have diverged in a manner that the *Mazars* framework is designed to surface"¹¹ and requested that the Committee explain how each category of documents requested is pertinent to the legislative purpose as articulated.

Rather than respond to The People's Forum's valid, good-faith requests for information, the Committee issued the Subpoena. In its most recent letter accompanying that Subpoena, the Committee offers yet a new rationale for legislative inquiry and asserts that it is not investigating regulatory gaps broadly but is singly focused on "specific, concrete" donations from a U.S. citizen and his wife, also a U.S. citizen. It then says that it is investigating the use of specific funding arrangements—such as those involving donor-advised funds and shell companies—to identify "gaps in existing law" that legislative reform may be required to close, thereby ensuring current law "meaningfully constrains foreign influence over tax-exempt organizations"¹² based on this one single targeted wealthy American donor whose First Amendment-protected views the Committee has publicly pilloried along with those of his presumed grantees, while it tries to explain and justify why its inquiry does not include donors across the political spectrum.

⁸ Letter from Mara Verheyden-Hilliard, Partnership for Civil Justice Fund, to Jason Smith, Chairman, H. Comm. on Ways and Means (September 18, 2025)

⁹ Letter from Jason Smith, Chairman, H. Comm. on Ways and Means, to Mara Verheyden-Hilliard, Partnership for Civil Justice Fund (May 4, 2026).

¹⁰ Letter from Mara Verheyden-Hilliard, Partnership for Civil Justice Fund, to Jason Smith, Chairman, H. Comm on Ways and Means (May 18, 2026).

¹¹ *Id.* Citing *Trump v. Mazars USA*, 591 U.S. 848 (2020).

¹² July 21 letter.

Across all three letters (September 4, 2025, May 4, and July 21, 2026), one thing has not changed: the Committee’s public attacks and vilification of The People’s Forum as a target to be exposed and condemned based on expressed viewpoint. Only the legal theory offered to justify reaching it has changed. An ever-shifting rationale, reformulated each time it is questioned, is not the legislative purpose driving this inquiry; it is simply a justification assembled to fit a target chosen in advance. The People’s Forum therefore sets out again, in detail below, why the Subpoena falls short of the requirements that govern congressional investigations.

The objections fall into four parts. First, the Subpoena exceeds the bounds of legislative inquiry by seeking to adjudicate and to expose rather than to inform legislation; the Committee’s own public description of its object confirms as much. Second, the Subpoena burdens rights of speech, press, and association that the First Amendment protects against precisely this kind of compelled disclosure. Third, the Subpoena reaches subjects beyond the jurisdiction the House has delegated to this Committee. Fourth, the Subpoena fails the requirements of pertinency and specificity that due process requires, and The People’s Forum requires that the Committee cure that failure before proceeding.

Enclosed as Enclosure A are The People’s Forum’s objections to the individual requests, definitions, and instructions set out in the Schedule to the Subpoena. Those objections supplement, and are governed by, the objections stated in this letter and prior correspondence, which are incorporated in them in full. They are served on the compliance date to preserve every objection, including against the purported waiver provision in Instruction 19, although a committee instruction cannot by its own force waive constitutional protections. The People’s Forum further objects to Instructions 18 through 21, by which the Committee purports to decline to recognize the attorney-client privilege and the work-product doctrine and to declare that any assertion of them “shall be of no legal force and effect.” A committee cannot extinguish those protections by instruction. As the District of Columbia Circuit reaffirmed this year, recipients of congressional subpoenas “retain common law and constitutional privileges” against governmental demands for disclosure.¹³ The People’s Forum asserts and expressly preserves the attorney-client privilege, the work-product doctrine, and every other applicable privilege and protection.

Nothing in Enclosure A concedes the Committee’s authority to compel any production, acknowledges the existence of responsive material in any category, or waives any right, all of which are reserved.

The schedule to the Subpoena bears the marks of a template assembled for other targets which was never fully adapted to The People’s Forum. The definition section directs that The People’s Forum should interpret the vague term “connected” as involving a different entity’s financial relationships, BreakThrough News¹⁴. The schedule itself deploys the vocabulary of the

¹³ *United States v. Navarro*, No. 24-3006, 2026 WL 2093909, at *2 (D.C. Cir. July 21, 2026) (quoting *Mazars*, 591 U.S. at 863).

¹⁴ Subpoena Def. 3.

