

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND REFORM

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July 14, 2021

Mr. Douglas Logan  
Chief Executive Officer and Principal Consultant  
Cyber Ninjas Inc.  
242 South Washington Boulevard #160  
Sarasota, FL 34236

Dear Mr. Logan:

We are writing to request information about Cyber Ninjas' participation in an "audit" of nearly 2.1 million ballots cast in Maricopa County, Arizona, in the 2020 election. We are concerned about your company's role in this highly unusual effort, given Cyber Ninjas' apparent lack of experience in conducting election-related audits; reports that the company engaged in sloppy and insecure audit practices that compromised the integrity of ballots and voting equipment and were questioned by the U.S. Department of Justice (DOJ); and evidence that you and other individuals funding the audit have sought to advance the "big lie" of debunked voter fraud allegations in the November 2020 presidential election.

Americans' right to vote is protected by the Constitution and is the cornerstone of our democratic system of government. The Committee is seeking to determine whether the privately funded audit conducted by your company in Arizona protects the right to vote or is instead an effort to promote baseless conspiracy theories, undermine confidence in America's elections, and reverse the result of a free and fair election for partisan gain.

**Cyber Ninjas' Lack of Election Audit Experience**

In April 2021, the Arizona State Senate launched an audit of the 2020 election results in Maricopa County, Arizona. This project was undertaken despite a clear, bipartisan consensus among county officials and outside experts that the election results were valid, that no significant fraud occurred, and that the additional audit served no legitimate purpose.

Prior to the State Senate's highly unusual audit, an official hand-count audit found a 100% match between paper ballots and voting machines. In addition, two nonpartisan firms with expertise in voting systems examined the voting machines and found no evidence of fraud.<sup>1</sup>

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<sup>1</sup> Maricopa County Recorder, *Maricopa County, Arizona, General Election--November 3, 2020, Hand Count/Audit Report* (Nov. 9, 2020) (online at [https://azsos.gov/sites/default/files/2020\\_General\\_Maricopa\\_Hand\\_Count.pdf](https://azsos.gov/sites/default/files/2020_General_Maricopa_Hand_Count.pdf)); Maricopa County, *Press Release*:

Describing the State Senate’s additional audit, Stephen Richer, the Republican official in charge of administering Maricopa County’s elections, stated that there was no “legitimate reason that would have prompted this audit.”<sup>2</sup> All five members of the Maricopa County Board of Supervisors, four of whom are Republicans, wrote a letter to the State Senate President describing the State Senate’s audit as a “spectacle that is harming all of us.”<sup>3</sup>

Nevertheless, the Republican-led State Senate chose to move forward with an additional audit. Rather than rely on knowledgeable county or state election officials and certified election experts, they hired a group of private companies led by Cyber Ninjas.<sup>4</sup> Cyber Ninjas is a Florida-based cybersecurity company not federally accredited by the U.S. Election Assistance Commission to test voting systems.<sup>5</sup> Although Cyber Ninjas claims to have been part of prior election audits in Michigan and Georgia, officials in those states denied that the company participated in those audits.<sup>6</sup> The Arizona State Senate reportedly received an official offer from an experienced election auditing company to conduct the review but chose to award the contract to Cyber Ninjas, even though it does not appear to have submitted an official bid. These actions raise questions as to how and why this contract was awarded to your company.<sup>7</sup>

Significant questions have also been raised regarding the source of funding for the audit your company is conducting. According to news reports, Cyber Ninjas offered to complete the audit work for a fraction of the actual cost. Ken Bennett, a former Arizona Secretary of State who served as a “liaison” in connection with this audit, stated the amount your company is

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*Maricopa County Election Forensic Audit Results Released* (Feb. 23, 2021) (online at [www.maricopa.gov/CivicAlerts.aspx?AID=2107](http://www.maricopa.gov/CivicAlerts.aspx?AID=2107)); *What’s Behind Arizona’s Bizarre, Haphazard, and Highly Partisan “Audit” of the 2020 Election*, Vox (May 5, 2021) (online at [www.vox.com/22417310/arizona-audit-ballots-cyber-ninjas-uv-lights-qanon-conspiracy-theory-vote-suppression-fraud](http://www.vox.com/22417310/arizona-audit-ballots-cyber-ninjas-uv-lights-qanon-conspiracy-theory-vote-suppression-fraud)).

