CA-040-75

CA file

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

November 18, 1975

Mr. Anthony S. Harrington
Counsel
Sanford for President Committee
1028 Connecticut Ave., N.W.
Washington, D.C. 20036

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Dear Mr. Harrington:

This will acknowledge receipt of your letter dated October 7, 1975, responding to an allegation concerning the procurement and use of a Duke University Alumni List by the Sanford for President Committee.

Please be advised that the Commission determined no apparent violation of the Federal Election Campaign Act, as amended, occurred in this specific instance. Accordingly, the case has been closed. Further, in consonance with Commission procedures, the complainant has been notified of this determination.

Sincerely,

Gordon Andrew McKay
Assistant Staff Director
for Disclosure and Compliance

7704011774

CA-040-75

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

November 13, 1975

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Ms. Carol A. Cowgill
1010 25th Street, N.W.
Washington, D.C. 20037

Dear Ms. Cowgill:

This will acknowledge receipt of your letter dated September 15, 1975, concerning an alleged donation by Duke University of an alumni list to the Sanford for President Committee. Please be advised that the Commission determined no apparent violation of the Federal Election Campaign Act, as amended, occurred in this specific instance. Accordingly, this case has been closed.

Thank you for your assistance in this matter.

Sincerely,

Gordon Andrew McKay
Assistant Staff Director
for Disclosure and Compliance

7704001175

FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

October 22, 1975

MEMORANDUM TO: Lan Potter
Jack Murphy

THROUGH: Drew McKay

FROM: Stephen Schachman

SUBJECT: Termination Report

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

7704011776

CA 040-75

Allegation: Duke University made an illegal corporate contribution, in the form of a regional alumni listing to the Sanford for President Committee.

Report: Carol A. Cowgill, a graduate of Duke University, by letter of September 15, 1975, stated that she had been contacted by the Sanford Committee and solicited for both monetary and voluntary service contributions. Ms. Cowgill further stated she was informed that she had been contacted to contribute as she was a Duke University alumni living in the metropolitan area. Ms. Cowgill opined that Duke University had contributed the regional alumni listing to the Sanford Committee. This allegation was discussed with the Sanford Committee during an exit conference resulting from our audit of the Sanford Committee for matching funds.

As a result of the discussion between our staff and members of the Sanford Committee the Commission received a letter from Mr. Anthony Harrington, counsel for the Sanford Committee, dated October 7, 1975. Mr. Harrington asserted that Duke University did not donate the alumni list to the Sanford Committee and that the information contained on the regional alumni list is readily available to the public. In prior conversations with Mr. Harrington he indicated that he, a Duke University graduate, had in fact supplied the list.

Opinion: It is the opinion of the Office of the General Counsel that neither Duke University nor the Sanford for President Committee has violated the Act in regard to the above discussed matter. (The fact that most Universities publich numerous alumni lists is sufficient support for the assertions contained in Mr. Harrington's letter and, therefore, further verification is not necessitated.

Recommendation: It is recommended that the case be closed.

7704011777

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Sanford For President Committee

RECEIVED
FEDERAL ELECTION
COMMISSION

CA-040-75

'75 OCT 8 PM

October 7, 1975

Philip Hoff,
National Co-ordinator

Jean Westwood,
Campaign Director

Dorothy Lyon
Deputy Co-ordinator

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Office of the General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Gentlemen:

I am writing in reference to a letter to your office from Ms. Carol A. Cowgill dated September 15, 1975 concerning certain activities relating to Governor Terry Sanford's campaign for the Democratic presidential nomination. After stating certain assumptions in her letter, Ms. Cowgill raises a question as to "whether Duke University may lawfully donate a list of Duke University alumni to only one presidential candidate."

After reviewing the background concerning Ms. Cowgill's letter, we have the following comments on this matter:

1. The central fact is that Duke University did not "donate" the Washington area alumni list to the Sanford campaign, either "by some responsible official within the Duke University administration" or otherwise. Such information as has become available to the campaign was obtained from sources outside the University, and, as far as we can tell, neither Governor Sanford nor any other University official were aware that campaign staff and volunteers were inquiring as to whether some Duke alumni would be interested in supporting this good cause. We are satisfied that Duke University meticulously avoids any role or activity in Governor Sanford's campaign (perhaps unlike the case of some of the candidates holding public office).