Foreign Agents Registration Act (FARA), commanding communications with “foreign principals” — a term drawn from that statute, misspelled and left unexplained in its own definition¹⁵ — rather than in any language of the Internal Revenue Code the Committee purports to be enforcing. And the schedule cannot settle on the period it covers, stating one end date on its face and another in its instructions.¹⁶ These are not clerical curiosities for The People’s Forum. As above, due process requires “undisputable clarity.”¹⁷ A Subpoena that mistakes its recipient for another as well as a foreign agent supplies no such clarity, and it cannot be reconciled with the requirement that compulsory process be “no broader than reasonably necessary” to a legitimate objective;¹⁸ a congressional demand drawn for a different organization cannot have been measured against any necessity particular to the recipient. The defects confirm that the Committee did not proceed from a considered judgment about The People’s Forum and a purpose to which its records are pertinent.

I. The Subpoena Exceeds the Bounds of a Valid Legislative Inquiry

As the Committee recognizes, the power of Congress to investigate is broad, but it is not a general power over private conduct nor a power to adjudicate. The investigative power exists “in aid of the legislative function” only.¹⁹ As such, a congressional committee is not a court or a prosecutor. It may not sit in judgment of those it summons, and it may not deploy its process to try, to condemn, or to punish. That principle stretches back to the nineteenth-century Supreme Court decision in *Kilbourn v. Thompson*, where the House was found to have exceeded its authority by investigating a private financial failure that presented a judicial question on which no valid legislation could rest.²⁰ The line established in *Kilbourn* remains in place. A committee is “[not] a law enforcement or trial agency,” and one that sits in judgment of those it summons acts outside the legislative sphere.²¹

The Committee’s public posture toward The People’s Forum is adjudicatory in exactly the way the Constitution forbids. As Committee Chairman, you have repeatedly stated that the individuals you affiliated with the organizations under subpoena should be “brought to justice” and “held accountable,”²² and you have described your intention to “work with the IRS, and the Department of Justice”²³ to pursue the recipients of the Subpoenas. The Committee’s own announcement of this inquiry on July 24, 2026, confirms that the purpose driving this compulsory process is exposure and condemnation rather than legislation. In its press release announcing the Subpoenas, the Committee described its oversight as having “exposed networks” of organizations that, in its telling, exist “to spread propaganda, influence American politics, and manipulate public

¹⁵ Subpoena Def. 10.

¹⁶ Schedule; Instr. 1.

¹⁷ *Watkins*, 354 U.S. at 214–215.

¹⁸ *Trump v. Mazars USA, LLP*, 591 U.S. 848, 876 (2020).

¹⁹ *McGrain v. Daugherty*, 273 U.S. 135, 174 (1927).

²⁰ *Kilbourn v. Thompson*, 103 U.S. 168, 190–193 (1880).

²¹ *Watkins*, 354 U.S. at 194 (citing *Kilbourn v. Thompson*, 103 U.S. 168 (1880)).

²² Rep. Jason Smith (@RepJasonSmith), X (June 9, 2026),

<https://x.com/RepJasonSmith/status/2071607839244566858>

²³ Rep. Jason Smith (@RepJasonSmith), X (Sept. 24, 2025),

<https://x.com/RepJasonSmith/status/1963638804449038392> (addressing the People’s Forum).

discourse,” and it pledged to “continue to investigate bad actors in this space to shed light on the rampant abuse of these benefits.”²⁴ Your accompanying statement as Committee Chair described the object in the same vein, as an effort to “shine a brighter spotlight” on the subpoenaed organizations and to “hold them accountable.”²⁵ Further, in its Weekly Capitol Report on July 24, the Committee, through your statements as Chairman, identified The People’s Forum by name as one of three organizations “parroting CCP talking points” as part of an alleged foreign-directed network, and it described the object of its concern as “propaganda” and “anti-American rhetoric.”²⁶

These repeated assertions, disseminated through numerous media outlets as recently as two weeks ago, articulate aims of exposure and of predetermined guilt, not a valid legislative inquiry. These statements improperly use the vocabulary and machinery of law enforcement and prosecution. The Supreme Court addressed this issue in *Trump v. Mazars USA, LLP*: a committee “may not issue a subpoena for the purpose of ‘law enforcement,’” because “those powers are assigned under our Constitution to the Executive and the Judiciary.”²⁷ The Committee’s letter quotes *Mazars* for the breadth of the investigative power while omitting the limit the same opinion imposes: that a congressional demand be no broader than reasonably necessary to support the legislative objective.²⁸ An investigation whose stated end is to bring named organizations “to justice” is an exercise of a power the Committee does not hold. The power to investigate does not carry a “power to expose for the sake of exposure,”²⁹ and it does not license a committee to sit in judgment of “bad actors” it has already condemned.³⁰

To the extent that transparency of foreign-source funding is the asserted legislative subject, the Committee’s action on the bills reported on July 24 undermines the validity of the Subpoena. The legislative interest of those bills relates to the disclosure of foreign money. The Committee’s parallel effort to expose and to condemn The People’s Forum for the content of its expression is not pertinent to that interest and cannot be justified by the Committee’s exercise of that authority. The bills operate in a general and prospective manner; they neither require nor supply a valid purpose for an inquiry whose stated object, in the Committee’s description, is to hold named organizations accountable for their public advocacy disfavored by the Committee leadership. An asserted legislative purpose is measured against the “nature of the evidence” a committee offers to establish it,³¹ and the evidence the Committee has volunteered here describes an object its legislative power does not reach.

