

GOP Congressional Delegation Urges U.S. Attorney General to Investigate Gov. Hochul Over COVID Tests

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[Lucas Day](#)

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New York's Republican Congressional Delegation is calling on Attorney General Merrick Garland to investigate what they say is Governor Kathy Hochul's use of tax dollars to purchase COVID-19 test kits from

one of her biggest campaign donors.

The Representatives claim that on the same day the Governor declared a state of emergency to address hospital capacity and staffing shortages, she was able to side-step the state-mandated competitive bidding process, along with State Comptroller oversight, and grant a no-bid contract to Digital Gadgets the same day their proposal was received.

In their letter, the Republicans claim Digital Gadgets sold Hochul millions of tests at approximately twice the price per test paid by other states.

You can read their letter below:

Congress of the United States
Washington, DC 20515

September 26, 2022

Attorney General Merrick B. Garland
U.S. Department of Justice
950 Pennsylvania Avenue N.W.
Washington, DC 20530

Dear Attorney General Garland,

We are writing to urge you to conduct a thorough investigation of the \$637 million deal between the Hochul Administration and New Jersey-based distributor Digital Gadgets LLC to purchase 52 million rapid COVID-19 tests last winter. This blatant misuse of New York taxpayer dollars warrants an in-depth examination of an alleged pay-to-play scheme between the Hochul Administration and some of her largest campaign donors.

On November 26, 2021, Governor Hochul declared a state of emergency to address hospital capacity and staffing shortages due to the ongoing surge in the Omicron variant. Taking advantage of her emergency powers, this move enabled Hochul to side-step the state-mandated competitive bidding process, bypass necessary New York State Comptroller oversight, and grant a no-bid contract to Digital Gadgets the same day their proposal was received. Claiming this deal was struck due to the company's ability to deliver a large number of tests to meet high demand, reports have shown that stockpiles of excess COVID-19 tests acquired from Digital Gadgets remain unused months after they were initially bought.

Owned and operated by political donor Charles Tebele, Digital Gadgets sold Hochul millions of tests at roughly twice the price per test paid by other states. With a rate of \$12.25 per test, New York paid 45% more than states like California which purchased their tests directly from the manufacturer Access Bio instead of through Digital Gadgets, a third-party vendor which took an unspecified amount of the cut. Estimates have shown that New York would have saved \$286 million in funds if it had paid the same price as California when buying these 52 million tests.

To add to the suspect nature of this COVID-19 spending deal, Tebele and his family members have funneled approximately \$300,000 to Hochul's campaign, according to reports from Manhattan District Attorney Alvin Bragg. Bragg's reports also find that Jack Cayre, a Tebele business partner in a related Digital Gadgets company, along with his family members gave \$418,000 to the governor's campaign. Building off this pattern of political spending, Tebele hosted a political fundraiser for Gov. Hochul last November, only four days before she declared the state of emergency that opened the door for his company to receive \$637 million in no-bid state contracts.

This long litany of political contributions intertwined with the Hochul Administration's unchecked government spending is coming at the direct expense of hard-earned taxpayer dollars. With your duty to enforce federal laws and ensure fair and impartial administration of justice, we ask that you use your position within the Department of Justice (DOJ) to promote transparency in government spending and investigate this potential kickback scheme that has defrauded taxpayers millions of dollars.

We thank you for your attention to this sensitive matter and we look forward to receiving your response.

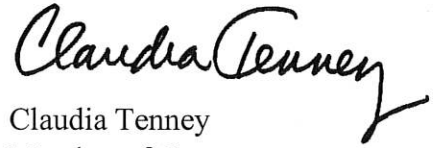
Sincerely,



Nicole Malliotakis
Member of Congress



Elise M. Stefanik
Member of Congress




Claudia Tenney
Member of Congress



Mark E. Green, M.D.
Member of Congress



Andrew R. Garbarino
Member of Congress



Joe Sempolinski
Member of Congress



John Katko
Member of Congress



Mariannette Miller-Meeks, M.D.
Member of Congress