

Date : 11/29/2023 3:34:43 PM

From : "John Bonifaz" jbonifaz@freespeechforpeople.org

To : "Yvesner Zamar" yzamar@usccr.gov, "David Ganz" dganz@usccr.gov, "Rochelle Mercedes Garza" rgarza@usccr.gov

Cc : "Mauro Morales" mmorales@usccr.gov, "Irena Vidulovic" ividulovic@usccr.gov, "Ben Clements"

bcllements@freespeechforpeople.org, "Ron Fein" rfein@freespeechforpeople.org, "Courtney Hostetler"

chostetler@freespeechforpeople.org, "Alexandra Flores-Quilty" afq@freespeechforpeople.org

Subject : Re: [EXTERNAL] Re: Cleta Mitchell (EAC) Free Speech for People

Attachment : image001.gif;image002.gif;

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Hi Yvesner,

Following up on our call yesterday, we now understand that the USCCR has sent a letter to the EAC. Can you send us a copy of that letter or should we issue a FOIA request for it?

Thanks,

John

John C. Bonifaz (he/him)

President

Free Speech For People

48 N. Pleasant Street, Suite 304

Amherst, Massachusetts 01002

(413) 253-2700 (office)

(617) 529-4611 (cell)

[www.freespeechforpeople.org](http://www.freespeechforpeople.org)

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**From:** John Bonifaz <jbonifaz@freespeechforpeople.org>

**Date:** Tuesday, November 28, 2023 at 5:53 PM

**To:** Yvesner Zamar <yzamar@usccr.gov>, David Ganz <dganz@usccr.gov>, Rochelle Mercedes Garza <rgarza@usccr.gov>

**Cc:** Mauro Morales <mmorales@usccr.gov>, Irena Vidulovic <ividulovic@usccr.gov>, Ben Clements <bcllements@freespeechforpeople.org>, Ron Fein <rfein@freespeechforpeople.org>, Courtney Hostetler <chostetler@freespeechforpeople.org>, Alexandra Flores-Quilty <afq@freespeechforpeople.org>

**Subject:** Re: [EXTERNAL] Re: Cleta Mitchell (EAC) Free Speech for People

Thank you, Yvesner. We look forward to hearing from you.

All the Best,

John

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**From:** Yvesner Zamar <yzamar@usccr.gov>

**Date:** Tuesday, November 28, 2023 at 5:39 PM

**To:** John Bonifaz <jbonifaz@freespeechforpeople.org>, David Ganz <dganz@usccr.gov>, Rochelle Mercedes Garza <rgarza@usccr.gov>

**Cc:** Mauro Morales <mmorales@usccr.gov>, Irena Vidulovic <ividulovic@usccr.gov>, Ben Clements <bcllements@freespeechforpeople.org>, Ron Fein <rfein@freespeechforpeople.org>, Courtney Hostetler <chostetler@freespeechforpeople.org>, Alexandra Flores-Quilty <afq@freespeechforpeople.org>

**Subject:** Re: [EXTERNAL] Re: Cleta Mitchell (EAC) Free Speech for People

John,

Thanks for taking my call today. I am glad that we had the opportunity to speak to give you an update. As I said, we are working on appointing

people to the EAC's Board of Advisors and look forward to circling back with you next week Tuesday, December 5, 2023 to chat.

Best,

--

**Yvesner Zamar** | Special Assistant to Chair Rochelle M. Garza

*Pronounced: EVE-NER*

United States Commission on Civil Rights

1331 Pennsylvania Ave, NW Suite 1150

Washington, DC 20425

[USCCR Website](#) | 202-376-7700

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**From:** John Bonifaz <jbonifaz@freespeechforpeople.org>

**Date:** Tuesday, October 31, 2023 at 12:55 PM

**To:** David Ganz <dgan@usccr.gov>

**Cc:** Mauro Morales <mmorales@usccr.gov>, Irena Vidulovic <ividulovic@usccr.gov>, Ben Clements <bcllements@freespeechforpeople.org>, Ron Fein <rfein@freespeechforpeople.org>, Courtney Hostetler <chostetler@freespeechforpeople.org>, Alexandra Flores-Quilty <afq@freespeechforpeople.org>, Yvesner Zamar <yzamar@usccr.gov>

**Subject:** Re: [EXTERNAL] Re: Cleta Mitchell (EAC) Free Speech for People

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Thank you, David, for your reply. Irena and Yvesner, following up on this, are you able to share any update on when the Commission will be announcing its new appointments to the EAC's Board of Advisors?

