

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 7062  
 Numero, Inc.; Ro for Congress and Linda )  
 Sell in her official capacity as treasurer; )  
 Ro Khanna; RevUp Software, Inc. )

CERTIFICATION

I, Vicktoria J. Allen, recording secretary of the Federal Election Commission executive session, do hereby certify that on June 24, 2021, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-3 to:
  - a. Take no further action with respect to the apparent violation by RevUp Software, Inc., of 52 U.S.C. § 30111(a)(4) and 11 C.F.R. § 104.15(a) by selling fundraising software that incorporates information taken from the Commission's database of reports filed by political committees.
  - b. Take no action at this time with respect to the allegation that Ro Khanna violated 52 U.S.C. § 30111(a)(4) and 11 C.F.R. § 104.15(a) by using information taken from the Commission's database of reports filed by political committees for the purpose of soliciting contributions.
  - c. Find reason to believe that Numero, Inc. violated 52 U.S.C. § 30111(a)(4) and 11 C.F.R. § 104.15(a) by selling fundraising software that incorporates information taken from the Commission's database of reports filed by political committees.
  - d. Approve the Factual and Legal Analysis, as recommended in the Second General Counsel's Report dated May 14, 2021.
  - e. Authorize pre-probable cause conciliation with Ro for Congress and Linda Sell in her official capacity as treasurer.

- f. Authorize pre-probable cause conciliation with Numero, Inc., as recommended in the Second General Counsel's Report dated May 14, 2021.
- g. Approve the Conciliation Agreements, as recommended in the Second General Counsel's Report dated May 14, 2021.
- h. Approve the appropriate letters.
- i. Close the file with respect to RevUp Software, Inc.

Commissioners Broussard, Walther, and Weintraub voted affirmatively for the motion.

Commissioners Cooksey, Dickerson, and Trainor dissented.

2. Decided by a vote of 6-0 to:

Reconsider motion #1.

Commissioners Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

3. Decided by a vote of 6-0 to:

- a. Take no further action with respect to the apparent violation by RevUp Software, Inc., of 52 U.S.C. § 30111(a)(4) and 11 C.F.R. § 104.15(a) by selling fundraising software that incorporates information taken from the Commission's database of reports filed by political committees.
- b. Take no action at this time with respect to the allegation that Ro Khanna violated 52 U.S.C. § 30111(a)(4) and 11 C.F.R. § 104.15(a) by using information taken from the Commission's database of reports filed by political committees for the purpose of soliciting contributions.
- c. Authorize pre-probable cause conciliation with Ro for Congress and Linda Sell in her official capacity as treasurer.
- d. Approve the relevant Conciliation Agreements, as recommended in the Second General Counsel's Report dated May 14, 2021.
- e. Approve the relevant appropriate letters.
- f. Close the file with respect to RevUp Software, Inc.

Commissioners Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

4. Failed by a vote of 3-3 to:

- a. Find reason to believe that Numero, Inc. violated 52 U.S.C. § 30111(a)(4) and 11 C.F.R. § 104.15(a) by selling fundraising software that incorporates information taken from the Commission's database of reports filed by political committees.
- b. Approve the Factual and Legal Analysis, as recommended in the Second General Counsel's Report dated May 14, 2021.
- c. Authorize pre-probable cause conciliation with Numero, Inc., as recommended in the Second General Counsel's Report dated May 14, 2021.
- d. Approve the appropriate Conciliation Agreements, as recommended in the Second General Counsel's Report dated May 14, 2021.
- e. Approve the appropriate letters.

Commissioners Broussard, Walther, and Weintraub voted affirmatively for the motion.

Commissioners Cooksey, Dickerson, and Trainor dissented.

Attest:



**Vicktoria Allen** Digitally signed by Vicktoria Allen  
Date: 2021.06.29 11:06:57 -04'00'

Vicktoria J. Allen  
Acting Deputy Secretary of the  
Commission