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By Office of the Commission Secretary at 4:51 pm, Nov 21, 2022

From: [Elliot Berke](#)
To: [Joseph Wenzinger](#)
Cc: [Amy Rothstein](#)
Subject: Re: AO 2022-22 (DataVault I)
Date: Monday, November 21, 2022 3:43:33 PM

Joseph:

Please see answers below.

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On Nov 21, 2022, at 3:04 PM, Joseph Wenzinger <JWenzinger@fec.gov> wrote:

Mr. Berke:

Thank you for responding to our questions to help clarify certain points in Advisory Opinion Request 2022-22 (DataVault I). Our understanding of the information you provided appears below. Please confirm the accuracy of the statements below or correct them as necessary and return them to us via email. Your response may be posted on the Commission's website as a supplement to DataVault's advisory opinion request.

1. In DataVault's ordinary course of business, DataVault would enter into contracts with political committees to provide them with customized NFTs in exchange for a fee for each NFT transferred by the political committee to a contributor.

Confirmed.

2. DataVault will charge its political committee clients the same fee, and apply the same terms and conditions, as it does to its non-political clients, including for-profit and non-profit entities. In addition, DataVault will provide NFTs to political committees on a nonpartisan basis.

Confirmed.

3. DataVault expects that the price that it will charge each political committee for transferred NFTs will enable DataVault to recoup its costs and make a reasonable profit.

Confirmed.

4. DataVault's contract with each political committee client will require the political committee to pay DataVault for transferred NFTs in a commercially reasonable period of time after the transfers and will require each political committee to return to DataVault any NFTs that have not been transferred to a contributor within a commercially reasonable period of time.

Confirmed.

5. DataVault will maintain internal processes of its own, and also contractually require its political committee clients to maintain internal processes, to track the number and timing of NFT transfers. DataVault will be able to track and verify the number and timing of NFT transfers via changes in the blockchain.

Confirmed.

Please feel free to contact me with any questions. Thank you.

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