

SANDLER REIFF

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June 7, 2019

Jeff S. Jordan, Esq.
Assistant General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 7596 – Response to Complaint
Tedra Cobb, Committee to Elect Tedra Cobb, and David Katz, as treasurer

Dear Mr. Jordan:

This response is filed on behalf of Tedra Cobb, a candidate for the U.S. House of Representatives, her campaign committee, Committee to Elect Tedra Cobb, and David Katz, in his official capacity as treasurer (collectively referred to as the "Cobb Campaign") to Mr. John Bast's complaint dated April 18, 2019 regarding recreational vehicle ("RV") and passenger van transportation used by volunteers for get-out-the-vote activities that was reported in the *Watertown Daily Times* on November 2, 2018.

Contrary to Mr. Bast's allegation, the Cobb Campaign was not required to report the RV and passenger van expenses of less than \$1,000 paid for by volunteers on behalf of the campaign because transportation expenses that do not exceed \$1,000 are specifically exempted from the definition of "contribution" in the Federal Election Campaign Act of 1971, as amended (the "Act") and, therefore, do not have to be reported by the campaign. For this reason, as discussed in more detail below, the Commission should find no reason to believe a violation occurred and close this matter.

Statement of Facts

Two sets of volunteers provided transportation on behalf of the Cobb Campaign to conduct get-out-the-vote activities throughout the district over the last few days of the 2018 campaign. Neither set of volunteers spent more than \$1,000 for transportation expenses on behalf of the campaign.

The first set of volunteers, Annette and Sherman Craig, used their personal RV to travel with the candidate for four days starting on November 1, 2018. The Craigs stayed in their RV

and the campaign provided them with places to park in the evenings. The Cobb Campaign paid \$100 for gas for the Craig's RV and that expense was included in the campaign's post-general report filed with the Commission.¹ Ms. Craig confirmed that she and her husband did not make any payments on behalf of the Cobb campaign.²

The second volunteer, Andy McAdoo, rented a GMC Savannah passenger van on November 2, 2018 and personally paid the transportation expenses that included a \$756 rental fee³ and an estimated \$100 for gas totaling approximately \$856. Mr. McAdoo also confirmed that he spent less than \$1,000 on transportation expenses on behalf of the campaign.⁴

The two sets of volunteers each spent less than \$1,000 for travel expenses on behalf of the Cobb Campaign.

Analysis

The Act places limits on contributions by individuals to candidates.⁵ The Act also provides several exceptions to the definition of "contribution" for various activities and low-dollar payments. Among them are: (i) services provided by "any individual who volunteers on behalf of a candidate"⁶ and (ii) "any unreimbursed payments for travel expenses made by any individual on behalf of any candidate ... to the extent that the cumulative value ... does not exceed \$1,000 with respect to any single election."⁷

The Cobb Campaign correctly did not report travel expenses paid for by volunteers on behalf of the campaign because the expenses did not exceed \$1,000. In Ms. Craig's statement, she confirmed that she and her husband did not pay for any travel expenses on behalf of the campaign. Mr. McAdoo also confirmed that he only paid approximately \$856 for travel expenses on behalf of the Cobb Campaign.

Therefore, because the payments for unreimbursed travel expenses made by individuals on behalf of the Cobb Campaign did not exceed \$1,000, such payments were not "contributions" under the Act and the campaign did not have to report them on its disclosure reports filed with the Commission.

¹ See Exhibit 1, Committee to Elect Tedra Cobb, 10/30/18 disbursement to Stewarts Shop Saratoga Springs in the amount of \$100 for "Ground transportation," FEC Post-General Report, p.242 (Dec. 6, 2018)

² See Exhibit 2, Statement of Annette and Sherman Craig (June 6, 2019).

³ See Exhibit 3, Rental receipt for GMC Savannah passenger van (Nov. 2, 2018)

⁴ See Exhibit 4, Statement of Andy McAdoo (June 6, 2019).

⁵ 52 U.S.C. § 30116(a)(1). During the 2018 election cycle, the limit on an individual contribution to a candidate was \$2,700 per election.