<sup>2</sup> *“No Legitimate Reason” for Arizona Audit: Maricopa County’s GOP Recorder*, ABC News (May 24, 2021) (online at [www.abcnews.go.com/Politics/legitimate-reason-arizona-audit-maricopa-countys-gop-recorder/story?id=77879316](http://www.abcnews.go.com/Politics/legitimate-reason-arizona-audit-maricopa-countys-gop-recorder/story?id=77879316)).

<sup>3</sup> Letter from Maricopa County Board of Supervisors to Karen Fann, President, Arizona State Senate (May 17, 2021) (online at [www.maricopa.gov/DocumentCenter/View/68972/20210517-Response-Letter-to-Senate-President-Fann---FINAL](http://www.maricopa.gov/DocumentCenter/View/68972/20210517-Response-Letter-to-Senate-President-Fann---FINAL)).

<sup>4</sup> Arizona Senate Republicans, *Press Release: Arizona Senate Hires Auditor to Review 2020 Election in Maricopa County* (Mar. 31, 2021) (online at [www.azsenaterepublicans.com/post/arizona-senate-hires-auditor-to-review-2020-election-in-maricopa-county](http://www.azsenaterepublicans.com/post/arizona-senate-hires-auditor-to-review-2020-election-in-maricopa-county)).

<sup>5</sup> *Experts or “Grifters”? Little-Known Firm Runs Arizona Audit*, Associated Press (May 23, 2021) (online at [www.apnews.com/article/donald-trump-arizona-business-technology-election-recounts-c5948f1d2ecdff9e93d4aa27ba0c1315](http://www.apnews.com/article/donald-trump-arizona-business-technology-election-recounts-c5948f1d2ecdff9e93d4aa27ba0c1315)); Cyber Ninjas, *Services* (online at [www.cyberninjas.com/services/](http://www.cyberninjas.com/services/)) (accessed June 16, 2021); *A Cybersecurity Expert Who Promoted Claims of Fraud in the 2020 Election Is Leading the GOP-Backed Recount of Millions of Ballots in Arizona*, Washington Post (Apr. 16, 2021) (online at [www.washingtonpost.com/politics/arizona-recount-cyber-ninjas/2021/04/16/b3cbbf08-996e-11eb-962b-78c1d8228819\\_story.html](http://www.washingtonpost.com/politics/arizona-recount-cyber-ninjas/2021/04/16/b3cbbf08-996e-11eb-962b-78c1d8228819_story.html)); Cyber Ninjas, *Statement of Work* (Mar. 31, 2021) (online at [www.documentcloud.org/documents/20536503-cyber-ninjas-sow-executed-33121](http://www.documentcloud.org/documents/20536503-cyber-ninjas-sow-executed-33121)).

<sup>6</sup> *The Arizona GOP’s Maricopa County Audit: What to Know About It*, CBS News (May 9, 2021) (online at [www.cbsnews.com/news/arizona-audit-2020-election-recount-gop-maricopa-county/](http://www.cbsnews.com/news/arizona-audit-2020-election-recount-gop-maricopa-county/)).

<sup>7</sup> *Fann Passes on Experienced Auditor, Picks Cheapest*, Arizona Capitol Times (Apr. 23, 2021) (online at [www.azcapitoltimes.com/news/2021/04/23/fann-passes-on-experienced-auditor-picks-cheapest/](http://www.azcapitoltimes.com/news/2021/04/23/fann-passes-on-experienced-auditor-picks-cheapest/)).

charging the Arizona State Senate would not be enough to conduct the full audit and that auditors “will be accepting outside sources of money, which will not be subject to Arizona’s public records law.”<sup>8</sup>

Reports indicate that substantial outside funding has come from partisan dark money groups. These include Voices and Votes, an organization run by Christina Bobb, a former Trump Administration appointee and anchor for One America News Network. Another reported funding source, Fight Back, is a nonprofit run by L. Lin Wood, an attorney who pursued failed litigation to overturn the 2020 election on behalf of former President Trump, promoted conspiracy theories linked to QAnon, and called for the execution of former Vice President Mike Pence.<sup>9</sup> Another funder is America Project, run by Patrick Byrne, the former chief executive of Overstock.com, who has also sought to overturn the 2020 election based on unfounded conspiracy theories.<sup>10</sup>