All the Best,

John

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**From:** David Ganz <dgan@usccr.gov>

**Date:** Friday, October 27, 2023 at 6:43 PM

**To:** John Bonifaz <jbonifaz@freespeechforpeople.org>

**Cc:** Mauro Morales <mmorales@usccr.gov>, Irena Vidulovic <ividulovic@usccr.gov>, Ben Clements <bcllements@freespeechforpeople.org>, Ron Fein <rfein@freespeechforpeople.org>, Courtney Hostetler <chostetler@freespeechforpeople.org>, Alexandra Flores-Quilty <afq@freespeechforpeople.org>, Yvesner Zamar <yzamar@usccr.gov>

**Subject:** RE: [EXTERNAL] Re: Cleta Mitchell (EAC) Free Speech for People

Good evening John,

I added Yvesner who is the Special Assistant to Chair Rochelle Garza. The Commissioners rather than career staff, such as myself, make the appointments to the EAC's Board of Advisors and so Irena and Yvesner can update you on that matter. Thanks and have a great weekend,

David

---

**From:** John Bonifaz <jbonifaz@freespeechforpeople.org>

**Sent:** Friday, October 27, 2023 4:02 PM

**To:** David Ganz <dgan@usccr.gov>

**Cc:** Mauro Morales <mmorales@usccr.gov>; Irena Vidulovic <ividulovic@usccr.gov>; Ben Clements <bcllements@freespeechforpeople.org>; Ron Fein <rfein@freespeechforpeople.org>; Courtney Hostetler <chostetler@freespeechforpeople.org>; Alexandra Flores-Quilty <afq@freespeechforpeople.org>

**Subject:** Re: [EXTERNAL] Re: Cleta Mitchell (EAC) Free Speech for People

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Hi David,

Following up on our earlier exchange, are you able to share any update on when the Commission will be announcing its new appointments to the EAC's Board of Advisors?

John

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**From:** David Ganz <[d ganz@usccr.gov](mailto:d ganz@usccr.gov)>  
**Date:** Friday, October 13, 2023 at 11:00 AM  
**To:** John Bonifaz <[j bonifaz@freespeechforpeople.org](mailto:j bonifaz@freespeechforpeople.org)>  
**Cc:** Mauro Morales <[m morales@usccr.gov](mailto:m morales@usccr.gov)>, Irena Vidulovic <[i vidulovic@usccr.gov](mailto:i vidulovic@usccr.gov)>, Ben Clements <[b clements@freespeechforpeople.org](mailto:b clements@freespeechforpeople.org)>, Ron Fein <[r fein@freespeechforpeople.org](mailto:r fein@freespeechforpeople.org)>, Courtney Hostetler <[c hostetler@freespeechforpeople.org](mailto:c hostetler@freespeechforpeople.org)>, Alexandra Flores-Quilty <[a fq@freespeechforpeople.org](mailto:a fq@freespeechforpeople.org)>  
**Subject:** RE: [EXTERNAL] Re: Cleta Mitchell (EAC) Free Speech for People

Hello John, message received. Kind regards,

David

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**From:** John Bonifaz <[j bonifaz@freespeechforpeople.org](mailto:j bonifaz@freespeechforpeople.org)>  
**Sent:** Friday, October 13, 2023 10:31 AM  
**To:** David Ganz <[d ganz@usccr.gov](mailto:d ganz@usccr.gov)>  
**Cc:** Mauro Morales <[m morales@usccr.gov](mailto:m morales@usccr.gov)>; Irena Vidulovic <[i vidulovic@usccr.gov](mailto:i vidulovic@usccr.gov)>; Ben Clements <[b clements@freespeechforpeople.org](mailto:b clements@freespeechforpeople.org)>; Ron Fein <[r fein@freespeechforpeople.org](mailto:r fein@freespeechforpeople.org)>; Courtney Hostetler <[c hostetler@freespeechforpeople.org](mailto:c hostetler@freespeechforpeople.org)>; Alexandra Flores-Quilty <[a fq@freespeechforpeople.org](mailto:a fq@freespeechforpeople.org)>  
**Subject:** [EXTERNAL] Re: Cleta Mitchell (EAC) Free Speech for People

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Dear David,

Thank you for your email. Earlier this week, Free Speech For People and Generation Vote issued [this release](#) calling on The U.S. Commission on Civil Rights not to re-appoint Cleta Mitchell to the EAC's Board of Advisors. We would appreciate it if you could share this release with the Commissioners.

