

**BEFORE THE UNITED STATES  
FEDERAL ELECTION COMMISSION**

End Citizens United  
Amanda Bogden  
100 M St. SE  
Washington, DC 20003

Complainant,

v.

Robert Healey Jr.  
245 E Main St.  
Moorestown, NJ 08057

Bob Healey for Congress  
and Ronald Gravino in his official capacity as treasurer  
PO Box 999  
Edison, NJ 08818

Viking Yacht Company  
5738 US-9  
New Gretna, NJ 08224

Respondents.

**COMPLAINT**

This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) against Robert Healey Jr., Bob Healey for Congress and Ronald Gravino in his official capacity as treasurer, and Viking Yacht Company (“Viking Yacht”) (together, “Respondents”) for violations of the Federal Election Campaign Act of 1971, as amended (the “Act”). Federal law categorically prohibits corporations from making in-kind contributions to the campaigns of federal candidates, including facilitating the making of any contributions to federal candidates. Federal candidates, their agents, and entities established, maintained, or controlled by them are also prohibited from receiving or directing funds, donations, or anything of value in connection with any federal election, unless they are subject to the limitations, prohibitions, and reporting requirements of the

Act.<sup>1</sup> Yet, it appears that Respondents are in violation of both of these prohibitions because Healey and his campaign appear to be directing and using the resources of Viking Yacht, a company Healey owns and controls, to benefit his congressional candidacy.

If the Federal Election Commission (“FEC” or “Commission”), “upon receiving a complaint . . . has reason to believe that a person has committed, or is about to commit, a violation of the Act . . . the Commission *shall* make an investigation of such alleged violation.”<sup>2</sup> The Commission should find reason to believe and immediately open an investigation into the following: (1) that Robert Healey Jr. and Bob Healey for Congress violated the law by accepting corporate in-kind contributions and directing the funds of Viking Yacht in connection with Healey’s federal election; (2) that Viking Yacht made impermissible in-kind contributions to Bob Healey for Congress; and (3) that Viking Yacht facilitated the making of impermissible corporate contributions to Bob Healey for Congress.

### **FACTUAL BACKGROUND**

Robert Healey Jr. is the Republican nominee for the U.S. House of Representatives in New Jersey’s 3rd Congressional District. On November 8, 2021, Healey filed a Statement of Candidacy, and Ronald Gravino, his campaign’s treasurer, filed a Statement of Organization identifying Bob Healey for Congress (the “Committee”) as Healey’s authorized campaign

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<sup>1</sup> See 52 U.S.C. § 30125(e)(1)(A); 11 C.F.R. §§ 300.2(n), (e), 300.60, 300.61.

<sup>2</sup> 52 U.S.C. § 30109(a)(2)(emphasis added).

committee.<sup>3</sup> Viking Yacht is a family-owned New Jersey corporation that manufactures luxury yachts.<sup>4</sup> Healey is the company's chairman.<sup>5</sup>

Following the June 7, 2022, primary election, Viking Yacht prominently featured an image of Healey on the homepage of its website with the caption, "Healey for Congress."<sup>6</sup> The company also posted the following message on its website:

Congratulations to Viking's Bob Healey Jr. He won the Republican nomination for the U.S. House in New Jersey's 3rd Congressional District. Bob is running to improve economic opportunity and affordability, stand with our police and enhance public safety, strengthen our military and defend our personal liberties and freedoms. Onward to November!"<sup>7</sup>

Images from the website are reproduced below.



<sup>3</sup> See FEC, Statement of Candidacy of Robert Healey Jr, <https://docquery.fec.gov/pdf/833/202111089468443833/202111089468443833.pdf>; Statement of Organization of Bob Healey for Congress, <https://docquery.fec.gov/cgi-bin/forms/C00793646/1547446/>.