### **Cyber Ninjas’ Sloppy and Insecure Audit Practices**

Soon after Cyber Ninjas began its work, reports emerged that the company had mismanaged the audit and engaged in insecure practices that jeopardized the integrity of ballots and voting machines. According to reports, auditors used equipment that had not been federally tested or certified and used ultraviolet light—which experts say can cause damage to ballots—to scan for evidence of fraud.<sup>11</sup> Ballots and tabulation machinery were apparently left unsecured, and reporters were able to enter the site of the audit without permission, getting close to the ballots and the county’s equipment in a clear lapse of security.<sup>12</sup>

One reporter noticed that auditors were using blue pens during the audit in violation of Arizona’s own election process manual, which prohibits the use of anything but red pens to prevent a risk of altering the vote on a ballot.<sup>13</sup> A former local election official who was asked

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<sup>8</sup> *Id.*

<sup>9</sup> See, e.g., *Pro-Trump Lawyer Lin Wood’s Claims Against Mike Pence Prompt Calls for FBI, Secret Service Scrutiny*, Newsweek (Jan. 2, 2021) (online at [www.newsweek.com/pro-trump-lawyer-lin-woods-claims-against-mike-pence-prompt-calls-fbi-secret-service-scrutiny-1558509](http://www.newsweek.com/pro-trump-lawyer-lin-woods-claims-against-mike-pence-prompt-calls-fbi-secret-service-scrutiny-1558509)); *Pro-Trump Election Conspiracist Lin Wood Investigated over Possible Illegal Voting*, National Public Radio (Feb. 2, 2021) (online at [www.npr.org/2021/02/02/963467966/pro-trump-election-conspiracist-lin-wood-under-investigation-for-illegal-voting](http://www.npr.org/2021/02/02/963467966/pro-trump-election-conspiracist-lin-wood-under-investigation-for-illegal-voting)).

<sup>10</sup> *Arizona Ballot Audit Backed by Secretive Donors Linked to Trump’s Inner Circle*, The Guardian (June 9, 2021) (online at [www.theguardian.com/us-news/2021/jun/09/arizona-election-audit-trump-2020-review](http://www.theguardian.com/us-news/2021/jun/09/arizona-election-audit-trump-2020-review)).

<sup>11</sup> *The Arizona GOP’s Maricopa County Audit: What to Know About It*, CBS News (May 9, 2021) (online at [www.cbsnews.com/news/arizona-audit-2020-election-recount-gop-maricopa-county/](http://www.cbsnews.com/news/arizona-audit-2020-election-recount-gop-maricopa-county/)); *Arizona Is Holding Yet Another 2020 Recount. The Company Running It Makes It Even Worse*, Slate (May 3, 2021) (online at [www.slate.com/technology/2021/05/arizona-recount-cyber-ninjas-doug-logan-explained.html](http://www.slate.com/technology/2021/05/arizona-recount-cyber-ninjas-doug-logan-explained.html)).

<sup>12</sup> *Security Lapses Plague Arizona Senate’s Election Audit at State Fairgrounds*, Arizona’s Family (Apr. 22, 2021) (online at [www.azfamily.com/news/investigations/cbs\\_5\\_investigates/security-lapses-plague-arizona-senates-election-audit-at-state-fairgrounds/article\\_b499ace8-a3ed-11eb-8f94-bfc2918c6cc9.html](http://www.azfamily.com/news/investigations/cbs_5_investigates/security-lapses-plague-arizona-senates-election-audit-at-state-fairgrounds/article_b499ace8-a3ed-11eb-8f94-bfc2918c6cc9.html)).

