

COMMITTEE ON SCIENCE AND TECHNOLOGY
Chairman
Subcommittee on Energy and Environment

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE



BRIAN BAIRD
CONGRESS OF THE UNITED STATES
3RD DISTRICT, WASHINGTON

October 1, 2010

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Federal Election Commission
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AOR 2010-26

REQUEST FOR ADVISORY OPINION

Honorable Commissioners:

This letter is to request a formal approval for the use of campaign funds to pay for an expense directly resulting from the costs associated with moving back to my home state following my pending retirement from Congress.

As we are preparing to move back to Washington State we have divided our packing in two stages. The first stage began this August when we packed and moved slightly less than half of the items from our home, e.g books, furniture, files, some dishes etc.. into a storage unit nearby. The reason for this move to temporary storage was solely to allow us to prepare our home for sale as part of this move. Everything in storage is packed and ready for the cross country move and we are not accessing it at all from the time of packing until the actual move takes place. The total time the items will be in storage will be slightly less than four months, i.e. from mid August to mid December. The storage unit is a commercial off site facility recommended to us by our mover. We are paying full normal rental for the facility (approximately 1200 cubic feet) and we have no personal, commercial or political affiliation whatsoever to the storage company.

It should be emphasized that in the entire ten years we have lived in the home we have never put anything into storage nor would we have at this time were it not necessitated by preparation for this move. So we are not putting things in storage to "make space" for living here, we are only putting it in storage to get ready to move home. Further, this temporary move to storage was not, it should be emphasized, in any way as a material or physical improvement to the home itself. It is simply to begin moving things out earlier in order that we can have space to prepare for the house for the move.

In so far as established precedence has determined that necessary moving expenses can be compensated through campaign committee funds, and given that the sole reason we have placed anything in storage at this point is as a necessary part of our preparations for moving back to my home state, and, further, considering that the stored material is fully packed and ready to

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move and not to be accessed until the move, and, most importantly, because were it not for my retirement and the resulting return to Washington State, we would have no reason to pack things up and put them in storage in this manner; it is evident that the costs of storage, are clearly not personal expense and are in fact directly related to the expenses of returning to our home state. Therefore we believe those costs should be fully compensated from my primary campaign account.

Stated more simply, in order to work in Congress we have to have a place to live in Washington DC. When it comes time to leave, we have to move things out of that place and take them home to Washington State. If I were not retiring, we would not be moving, if we were not moving we would not be putting anything into storage as preparation for that move. That is what this expense is all about, moving our things out of our DC home to take them back to our home in Washington State now that I am leaving Congress. We are paying normal full costs for rental of the storage unit, we have no relationship whatsoever with the company other than this rental, and we would not be doing this were it not required for the move. It is my understanding that such expenses are compensable from campaign funds and I would appreciate a formal decision on that question in this case.

Thank you for your consideration and please let us know if any additional information is needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Baird", with a stylized flourish at the end.

Brian Baird
Member of Congress