²⁴ Press Release, H. Comm. on Ways & Means, Ways & Means Committee Approves Legislation Boosting Transparency & Accountability in Tax-Exempt Sector, Preventing Foreign Influence in American Politics, & Protecting Religious Freedom (July 24, 2026).

²⁵ *Id.*

²⁶ Jason Smith, *Protecting America's Tax-Exempt Sector from Foreign Influence*, Weekly Capitol Report (July 24, 2026), <https://waysandmeans.house.gov/2026/07/24/protecting-americas-tax-exempt-sector-from-foreign-influence/>.

²⁷ *Mazars*, 591 U.S. at 862.

²⁸ *Mazars*, 591 U.S. at 870.

²⁹ *Watkins*, 354 U.S. at 200.

³⁰ *Kilbourn*, 103 U.S. at 192-193.

³¹ *Mazars*, 591 U.S. at 875-76.

The Committee's reliance on *Eastland v. United States Servicemen's Fund*, for the proposition that an inquiry need have no predictable end result, does not supply the authority it lacks. *Eastland* concerns the immunity of Members under the Speech or Debate Clause from judicial interference with a subpoena; it does not relieve a committee of the obligation to show that its inquiry is pertinent to a valid legislative purpose, and it does not speak to the constitutional limits The People's Forum invokes here.³²

Nor may the Committee rest its process on an asserted interest in exposure to the public. As Chairman, you have repeatedly framed the object of this inquiry as ensuring that "the American people deserve to know" who funds and speaks for the subpoenaed organizations.³³ The informing of the public is a legitimate byproduct of legislative work, but it is not itself a legislative purpose, and it cannot sustain compulsory process. "There is no congressional power to expose for the sake of exposure."³⁴ Further, the Supreme Court has long held that a legislator's communications to the public are not part of the deliberative work the Constitution protects.³⁵

The Committee's statements relating to The People's Forum are not simply descriptions of a supposed search for illicit foreign money. Rather, they describe an attack on disfavored speech. The congressional power of inquiry does not reach that object. The content of a domestic organization's advocacy is not "a subject on which legislation could be had,"³⁶ nor one "in aid of the legislative function."³⁷ Congress may not legislate against "anti-American rhetoric," and it may not compel the production of an organization's records in order to catalogue or denounce it.

The evidence the Committee has volunteered establishes that its object in issuing the Subpoena to The People's Forum is an attack on its viewpoint and not investigation into foreign funds. The People's Forum does not base its challenge on the motives of the Committee.³⁸ Rather, the *object* of an inquiry is a distinct question that the Committee has placed on the public record. Where that object implicates the First Amendment, the competing private and public interests must be balanced.³⁹ In this matter, that balance is not close. Where associational and expressive rights are burdened, the Committee must demonstrate a "substantial relation between the information sought and a subject of overriding and compelling" governmental interest.⁴⁰ No such relation exists between the content of The People's Forum's advocacy and issues of transparency of foreign funding. Indeed, *Gibson* reversed a contempt conviction on precisely that ground, distinguishing *Barenblatt* because

³² *Eastland v. United States Servicemen's Fund*, 421 U.S. 491, 509 (1975).

³³ Rep. Jason Smith (@RepJasonSmith), X (July 24, 2026), <https://x.com/RepJasonSmith/status/2080686238189625624>.

³⁴ *Watkins*, 354 U.S. at 200.

³⁵ *Hutchinson v. Proxmire*, 443 U.S. 111, 132-133 (1979).

³⁶ *Watkins*, 354 U.S. at 187.

³⁷ *McGrain*, 273 U.S. at 174.

³⁸ See *Barenblatt v. United States*, 360 U.S. 109, 132 (1959) (the courts "lack[] authority to intervene on the basis of the motives which spurred the exercise of" the investigative power); *Eastland*, 421 U.S. at 508-509.

³⁹ *Barenblatt*, 360 U.S. at 126.

⁴⁰ *Gibson v. Florida Legislative Investigation Committee*, 372 U.S. 539, 546 (1963).

the inquiry there bore an adequate nexus to a validly authorized subject that is absent here.⁴¹

II. The Subpoena Burdens Rights of Speech, Press, and Association Protected by the First Amendment.

As we have explained in our previous correspondence, The People’s Forum is an entity engaged in First Amendment protected advocacy, organizing and education and which serves as a hub for community and issue organizing. As such, the Subpoena calls for information regarding its protected expression and the identities of its supporters and associates.