<sup>13</sup> *Arizona Is Holding Yet Another 2020 Recount. The Company Running It Makes It Even Worse*, Slate (May 3, 2021) (online at [www.slate.com/technology/2021/05/arizona-recount-cyber-ninjas-doug-logan-explained.html](http://www.slate.com/technology/2021/05/arizona-recount-cyber-ninjas-doug-logan-explained.html)).

by the Arizona Secretary of State to serve as an observer of the audit noted that auditors flagged ballots as “suspicious” for reasons such as paper weight and texture, apparently searching for bamboo fibers due to unfounded speculation that fake ballots had been flown in from South Korea.<sup>14</sup> According to this official, “In more than a decade working on elections, audits and recounts across the country, I’ve never seen one this mismanaged.”<sup>15</sup> Maricopa County has announced that because of security concerns caused by the audit, it will replace all voting equipment turned over to Cyber Ninjas—potentially costing taxpayers millions of dollars.<sup>16</sup>

On May 5, 2021, DOJ’s Civil Rights Division wrote to Arizona State Senate President Karen Fann about the possible violation of federal statutes related to the audit.<sup>17</sup> DOJ’s letter expressed “concerns” regarding Cyber Ninjas’ practices following reports that election materials “are no longer under the ultimate control of state and local elections officials, are not being adequately safeguarded by contractors at an insecure facility, and are at risk of being lost, stolen, altered, compromised or destroyed.”<sup>18</sup>

DOJ also wrote that Cyber Ninjas’ plan to canvass voters door to door to confirm the identity of certain voters “raises concerns regarding potential intimidation of voters.”<sup>19</sup> Senate President Fann responded to the Department, announcing the suspension of the auditors’ canvassing plans.<sup>20</sup>

Cyber Ninjas has repeatedly failed to meet its own timeline for the audit and has repeatedly moved election materials—at one point to accommodate high school graduation ceremonies—raising questions about the integrity of the process and whether Cyber Ninjas is merely searching for evidence to support a predetermined result rather than conducting an impartial audit.<sup>21</sup> Your company’s actions also may have introduced significant errors into the

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<sup>14</sup> *I Watched the GOP’s Arizona Election Audit. It Was Worse than You Think*, Washington Post (May 19, 2021) (online at [www.washingtonpost.com/outlook/2021/05/19/gop-arizona-election-audit/](http://www.washingtonpost.com/outlook/2021/05/19/gop-arizona-election-audit/)).

<sup>15</sup> *Id.*

<sup>16</sup> *Arizona’s Maricopa County Will Replace Voting Equipment, Fearful That GOP-Backed Election Review Has Compromised Security*, Washington Post (June 28, 2021) (online at [www.washingtonpost.com/politics/arizona-maricopa-2020-audit-review/2021/06/28/98da5e64-d863-11eb-9bbb-37c30dcf9363\\_story.html](http://www.washingtonpost.com/politics/arizona-maricopa-2020-audit-review/2021/06/28/98da5e64-d863-11eb-9bbb-37c30dcf9363_story.html)).

<sup>17</sup> Letter from Pamela S. Karlan, Principal Deputy Assistant Attorney General, Civil Rights Division, Department of Justice, to Karen Fann, President, Arizona State Senate (May 5, 2021) (online at <https://s3.documentcloud.org/documents/20698904/doj-letter-to-fann-5-5-21.pdf>).

<sup>18</sup> *Id.*

<sup>19</sup> Cyber Ninjas, *Statement of Work* (Mar. 31, 2021) (online at [www.documentcloud.org/documents/20536503-cyber-ninjas-sow-executed-33121](http://www.documentcloud.org/documents/20536503-cyber-ninjas-sow-executed-33121)); Letter from Pamela S. Karlan, Principal Deputy Assistant Attorney General, Civil Rights Division, Department of Justice, to Karen Fann, President, Arizona State Senate (May 5, 2021) (online at <https://s3.documentcloud.org/documents/20698904/doj-letter-to-fann-5-5-21.pdf>).

<sup>20</sup> Letter from Karen Fann, President, Arizona State Senate, to Pamela S. Karlan, Principal Deputy Assistant Attorney General, Civil Rights Division, Department of Justice (May 7, 2021) (online at <https://s3.documentcloud.org/documents/20700735/fann-response-to-doj-5-7-21.pdf>).