2. Alumni information would hardly be considered as confidential data. Although Duke apparently has not recently published a general alumni directory like those of many other colleges and universities, such information or at least certain portions have been found to be available.

7704001778

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

3. As to discrimination against other candidates, I trust that no one, including Ms. Cowgill, would object to the use of any available Duke alumni information by other candidates if they felt that it might be useful, just as other candidates would not likely object to our contacting alumni of any colleges or universities with which they are affiliated in the unlikely event that we thought such an effort would be worthwhile.

4. Finally, we think that the process of selecting a President is important enough that citizens should welcome invitations to participate, however they come to be contacted, whether or not they elect to do so, and regardless of any preferences for other candidates. Persons supporting virtually all candidates at any level make special efforts to call upon those groups who may have particular occasion to know, or know of, the candidate, whether such relationship derives from geography, educational background, military service, public service or other affiliations or familiarity. We are at a loss to understand why any inquiry would provoke from Ms. Cowgill the negative reaction she has evinced.

In any event, we trust that the foregoing information will indicate that there is no question of any contribution under the Federal Election Campaign Act or otherwise, and I hope that Ms. Cowgill will agree that there is no reason why the field of higher education, among others, should not be looked upon as a potential source of leadership at the highest levels of our government and that aspiration to the high public service of the presidency should not be the sole province of those who are members of Congress.

Yours truly,

SANFORD FOR PRESIDENT COMMITTEE

Anthony S. Harrington

Anthony S. Harrington, Counsel

ASH/dkw
cc: C. A. Cowgill, Esq.
Mr. Michael Hershman
Federal Election Commission
Mr. Alton Dauphin
Wallace for President

7704011779

Sanford
For
President
Committee

1028 Connecticut Ave., N.W. · Washington, D.C. 20036

7 7 0 4 1 1 1 7 3 0

WASHINGTON D.C. PM 1 OCT 1975

ALWAYS USE ZIP CODE

Office of the General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
ACTION COPY

75 OCT 3 PM 4:09

COMMISSION

CA-040-75

FEDERAL ELECTION COMMISSION

'75 SEP 17 AM 9:11

1010 25th Street, N.W.
Apt. 802
Washington, D.C. 20037
September 15, 1975

333-0266

Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Dear Madam or Sir:

During the evening of September 10, 1975, I was telephoned at home by an individual who identified himself as Mr. Ernie (or Bernie) Kessler and stated that he was a member of the campaign staff of Terry Sanford, a Democratic presidential candidate. Mr. Kessler explained that he and his co-workers were telephoning all Duke University alumni in the metropolitan Washington, D.C. area for the purpose of soliciting monetary and volunteer service contributions to Mr. Sanford's campaign.

I did not discuss with Mr. Kessler how the Sanford campaign organization acquired a regional list(s) of Duke University alumni. I assume this information was contributed by some responsible official within the Duke University administration. Since no other presidential candidate has indicated that my Duke University alumni status was used to identify me as a solicitation recipient, I assume that Duke University has contributed regional alumni listings only to Mr. Sanford. What I would like to know is whether Duke University may lawfully donate a list of Duke University alumni to only one presidential candidate.

I have no information concerning Duke University's tax status, but I should imagine that it is probably a 501(c)(3) organization. This matter can easily be established by the Internal Revenue Service or by Duke University itself.

I look forward to your response to my inquiry.

Sincerely yours,

Carol A. Cowgill

Carol A. Cowgill, Esquire
A.B., Duke University '68

CAC/kak

cc: Sanford for President
Governor George Wallace
Duke University

7704011781

Sanford
For
President
Committee
1028 Connecticut Ave., N.W. · Washington, D.C. 20036

Mr. Michael Hershman
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463