The Supreme Court has consistently recognized that compelled disclosure of that kind burdens the First Amendment. The State cannot compel an organization to surrender the identities of its members and supporters where disclosure would chill protected association.⁴² That principle applies with full force to the compelled disclosure of a nonprofit’s donors; such compulsion is subject to exacting scrutiny and must be narrowly tailored to a sufficiently important governmental interest.⁴³ A demand that sweeps broadly, untethered from a specific and substantial need, fails that standard on its face.⁴⁴

The Committee’s reliance on *Buckley v. Valeo* does not answer the point. *Buckley* requires a relevant correlation, or substantial relation, between the governmental interest asserted and the particular information whose disclosure is compelled, and it sustained disclosure obligations imposed by a statute of general application rather than a demand directed at a single named organization. The Subpoena satisfies neither condition.⁴⁵

Further, any such injury is present now, not upon later enforcement. Just this term, in *First Choice Women’s Resource Centers, Inc. v. Davenport*, the Supreme Court held that the issuance of such a subpoena inflicts an injury sufficient to support an immediate challenge, even before any court orders compliance.⁴⁶ The chill created by the Subpoena is not speculative; it is the predictable consequence of a Subpoena that a Committee has publicly tied to the content of The People’s Forum’s First Amendment-protected speech.

The Committee’s public framing of its inquiry raises an additional, independent problem. Congress may not train its power on a speaker because of the viewpoint that speaker expresses. As noted above, the Committee has described The People’s Forum by reference to the content of its reporting and advocacy — as “propaganda,” as “anti-American rhetoric,” as the mirroring of a disfavored line. Whatever the Committee’s general interest in foreign funding, it has no legitimate interest in the viewpoint of an advocacy organization and it may not use compulsory process to reach

⁴¹ *Id.* at 547-549.

⁴² *NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 462-463 (1958).

⁴³ *Americans for Prosperity Foundation v. Bonta*, 594 U.S. 595, 607-611 (2021).

⁴⁴ *Id.* at 615-619.

⁴⁵ *Buckley v. Valeo*, 424 U.S. 1, 64, 66-68 (1976) (per curiam).

⁴⁶ *First Choice Women's Resource Centers, Inc. v. Davenport*, 608 U.S. ___, No. 24-781 (2026).

it.⁴⁷ The First Amendment does not tolerate inquiry into American opinion.

III. The Subpoena Reaches Subjects Beyond the Jurisdiction Delegated to This Committee.

A committee's authority extends only to the power delegated to it by the House. An inquiry that strays beyond the committee's charter is not authorized, and process issued in service of an unauthorized inquiry cannot be enforced. Authorization to conduct a particular investigation must be granted to a committee with specificity and cannot be inferred from broad or general language.⁴⁸ A committee may not enlarge its own jurisdiction by construction, and courts will read an authorizing charter narrowly to keep it within constitutional bounds.⁴⁹

In this matter, the House has conferred jurisdiction to the Committee under Rule X over revenue and taxation.⁵⁰ For the duration of this inquiry, the Committee has publicly claimed that it is inquiring into foreign influence, foreign propaganda, and the conduct of a purported foreign-directed network — subjects that relate, for example, to the Foreign Agents Registration Act (FARA) and counterintelligence, subjects committed to the executive branch and other congressional committees by the Constitution and the House Rules.⁵¹ To the extent that the Subpoena pursues those subjects, it exceeds this Committee's charter; a tax-exemption frame cannot supply authority the House has not granted. The jurisdictional limit reinforces the constitutional arguments above. The government may not condition a tax exemption on the surrender of First Amendment rights, and a revenue committee therefore acquires no license, by invoking the tax code, to demand an accounting of a nonprofit's viewpoint.⁵² Whatever the Committee's authority may be over legislation relating to foreign-source funds, it may not convert the issues relating to revenue into an inquest into speech.

IV. The Committee Must Cure the Subpoena's Failure of Pertinency and Specificity Before The People's Forum Can Be Required To Respond.

As The People's Forum noted in its May 18, 2026, letter to the Committee, due process entitles the recipient of a congressional subpoena to a statement with "undisputable clarity" regarding the subject under inquiry and the pertinency of what is demanded.⁵³ Only through this mechanism

⁴⁷ *Rosenberger v. Rector & Visitors of the University of Virginia*, 515 U.S. 819, 828–829 (1995) (government may not burden speech based on "the specific motivating ideology or the opinion or perspective of the speaker"); *see also* *Speiser v. Randall*, 357 U.S. 513, 518–519 (1958).

⁴⁸ *Gojack v. United States*, 384 U.S. 702, 708-709, 715-716 (1966).