<sup>21</sup> *Arizona Senate’s Auditors Must Vacate Veterans Memorial Coliseum on May 14*, KJZZ (May 5, 2021) (online at <https://kjzz.org/content/1680818/arizona-senates-auditors-must-vacate-veterans-memorial-coliseum-may-14>).

audit process. Yesterday, Senate President Fann discussed a potential discrepancy in vote counts that will require additional time and processes to verify. Outside observers and Republican county officials have noted that any errors so far observed are likely the result of serious flaws in Cyber Ninjas' procedures.<sup>22</sup> One expert previously observed that Cyber Ninjas' practices "allowed for a shocking amount of error," including that "[a]t no point did anyone track how many ballots they were processing at their station, to ensure that none got added or lost during handling."<sup>23</sup> Experts have also noted that the work of Cyber Ninjas itself "cannot be audited."<sup>24</sup>

### **Embrace of Election Conspiracy Theories**

Your public statements regarding the 2020 presidential election raise serious questions about your ability to lead impartial work related to the election. Press reports indicate that you repeatedly alleged on social media that the 2020 presidential election was rigged against former President Donald Trump, using the "Stop the Steal" hashtag. You also reportedly retweeted a claim that an audit of the election might show that "Trump got 200k more votes than previously reported in Arizona."<sup>25</sup>

You have confirmed that you are the author of a document posted on the website of Trump attorney and conspiracy theorist Sidney Powell entitled "Election Fraud Facts & Details," which you stated was written to assist U.S. Senators planning to object to the certification of the Electoral College on January 6.<sup>26</sup> The document repeats debunked claims regarding Dominion Voting Systems, including that the company has origins in Venezuela, was used to rig elections for deceased President Hugo Chavez, and is owned in part by a Chinese company.<sup>27</sup> You were listed as an expert witness in a Michigan lawsuit alleging election fraud in connection with

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<sup>22</sup> *Fann Says Audit Team, Maricopa Count Have Different Ballot Totals*, AZ Mirror (July 13, 2021) (online at [www.azmirror.com/blog/fann-says-audit-team-maricopa-county-have-different-ballot-totals/](http://www.azmirror.com/blog/fann-says-audit-team-maricopa-county-have-different-ballot-totals/)).

<sup>23</sup> *I Watched the GOP's Arizona Election Audit. It Was Worse than You Think*, Washington Post (May 19, 2021) (online at [www.washingtonpost.com/outlook/2021/05/19/gop-arizona-election-audit/](http://www.washingtonpost.com/outlook/2021/05/19/gop-arizona-election-audit/)).

<sup>24</sup> *Retired Election Experts Again Offer Senate a Way to Check Maricopa County Ballot Counts*, Arizona Republic (July 12, 2021) (online at [www.azcentral.com/story/news/politics/arizona/2021/07/12/arizona-audit-clear-ballot-group-reiterates-offer-check-ballots/7941340002/](http://www.azcentral.com/story/news/politics/arizona/2021/07/12/arizona-audit-clear-ballot-group-reiterates-offer-check-ballots/7941340002/)).

<sup>25</sup> *Arizona Senate Hires a "Stop the Steal" Advocate to Lead 2020 Election Audit*, Arizona Mirror (Mar. 31, 2021) (online at [www.azmirror.com/2021/03/31/arizona-senate-hires-a-stop-the-steal-advocate-to-lead-2020-election-audit/](http://www.azmirror.com/2021/03/31/arizona-senate-hires-a-stop-the-steal-advocate-to-lead-2020-election-audit/)).

<sup>26</sup> *Election Auditor Wrote "Election Fraud Facts" Report for GOP Senators Who Tried to Overturn the 2020 Election*, Arizona Mirror (Apr. 9, 2021) (online at [www.azmirror.com/2021/04/09/arizona-audit-leader-douglas-logan-wrote-fraud-claims-on-kraken-lawyers-website/](http://www.azmirror.com/2021/04/09/arizona-audit-leader-douglas-logan-wrote-fraud-claims-on-kraken-lawyers-website/)).

<sup>27</sup> Douglas Logan, *Election Fraud Facts & Details* (online at <https://s3.documentcloud.org/documents/20611517/election-fraud-facts-details.pdf>) (accessed July 12, 2021). This document was linked on Sidney Powell's personal website. Sidney Powell, *Evidence of Fraud—2020 Election* (online at [www.sidneypowell.com/election-evidence-2020](http://www.sidneypowell.com/election-evidence-2020)) (accessed July 12, 2021).

