

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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January 25, 2021

The Honorable Carolyn Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Madam Chairwoman:

We write regarding your letter to FBI Director Christopher Wray requesting an FBI “examination” of the social media site Parler and any role it may have played in the January 6 breach of the U.S. Capitol Building.¹ Like you, we were disturbed and angered by the riot and we believe those responsible should be prosecuted to the fullest extent of the law. But casting blame on a single social media company known for its conservative userbase while simply ignoring other social media companies known for sympathizing with liberal causes is blatantly and overtly partisan. Moreover, your letter is additional evidence of the growing alliance between Big Tech and Democrats to muzzle certain viewpoints, opinions, and perspectives.

First, you claim Parler is “a potential facilitator of planning and incitement related to the violence.”² This accusation completely omits the fact that other social media platforms were also facilitators of the January 6 riot. In fact, a cursory search of other social media platforms yields identical, disturbing posts, from across the political spectrum, advocating for a wide swathe of positions, demonizing an equally diverse group of people.

Though your letter highlights several examples of disturbing, malignant posts made by extremists on Parler, it conveniently ignores messages sent on Facebook instructing people to “seal . . . in” Members of Congress in the tunnels below the Capitol and to “turn [the] gas on”³—horrendous tactics reminiscent of humanity’s darkest time. In one of the only conspiracy cases⁴ charged thus far stemming from the January 6 riot, the underlying facts show weeks of using Facebook to plan for the January 6 event. For example, Facebook posts, comments, and

¹ Letter from Hon. Carolyn Maloney, Chairwoman, H. Comm. on Oversight & Gov’t Reform, to Christopher Wray, Director, Federal Bureau of Investigations (Jan. 21, 2021), *available at* <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2021-01-21.CBM%20to%20Wray-%20FBI%20re%20Parler.pdf>.

² *Id.*

³ Kyle Cheney and Josh Gerstein, *Feds preparing to charge woman with felony theft laptop from Pelosi’s office*, POLITICO (Jan. 19, 2021), *available at* <https://www.politico.com/news/2021/01/19/pelosi-stolen-laptop-felony-charges-460474>.

⁴ 18 U.S.C. § 371, “Conspiracy to commit offense or to defraud United States.”

messages from between December 24, 2020 and January 5, 2021 indicate detailed planning about where to lodge and how to mobilize for January 6, including multiple references to “night hunting.”⁵ One of the individuals involved in these Facebook activities was likely wearing paramilitary equipment during the attack on the Capitol.⁶

A search of Twitter immediately after the riot found that accounts related to the QAnon conspiracy theory had referred to the January 6 date roughly 20,800 times prior to the attacks.⁷ After the riot, renewed calls to action from extremists online occurred on Twitter, encouraging events such as an “Armed March on All State Capitals” across the country.⁸

Indeed, both Facebook and Twitter appear to have *profited* off of the January 6 riot, as “political turmoil drives increased engagement on social media . . . that generates more revenue for Facebook and Twitter,” creating a “rocket ship for their ad business.”⁹ Committee Member Alexandria Ocasio-Cortez recognizes that “Mark Zuckerberg and Facebook bear partial responsibility for [January 6’s] events. Period.”¹⁰ Rather than limiting its investigation to Parler, then, perhaps the Committee should include Facebook and other social media companies in its request for an investigation into the antecedents of the January 6 Capitol riot.

Of course, doing so may upset Big Tech, which in turn could turn off the spigot of campaign contributions to Democrats. During the 2020 election cycle Facebook employees contributed over \$5 million in federal elections—92.79% of which went to Democrats.¹¹ Twitter employees were even more generous to Democrats, with 98.41% of all federal contributions in the 2020 cycle going to Democrats.¹² While Facebook, Twitter, and Parler seem to all share blame in allowing their platforms to be used to plan for the January 6 riot, one main difference between the three platforms is that Parler is the only one that hasn’t given generously to the Democrats.

Your letter also casts Parler as “a potential conduit for foreign governments who may be financing civil unrest in the United States.”¹³ This claim—pushed without one iota of

⁵ *U.S. v. Caldwell, et al.*, 1:21-mj-0119, *Affidavit in Support of Criminal Complaint* at 22 (D.D.C. 2021).

⁶ *Id.* at 12.

⁷ Isobel Asher Hamilton, *Plans to Storm the Capitol Were Circulating on Social Media Sites, Including Facebook, Twitter, and Parler, for Days Before the Siege*, BUSINESS INSIDER (Jan. 2021), available at <https://www.businessinsider.com/plans-to-storm-the-capitol-circulated-on-social-media-2021-1>.

⁸ Craig Timberg, Drew Harwell, and Marissa J. Lang, *Capitol Siege was Planned Online. Trump Supporters Now Planning the Next One*, WASH. POST (Jan. 2021), available at <https://www.washingtonpost.com/technology/2021/01/09/trump-twitter-protests/>.

⁹ Emily DeCiccio, *Capitol Riot a ‘Rocket Ship’ for Twitter and Facebook, Ad Media Expert Says*, CNBC (Jan. 7, 2021), available at <https://www.cnbc.com/2021/01/07/capitol-riot-a-rocket-ship-for-twitter-and-facebook-ad-media-expert-says.html>.

¹⁰ Joseph Choi, *Facebook Has No Current Plan to End the Trump Suspension*, THE HILL (Jan. 2021), available at <https://thehill.com/policy/technology/technology/534879-facebook-has-no-current-plan-to-end-the-trump-suspension-report>.

¹¹ See <https://www.opensecrets.org/orgs/facebook-inc/recipients?toprecipcycle=2020&id=D000033563&candcycle=2020>.

¹² See <https://www.opensecrets.org/orgs/twitter/recipients?id=D000067113>.

¹³ *Id.*

The Honorable Carolyn Maloney

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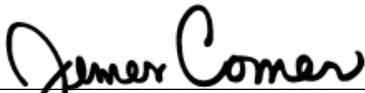
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evidence—is reckless. The letter notes the founder of Parler, John Matze, has traveled in Russia, and his wife is Russian. Such irrelevant claims’ intended implications are nothing short of offensive. It is neither illegal nor suspect to either travel to Russia or have a Russian spouse. After four years of peddling bogus—and later disproven—conspiracy theories about Russia, Committee Democrats are now resorting to outright xenophobia to deride both conservatives and social media platforms not approved by Democrats.

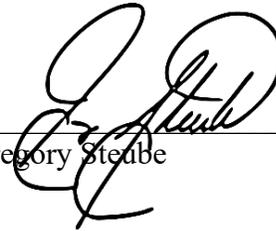
Your call for an investigation into Parler is a transparently political ploy taking advantage of the tragedy that occurred on January 6 to shut down speech Democrats dislike. Perhaps more disturbing is a Silicon Valley willing to oblige these impulses.¹⁴ Parler has been forced off the Internet, to the applause of Democrats and media commentators, and similarly forced to engage a Russian service to continue its platform. Consequently, Parler is deemed by this Committee to now merit investigation by the FBI while Facebook and Twitter are blameless.

We request you amend your request for an FBI investigation to include Facebook and Twitter and the roles those companies played to contribute to the January 6 riot.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



W. Gregory Steube

cc: The Honorable Christopher Wray, Director
Federal Bureau of Investigation

¹⁴ Ryan Miller, *Capitol riot live updates: Air Force veteran fired after reported participation; Apple suspends Parler from App Store*, USA TODAY (Jan. 9, 2021), available at <https://www.usatoday.com/story/news/nation/2021/01/09/dc-capitol-riot-updates-officer-pinned-arrests-fbi/6607757002/>.