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April 15, 2019

OFFICE OF  
FEDERAL COUNSEL

2019 APR 22 PM 12: 50

Office of General Counsel  
Federal Election Commission  
1050 First Street, NE  
Washington, DC 20463

MUR # 7596

**Subject: Complaint Against Tedra Cobb and Cobb for Congress**

Dear Mr. Petalas:

The purpose of this letter is to file a complaint against Tedra Cobb and Cobb for Congress. This Complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and 11 C.F.R. § 111.4 as a result of the facts made public in press reports prior to the 2018 General Election. Upon information and belief, Tedra Cobb and Cobb for Congress failed to account for an unknown amount of contributions in the form of free use of recreational vehicles ("RVs"). Not only is the value of these vehicles unknown and potentially excessive, but it is also not known whether the provision of these RVs constitutes prohibited corporate contributions.

As the *Watertown Daily Times* reported on November 2, 2018, Tedra Cobb received the benefit of multiple free RVs for the purpose of campaigning in the closing days of the 2018 General Election (*attached as Exhibit A*). Upon review of the Cobb campaign's FEC reports, it is apparent that Tedra Cobb failed to report any contribution received in the form of an in-kind for the use of these RVs and made no expenditures to the owners of these RVs for their use.

Pursuant to 11 C.F.R. § 104.13(a), Respondents were obligated to disclose these benefits as in-kind contributions used directly for the purpose of influencing the election. Tedra Cobb's failure to report these contributions in advance of the election left voters in the dark and the Commission should investigate the full extent of her obfuscation.

#### I. FACTS

Tedra Cobb and Cobb for Congress received an unknown amount in potentially excessive and illegal contributions through individuals or corporations providing free use of their RVs. This took place in the days before the 2018 General Election and was plainly for the purpose of influencing the election as these RVs were Cobb's primary mode of transportation. Without the benefit of these apparently "free" RVs, Cobb would have had to spend campaign funds that she was otherwise using to damage her opponent.

Rather than disclose these benefits to her campaign in unknown amounts, Cobb submitted inaccurate and incomplete reports to the Commission. If it were not for the press report making this known in **Exhibit A**, the public would never know about Cobb's

noncompliance. As it stands, the public does not know who provided these in-kind contributions, the value of these contributions, or if there were any corporate in-kind contributions created by use of the RVs.

## II. ANALYSIS

A contribution includes any gift of money or anything of value made by any person for the purpose of influencing a federal election, 52 U.S.C. § 30118(a). The term "anything of value" includes an in-kind contribution, which is the provision of goods or services without charge or at a charge that is less than the usual and normal charge for such goods or services. 11 C.F.R. § 100.52(d)(1). The appropriate payment rate for noncommercial transportation other than aircraft is the "normal and usual fare or rental charge for a comparable commercial conveyance," 11 C.F.R. § 100.93(d). Further, corporations may not make contributions to federal candidates and federal candidates may not knowingly receive corporate contributions, 52 U.S.C. § 30118(a). Pursuant to 11 C.F.R. § 104.13(a), Tedra Cobb was obligated to disclose the use of RVs as in-kind contributions used directly for the purpose of influencing the election.

As the *Watertown Daily Times* reported, Tedra Cobb was able to visit multiple stops on her closing week "get out the vote" only through use of volunteered RVs. ("We are going to be going all over the almost 17,000 square miles' of the district.") Tedra Cobb failed to account for the benefit received by having ready access to these RVs despite the fact that they were her primary means of transportation to "get out the vote."

## III. CONCLUSION

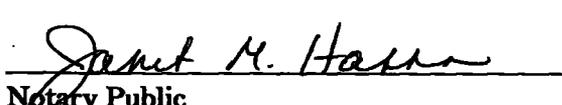
Upon information and belief, Tedra Cobb and Cobb for Congress failed to account for an unknown amount of contributions in the form of free use of RVs. Complainant respectfully requests that the Commission promptly and fully investigate this matter and impose the penalty required.

The foregoing is correct and accurate to the best of my knowledge, information, and belief.

