



FEDERAL ELECTION COMMISSION

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2 **MEMORANDUM**

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4 **TO:** The Commission  
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6 **FROM:** Lisa J. Stevenson  
7 Acting General Counsel  
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9 Charles Kitcher  
10 Associate General Counsel for Enforcement  
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12 **BY:** Jin Lee *JK*  
13 Acting Assistant General Counsel  
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15 Aaron Rabinowitz *AR*  
16 Attorney  
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18 **SUBJECT:** MUR 7613 (Zekelman Industries, Inc., *et al.*) Recommendation to Accept the  
19 Signed Conciliation Agreement  
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22 On July 29, 2021, the Commission found reason to believe that Wheatland Tube, LLC,  
23 Zekelman Industries, Inc., and Barry Zekelman violated 52 U.S.C. § 30121(a)(1)(A) by making  
24 three prohibited foreign national contributions to America First Action, Inc., and Jon Proch in his  
25 official capacity as treasurer in the following amounts: \$1 million on April 5, 2018; \$250,000 on  
26 June 4, 2018; and \$500,000 on October 17, 2018.<sup>1</sup> On August 25, 2021, Wheatland Tube, LLC,  
27 Zekelman Industries, Inc., and Barry Zekelman requested pre-probable cause conciliation.<sup>2</sup> On  
28 December 2, 2021, the Commission authorized the Office of the General Counsel to engage in  
29 pre-probable cause conciliation with Wheatland Tube, Zekelman Industries, and Barry  
30 Zekelman.<sup>3</sup>

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1 Certification ("Cert.") (Aug. 5, 2021).

2 Letter from Thomas Spulack, Counsel for Wheatland Tube, LLC, Zekelman Industries, Inc., and Barry Zekelman, to Aaron Rabinowitz, FEC (Aug. 25, 2021).

3 Cert. (Dec. 8, 2021).

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Under these circumstances, we recommend that the Commission accept the signed conciliation agreement with Wheatland Tube and Zekelman Industries and close the file.

**RECOMMENDATIONS:**

1. Accept the attached conciliation agreement;
2. Take no further action as to Barry Zekelman, America First Action, Inc., and Jon Proch in his official capacity as treasurer, and Roger Schagrin;
3. Approve the appropriate letters; and
4. Close the file.