⁴⁹ *United States v. Rumely*, 345 U.S. 41, 44-48 (1953); *see also* *Tobin v. United States*, 306 F.2d 270, 275-276 (D.C. Cir. 1962) ("There can be no 'constructive' offenses" where a committee exceeds the authority it was given.).

⁵⁰ House Rule X, cl. 1(t).

⁵¹ *See, e.g.*, House Rule X, cl. 1(k) (Committee on the Judiciary; jurisdiction over the Department of Justice and enforcement of federal criminal law, under which the Foreign Agents Registration Act is administered); *id.* cl. 1(h) (Committee on Foreign Affairs; relations of the United States with foreign nations generally).

⁵² *See Speiser*, 357 U.S. at 518-519.

⁵³ *Watkins*, 354 U.S. at 214-215.

can the recipient test whether an inquiry is duly authorized, whether it serves a legislative purpose, and whether a given demand is proper.

Here, the Subpoena and letter, measured against the Committee's public statements, do not meet that standard: its stated tax rationale cannot be reconciled with the focus on the content of the speech and claimed foreign-influence object the Committee has described in public. Before it can respond with any appropriate production, The People's Forum requests that the Committee do the following:

- State the specific legislative purpose of the inquiry, and identify the pending or contemplated legislation that each category of documents demanded is intended to inform;
- Identify the resolution or other source of authority under which the inquiry proceeds, and confirm that its subject falls within the jurisdiction delegated to the Committee under Rule X;
- Confirm that the Committee does not seek, and will not attempt to compel, information concerning The People's Forum's viewpoints, political discussions and communications, membership, associations, donors, or other First Amendment-privileged information;
- and if the Committee asserts and identifies pertinency to a valid legislative purpose, narrow the requests accordingly and with required specificity, and identify for each remaining request the specific pertinence of the materials sought to a valid legislative purpose within the Committee's jurisdiction.

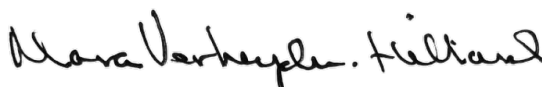
The People's Forum remains ready to engage with the Committee on requests that are genuinely pertinent to a legitimate legislative purpose, properly within the Committee's jurisdiction, and narrowly drawn to respect the First Amendment interests and privileges at stake. However, The People's Forum cannot be required to respond to process that, as presently framed and as publicly described, seeks to punish, silence, expose, and condemn protected expression and it will not yield its First Amendment rights and privileges.

We are available to confer with Committee staff at their convenience.

Sincerely,



Andrew D. Herman
Law Office of Andrew D. Herman, PLLC



Mara Verheyden-Hilliard
Partnership for Civil Justice Fund

cc: The Honorable Richard E. Neal, Ranking Member

ENCLOSURE A

OBJECTIONS OF THE PEOPLE'S FORUM TO THE SCHEDULE TO THE SUBPOENA ISSUED BY THE HOUSE COMMITTEE ON WAYS & MEANS JULY 21, 2026

The People's Forum submits these objections to the individual requests set out in the Schedule to the Subpoena carrying an August 7, 2026, return date. These objections supplement, and are governed by, the objections stated in the accompanying letter, which are incorporated in full. They are served by the compliance date to preserve every objection, including against the purported waiver provision in Instruction 19. Nothing here concedes the Committee's authority to compel any production, acknowledges the existence of responsive materials in any category, or waives any right, all of which are reserved.

I. Objections Common to Every Request.

The following objections apply to each of the six requests. They are stated once here and referenced by letter below rather than repeated.

A. Authorization and jurisdiction. Each request assumes an authority the Committee has not established. As set out in Section III of the letter, the Committee's jurisdiction under Rule X, clause 1(t) runs to revenue and taxation, while the object the Committee has publicly claimed for this inquiry — foreign funding, foreign influence, foreign nationals, foreign propaganda, and the conduct of an alleged foreign-directed network — relates to the Foreign Agents Registration Act (FARA) and the counterintelligence function committed to the executive branch and to other House committees. A committee's authority to conduct a particular investigation must be granted with specificity and may not be enlarged by construction. *Gojack v. United States*, 384 U.S. 702, 708-709, 715-716 (1966); *United States v. Rumely*, 345 U.S. 41, 44-48 (1953). The Committee's July 21, 2026 letter articulates the object of this inquiry differently, as "examining whether existing legal standards governing tax-exempt status adequately account for foreign influence and control." A valid legislative subject does not validate every demand issued in its name; each request must still be no broader than reasonably necessary to that objective. *Trump v. Mazars USA, LLP*, 591 U.S. 848, 870 (2020). The letter identifies what it says is a disclosure gap: the movement of funds through a donor-advised fund that was, in the Committee's own account, "only publicly disclosed due to their own exercise of discretion, rather than by any statutory disclosure obligation." That is a question about the structure of existing law and the reporting obligations of fund sponsors. It is not a question that requires the materials listed on the Schedule, including but not limited to the breadth of inquiry in Request 1 (to the extent that it is decipherable), The People's Forum's communications with a U.S. citizen (Request 3), foreign organizations (Requests 4 and 5), its internal deliberations concerning its donors (Request 5), contracts with any fiscally sponsored

projects (Request 2) or any grants to recipients abroad (Request 6). The People’s Forum objects to each request to the extent it seeks materials outside the Committee’s delegated jurisdiction, and it requests that the Committee identify the resolution or rule authorizing the subject of inquiry.

