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May 18, 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

Re: The People's Forum – Response to May 4, 2026, Letter

Via email: Caroline.Henderson@mail.house.gov , Danny.Alonso@mail.house.gov

Dear Chairman Smith:

On behalf of our client, The People's Forum, a nonprofit organization that supports movements for social justice and works to build unity across historic lines of division, we are responding to your May 4, 2026, letter,¹ which the Committee characterizes as a response to our September 18, 2025, correspondence of eight months ago.²

The Committee's new letter shifts its explanation of its basis for inquiry and presents a request for materials that differs from the Committee's September 4, 2025, letter to The People's Forum.³ The initial September 4 letter was transmitted to Fox News by someone with internal access to the Committee's correspondence prior to the letter being sent to The People's Forum. It was a statement of the Committee's professed animus towards constitutionally protected viewpoints, coupled with smearing and false allegations. Within this political hostility, the Committee stated that it was questioning TPF's tax exempt status and the application of the Foreign Agents Registration Act ("FARA"). It is not within Congress' purview to engage in adjudicatory investigations, including into entitlement to tax-exempt status, and the Committee's investigative authority does not provide jurisdiction over any element of FARA. The Committee has subsequently transmitted a revised letter and request for materials.

The Committee's revisions do not alter the fact that its inquiry into The People's Forum, initiated in its September 4, 2025, letter, openly targets The People's Forum based on perceived viewpoints with which the Committee leadership disagrees, including First Amendment-protected protests expressing opposition to the U.S. backed Israeli genocide in Gaza; opposition to the abductions of immigrants in the United States through ICE raids and seizures; and "protests in response to President Trump's strikes against Iran's nuclear program."⁴

Please advise whether the Committee will be investigating the receipt by Fox News of the

¹ Letter from Jason Smith, Chairman, H. Comm. On Ways and Means, to Mara Verheyden-Hilliard, (May 4, 2026).

² Letter from the Partnership for Civil Justice Fund to The Hon. Jason Smith, Chairman, H. Comm. on Ways and Means (Sept. 18, 2025).

³ 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).

⁴ *Id.*

September 4, 2025, letter prior to transmission to The People’s Forum as an improper leak. 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 As the shameful history of the House Un-American Activities Committee reminds us, a witch-hunt is not a valid legislative purpose.

While the Committee engaged with the questions raised in our September 18, 2025, letter, its responses do not resolve them. Thus, we write in response to the most recent letter to address the analytical framework necessary to assess any valid legislative inquiry. Moreover, as discussed below, the Committee’s revised statements introduce a separate concern, distinct from the questions we previously raised, that prevents The People’s Forum from undertaking the pertinency and other legal analyses that the case law requires. We request the Committee address these issues so that The People’s Forum can assess its obligations as a recipient of the Committee’s inquiry.

As the Committee’s letter notes, the United States Supreme Court has long recognized that the congressional power of inquiry is broad and that Congress need not draw a precise line from each piece of information requested to a specific legislative product.⁶ Investigations may proceed where the matter “may lead to legislation,” and courts will not ordinarily second-guess the wisdom of congressional methodology in conducting such inquiries.⁷ However, The People’s Forum’s concerns are not about congressional authority or the Committee’s general investigative authority or jurisdiction.

The same longstanding precedent recognizes that the broad congressional investigative power attaches only to inquiries that pursue a valid legislative purpose. That requirement, restated most recently in *Trump v. Mazars USA*,⁸ and emanating from *Watkins v. United States*,⁹ *Barenblatt v. United States*,¹⁰ and *McGrain*, presents a threshold condition on every congressional inquiry. As the Court stated in *Watkins*, “there is no congressional power to expose for the sake of exposure,” because Congress is not a law enforcement body and may not use its investigative powers to “try” someone “before [a] committee for any crime or wrongdoing.”¹¹ *Trump v. Mazars* synthesizes and restates this requirement in its first factor, confirming that the valid-legislative-purpose threshold operates uniformly across congressional investigations.¹²

This threshold affects our ability to assess the Committee’s requests. The same case law establishing the breadth of investigative power also establishes that a subject of a congressional inquiry cannot meaningfully evaluate any document request without a sufficiently clear statement of the operative legislative purpose. As *Watkins* held, the recipient needs an articulation precise

⁵ *Trump v. Mazars USA*, 591 U.S. at 863, quoting *Watkins v. United States*, 354 U.S. 178, 187 (1957).

⁶ *McGrain v. Daugherty*, 273 U.S. 135, 174-75 (1927) (“A legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change.”).

⁷ *Eastland v. United States Servicemen’s Fund*, 421 U.S. 491, 509 (1975) (“The wisdom of congressional approach or methodology is not open to judicial veto.”).

⁸ *Trump v. Mazars USA, LLP*, 591 U.S. 848 (2020).

⁹ *Watkins v. United States*, 354 U.S. 178 (1957).

¹⁰ *Barenblatt v. United States*, 360 U.S. 109 (1959).

¹¹ *Watkins*, 354 U.S. at 200; *McGrain*, 273 U.S. at 179.

¹² *Mazars*, 591 U.S. 848, 851 (2020) (“a congressional subpoena is valid only if it is ‘related to, and in furtherance of, a legitimate task of the Congress’”) (quoting *Watkins v. United States*, 354 U.S. 178, 187 (1957)).

enough to permit intelligent evaluation of the “pertinency” of the requested material.¹³ That obligation is reciprocal: The People’s Forum must assess pertinency, assert applicable privileges, and identify burden concerns, while the Committee is obligated to articulate its purpose with sufficient clarity that those actions can be performed in good faith.

