

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 7613  
Zekelman Industries, Inc.; Wheatland )  
Tube, LLC Barry Zekelman; Roger B. )  
Schagrin; America First Action, Inc., and )  
Jon Proch in his official capacity as )  
treasurer )

## CERTIFICATION

I, Vicktoria J. Allen, recording secretary of the Federal Election Commission executive session, do hereby certify that on July 15, 2021, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-3 to:
  - a. Find reason to believe that Wheatland Tube, LLC, Zekelman Industries, Inc., and Barry Zekelman violated 52 U.S.C. § 30121(a)(1)(A).
  - b. Find no reason to believe that America First Action, Inc., and Jon Proch in his official capacity as treasurer violated 52 U.S.C. § 30121(a)(2)
  - c. Dismiss the allegation that Zekelman Industries, Inc., violated 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g).
  - d. Take no action at this time as to Roger Schagrin.
  - e. Approve the Factual and Legal Analyses circulated by Vice Chair Dickerson's Office on July 14, 2021 at 3:21 p.m.
  - f. Authorize compulsory process.
  - g. Approve the appropriate letters.

Commissioners Cooksey, Dickerson, and Trainor voted affirmatively for the motion.

Commissioners Broussard, Walther, and Weintraub dissented.

Federal Election Commission  
 Certification for MUR 7613  
 July 15, 2021

Page 2

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

- a. Find reason to believe that Wheatland Tube, LLC, Zekelman Industries, Inc., and Barry Zekelman violated 52 U.S.C. § 30121(a)(1)(A).
- b. Find reason to believe that America First Action, Inc., and Jon Proch in his official capacity as treasurer violated 52 U.S.C. § 30121(a)(2).
- c. Take no action at this time regarding the allegation that Zekelman Industries, Inc., violated 52 U.S.C. § 30121(a)(2).
- d. Find reason to believe that Roger Schagrin violated 52 U.S.C. § 30121(a)(1).
- e. Approve the Factual and Legal Analysis circulated by the Office of General Counsel for American First Action.
- f. Direct the Office of General Counsel to draft an appropriate Factual and Legal Analysis consistent with these finding in the remaining respondents.
- g. Authorize the use of compulsory process.
- h. Approve the appropriate letters.

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

Commissioners Cooksey, Dickerson, and Trainor dissented.

Attest:



July 27, 2021

Date

Vicktoria Allen

Digitally signed by Vicktoria Allen  
 Date: 2021.07.27 14:01:47 -04'00'

Vicktoria J. Allen  
 Acting Deputy Secretary of the  
 Commission