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March 12, 2018

Honorable Richard Burr, Chairman
Honorable Mark R. Warner, Ranking Member
U.S. Senate Select Committee on Intelligence
211 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Burr and Ranking Member Warner:

This letter and accompanying documents are provided in voluntary response to a November 16, 2017 letter from the Senate Select Committee on Intelligence to Dr. Jill Stein and the Jill 2016 Campaign.

The Committee's letter states that it is conducting a "bipartisan inquiry into Russian interference in the 2016 U.S. elections" and requests from an independent third political party documents deemed related to this inquiry as further identified by enumerated categories. After conducting a diligent search for responsive material, Dr. Stein and the Jill 2016 Campaign are voluntarily providing documents pursuant to the Committee's request.

However, as discussed below, the request suffers from substantial defects, from using vague and ambiguously defined language in certain material respects to being so overbroad in reach as to demand constitutionally protected materials. In addition, these requests are not pertinent to the investigation as defined by the Committee itself. Where the Committee's requests trespass on constitutionally protected areas, Dr. Stein and the 2016 Campaign will not waive their political, associational and free speech rights, including those to which their supporters and all American voters are entitled. The vagueness and overbreadth of some of the Committee's requests also make it difficult to determine how those requests serve a valid legislative purpose. For example, the request for communications with all "Russian persons," a category which encompasses millions of Americans of Russian heritage, casts suspicion upon these individuals based purely on national origin or ancestry.

We reiterate our objections previously expressed to counsel for the bipartisan Committee that representatives of the two dominant political parties have sought to obtain the internal communications and discussions of an independent political third party. To the extent that the

Committee has requested such information, the responding parties decline to disclose information as to their members, supporters or internal political policy deliberations. This request intrudes on political and associational privacy rights established by the First Amendment; nor is it pertinent to either the legitimate scope of inquiry of the Committee or a valid legislative purpose. *See Watkins v. United States*, 354 U.S. 178 (1957); *Deutch v. United States*, 367 U.S. 456 (1961) (cases addressing the impropriety of demands from the House Un-American Activities Committee).

As the Supreme Court has recognized, “Inviolability of privacy in group association may in many circumstances be indispensable to preservation of freedom of association, particularly where a group espouses dissident beliefs.” *Nat’l Ass’n for Advancement of Colored People v. State of Ala. ex rel. Patterson*, 357 U.S. 449, 462 (1958).

Implicit in the Campaign’s right to engage in free speech and political association is its ability to advance shared political beliefs, the right to exchange ideas and formulate strategies and messages, and to do so in private. Disclosure of internal campaign communications chills the exercise of these rights, inhibits participation and can mute the free internal exchange of ideas among other impairments of free speech rights. *See Perry v. Schwarzenegger*, 591 F.3d 1147, 1162–63 (9th Cir. 2010).

This concern is at its apex where, as here, representatives of the two dominant political parties have jointly requested materials so broad as to encompass the internal policy deliberations of the presidential campaign of the Green Party. These internal policy deliberations are constitutionally protected and wholly unrelated to the question of Russian interference in the 2016 elections.

Dr. Stein and the Jill 2016 Campaign have cooperatively, voluntarily, and in good faith searched for and disclosed information responsive to the Committee’s request. However, as discussed above, the responding parties will not produce material that invades constitutional protections, First Amendment privileges or targets persons on the basis of national origin or ancestry.

Dr. Stein and the Campaign have maintained this principled, cooperative stance notwithstanding the public statements made by the Committee’s Chair and Ranking Member.

In our initial communication with counsel for the Committee, we were told that this inquiry was “not driven in any respect by partisan politics,” and that this inquiry should be seen only as a “request for information” and “not an accusation.” Shortly thereafter, however, Chairman Burr, in response to a reporter’s inquiry stated that the Committee was inquiring into Dr. Stein’s campaign to see whether there was “collusion with the Russians.” Ranking Member Warner, in response to inquiry about the Committee’s interest in Dr. Stein’s campaign, stated that Dr. Stein had “very complimentary things to say about Julian Assange.”

It is imperative that an investigation identified as a “bipartisan inquiry into Russian interference in the 2016 U.S. elections” not be used as a vehicle to discredit, intimidate or silence dissenting viewpoints in the United States or to deprive the American people of alternative

voices and viewpoints. Those who challenge the status quo, raise issues of domestic injustices, or advocate for a non-militaristic foreign policy are increasingly being accused of “sowing division” and doing the bidding of foreign powers. This dangerous accusation poses a threat to cherished democratic rights and free expression in the United States. Similarly, any suggestion that voters who choose independent third party candidates have engaged in an illegitimate expression of suffrage is fundamentally undemocratic.

Putting aside the inappropriate public accusations by the Committee chairs, the responding parties are voluntarily providing information sought by the Committee. This includes documents regarding Dr. Stein’s 2015 trip to Russia to speak at RT’s 10th anniversary conference on media and international relations, following her attendance at the U.N. climate conference in Paris. Other requested information includes communications with Russian media and officials.

