

THE UNIVERSITY OF
ARIZONA
TUCSON ARIZONA

January 13, 2006

Ruth Heilizer, Attorney
Office of the General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Re: **MUR 5650**
University of Arizona, by and
through the Arizona Board of Regents.

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COMMISSION
OFFICE OF GENERAL
COUNSEL
2006 JAN 30 A 9:38

Dear Ms. Heilizer:

Thank you for the opportunity to supplement the University of Arizona's March 24, 2005 response to the above-mentioned Complaint. As referenced in your January 12, 2006 letter, the Complaint alleges that two student officers of ASUA, Alistair Chapman and Fernando Ascencio, stated that Ernest Hancock was excluded from the debate at the request of the McCain and/or Starky campaign committees. You have asked the University to specifically address these allegations.

To provide some context to answer your inquiry, the ASUA student government is a student co-curricular activity at the University, run by students. While ASUA students did host the debate in question, ASUA officers did not choose the candidates who participated. In fact, it was the University administration, in particular the University Advancement Office, that initially selected the candidates and then provided ASUA with the opportunity to host the debate. The University Advancement Office chose McCain and Starky for the debate based upon the criteria explained in the University's March 24, 2005 letter.

Specifically addressing the question in your letter, the University did not exclude Ernest Hancock from the debate at the request of the McCain and/or Starky campaign committees. Former ASUA Student Body President Alistair Chapman remembers speaking briefly with the Complainant Bennett Kalafut after the debate concluded. He does not recall stating to the Complainant that Hancock was excluded at the request of either the McCain or Starky campaign committees. He does recall that both the McCain and Starky campaign committees had earlier communicated to the University Advancement Office that their candidates were available for a debate in southern Arizona. He also recalls that McCain and Starky were chosen for the debate by the



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University's Advancement Office and that ASUA scheduled and hosted the debate because it fit nicely within the educational debate component of ASUA's Civic Engagement series.

ASUA's former Speakers Board Director, Fernando Ascencio, recalls speaking with the Complainant both before and after the debate. He recalls that he did not state to the Complainant or others that Hancock was excluded at the request of either the McCain or Starky campaign committees. He recalls explaining to the Complainant that neither he nor ASUA chose the candidates, and that ASUA merely scheduled the event. At that time, however, Mr. Ascencio did not know who had chosen McCain and Starky as the participants and what criteria were used, and based upon his lack of knowledge, suggested that the Complainant contact either the McCain or Starky campaigns for information about why Hancock was not chosen. Mr. Ascencio's confusion over who chose the candidates may have unintentionally led to the misunderstanding that underlies the Complainant's Complaint.

In closing, the University Advancement Office initially selected McCain and Starky as the debate participants and thereafter provided ASUA with the opportunity to host the debate. McCain and Starky were chosen by the University because both had significant student and voter interest and support, as well as a high level of campaign activity. Hancock was not chosen because he had only modest student and voter interest, and little campaign activity in comparison to the other candidates.

I hope this supplement provides the information that you needed. Please feel free to contact me if you require any additional information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter Likins", with a large, stylized flourish at the end.

Peter Likins
President