B. Legislative purpose and object. As set out in Section I of the letter, the investigative power reaches only inquiry in aid of legislation, not the exposure, condemnation, or law-enforcement pursuit of a named organization. *McGrain v. Daugherty*, 273 U.S. 135, 174 (1927); *Watkins v. United States*, 354 U.S. 178, 200 (1957); *Mazars*, 591 U.S. at 862. The People’s Forum objects to each request to the extent it seeks materials pertinent not to issues relating to purported foreign-source funding, but to the content or viewpoint of the organization’s protected expression and associations, or that of its donors. The Committee’s July 21 letter sharpens the concern. It defends the Schedule on the ground that the requests are “directed at The People’s Forum specifically, rather than organizations across the political spectrum.” An inquiry into the adequacy of generally applicable standards governing tax-exempt status does not depend on the selection of a single organization, or a single U.S. citizen donor, and the Committee’s account of why it selected this one is not a legislative justification for the breadth of what it demands.

C. First Amendment. As set out in Section II of the letter, each request that reaches the organization’s expression, donors, members, associations, political activity, political discussion and organizing burdens rights the First Amendment protects, is subject to exacting scrutiny, and must be narrowly tailored to a substantial governmental interest. *NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 462-463 (1958); *Americans for Prosperity Foundation v. Bonta*, 594 U.S. 595, 607-611 (2021). The injury attaches upon issuance and does not await enforcement. *First Choice Women’s Resource Centers, Inc. v. Davenport*, 608 U.S. ___, No. 24-781 (2026). The Committee’s July 21 letter invokes *Barenblatt v. United States*, 360 U.S. 109, 127 (1959), and *Buckley v. Valeo*, 424 U.S. 1, 64 (1976) (per curiam). Neither case answers these objections. *Barenblatt* does not exempt congressional inquiry from First Amendment scrutiny or First Amendment privileges; it balances the competing private and public interests, and it did so on the premises that the inquiry lay within the committee’s delegated authority and that the pertinency of the questions had been established. *Barenblatt*, 360 U.S. at 126-127, 132-134. Both premises are contested here, for the reasons stated in Objections I.A and I.B. *Buckley* states the standard The People’s Forum invokes: it requires a “relevant correlation” or “substantial relation” between the governmental interest and the particular information compelled; it sustained disclosure obligations imposed by a statute of general application, not a demand singling out one organization. *Buckley*, 424 U.S. at 64, 66-68. The controlling modern statement of the rule is *Bonta*, decided sixty-two years after *Barenblatt*, under which a compelled-disclosure demand must be narrowly tailored to the interest it promotes and the weight of that interest does not itself supply the tailoring. *Bonta*, 594 U.S. at 607-611. The Committee’s interest in the adequacy of donor-advised-fund disclosure rules bears no relevant correlation to the categories of documents the Schedule actually demands. These are constitutional objections. Under the Committee’s own Instructions 20 and 21, which disclaim only non-

constitutional bases for withholding, they are not subject to the waiver the Committee purports to impose.

D. Temporal scope. Every request is governed by a period that is at once excessive and unascertainable. The Schedule states a period of January 1, 2017 through May 4, 2026, while Instruction 1 states a period of January 1, 2017 “to present,” and Instruction 15 makes the demand continuing. The recipient cannot determine from the face of the Subpoena where the period ends. A demand of this length and indeterminacy is not “no broader than reasonably necessary” to any legislative objective. *Mazars*, 591 U.S. at 870. The Committee’s own account of its factual predicate confirms the mismatch. Its July 21 letter states that a U.S. citizen and his wife, also a U.S. citizen, made large donations to The People’s Forum; that such donations were made through a U.S. based donor-advised fund which is a common mechanism for donations; it states the donations occurred between 2017 and 2022; and it states that the donor-advised fund through which the funds passed was terminated by its sponsoring institution in early 2024. The Schedule nonetheless demands nine years and four months of records well outside of its own description and continuing more than two years after the conduit it identifies was closed, with Instruction 15 extending the obligation indefinitely into the future. A period that exceeds the Committee’s own evidentiary window cannot be “no broader than reasonably necessary” to the objective the letter states and The People’s Forum objects to the temporal scope of each request.