This assessment becomes even more vital where the Committee’s inquiry is versed in a naked attack on First Amendment viewpoints with which it expresses disagreement coupled with pejorative, false, and smearing allegations also untethered from any valid inquiry. In order to separate what is an unvarnished attack on First Amendment protected expression, including intrusion into First Amendment privilege and efforts to chill protected activity, from whatever valid legislative purpose may remain, clarity is essential.

It also follows that a legislative inquiry conducted for the purpose of generating content in Fox News articles, including the Committee’s leaking information to Fox News for the sake of negative exposure of the entity being inquired of, is far from any valid purpose.

The Committee’s statement of legislative purpose has changed materially between the letters sent on September 4, 2025, and May 4, 2026, respectively. The September 4 letter, in a winding and smearing presentation devoting significant verbiage to attacking political viewpoints and associations that are protected under the First Amendment, stated that the Committee believed that if The People’s Forum received donations from a U.S. citizen whose viewpoints the Committee also disagrees with it was acting as an agent of a foreign national under FARA. It stated that there “is precedent for the U.S. Department of Justice to pursue FARA charges in cases with similar facts,” citing the Department of Justice’s 2022 indictment of a Russian citizen who was the deputy chairman of the Russian State Duma.¹⁴ The May 4 letter articulates a new and different formulation. The Committee is now: “conducting oversight to examine the legal standards governing the conferral and preservation of tax-exempt status, specifically, whether those standards adequately account for an organization’s connections to foreign nationals;” “is further considering whether legislative reform is necessary to ensure that tax-exempt status is neither extended nor maintained in circumstances that raise significant concerns regarding foreign influence or control;” and is “considering whether legislative or regulatory reform is necessary to ensure that tax-exempt status is not used to facilitate or obscure foreign influence across an interconnected network of organizations.”¹⁵ The People’s Forum responds on the understanding that the May 4 articulation reflects the Committee’s current statement of its legislative purpose.

The Committee’s response to The People’s Forum’s September 18 letter addresses the Committee’s September 4, 2025, requests. However, the specific document requests in the new letter have not been recalibrated to match this new focus with regard to legislative charge and jurisdiction. The September 4 letter requests purport to reflect the Committee’s focus on whether The People’s Forum should be the subject of FARA charges by the DOJ and whether it should have tax-exempt status.¹⁶ An inquiry into whether existing legal standards adequately address foreign influence in tax-exempt organizations generally would ordinarily produce starkly different requests; *e.g.*, an inquiry presented to multiple organizations, including across the political spectrum, focusing on regulatory gaps and IRS administrative materials. The May 4 requests,

¹³ *Watkins*, 354 U.S. at 208-09 (“Fundamental fairness demands that no witness be compelled to make such a determination [of pertinency] with so little guidance.”).

¹⁴ September 4 Letter at 1-4.

¹⁵ May 4 Letter at 1, 3.

¹⁶ September 4 Letter at 4-5.

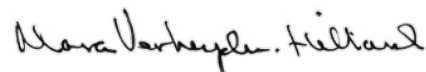
however, remain directed at The People’s Forum’s internal materials and continues to demand “all” communications with a specifically named U.S. citizen.¹⁷ In fact, the Committee has expanded its request for donor identification.¹⁸

The Supreme Court has cautioned that, in evaluating whether a congressional inquiry serves a valid legislative purpose, “courts should be attentive to the nature of the evidence offered by Congress to establish that a subpoena advances a valid legislative purpose. The more detailed and substantial, the better.”¹⁹ Where, as here, the operative purpose has been recast while the requests have not, The People’s Forum respectfully suggests that the Committee’s articulated rationale and its actual evidentiary demands have diverged in a manner that the *Mazars* framework is designed to surface. Without explanation of how the requests as written are pertinent to the May 4 articulation, The People’s Forum cannot perform the pertinency analysis that the case law requires.²⁰

In light of the foregoing, we request that the Committee explain how each category of documents in the May 4 letter is pertinent to the legislative purpose as articulated in that letter. The pertinency of these categories to a generalized legislative inquiry into the adequacy of existing tax-exempt law is not self-evident on the current record. We also request that the Committee define its use of the facially vague words “connected” and “involve” in order to permit us to understand the scope of the related requests.

This letter is submitted without prejudice to, and The People’s Forum fully reserves, all constitutional and common law objections to the Committee’s requests, including but not limited to those grounded in the First Amendment associational privacy doctrine of *NAACP v. Alabama*,²¹ *Americans for Prosperity Foundation v. Bonta*,²² and the Supreme Court’s recent unanimous decision in *First Choice Women’s Resource Centers, Inc. v. Davenport*,²³ as well as the freedom of speech and association protected by the First Amendment,²⁴ the pertinency requirement of *Watkins*, and the valid-legislative-purpose threshold reaffirmed in *Mazars*. In order for The People’s Forum to engage substantively with the Committee on requests that may be pertinent to a legitimate legislative purpose within the Committee’s jurisdiction and consistent with applicable constitutional protections, these clarifications are necessary.

Sincerely,



Mara Verheyden-Hilliard

¹⁷ May 4 Letter at 3-4.

¹⁸ *Id.*

¹⁹ *Mazars*, 591 U.S. at 870.

²⁰ The subject of a congressional inquiry is “entitled to have knowledge of the subject to which the interrogation is deemed pertinent. That knowledge must be available with the same degree of explicitness and clarity that the Due Process Clause requires in the expression of any element of a criminal offense.” *Watkins*, at 208-9.

²¹ 357 U.S. 449 (1958).

²² 594 U.S. 595 (2021).

²³ 605 U.S. ___, No. 24-781 (Apr. 29, 2026).

²⁴ See *Branzburg v. Hayes*, 408 U.S. 665 (1972).