As its records reflect, the Campaign paid for Dr. Stein’s trip to Russia. The Campaign publicized the trip at the time, along with information about her overall policy objectives to promote dialogue and diplomacy as alternatives to war, climate catastrophe and nuclear confrontation. During these two international events, the Campaign also publicized her meetings with government officials and other leaders from the U.K., Germany, China, India, France, Russia and indigenous U.S. tribes. Dr. Stein’s appearances on Russian media, as well as other international media and American media, are also publicly available.

While voluntarily cooperating with the Committee’s inquiry, the responding parties reserve the right to object to this request or any future legal process or inquiry on any basis including those asserted herein, or any other lawful basis.

A brief description of the parties’ responses to the enumerated categories follows below and are subject to the objections outlined in this letter.

Documents being provided in response to the Committee’s request contain demarked redactions of certain personal information such as cell phones, personal email addresses, and personal identifiers of those engaged in political activity in support of the Campaign. The parties have redacted this information to protect First Amendment rights of freedom of association and political engagement, to protect privacy interests, and to protect individuals from harassment and intimidation in the event of unwarranted disclosure.

1. All communications with Russian media organizations, their employees, or associates, from February 6, 2015 to the present.

Documents are being provided reflecting communications with Russian media organizations including representatives, employees or associates acting on their behalf. We interpret the word “associates” to mean persons acting on behalf of the media organization. To the extent that this request might be interpreted to include public media interviews and appearances, the responding parties have not sought to catalogue media appearances, as these are publicly available on the internet.

2. All communications related to the campaign's policy discussions regarding Russia, from February 6, 2015 to the present.

The responding parties decline to produce such materials on the basis of constitutional privilege arising from the First Amendment to the U.S. Constitution. Furthermore, the parties object that materials reflecting internal campaign political discussions and policy deliberations are not pertinent to the subject of Russian interference in the 2016 U.S. elections, are beyond the scope of the Committee's legitimate inquiry, and because demands for such material can serve no valid legislative purpose.

The responding parties distinguish between internal policy deliberations and published policy positions which were shared with officials and leaders from foreign countries as well as the American public. To the extent that the Committee seeks Dr. Stein's and the Campaign's publicly stated foreign policy agenda including a Peace Offensive, the abolition of nuclear weapons, and an emergency Green New Deal, responsive material is being provided, and additional material remains publicly available on the internet.

3. All communications related to Mr. Christopher Steele, Orbis Intelligence, or FusionGPS, from February 6, 2015 to the present.

No responsive materials were found and neither party is aware of having any communications with the named entities.

4. All communications with Russian persons, or representatives of Russian government, media, or business interests, including but not limited to any communications, discussions, or offers related to opposition research, from February 6, 2015 to the present.

As discussed with counsel for the Committee, this request as to "Russian persons" is so undefined and overbroad as to be untethered from any legitimate investigative or legislative purpose. Dr. Stein and the Jill 2016 Campaign will not be disclosing names of persons with whom they may have ever communicated, including American political supporters, targeted because they happen to be Russian immigrants or of Russian descent. We reiterate here, that the responding parties will not participate in a hunt for identification of persons based on nationality or descent.

Moreover, in the United States there are millions of persons whose ancestry includes Russian heritage, rendering the request impossible to satisfy, aside from its impropriety and the chilling effect it would have on political speech and engagement in political activity.

As we advised counsel for the Committee, the responding parties are providing communications with persons known to be representatives of the Russian government, media or business interests, which is already encompassed by requests No. 1 and No. 5. The responding parties are not aware of any communications, discussions or offers related to "opposition research" with Russian entities and no responsive documents have been found.

5. All travel to Russia and/or meetings or discussions or interactions with representatives of the Russian government or Russian business interests from February 6, 2015 to the present.

The responding parties are providing responsive information including documents related to the 2015 RT 10th anniversary conference on media and international relations, documents reflecting itineraries, payments by the campaign of airfare and hotel expenses, and communications regarding logistical arrangements and meetings with officials. Further information about the conference is believed to still be publicly available at <https://conference.rt.com/>

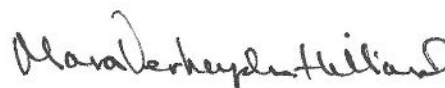
6. All communications with, or in any way relating to the use of, WikiLeaks, DCLeaks, or other online platforms to disseminate information relating to the 2016 elections.

With regard to communications with WikiLeaks or DCLeaks to disseminate information relating to the 2016 elections, no responsive materials were found, and neither party is aware of having any such communications with the named entities. As was publicly broadcast, Julian Assange, a founder of WikiLeaks, spoke to the Green Party convention via video in August, 2016. To the extent that the Committee believes that this speech constitutes “disseminat[ing] information relating to the 2016 election,” video of the speech is believed to be publicly available on the internet.

As discussed with counsel for the Committee, the request for all communications in any way relating to the use of “online platforms to disseminate information related to the 2016 campaign” is not comprehensible, and so broad as to include the entirety of the internet.

Should the responding parties locate any additional responsive documents, this production will be supplemented subject to the parameters and objections raised herein.

Sincerely,



Mara Verheyden-Hilliard