E. Definitional overbreadth and vagueness. The defined terms deprive the requests of ascertainable limits. “Connected” (Definition 3) reaches any funds “originating from, destined for, or passing through” a foreign person, “whether transmitted directly or through intermediaries such as shell companies, donor-advised funds, or other domestic entities.” “Involve” (Definition 4) reaches a contract on which a foreign entity is a “source of funding contemplated or referenced,” or “gave rise to the contractual arrangement, whether or not the foreign national or foreign entity is identified as such on the face of the contract.” “Referring or relating” (Definition 8) reaches anything “in any manner whatsoever pertinent” to a subject. “Employee” (Definition 9) reaches every consultant, contractor, and “other type of service provider.” And Definition 6 instructs the reader to construe the terms of the requests to bring within their scope “any information which might otherwise be construed to be outside its scope.” That instruction is a concession that the requests lack a stated boundary. This is antithetical to the clarity due process requires. The recipient of compulsory process must be able to know the subject of inquiry and the pertinence of each demand “with undisputable clarity.” *Watkins*, 354 U.S. at 214-215. The defect is confirmed on the face of the Schedule. The operative definitions were not drawn to this recipient: Definition 3 fixes the meaning of “connected” — the term on which Request 1 depends — as a financial relationship between “an organization fiscally sponsored by BreakThrough News” and a foreign national or foreign entity. BreakThrough News is a different organization. The Schedule’s operative definitions were not drawn to its recipient. A recipient left to guess which of the Committee’s defined terms were drawn for it, and which were carried over from another target, cannot know the subject of

inquiry or measure the pertinence of what is demanded. The People's Forum objects to each request to the extent it rests on such definitions, and it requests that the Committee state, for the record, the subject under inquiry and the pertinency of each demand.

II. Objections to the Individual Requests.

Request 1. (organizations for which The People's Forum provided fiduciary oversight, financial management, or other administrative services that received or transmitted funds "connected" to foreign persons; years of any such capacities; "types of support"). The request is governed by Objections I.A through I.E. A central defect is the term "connected," which, as defined, reaches any relationship in which funds passed through a foreign person at any point in any chain, including through domestic intermediaries. So defined, the request has no limit and no pertinence beyond the fact of a purported foreign contact somewhere in a transaction's history. To the extent the request were to reach the affairs and supporters of independent fiscally sponsored projects, their associational rights and First Amendment privileges would be burdened by compelled disclosure no less than an organization's own. *NAACP*, 357 U.S. at 462-463. The "documents sufficient to identify" formulation is a narrowing the Committee did not carry through to the balance of the Schedule, and it does not cure the defects in the "connected" definition or the temporal scope. As identified, Definition 3 defines "connected" as relates to a different organization rather than The People's Forum. As written, Request 1 therefore identifies no category of documents in The People's Forum's possession, custody, or control, and The People's Forum objects to the request on that independent ground.

Request 2 (contracts between The People's Forum and fiscally sponsored projects that "involve" foreign persons). The request is governed by Objections I.A through I.E. A central defect is the term "involve," which, as defined, would require a recipient to identify foreign involvement that is "not identified as such on the face of the contract" and that merely "gave rise to" the arrangement. A demand that turns on facts the request concedes are not apparent from the documents cannot be answered with any confidence that the response is complete or correct, and it cannot be squared with the pertinency the law requires. The request also reaches political association and political education, seminars, forums, teach-ins, and other associational and First Amendment-protected activity implicating interests described in Section II of the letter.

Request 3 (communications between any People's Forum employee and Neville Roy Singham, a U.S. citizen, concerning the organization's finances, governance, or structure). The request is governed by Objections I.A through I.E. The People's Forum's objection is directed to the request's breadth as well as its intrusion on First Amendment protected communications and associational activities. As framed, the request reaches every "employee" as defined, including every consultant, contractor, and service provider (Definition 9); reaches any document "referring or relating" to the subject "in any manner whatsoever" (Definition 8); spans more than nine years;

and, to the extent the communications concern the organization's political speech, deliberations, discussions, associations, and expression, reaches protected and First Amendment privileged activity. The People's Forum objects to the request as presently drawn.

Request 4 (communications between any People's Forum employee and foreign principals, foreign parties, and foreign organizations concerning finances, governance, or structure). The request is governed by Objections I.A through I.E. For an organization that engages in political expression and education to include international solidarity for peace between peoples, a demand to produce communications infringes on protected activities. *See* letter Section II. Subpart (b) compounds the defect by reaching every "combination of persons organized under the laws of or having its principal place of business in a foreign country," which is to say every foreign organization of any kind. The request also turns on a term the Schedule never defines. Request 4 demands communications with "foreign principals," while the Schedule defines only "foreign principle" (Definition 10), and that definition is itself unintelligible, reaching a "foreign individual without United States citizenship or permanent residency domiciled board [sic]." Its closing clause, reaching "any entity formed under the laws of a foreign country," then duplicates and expands subpart (b). The recipient cannot determine what the request asks for, and cannot be held to a compliance obligation measured by a definition that does not correspond to the term used. The request identifies no subject of overriding governmental interest to which these communications bear a substantial relation.

