



FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, D.C. 20463

THIS IS THE END OF TMR # 1318

Date Filmed 4/29/81 Camera No. --- 2

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 27, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Bopp, Jr.
Bramas, Bopp and Haynes
900 Sycamore Building
19 South Sixth Street
Terre Haute, Indiana 47807

Re: MUR 1318

Dear Mr. Bopp:

The Federal Election Commission has reviewed the allegations of your complaint dated October 15, 1980, and October 29, 1980, and determined, that on the basis of the information provided in your complaint and the information provided by the Respondent, that there is no reason to believe that a violation of the Federal Election Campaign Act of 1971 as amended the "Act" has been committed.

Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a) (8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles N. Steele".

Charles N. Steele
General Counsel

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Bopp, Jr.
Frank, Bopp and Haynes
900 Sycamore Building
19 South Sixth Street
Terre Haute, Indiana 47807

Re: MUR 1318

Dear Mr. Bopp:

The Federal Election Commission has reviewed the allegations of your complaint dated October 15, 1980, and October 29, 1980, and determined, that on the basis of the information provided in your complaint and the information provided by the Respondent, that there is no reason to believe that a violation of the Federal Election Campaign Act of 1971 as amended the "Act" has been committed.

Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles E. Steele
General Counsel

81010341383

DC



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 27, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Laurie K. Rockett, Esquire
Greenbaum, Wolff & Ernst
437 Madison Avenue
New York, New York 10022

Dear Ms. Rockett:

On October 21, 1980, the Commission notified you of a complaint alleging that your client had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on March 24, 1981, determined that on the basis of information in the complaint and information provided by you that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Steele".

Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 27, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dara Klassel, Staff Attorney
Planned Parenthood of America, Inc.
510 Seventh Avenue
New York, New York 10019

Dear Ms. Klassel:

On October 21, 1980, the Commission notified you of a complaint alleging that your client had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on March 24, 1981, determined that on the basis of information in the complaint and information provided by you that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles N. Steele".

Charles N. Steele
General Counsel

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

D.C.

Lara Klassel, Staff Attorney
Planned Parenthood of America, Inc.
510 Seventh Avenue
New York, New York 10019

Dear Ms. Klassel:

On October 21, 1980, the Commission notified you of a complaint alleging that your client had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on March 24, 1981, determined that on the basis of information in the complaint and information provided by you that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

DC/dm 03/26/81

31010213202

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Planned Parenthood of America, Inc.) MUR 1318
Planned Parenthood of New York City, Inc.)

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission's Executive Session on March 24, 1981, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 1318:

1. find no reason to believe that Planned Parenthood of America, Inc. and Planned Parenthood of New York City, Inc. violated 2 U.S.C. §441b of the Federal Election Campaign Act of 1971, as amended;
2. approved the letters attached to the General Counsel's March 11, 1981 report;
3. CLOSE THE FILE.

Commissioners Alkens, Harris, McGarry, Reiche, and Tiernan voted affirmatively for the decision; Commissioner Thomson dissented.

Attest:

3/25/81

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

March 11, 1981

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 1318

Please have the attached First GC Report distributed to the Commission on a 48 hour tally basis. Thank you.

31010243204



FEDERAL ELECTION COMMISSION

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

TO: CHARLES N. STEELE *CS*
FROM: MARJORIE W. EMMONS/JODY CUSTER *JC*
DATE: MARCH 17, 1981
SUBJECT: OBJECTION TO MUR 1318, AFTER CERTIFICATION

The First General Counsel's Report regarding MUR 1318 was circulated to the Commission at 11:00 a.m. on Thursday, March 12, 1981.

At 3:00 p.m. on March 16, 1981, the approved certification was forwarded to the Office of the General Counsel with a vote of 4-0.

At 5:04 p.m., March 16, 1981, Commissioner Thomson submitted an objection, thereby placing this matter on the agenda for March 24, 1981.

Please destroy the certification forwarded to your office in this matter.

cc: Commissioner Thomson

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

FRIST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL MUR 1318
BY OGC TO THE COMMISSION: 8-11-81 DATE COMPLAINT RECEIVED
BY OGC: October 30, 1980
STAFF MEMBER: Deborah Curry

COMPLAINT'S NAME: National Right to Life Committee

RESPONDENTS' NAME: Planned Parenthood of America, Inc. and
Planned Parenthood of New York City, Inc.

RELEVANT STATUTE: 2 U.S.C. §§ 441b(a), and 441b(b)(2)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On October 15, 1980, the Office of General Counsel received a complaint from James Bopp, Jr. on behalf of the National Right to Life Committee. On October 29, 1980, the Office of General Counsel received a supplemental complaint. The complaint and its supplement alleged that Planned Parenthood of America, Inc. (hereinafter "PPFA") and its affiliate Planned Parenthood of New York City, Inc. (hereinafter "PPNYC") violated 2 U.S.C. § 441b by making a corporate contribution or expenditure in connection with a federal election.