I am adding here to the cc line Ben Clements, Free Speech For People's Chairman and Senior Legal Advisor; Ron Fein, our Legal Director; Courtney Hostetler, our Senior Counsel; and Alexandra Flores-Quilty, our Campaign Director.

Thanks again,

John

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**From:** David Ganz <[d ganz@usccr.gov](mailto:d ganz@usccr.gov)>  
**Date:** Thursday, October 5, 2023 at 2:34 PM

**To:** "jbonifaz@freespeechforpeople.org" <jbonifaz@freespeechforpeople.org>  
**Cc:** Mauro Morales <mmorales@usCCR.gov>, Irena Vidulovic <ividulovic@usCCR.gov>  
**Subject:** RE: Clela Mitchell (EAC) Free Speech for People

Hello John,

I am writing in response to an email that was forwarded to me regarding the appointment of Clela Mitchell to the Election Assistance Commission (EAC)'s Board of Advisors. The U.S. Commission on Civil Rights (USCCR) has reviewed the EAC's Board of Advisors enabling statute, 52 U.S.C. § 20944, and the Help America Vote Act Of 2002, and the FACA Charter and bylaws of the Board, which are available [here](#). These legal authorities do not allow USCCR to unilaterally revoke a past appointment to, or otherwise remove a current member of, the EAC's Board of Advisors. The EAC may have such legal authority and it is suggested that you contact the EAC with any questions regarding Ms. Mitchell's membership to the Board of Advisors.

However, yesterday I informed the Commissioners of the USCCR that the current appointments to the EAC Board of Advisors will expire in November 2023. By law, Board of Advisors members serve 2-year terms and USCCR has authority to appoint members to the Board of Advisors. I reminded Commissioners that the EAC is an independent, bipartisan commission whose mission is to help election officials improve the administration of elections and help Americans participate in the voting process. For additional information, please see <https://www.eac.gov/about>.

The USCCR previously appointed Clela Mitchell on November 3, 2021, and Jenny Carroll was appointed on November 29, 2021. The foregoing dates were received from EAC's Office of General Counsel. The current USCCR appointed members' terms are expiring November 2023. We have respectfully requested that Commissioners commence consideration of new appointments to EAC's Board of Advisors.

We hope this information is helpful. Kind regards,

David

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**From:** Irena Vidulovic <ividulovic@usCCR.gov>  
**Sent:** Wednesday, September 20, 2023 4:55 PM  
**To:** David Ganz <dganzz@usCCR.gov>  
**Cc:** Mauro Morales <mmorales@usCCR.gov>  
**Subject:** Clela Mitchell (EAC) Free Speech for People

Dear David and Mauro,

Please see the inquiry below from Free Speech for People and the formal letter that the organization sent to USCCR in July. They are looking to schedule a meeting with Commissioner Jones however we wanted to make sure that we received a GC opinion to opine.

I look forward to hearing back from you.

Thank you,  
Irena

---

Hi Jonathan,

Following up on our call just now, here is a link to the July 19, 2023 letter which Free Speech For People and Generation Vote have issued to the US Commission on Civil Rights urging that it revoke its appointment of Trump attorney and election denier Clela Mitchell to the US Election Assistance Commission's Board of Advisors:

<https://freespeechforpeople.org/wp-content/uploads/2023/07/fsfp-genvote-ltr-to-usCCR-re-clela-mitchell-071923.pdf>

And, here is the link to the press release we issued on this letter:

<https://freespeechforpeople.org/public-interest-groups-renew-call-for-us-commission-on-civil-rights-to-revoke-appointment-of-election-denier-to-election-assistance-commission-board-of-advisors/>

As I mentioned, following the issuance of this letter, new information emerged last Friday revealing that the Fulton County grand jury investigating election interference in the 2020 presidential election in Georgia recommended that Clela Mitchell be indicted for her role in trying to overturn that election. See [this important piece](#) this past Wednesday in The Intercept on this development.

We are very interested in arranging a Zoom meeting with Commissioner Mondaire Jones to discuss this important matter. I am cc'ing here our Campaign Director Alexandra Flores-Quilty. Representatives of our partner organization Generation Vote would also attend that meeting.

Thank you, Jonathan, for your help with this. We look forward to hearing from you.

All the Best,

John

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