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Cedarburg, WI 53012-2350

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Federal Election Commission
Office of General Counsel
999 E Street, NW
Washington, D.C. 20463

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AOR 2007-24

1 October 2007

The Commission:

Two candidates, Jeff Walz and Jim Burkee of Wisconsin, intend to seek congressional election in the fifth district of Wisconsin in 2008. The two candidates intend to campaign together, Jeff Walz as a Democrat and Jim Burkee as a Republican. For the combined aspects of their campaigns, the two candidates wish to form a joint fundraising committee to last throughout the primary and general election campaigns for donors wishing to contribute equally to both campaigns. All financial contributions to the joint campaign committee will immediately be divided evenly between the two candidates' respective campaign committees. Thus, a joint fundraising committee would be established to serve as a clearinghouse for funds contributors intend to be jointly divided between Jim Burkee for Congress and Jeff Walz for Congress: Funds received in the account will be disbursed weekly, and evenly, between Jim Burkee for Congress and Jeff Walz for Congress campaigns. Donors will be informed in advance that they always have the option to donate only to one of the two candidates.

All three political committees – Jim Burkee for Congress, Jeff Walz for Congress, and, should the Commission allow, a joint fundraising committee – plan to register with the commission in the near future.

Two distinct campaigns – Jim Burkee for Congress, and Jeff Walz for Congress – already have established separate bank accounts and campaign structures, and have appeared together at events paid for equally by both campaigns.

Solicitations

The candidates intend to appear together at all campaign events wherever possible, unless a debate or similar event excludes members of one party (e.g. a Democrat primary debate). All campaigning that is not funded equally by both candidates would be funded only by one candidate and only on his behalf.

The candidates intend to do this through both the primary election cycle and the general election cycle for the purpose of promoting "the campaign [voters] always dreamed of..." marked by civility and honesty. They intend for a campaign determined by the best ideas; not the most money.

The following represent examples of potential joint campaign events before the voters of the Fifth Congressional District and joint campaign activities we request be covered by your ruling: Joint appearances before audiences at events hosted by third-party organizations including (but not limited to) churches, Rotary clubs, Chamber(s) of Commerce, schools and universities; joint political rallies funded equally by each campaign; joint promotion of both campaigns through website, web-based and e-mail advertising; joint promotion of both campaigns through yard signs with both candidates' names, bumper stickers and other print advertising and materials; and joint appearances on television and radio advertisements. The candidates intend to solicit contributions during some or all of these campaign events and by some or all of these media.

Candidates may also engage in joint mailings and fundraising events, funded equally by both campaigns.

The candidates understand that those engaging in joint fundraising must produce a written agreement identifying a joint fundraising representative, which, in this case, will be the joint fundraising committee. If granted approval by the Commission, we intend to produce a written agreement and name a joint fundraising representative.

Expenditures

While the joint campaign committee we request you allow will disburse funds equally to both campaigns, joint campaign events and activities will be funded and paid for equally by each individual campaign.

The same individual, Tyler Williams, serves as Campaign Director for both the Jim Burkee for Congress and Jeff Walz for Congress campaigns. For all work done on behalf of the two campaigns jointly, he will be paid equally by the Jim Burkee for Congress and Jeff Walz for Congress campaigns: 50% of his salary will be covered by each individual campaign account. If any work is done individually for Jim Burkee for Congress, Mr. Williams will be compensated for that work only out of the Jim Burkee for Congress campaign account; the same standard will apply for work done exclusively for Jeff Walz for Congress. Other staff members working for both campaigns will be funded under the same guidelines.

Several other expenses will be shared by the two campaigns, paid for at 50% per campaign: Website development, purchase of domain names, hosting service, server space, etc.; Office equipment to be used by each campaign will be purchased and paid for at 50% per campaign; Development and implementation of joint advertising, including television, radio and newspaper advertisements, bumper stickers, campaign banners, yard signs, etc. On all advertising and signage both candidates will be featured with equal time and prominence (Advertisements will typically not contain solicitations for contributions, but will point voters to the joint website (www.burkeewalz.com), which does solicit contributions).

Payment for these and other expenses happen in one of three ways: A candidate or staff worker will purchase goods or services and be reimbursed at 50% each by both campaigns; vendors will provide goods or services and bill each campaign separately at 50% of total cost each; or an

individual campaign will pay entirely for a good or service and be reimbursed for 50% of the cost by the other campaign.

I am requesting your opinion as to whether the above structure is permissible. I have also included (attached) a copy of our joint campaign logo.

Thank you for your time and guidance. Please send your advisory opinion to us at:

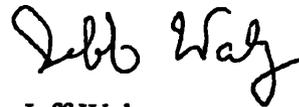
Jim Burkee
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Thank you for your assistance in the matter. We look forward to hearing from you soon.

Yours sincerely,



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