Dominion Voting Systems, but the case was dismissed after the state concluded its own audit without finding fraud.<sup>28</sup>

### Committee's Requests

The Constitution guarantees the right to vote and empowers Congress to legislate to protect that right and regulate elections.<sup>29</sup> Congress has enacted legislation to safeguard this right and to ensure that elections are safe, secure, and fairly and impartially administered.<sup>30</sup> Congress is also empowered to investigate any conduct that may infringe on this fundamental right,<sup>31</sup> and the Committee has examined state voting and elections issues on numerous occasions.<sup>32</sup>

The Committee is deeply troubled by Cyber Ninjas' lack of election audit experience; its reported mismanagement of the audit in Maricopa County, which may have compromised ballots and election equipment; your own bias and history of embracing conspiracy theories related to the election; and the private sources of funding that may have further undermined the credibility and impartiality of this effort. The Committee is particularly concerned that your company's actions could undermine the integrity of federal elections and interfere with Americans' constitutional right to cast their ballot freely and to have their votes counted without partisan interference. In connection with this investigation, the Committee intends to study the need for legislative reforms to ensure the right is protected before, during, and after an election and that third parties do not interfere with this right.

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<sup>28</sup> *Michigan Judge Dismisses Lawsuit Seeking New Audit of Antrim County Vote, One of the Last Remaining 2020 Legal Challenges*, Washington Post (May 18, 2021) (online at [www.washingtonpost.com/politics/antrim-county-lawsuit/2021/05/18/e324451a-b802-11eb-a5fe-bb49dc89a248\\_story.html](http://www.washingtonpost.com/politics/antrim-county-lawsuit/2021/05/18/e324451a-b802-11eb-a5fe-bb49dc89a248_story.html)); *Arizona Ballot Audit Backed by Secretive Donors Linked to Trump's Inner Circle*, The Guardian (June 9, 2021) (online at [www.theguardian.com/us-news/2021/jun/09/arizona-election-audit-trump-2020-review](http://www.theguardian.com/us-news/2021/jun/09/arizona-election-audit-trump-2020-review)).

<sup>29</sup> U.S. Const., amend. XV ("The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. The Congress shall have power to enforce this article by appropriate legislation."); U.S. Const., art. I, sec. 4 ("The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations.").

<sup>30</sup> See, e.g., Help America Vote Act of 2002, Pub. L. No. 107-252; National Voter Registration Act of 1993, Pub. L. No. 103-31; Uniformed and Overseas Citizens Absentee Voting Act, Pub. L. No. 99-410 (1986).

<sup>31</sup> See, e.g., *Eastland v. United States Servicemen's Fund*, 421 U.S. 491 (1975) (holding that Congress's power to investigate "is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution").

<sup>32</sup> See, e.g., Committee on Oversight and Reform, *Hearing on Voter Suppression in Minority Communities: Learning from the Past to Protect Our Future*, 116th Cong. (Feb. 26, 2020) (examining the results of the Committee's investigation of voter suppression allegations in Georgia, Texas, and Kansas); Committee on Oversight and Government Reform, *Hearing on Cyber-securing the Vote: Ensuring the Integrity of the U.S. Election Systems*, 115th Cong. (July 24, 2018); Committee on Oversight and Government Reform, Subcommittee on Information Technology and Subcommittee on Intergovernmental Affairs, *Joint Hearing on Cybersecurity of Voting Machines*, 115th Cong. (Nov. 29, 2017).

For all of these reasons, the Committee requests that Cyber Ninjas produce the following documents by July 28:

1. Documents sufficient to show all individuals and entities with direct or indirect ownership interests in, or control of, Cyber Ninjas, including, but not limited to, officers, board members, and shareholders;
2. Documents sufficient to show all previous clients to which Cyber Ninjas has provided consulting services related to election audits or election law and a detailed description of the services provided, the payments received, and the source of the funds;
3. All documents and communications related to the engagement of Cyber Ninjas for the Maricopa County audit, including but not limited to the purpose of the engagement, the scope of work, the role of the company, and the role of other individuals or entities;
4. All documents and communications related to payment or funding for the Maricopa County audit, including but not limited to the sources, amounts, terms, and conditions of such funding and any fundraising efforts;
5. All documents and communications related to conducting the Maricopa County audit, including but not limited to policies, procedures, audit plans, strategy, staffing and personnel, and security or integrity problems that arose during the audit, and any interim or final audit findings;
6. All documents and communications related to the following allegations that have reportedly been considered by you or your company in connection with the 2020 presidential election:
  - a. bamboo-laced ballots smuggled in from Asian countries;<sup>33</sup>
  - b. watermarks placed on the ballot by the Trump campaign that were visible with UV lights;<sup>34</sup>
  - c. machine-marked ballots;<sup>35</sup>