Request 5 (all documents and communications "related to" foreign persons who donated more than \$5,000, including "indirectly" through donor-advised funds). The request is governed by Objections I.A through I.E and presents a direct conflict with the First Amendment. It is a demand for the identities of, and the organization's internal communications concerning, its donors. Compelled donor disclosure of this kind is subject to exacting scrutiny and must be narrowly tailored; a demand for "all documents ... related to" donors is broader than any tailoring could sustain and reaches the organization's confidential deliberations about its supporters. *Bonta*, 594 U.S. at 607-611. The direction to trace donations made "indirectly through ... donor-advised funds" seeks to pierce the anonymity that the donor-advised-fund structure affords by design and by statute, a fund being one owned and controlled by a sponsoring domestic public charity. 26 U.S.C. § 4966(d)(2). The premise that a foreign person stands behind such a fund is speculative, and a demand to run that premise to ground across more than nine years is boundless. The chilling effect is immediate and is itself the injury. *First Choice*, 608 U.S. ____.

Request 6 (all documents "related to" foreign grant recipients of The People's Forum). The request is governed by Objections I.A through I.E, and it fails pertinency on its own terms. The purported legislative concern animating this inquiry is foreign money flowing into the United States to influence American politics and elections. This request seeks the opposite: records of funds flowing out of the United States to recipients abroad. If any grants were made by The People's Forum to

foreign recipients, it would bear no evident relation to the disclosure of foreign-source funding, and the request accordingly seeks materials not pertinent to any legislative purpose the Committee has articulated. *Watkins*, 354 U.S. at 214-215. The demand also reaches the organization’s programmatic, educational, expressive and associational activity protected by the First Amendment and is therefore impermissible.

III. Objections to the Instructions.

Purported nullification of privilege (Instructions 18 through 21). The People’s Forum objects to the Committee’s assertion that it will not recognize the attorney-client privilege or the work-product doctrine and that any assertion of those protections “shall be of no legal force and effect.” The attorney-client privilege is a foundational protection of the legal system, and the work-product doctrine guards the integrity of the adversary process. The People’s Forum asserts and preserves both, and it does not accept that a committee may extinguish them by instruction. To the extent The People’s Forum withholds any material on those grounds, it will do so subject to, and without waiver of, this objection. Moreover, the United States Court of Appeals for the District of Columbia Circuit recently reinforced that “recipients of congressional subpoenas ‘retain common law and constitutional privileges’ against governmental demands for the disclosure of requested information.” *United States v. Navarro*, No. 24-3006, 2026 WL 2093909, at *2 (D.C. Cir. July 21, 2026) (quoting *Mazars*, 591 U.S. at 863).

Purported waiver (Instruction 19). The People’s Forum objects to the provision purporting to waive objections and privileges not logged before the compliance date. A committee instruction cannot, by its own force, waive constitutional protections, and the Committee’s Instructions 20 and 21 disclaim only non-constitutional bases for withholding. The First Amendment and other constitutional objections stated in the letter and in Objection I.C are therefore preserved in full irrespective of the compliance date. These objections are in any event served by that date.

Defective certification requirement (Instruction 23). Instruction 23 requires a certification that responsive documents were produced or “identified in a log provided to the Committee, as described in (17) above,” but the withholding-log requirement appears at Instruction 18; Instruction 17 addresses the delivery of duplicate sets to majority and minority staff. Instruction 23 further conditions the certification on Instructions “(10), (11) or (12).” A recipient cannot certify compliance with requirements identified by erroneous cross-references, and The People’s Forum objects to Instruction 23 on that ground and to the extent it purports to impose an obligation beyond those stated in the Instructions themselves.

Notice of appearance (Instruction 24). Counsel’s submission of a notice of appearance is not, and shall not be construed as, an acknowledgment of the validity of the Subpoena, a waiver of

any objection stated here or in the letter, or an agreement that any request is proper, pertinent, or within the Committee's jurisdiction. All rights are reserved.

IV. Reservation of Rights.

The People's Forum reserves all rights, including the right to supplement or amend these objections, to assert additional objections and privileges, and to seek relief in an appropriate forum. People's Forum stands ready to confer with the Committee regarding requests that are narrowed to a legitimate legislative purpose, brought within the Committee's jurisdiction, and drawn to respect the constitutional interests identified in the accompanying letter.