



DEMOCRATIC PARTY OF WISCONSIN

110 King Street, Suite 203 • Madison, WI, 53703 • www.wisdems.org
phone (608) 255-5172 • fax (608) 255-8919

June 22, 2009

Robert L. Fornaro, Chairman, President, & CEO
AirTran Holdings, Inc
9955 AirTran Blvd
Orlando, FL 32827

Dear Mr. Fornaro:

It has come to my attention that AirTran Airways – a subsidiary of your company, AirTran Holdings, Inc – is underwriting the costs of the multi-stop campaign tour of Milwaukee County Executive Scott Walker, a declared Republican candidate for Governor in Wisconsin. You should be aware that this \$2,800 sponsorship constitutes an illegal corporate contribution under Wis. Stats. § 11.24(1)¹ that directly assists Walker in his campaign for Governor. Your company, therefore, is engaged in an illegal activity and must rescind its sponsorship immediately.

Walker's motorcycle tour is a clearly political event, designed to secure favorable media coverage in markets around the state as part of his gubernatorial campaign. As reported by the Milwaukee Journal Sentinel on July 11, 2005, Walker used campaign staff to advance and coordinate his motorcycle tour during the 2006 gubernatorial election. A damaging email distributed that same year confirmed the continued involvement of Walker's campaign staff.² Walker continues to utilize campaign staff on the 2009 motorcycle tour, as evidenced by a publicly-posted flyer listing a non-county phone number and email address as the contact.³

Walker actively discussed his gubernatorial campaign plans with reporters and event attendees throughout his 2005 motorcycle tour – and will do so again this year. In fact, Walker has already been identified as a candidate for Governor in recent media coverage of the 2009 campaign tour.⁴

Members of Walker's own County Board on June 19 filed a formal, verified complaint with the Milwaukee County Election Commission citing the violations mentioned above, amongst others.⁵ As requested by the Supervisors, an investigation is now pending, the results of which may be turned over to the Milwaukee County District Attorney for further action. As a corporate sponsor of the tour, AirTran Airways and its principals may be subject to this investigation. *See* Wis. Stats. § 11.24(1).

¹ No person may, directly or indirectly, make any contribution other than from funds or property belonging to the contributor. No person may, directly or indirectly, furnish funds or property to another person for the purpose of making a contribution in other than the person's own name. No person may intentionally accept or receive any contribution made in violation of this subsection. An individual illegally furnishing funds from a corporate account may be convicted under sub. (1). *State v. Dreske*, 88 Wis. 2d 60, 276 N.W.2d 324 (Ct. App. 1979).

² <http://www.wisopinion.com/blogs/uploads/0507/walkerride.pdf>

³ http://www.milwaukeecounty.org/ImageLibrary/Groups/cntyExecutive/Harley_Ride_2009/2009_Ride_Flyer_Web.pdf

⁴ <http://www.jsonline.com/news/milwaukee/48620252.html>

⁵ <http://www.wispolitics.com/1006/090619WalkerComplaint.pdf>

The mission statement of AirTran Holdings, Inc lists amongst its core values a dedication to “compliance with regulatory standards in every decision and every action.” Yet the contribution of AirTran Airways, in effect, underwrites the costs of a political public relations tour – a contribution that is in violation of Wisconsin campaign finance law and punishable with substantial fines under Wis. Stats. § 11.60⁶.

It is my sincere hope that you will take the appropriate steps to bring your company back into compliance with Wisconsin law by rescinding your illegal corporate sponsorship of this event. Your stockholders, customers, and the citizens of Wisconsin deserve no less.

Sincerely,


Jason A. Stephan
Executive Director

cc: JoAnne McGary, Director of Legal Affairs

⁶ Any person, including any committee or group, who makes any contribution in violation of this chapter may be required to forfeit treble the amount of the contribution or portion thereof which is illegally contributed.