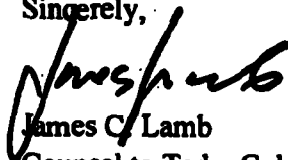
⁶ 52 U.S.C. § 30101(8)(B)(i); 11 C.F.R. § 100.74

⁷ 52 U.S.C. § 30101(8)(B)(iv); 11 C.F.R. § 100.79

Conclusion

The Cobb Campaign complied with Act when it did not report unreimbursed travel expenses made by individuals on behalf of the campaign that did not exceed \$1,000 because such payments are exempted from the definition of "contribution" and are not required to be reported. There is no reason to believe the Cobb Campaign violated the Act. Therefore, we respectfully request that the Commission dismiss this matter as it relates to the Cobb Campaign.

Sincerely,



James C. Lamb

**Counsel to Tedra Cobb and
Committee to Elect Tedra Cobb**

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MUR 7596

Committee to Elect Tedra Cobb – Response (June 7, 2019)

Exhibit 1

1-800-VOLVO

**SCHEDULE B (FEC Form 3)
ITEMIZED DISBURSEMENTS**Use separate schedule(s)
for each category of the
Detailed Summary PageFOR LINE NUMBER:
(check only one)

PAGE 242 OF 251

<input checked="" type="checkbox"/> 17	<input type="checkbox"/> 18	<input type="checkbox"/> 19a	<input type="checkbox"/> 19b
<input type="checkbox"/> 20a	<input type="checkbox"/> 20b	<input type="checkbox"/> 20c	<input type="checkbox"/> 21

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Committee To Elect Tedra Cobb

Full Name (Last, First, Middle Initial)

A. Stewarts Shop Saratoga Springs

Date of Disbursement

M	M	/	D	D	/	Y	Y	Y	Y
10			30			2018			

Mailing Address 30 Church S

City

Wevertown

State

NY

Zip Code

12886

Purpose of Disbursement
Ground transportation

Candidate Name

Category/
Type

Office Sought:

☐

House

☐

Senate

☐

President

Disbursement For: 2018

☐

Primary

☒

General

☐

Other (specify) ▼

State:

District:

FEC Identification Number

C

Amount of Each Disbursement this Period

100.00

Transaction ID : VTQ2V9VK5X1

Memo Item

Full Name (Last, First, Middle Initial)

B. Stewarts Shop Saratoga Springs

Date of Disbursement

M	M	/	D	D	/	Y	Y	Y	Y
11			06			2018			

Mailing Address 30 Church S

City

Wevertown

State

NY

Zip Code

12886

Purpose of Disbursement
Ground transportation

Candidate Name

Category/
Type

Office Sought:

☐

House

☐

Senate

☐

President

Disbursement For: 2018

☐

Primary

☒

General

☐

Other (specify) ▼

State:

District:

FEC Identification Number

C

Amount of Each Disbursement this Period

100.00

Transaction ID : VTQ2V9VK6A4

Memo Item

Full Name (Last, First, Middle Initial)

C. Stubbs Printing, Inc.

Date of Disbursement

M	M	/	D	D	/	Y	Y	Y	Y
10			22			2018			

Mailing Address PO Box 1100

City

Massena

State

NY

Zip Code

13662

Purpose of Disbursement
Printing

Candidate Name

Category/
Type

Office Sought:

☐

House

☐

Senate

☐

President

Disbursement For: 2018

☐

Primary

☒

General

☐

Other (specify) ▼

State:

District:

FEC Identification Number

C

Amount of Each Disbursement this Period

263.52

Transaction ID : VTQ2V9VK5D5

Memo Item

SUBTOTAL of Disbursements This Page (optional).....▶

483.52

TOTAL This Period (last page this line number only).....▶

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Committee to Elect Tedra Cobb – Response (June 7, 2019)

Exhibit 2

100444646211

Federal Election Commission

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**Respondents, Tedra Cobb, Cobb for Congress, and
David Katz, in his official capacity as treasurer**

STATEMENT OF ANNETTE CRAIG

My name is Annette Craig. The following statements are based on my personal knowledge:

- 1. My husband, Sherman Craig, and I were volunteers for Cobb for Congress (the "Cobb Campaign") during the 2018 election.**
 - 2. We personally own a recreational vehicle ("RV").**
 - 3. We used our RV to travel with Tedra Cobb and campaign staff members for four days starting on November 1, 2018 to assist the campaign with their get-out-the-vote efforts.**
 - 4. The Cobb Campaign provided us with a place to park the RV in the evenings.**
 - 5. We drove our RV approximately 575 miles on behalf of the Cobb Campaign. 575 miles is approximately the capacity of one full tank of gasoline for our RV.**
 - 6. A Cobb Campaign staff person paid for a full tank of gasoline for our RV on November 4, 2018 using what we understood to be the campaign's credit card.**
 - 7. We paid for no other travel expenses on behalf of the Cobb Campaign.**
- I affirm that these statements are correct.**



Annette Craig

Date: 

MUR 7596

Committee to Elect Tedra Cobb – Response (June 7, 2019)

Exhibit 3

1807444001

Rental #: 2347

Alpin Haus Ski Shop, Inc.

Amsterdam NY 12010

LESSEE'S NAME: andy mcadoo			DATE: 11/2/2018			RENTAL DESCRIPTION			
STREET ADDRESS			CITY CLIFTON PARK			STATE NY			
			ZIP 12065			MAKE: GMC SAVANNAH			
						STOCK #: R044421			
EMPLOYED BY:			PHONE HOME:			SERIAL: 1GDS7DC40E1140850			
			BUSINESS:			LIC PLATE #:			
			CELL PHONE:			Lessee's and/or Owner's Insurance Carrier:			
						DRIVER #1: andy mcadoo			
						DRIVER'S LICENSE #:			
						STATE: NY			
MILEAGE CHARGE			TIME CHARGE						
Mileage IN	0		RETURN HOUR IS NO LATER THAN 11:30:00 AM	Hours: NA	N/A				
Mileage OUT	37792			Days: 4 Day(s) at \$700.00	\$700.00				
Actual Mileage	-37792			Weeks: NA	N/A				
Free Miles	0			Months: NA	N/A				
OVERAGE	-37792			TOTAL TIME OR TOUR CHARGE		\$700.00			
			EST. MILEAGE CHARGE			N/A			
Date OUT: 11/2/2018			TIME: 10:00:00 AM						
Date IN: 11/6/2018			TIME: 11:30:00 AM						
BREAKDOWN OF OTHER CHARGES									
FEE TYPE	FEE DESCRIPTION				AMOUNT				
DEPOSITS									
DATE	DEPOSITS RECEIVED				AMOUNT				
11/2/2018					756.00				
11/2/2018					500.00				
11/12/2018					(500.00)				
Insurance is included in the rental fee.									
*the deductible for comprehensive and collision is \$0.00 and this amount must be paid up-front and will be immediately refunded when the vehicle is returned undamaged and clean.									
Initial Here									

Lessor

Lessee (I Heraby Affirm I Am of Lawful Age)

By

Lessee (I Hereby Affirm I Am of Lawful Age)

1-800-444-4477 ext. 254

MUR 7596

Committee to Elect Tedra Cobb – Response (June 7, 2019)

Exhibit 4

1608444001
JUN 7 2019

Federal Election Commission

MUR 7596


**Respondents, Tedra Cobb, Cobb for Congress, and
David Katz, in his official capacity as treasurer**

STATEMENT OF ANDY McADOO

My name is Andy McAdoo. The following statements are based on my personal knowledge:

1. I was a volunteer for Cobb for Congress (the "Cobb Campaign") during the 2018 election.
2. I personally rented a GMC Savannah passenger van on or about November 2, 2018.
3. I used the GMC van for transportation on behalf of the Cobb Campaign shortly before election day.
4. The cost of the van rental was \$756 and I paid for it personally.
5. I also personally paid for gasoline for the GMC van that totaled approximately \$100.
6. I paid for no other travel expenses on behalf of the Cobb Campaign.

I affirm that these statements are correct.



Andy McAdoo
Date: 6/7/19

10044444001