Respectfully submitted,

  
John A. Bast

Sworn to and subscribed before me this 18 day of April, 2019.

  
Notary Public

My Commission Expires: 6-12-2021

**John A. Bast Letter to Federal Election Commission  
Dated April 15, 2019, "Complaint Against Tedra Cobb  
and Cobb for Congress"**

# **EXHIBIT A**

**Watertown Daily Times article, Nov 2, 2018, "Tedra  
Cobb visits Watertown on her 'get out the vote' push"**

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3/14/2019

- LaFargeville Central staging 'Beauty and the Beast'
- Bill proposed to ban sale of dogs, cats, rabbits at New York pet stores

### Watertown Daily Times | Tedra Cobb visits Watertown on her 'get out the vote' push

seemed as excited, if not more so, than at any time during the campaign.

"This was great," she said, settling behind the table of the borrowed RV that will take her around the district. She had just finished visiting with residents of Ives Hill Retirement Community; before that, Ms. Cobb was at Vito's Gourmet in the Square. Her next stop was New York State United Teachers, then on to Lowville.

"It was what Tedra wants to do, because it's really what she likes to do best," said Barbara Beekman, who is working with the campaign on the trip.

Ms. Cobb has run first and foremost on a platform of accessible health care for all, challenging incumbent U.S. Rep. Elise M. Stefanik, R-Willsboro, on her votes against the Affordable Care Act. On Wednesday, she released a new ad highlighting her daughter's health struggles and criticizing Ms. Stefanik.

Ms. Stefanik has consistently said she is proud of her record on health care.

At this point in the campaign, though, Ms. Cobb says it is more about her than her opponent.

"It's all about getting out the vote," she said. "I hope that people can see a little more about who I am and why I'm running."

Her message seems to have resonated with the residents who came out to meet her, shake her hand or get a hug.

Ms. Cobb at Vito's signed a palm card for a woman whose naturalization papers got lost, making it impossible for her to get a passport. Ms. Cobb had referred her to the office of U.S. Sen. Kirsten E. Gillibrand, D-N.Y. Then it was back in the RV and off to the next event.

Annette Craig and her husband Sherman loaned Ms. Cobb their RV through Sunday, another vehicle will take over from there. Ms. Craig serves as president of the foundation supporting the Clifton Fine hospital, and said Ms. Cobb addressed the issues she cares about.

"I'm very concerned about health care," she said, as well as environmental issues.

A number of residents came to meet Ms. Cobb at Irving Hill, some sporting Tedra buttons. One of these was Delores Raymond, who already voted by absentee ballot.

"I'm a registered Republican, but this year I'm voting straight Democrat," Mrs. Raymond said. As for Ms. Stefanik, "I don't have anything against her, but I think Tedra Cobb has new and fresh ideas."

Mrs. Raymond is concerned about health care as well as immigration, another issue Ms. Cobb has been vocal about.

At Irving Hills, Ms. Cobb also discussed Social Security, repeating a claim that Ms. Stefanik wrote policy to privatize Social Security.

"The Social Security trust fund is solvent," Ms. Cobb said, People who earn more just need to pay more into the system, she said.

The Stefanik campaign said Ms. Stefanik never wrote privatization policy. At one point Ms. Stefanik served as a staffer to a Republican Convention Platform Committee that wrote a Social Security platform but was not a decision making member of the committee, according to Stefanik spokesman Lenny Alcivar.

After 20 minutes at Irving Hill, Ms. Cobb is off to the NYSUT office where she meets with a boardroom of union members.

"I'm going to hug all of you, it's how I get my energy," Ms. Cobb said when she entered. "This is the year we bring this seat home."

Watertown Daily Times | Tedra Cobb visits Watertown on her 'get out the vote' push

Someone asked what NYSUT can do to help, and Watertown volunteers talk about opportunities for canvassing over the weekend. Ms. Cobb herself will be long gone by then, keeping up her schedule of meetings through the weekend.

"We are going to be going all over the almost 17,000 square miles" of the district, she said, before being ushered on to her next stop by her volunteers. "I think this tour just wraps up a year and a half of meeting people."



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