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<sup>33</sup> See *Arizona Republicans Hunt for Bamboo-Laced China Ballots in 2020 "Audit" Effort*, The Guardian (May 6, 2021) (online at [www.theguardian.com/us-news/2021/may/06/arizona-republicans-bamboo-ballots-audit-2020](http://www.theguardian.com/us-news/2021/may/06/arizona-republicans-bamboo-ballots-audit-2020)).

<sup>34</sup> See *Cyber Ninjas, UV Lights and Far-Right Funding: Inside the Strange Arizona 2020 Election "Audit"*, The Guardian (May 14, 2021) (online at [www.theguardian.com/us-news/2021/may/14/arizona-election-audit-recount-ballots-maricopa-county](http://www.theguardian.com/us-news/2021/may/14/arizona-election-audit-recount-ballots-maricopa-county)).

<sup>35</sup> See *I Watched the GOP's Arizona Election Audit. It Was Worse than You Think*, Washington Post (May 19, 2021) (online at [www.washingtonpost.com/outlook/2021/05/19/gop-arizona-election-audit/](http://www.washingtonpost.com/outlook/2021/05/19/gop-arizona-election-audit/)).

- d. errors designed to create fraud in Dominion Voting Systems' equipment;<sup>36</sup> and
  - e. the involvement of current or former members of the Central Intelligence Agency in disinformation around election fraud;<sup>37</sup>
7. All documents and communications related to formal or informal complaints related to the audit received by Cyber Ninjas from any source, including but not limited to federal, state, or county election officials, Cyber Ninjas employees, or other individuals;
  8. All instructions, directions, training materials, and guidance Cyber Ninjas employees, consultants, agents, volunteers, or representatives received relating to the Maricopa County audit; and
  9. For the period between November 6, 2020, and the present, all communications involving you or any Cyber Ninjas employees, consultants, agents, volunteers, or representatives with:
    - a. former President Donald Trump;
    - b. any Trump Administration official;
    - c. any formal or informal representative of President Trump's presidential campaign, legal team, or political action committee;
    - d. any representative of Voices and Votes, Fight Back, America Project, or any other funder of the Maricopa County audit;
    - e. Rudy Giuliani or any of his agents or representatives;
    - f. Sidney Powell;
    - g. L. Lin Wood;
    - h. Patrick Byrne;

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<sup>36</sup> See *Founder of Company Hired to Conduct Maricopa County Election Audit Promoted Election Fraud Theories*, Arizona Republic (Mar. 31, 2021) (online at [www.azcentral.com/story/news/politics/elections/2021/03/31/cyber-ninjas-founder-doug-logan-pushed-election-fraud-theories/4825258001/](http://www.azcentral.com/story/news/politics/elections/2021/03/31/cyber-ninjas-founder-doug-logan-pushed-election-fraud-theories/4825258001/)).

<sup>37</sup> See *Audit Leader Doug Logan Appears in Conspiracy Theorist Election Film*, Arizona Mirror (June 26, 2021) (online at [www.azmirror.com/2021/06/26/audit-leader-doug-logan-appears-in-conspiracy-theorist-election-film/](http://www.azmirror.com/2021/06/26/audit-leader-doug-logan-appears-in-conspiracy-theorist-election-film/)).

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- i. Michael Flynn; or
- j. Michael Lindell.

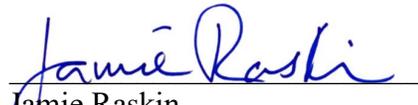
The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X.

An attachment to this letter provides additional instructions for responding to this request. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Jamie Raskin  
Chairman  
Subcommittee on Civil Rights and  
Civil Liberties

Enclosure

cc: The Honorable James Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Pete Sessions, Ranking Member  
Subcommittee on Civil Rights and Civil Liberties

## 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.