

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<https://oversight.house.gov>

February 8, 2021

Mr. Jeffrey Wernick
Chief Operating Officer
Parler
209 S. Stephanie Street, B135
Henderson, NV 89012

Dear Mr. Wernick:

In the weeks leading up to the assault on the Capitol on January 6, Parler users actively took to the platform to call for violence and even “civil war.”¹ A recent analysis by USA Today shows a strong connection between President Trump’s speech at the January 6 rally and a significant uptick in calls for violence on Parler. Immediately after President Trump exhorted his supporters to “show strength” during his speech, the term “civil war” surged into one of the top five most frequently used terms on Parler. One user wrote, “Be men fight back and f--- them up. Civil war is upon us.”²

Since the attacks, numerous Parler users have been arrested and charged for their roles, with the Department of Justice citing in several instances the threats that individuals made through Parler in the days leading up to and following the attack.³

In addition, Parler reportedly allowed Russian disinformation to flourish on its platform prior to the November 2020 election, facilitating Russia’s campaign to sow chaos in the American electorate. Although similar disinformation was removed by other social media platforms, it was allowed to remain on Parler.⁴ When U.S. hosting services cut ties with Parler for repeatedly failing to moderate content advocating violence, Parler re-emerged on a Russian

¹ *On Parler, Talk of ‘Civil War’ Follow Ted Cruz-Led Plan to Challenge Electoral Votes*, Newsweek (Jan. 2, 2021) (online at www.newsweek.com/parler-talks-civil-war-follow-ted-cruz-led-plan-challenge-electoral-votes-1558535).

² *When Trump Started His Speech Before the Capitol Riot, Talk on Parler Turned to Civil War*, USA Today (Feb. 1, 2021) (online at www.usatoday.com/in-depth/news/2021/02/01/civil-war-during-trumps-pre-riot-speech-parler-talk-grew-darker/4297165001/).

³ *See, e.g., United States v. William McCall Calhoun, Jr.*, Affidavit in Support of Criminal Complaint and Arrest Warrant (Jan. 12, 2021) (online at www.justice.gov/opa/page/file/1356036/download).

⁴ *Parler and Gab, Two Conservative Social Media Sites, Keep Alleged Russian Disinformation Up, Despite Report*, Washington Post (Oct. 7, 2020) (online at www.washingtonpost.com/technology/2020/10/07/russian-trolls-graphika-parler-gab/).

hosting service, DDos-Guard, which has ties to the Russian government and counts the Russian Ministry of Defense as one of its clients.⁵

I recently introduced a bill that would provide law enforcement agencies with additional tools to obtain the beneficial ownership information for opaque corporate entities as part of their investigations into the assault on the Capitol on January 6.⁶ Individuals with ties to the January 6 assault should not—and must not—be allowed to hide behind the veil of anonymity provided by shell companies.

In addition, according to a recent press report, the “Trump Organization negotiated on behalf of then-president Donald Trump to make Parler his primary social network, but it had a condition: an ownership stake in return for joining.” These negotiations reportedly occurred while President Trump was still in office, which experts have warned raise legal concerns regarding anti-bribery laws. Parler reportedly offered President Trump a 40% ownership stake, but the negotiations “were ultimately derailed by the events of January 6.”⁷

For these reasons, the Committee requests that you produce the following documents by February 22, 2021:

1. A capitalization table showing individuals and entities with direct or indirect ownership interests in Parler, and a shareholder register maintained by you or any third-party on your behalf;
2. A list of all individuals and entities who have or had any control over Parler;
3. A list of Parler’s creditors which hold or held a debt of at least \$10,000, including the type of debt funding, amount owed, maturity, and applicable interest rate;
4. All agreements, including but not limited to consulting, service, or business agreements, that Parler has with any Russian individual or entity;
5. All documents and communications referring or relating to proposed or completed financing, gifts, or investment in Parler directly or indirectly by any Russian individual or entity; and

⁵ *Parler Website Partially Returns with Support from Russian-Owned Technology Firm*, The Guardian (Jan. 18, 2021) (online at www.theguardian.com/media/2021/jan/19/parler-website-partially-returns-with-support-from-russian-owned-technology-firm).

⁶ H.R. 334, the Insurrection Financing Transparency Act of 2021 (online at www.congress.gov/bill/117th-congress/house-bill/334).

⁷ *Donald Trump’s Business Sought a Stake in Parler Before He Would Join*, BuzzFeed News (Feb. 5, 2021) (online at www.buzzfeednews.com/article/ryanmac/trump-parler-ownership).

6. All documents and communications referring to relating to a proposal to provide President Donald Trump with an ownership stake in Parler.⁸

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. An attachment to this letter provides additional instructions for responding to this request. If you have any questions, please contact Committee staff at (202) 225-5051.

Sincerely,



Carolyn B. Maloney
Chairwoman

cc: The Honorable James R. Comer, Ranking Member

⁸ For purposes of this letter, “Parler” includes the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
5. Documents produced in electronic format should be organized, identified, and indexed electronically.
6. Electronic document productions should be prepared according to the following standards:
 - a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - b. Document numbers in the load file should match document Bates numbers and TIF file names.
 - c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - d. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,
BEGATTACH.

7. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.
10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
11. The pendency of or potential for litigation shall not be a basis to withhold any information.
12. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.
16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.
17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
19. All documents shall be Bates-stamped sequentially and produced sequentially.
20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building.
21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic

message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.