<sup>4</sup> New Jersey Department of Treasury, Business Name Search, <https://www.njportal.com/DOR/BusinessNameSearch/Search/BusinessName> (search for "Viking Yacht Company"); Viking Yachts, <https://www.vikingyachts.com/main/main.asp> (last visited August 8, 2022)

<sup>5</sup> See Robert Healey Jr. LinkedIn, <https://www.linkedin.com/in/robert-healey-jr-5055659> (last visited August 8, 2022); Healey for Congress, Meet Bob, <https://www.bobhealeyfornj.com/about/> (last visited August 8, 2022).

<sup>6</sup> See Wayback Machine archive of Viking Yacht website from July, 10, 2022, <https://web.archive.org/web/20220710165859/https://www.vikingyachts.com/main/main.asp> (the caption on the image of Healey has since been updated to "Healey Wins Nomination") Viking Yachts, <https://www.vikingyachts.com/main/Main.asp> (last visited July 29, 2022).

<sup>7</sup> See Viking Yachts, <https://www.vikingyachts.com/main/NewsDetails.asp?numIdVal=414> (last visited July 29, 2022).





### Healey Wins Nomination

6/24/2022

Congratulations to Viking's Bob Healey Jr. He won the Republican nomination for the U.S. House in New Jersey's 3rd Congressional District. Bob is running to improve economic opportunity and affordability, stand with our police and enhance public safety, strengthen our military and defend our personal liberties and freedoms. Onward to November!

The above picture of Healey was also the profile picture of Healey for Congress's Facebook page in November 2021.<sup>8</sup> In addition, the above message that Viking Yachts posted closely resembles a statement on the Committee's website, as depicted below.<sup>9</sup>

### *Healey For Congress campaign website homepage:*



Bob's passion to serve and his mission to help those around him is a driving force in his life. He's running for Congress to improve economic opportunity and affordability, stand with our police and enhance public safety, strengthen our military and the Joint Base, fight against radical liberals and cancel culture, and defend our personal liberties and freedoms.

**MEET BOB**

<sup>8</sup> See Facebook, Bob Healey for Congress, <https://www.facebook.com/BobHealey4Congress/photos/pb.100075851752075.-2207520000../314929026990099/?type=3> (last visited July 29, 2022).

<sup>9</sup> Main page, Bob Healey for Congress, <https://www.bobhealeyfornj.com/> (last visited July 29, 2022); Meet Bob, Bob Healey for Congress, <https://www.bobhealeyfornj.com/about/> (last visited July 29, 2022).

In addition, the Committee released a digital advertisement in which Healey appears to be in a manufacturing facility wearing a polo shirt with the Viking Yacht logo clearly visible in the front.<sup>10</sup> As shown below, the shirt appears identical to the one Healey is wearing in the image featured on the Viking Yacht website:



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<sup>10</sup> See YouTube, Bob Healey Jr. for Congress, Force for Good, <https://www.youtube.com/watch?v=XytdNNHzd6k> (last visited July 29, 2022). This advertisement exists in a 30 second and shortened 15 second format. *Id.*

## LEGAL ANALYSIS

The Act prohibits corporations from making contributions to federal candidates and candidates from knowingly accepting corporate contributions.<sup>11</sup> A campaign may not accept or use corporate resources or assets without paying fair market value for the use. The Act and Commission regulations define “contribution” to include “anything of value” made by a person for the purpose of influencing a federal election.<sup>12</sup> “Anything of value” includes in-kind contributions, defined as the provision of any goods or services without charge or at a charge that is less than the usual and normal charge for such goods or services.<sup>13</sup>

Further, the Act prohibits federal candidates, their agents, and entities established, financed, maintained, or controlled (“EFMC’d”) by federal candidates from soliciting, receiving, directing, transferring, or spending funds in connection with any federal election, unless the funds are subject to the limitations, prohibitions, and reporting requirements of the Act.<sup>14</sup> Funds that are not subject to the limitations, prohibitions, and reporting requirements of the Act are colloquially referred to as “soft money.” Commission regulations define the term “direct” to include guiding a person to make a contribution, transfer of funds, or “otherwise provide anything of value.”<sup>15</sup> To determine whether a candidate or the candidate’s agent “directly or indirectly” EFMC’d an entity, the Commission considers a non-exhaustive list of factors bearing on the relationship between the candidate and the entity, including whether the candidate owns a controlling interest in the entity; whether the candidate has the authority or ability to direct or participate in the governance of the entity; and whether the candidate has the ability to hire,

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<sup>11</sup> 52 U.S.C. § 30118; 11 C.F.R. § 114.2(b).

