



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

March 3, 2021

**MEMORANDUM**

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5 **TO:** The Commission  
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7 **FROM:** Lisa J. Stevenson *LS / ms*  
8 Acting General Counsel  
9  
10 Charles Kitcher *CK / ms*  
11 Acting Associate General Counsel  
12 for Enforcement  
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14 **BY:** Mark Shonkwiler *MS*  
15 Assistant General Counsel  
16  
17 Ana Peña-Wallace *APW*  
18 Attorney  
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20 **SUBJECT:** MURs 6955 and 6983 (New Day for America)  
21  
22 **RE:** Proposed Conciliation Agreement for Probable Cause Conciliation  
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24 Attached is a proposed conciliation agreement for probable cause conciliation with New  
25 Day for America and J. Matthew Yuskewich in his official capacity as treasurer ("New Day"). The  
26 proposed agreement is for the Commission's consideration along with the Office of General  
27 Counsel's Notice to the Commission Following the Submission of Probable Cause Brief in  
28 MURs 6955 and 6983 ("OGC Notice"), which is being submitted to the Commission  
29 simultaneously with this Memorandum.

30 The OGC Notice informs the Commission and the Respondents that this Office intends to  
31 proceed with the recommendation that the Commission find probable cause to believe that New  
32 Day: (1) violated 52 U.S.C. §§ 30116 and 30118(a) in connection with making impermissible  
33 and excessive contributions for John R. Kasich's testing-the-waters activities prior to registering  
34 with the Commission as an independent expenditure-only political committee ("IEOPC"); and  
35 (2) violated 52 U.S.C. §§ 30116 and 30118(a) by making prohibited and excessive in-kind  
36 contributions to Kasich for America and J. Matthew Yuskewich in his official capacity as  
37 treasurer ("KFA") in the form of coordinated communications.

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We recommend that the Commission approve the attached conciliation agreement.

**RECOMMENDATIONS**

1. Approve the attached conciliation agreement.
2. Approve the appropriate letter.