FACTUAL AND LEGAL ANALYSIS

The complaint of October 15, 1980 is deficient under the "Requirements for a Proper Complaint" approved by the Commission on February 19, 1981, as the complainant did not swear to the complaint in the jurat. However, on October 29, 1980, the complainant filed a supplemental complaint with the Commission in which he re-alleged the violations set forth in the original complaint. The supplemental complaint was signed and sworn to by the complainant and thus appears to cure any defect in the original complaint.

Complainant alleges that PPFA and PPNYC violated 2 U.S.C. § 441b by making corporate contributions or expenditures in connection with a federal election. To support their allegation complainant has submitted a total of two articles and three advertisements. They state that PPFA and PPNYC have launched a campaign to influence the 1980 federal election by supporting Senators and Representatives in areas where abortion is an issue. They explain in their complaint that "[t]he intent of this campaign is to influence the reelection of [sic] candidates in violation of section 441b". Complainant points to a newspaper article (Garnett Westchester Newspaper, Monday, October 13, 1980) which is critical of the Right to Life movement. This article states that a particular area was targeted for ads because of the Right to Life Party's success at the ballot box.

2 U.S.C. § 441b(a) expressly prohibits corporate contributions in connection with federal elections. See also 11 C.F.R. § 114.2 (b). 2 U.S.C. § 441b(b)(2) elaborates on the meaning of contribution or expenditure stating:

(2) for purposes of this section and section 791(h) of title 15, the term "contribution or expenditure" shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value... to any candidate, campaign committee, or political party or organization, in connection with any of the offices referred to in this section, ...

(emphasis added)

Therefore, 2 U.S.C. § 441b expressly forbids contributions or expenditures to a particular candidate, political party or organization, made in connection with an election for a particular federal office. The ads and newspaper articles submitted by complainant on their face, do not fall within the scope of 2 U.S.C. § 441b. The ads make no mention of particular candidates nor do they mention an upcoming federal election.

On November 24, 1980, Respondents PPFA and PPNYC made a voluminous consolidated response to the complaint filed by the Right to Life Committee. This response contained in depth factual and legal analysis, as well as, numerous advertisements, written memoranda on the organization and affidavits by the organization's officials.

The response verified that both PPFA and PPNYC are not-for-profit corporations. PPFA is the national organization and PPNYC is one of its 188 affiliate organizations. The response indicates

that the ads produced by the organizations were in keeping with their corporate purpose, contained in their certificates of incorporation, which is generally to provide effective voluntary reproductive care and fertility control (including abortion) and to educate, lobby and litigate in these areas.

In general, the message of the ads and materials contained in the response, is that the right to family choice is being threatened by government and right to life forces. Planned Parenthood urges the general public to support its fight by joining the organization or making contributions. Nowhere in any of the materials submitted do they mention a particular political candidate or political campaign or any upcoming federal election.

Furthermore, the ads, fundraising letters, and other memoranda are part of a public affairs program of both organizations. They are intended to educate the public and influence legislation on issues vital to both organizations according to the response submitted by PPFA and PPNYC. Both organizations state that the establishment of Public Affairs Programs (PPFA 1979, PPNYC 1979) is based on recent increased attempts by legislatures and various organizations to limit or restrict the right and availability to abortions. These ads represent only one segment of an overall program by these organizations. PPFA and PPNYC's use of the public forum to defend their point of view is consistent with the corporate purposes of the above mentioned organizations.

Though not raised by the complainant in its notarized complaint, another issue bears brief examination. Analysis of the ads in question reveals a check-off box. If checked, PPNYC will send the voting records of an individual's legislators. Other check-offs allow an individual to receive information on Planned Parenthood and to make a contribution to Planned Parenthood. The nature of the voting records may raise a question as to the legality of such voting records. However, the response of PPNYC indicates that the voting records involved are those of the state legislators.

Part II of Respondent's Statement of Facts Relevant To The Complaint Against PPNYC, Pg 7, states that:

"[I]n connection with the lobbying component of PIAP (Public Issues and Action Program), PPNYC employs a staff person who spends substantial time in Albany; helps establish and contributes to Family Planning Advocates, a lobbying group located in Albany; runs buses of supporters of pro-choice legislation to the State Legislature when crucial bills are pending, and reports regularly to

those on its public action mailing list as to the status of pending legislation in the area of reproductive care and the voting records of state legislators on these issues."

(emphasis added)

Therefore, it appears that the voting records, sent to individuals at their request, concern only state legislators and their views on reproductive issues as they relate to legislation on the state level. Since there is no evidence to the contrary, PPNYC's lobbying efforts, with provision for voting records of state legislators, does not fall within the purview of the Federal Election Campaign Act of 1971, as amended.

Consequently, since the ads in question mention no political candidate, campaign or upcoming election, they cannot be construed as prohibited contributions or expenditures made in connection with federal elections under 2 U.S.C. § 441b. Therefore, PPFA and PPNYC's participation in public debate on issues of concern to them, does not fall within the scope of 2 U.S.C. § 441b's ban on corporate contributions or expenditures in connection with federal elections.