<sup>12</sup> 52 U.S.C. § 30101(8)(A)(i); *see also* 11 C.F.R. § 100.51(a).

<sup>13</sup> 11 C.F.R. § 100.52(d)(1).

<sup>14</sup> 52 U.S.C. § 30125(e)(1); 11 C.F.R. § 300.61. Commission regulations define the term “direct” to include guiding a person to make a contribution, transfer of funds, or “otherwise provide anything of value.” 11 C.F.R. §§ 300.2(n).

<sup>15</sup> 11 C.F.R. § 300.2(n).



appoint, demote, or control officers or other decision-making employees of the entity.<sup>16</sup> In enacting these restrictions, Congress sought to “deter any possibility that solicitations of large sums from corporations, unions, and wealthy private interests will corrupt or appear to corrupt our Federal Government or undermine our political system with the taint of impropriety.”<sup>17</sup>

Respondents appear to be doing exactly what Congress sought to prevent by using a candidate-controlled company, and its funds that consist of soft money, to benefit Healey’s own election. Soon after the primary election, Healey’s company, Viking Yacht, prominently displayed on its website an image of Healey alongside the name of his campaign committee, Healey for Congress, and congratulated him on winning the Republican primary. Further, the image of Healey that Viking Yachts posted was also the profile picture on Healey for Congress’s Facebook page in November 2021.<sup>18</sup>

In addition, Viking Yacht included a campaign-style message that is strikingly similar to a message on the Committee’s website. The message, which positively identifies Healey and touts his reasons for running, ends with “Onward to November!”

Not only did Healey appear to use the company’s website to advocate for his campaign, but he also appears to have used the company’s manufacturing facility for an advertisement. The Committee, however, has not reported any payments to Viking Yachts to cover this cost. Further, the shirt Healey is wearing in the ad is identical to the one Healey wears in the image posted on Viking Yachts’ webpage and on the campaign’s Facebook page, further blurring what should be a clear line separating his role as a federal candidate and chairman of his company.

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<sup>16</sup> See 11 C.F.R. § 300.2(c)(2).

<sup>17</sup> 148 Cong. Rec. S2139 (Daily ed. March 20, 2002) (statement of Sen. McCain).

<sup>18</sup> Facebook, Bob Healey for Congress, <https://www.facebook.com/BobHealey4Congress/photos/pb.100075851752075.-2207520000../314929026990099/?type=3> (last visited July 29, 2022); Viking Yachts, <https://www.vikingyachts.com/main/NewsDetails.asp?numIdVal=414> (last visited July 29, 2022).

In sum, Respondents' actions, if true, would amount to significant violations of federal campaign finance law. The Commission has the responsibility to ensure the integrity of the federal campaign finance process and that the Act's anti-corruption and anti-circumvention rationales are not being undermined.

### REQUESTED ACTION

As demonstrated here, Respondents appear to have violated the Act and Commission regulations through impermissible corporate in-kind contributions and directing and receiving soft money. I respectfully request that the Commission find reason to believe that Respondents violated the Act and Commission regulations, open an investigation into these violations immediately, enjoin Respondents from further violating the law, and fine Respondents the maximum amount permitted by law.

Sincerely,



Amanda Bogden  
End Citizens United  
100 M St. SE  
Washington, DC 20003

SUBSCRIBED AND SWORN to before me this 10<sup>th</sup> day of August, 2022.

Mark Andrews

Notary Public

My Commission Expires:

MARK ANDREWS  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires July 14, 2024

