

## 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, Viktoria J. Allen, recording secretary of the Federal Election Commission executive session, do hereby certify that on December 02, 2021, the Commission took the following actions, subject to the Errata dated November 2, 2020 in the above-captioned matter:

1. Failed by a vote of 3-3 to:
  - a. Enter into pre-probable cause conciliation with Zekelman Industries, Inc., Wheatland Tube, LLC, and Barry Zekelman prior to a finding of probable cause to believe.
  - b. Approve the proposed conciliation agreement, as recommended in the Second General Counsel's Report dated September 22, 2021.
  - c. Approve the appropriate letters.

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:
  - a. Enter into pre-probable cause conciliation with Zekelman Industries, Inc., Wheatland Tube, LLC, and Barry Zekelman prior to a finding of probable cause to believe.

- b. Approve the proposed conciliation agreement, as recommended in the Second General Counsel's Report dated September 22, 2021, subject to the revision last circulated by Commissioner Cooksey's Office on Wednesday, November 24, 2021 at 8:46 a.m.
- c. Approve the appropriate letters.

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



Attest:

**Vicktoria J Allen**

Digitally signed by Vicktoria J  
Allen  
Date: 2021.12.08 12:48:59 -05'00'

Vicktoria J. Allen  
Acting Deputy Secretary of the  
Commission