

January 29th, 2024

The Honorable Gary Gensler
Chairman
U.S. Securities and Exchange Commission
100 F Street NE
Washington, D.C. 20549

Dear Chairman Gensler:

I write to you to express serious concerns regarding the Securities and Exchange Commission's investigation into the video platform, web hosting and cloud services business, Rumble.

In the denial of a November 2023 public records request from the outlet WIRED, the Assistant General Counsel for Litigation and Administrative Practice at the SEC, Melinda Hardy, confirmed that the documents sought pertaining to Rumble were a part of an "active and ongoing" investigation.¹ Following Rumble's denial of wrongdoing and voluntary compliance with SEC's investigation, Rumble founder and CEO Chris Pavlovski accused the SEC of collaborating with the investment research firm and activist short seller, Culper Research, in an astroturfing effort to damage Rumble.² Not only does Culper Research have a short position against Rumble and would thus financially benefit from its demise, but this is hardly the first allegation of astroturfing by your agency.³ In fact, astroturfing seems to be common practice at the SEC. Further, the timing and implication of this specific instance reeks of government weaponization and political interference.

It is no secret that Rumble has risen to prominence by serving as the preeminent free speech alternative to Big Tech media platforms. Having gone public in September 2022, Rumble is quickly becoming one of the centerpieces of political and social discourse. In 2023, Rumble was granted the exclusive online streaming rights to the Republican presidential primary debates and is home to many who were wrongfully censored or deplatformed by Big Tech, often in coordination with the federal government. With the presidential cycle now in full swing, the timing of this investigation suggests an effort to either implicitly or explicitly influence Rumble's role in the 2024 election under the threat of constant litigation. Given these facts, I respectfully request a written response to the following questions:

1. Has anyone at, associated with or acting on behalf of the SEC contacted or been contacted by Christian Lamarco or any representative of Culper Research?
2. If yes, when and how frequently?

¹ Turton, William. "Rumble Is Part of an 'active and Ongoing' SEC Investigation." Wired, Conde Nast, 8 Jan. 2024, www.wired.com/story/rumble-sec-investigation/.

² Stevenson, Thomas. "Revealed: Sec in 'active and Ongoing' Investigation into Rumble." The Post Millennial, thepostmillennial.com, 12 Jan. 2024, thepostmillennial.com/revealed-sec-in-active-and-ongoing-investigation-into-rumble.

³ Cohen, Jason. "Biden Regulator Puts Rumble in Its Sights." The Daily Caller, The Daily Caller, 9 Jan. 2024, dailycaller.com/2024/01/09/biden-regulator-puts-free-speech-video-platform-sights/.

3. Did the SEC consider or in any way rely on an April 27th, 2023, report by Culper Research in opening its investigation into Rumble?
4. Did the SEC consider or in any way rely on a May 16th, 2023, report by Culper Research in opening its investigation into Rumble?
5. Has anyone at, associated with or acting on behalf of the SEC contacted or been contacted by anyone in the Biden administration regarding Rumble?
6. Has anyone at, associated with or acting on behalf of the SEC contacted or been contacted by anyone at, associated with or acting on behalf of any other federal regulatory or law enforcement agency?
7. Has anyone at, associated with or acting on behalf of the SEC contacted or been contacted by anyone at, associated with or acting on behalf of the Biden campaign?

In addition to a written response to the questions above, I respectfully request that your agency preserve and provide my office with any and all documents and communications pertaining to the SEC's investigation into Rumble. To follow up or if you have any questions, please reach out to my office directly at (202) 225-2536. Thank you for your time and attention, I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'BD', followed by a long horizontal line extending to the right.

Byron Donalds
Member of Congress