Recommendations

The Office of General Counsel recommends that the Commission:

1. find no reason to believe that Planned Parenthood of America, Inc. and Planned Parenthood of New York City, Inc. violated 2 U.S.C. § 441b of the Federal Election Campaign Act of 1971 as amended;
2. approve attached letters;
3. close the file.

Attachments

1. Complaint and Supplement
2. Notification letter
3. Response from respondent
4. Letters to complainant and respondent

400 #
30:7

⑤ 910607

BRAMES, BOPP & HAYNES
ATTORNEYS AT LAW
900 Sycamore Building
19 South Sixth Street
TERRE HAUTE, INDIANA 47807

NOV 20 11:31

ARNOLD H. BRAMES
JAMES BOPP, JR.
DAVID D. HAYNES

TELEPHONE
912-238-2421

October 15, 1980

Attachment 2
Complaint

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

Gentlemen:

On behalf of the National Right to Life Committee, I am filing the following complaint of violation of the federal election laws by the Planned Parenthood Federation of America, Inc., and Planned Parenthood of New York City, Inc.

Planned Parenthood Federation of America, Inc. (Planned Parenthood) is a non-profit, charitable organization organized to provide family planning and abortion services. Planned Parenthood of New York City, Inc. is an affiliate of Planned Parenthood and must comply with all by-laws and other regulations adopted by Planned Parenthood.

Both Planned Parenthood and its New York affiliate have violated and continue to violate Section 441 b of the Federal Election Campaign Act (FECA), prohibiting any corporation from making a contribution or expenditure in connection with any federal election. Planned Parenthood and its affiliates are violating this Section by launching a campaign to influence the 1980 federal elections.

Specifically, Planned Parenthood has launched a campaign to support selected Senators and Representatives in campaigns where abortion is an issue. Specifically, as revealed in a recent letter sent to their supporters across the country, Planned Parenthood bemoaned the fact that right to life forces "in an effort to eliminate Congressmen and Senators who defend family planning rights, the right to lifers, backed by the extreme right wing, have mounted a massive campaign to destroy the political careers of some of this nation's most courageous leaders. They have drawn up a "hit list" aimed at defeating men like Senators Bark, Culver, McGovern and Packwood, and Representatives like Morris Udall and Joe Fisher. Judging from the amount of money they are spending and the recent polls I have seen, they are dangerously close to defeating some of the most effective voices we have on our side."

In an effort to support the re-election of these Senators and Representatives, Planned Parenthood is running ads, between now and

6

Attachment 2
Complaint

Federal Election Commission
Page Two
October 15, 1980

election day attacking the right to life movement in areas where abortion is an issue. Two such ads have been run by Planned Parenthood of New York City, Inc., and are attached. These ads are to be run in Maryland, Pennsylvania, Minnesota, Massachusetts, California, mid Iowa, greater Charlotte, North Carolina, and Indiana-- among other places, according to Alfred F. Moran, Executive Vice President of Planned Parenthood of New York City, as revealed in the enclosed article by Patricia McCormack, UPI Health Editor.

This ad campaign has been begun in New York, where pro-abortion Senator Jacob Javits is running for re-election against the Republican candidate D'Amato, who is endorsed by the Right To Life Party of New York. In addition, the ads are being run in areas where their favorite candidates, such as Bayh and Culver, are running for re-election. The intent of this campaign is to influence the re-election of these candidates in violation of Section 441 b, prohibiting any corporation from making an expenditure in connection with a federal election. As a result, my client demands an immediate investigation of this complaint and proper enforcement action.

I have prepared this complaint and believe it is true and correct to the best of my knowledge. This complaint was not filed on behalf of or at the request or suggestion of any candidate.

Sincerely,

BRAMES, BOPP & HAYNES



James Bopp, Jr.

JB:js

STATE OF INDIANA,)
(SS:
COUNTY OF VIGO,)

Before me, a Notary Public in and for said County and State, personally appeared the above named James Bopp, Jr., and executed the above and foregoing complaint and acknowledged that the contents thereof are true and correct as he verily believes this 15th day of October, 1980.

My Commission Expires:
June 9, 1984
My County of Residence is:
Vigo


Julia M. Combs
(Julia M. Combs) Notary Public

Battle lines drawn for abortion bat-

By PATRICIA McCORMACK
UPI Health Editor

"They want to set you back a long way, baby," the full-page ad says.

Big black letters run across the top of the page featuring a picture of a woman surrounded by children. "I want to see you back a long way, baby," the ad says.

"Counting three infants in the woman's lap, there are 10 children."

Small letters in the ad claim a movement in America threatens to take away the right to buy contraceptives and the right to abortion — even when pregnancy threatens a woman's life or results from rape and a child must bear a baby.

The movement is identified as the right-to-life. It wants to impose its beliefs on everyone, the ad says.

These are the main points in the Planned Parenthood of New York City ad in selected newspapers the third week in September.

Big black letters running across the bottom of the page say:

"The time has come again when Americans must fight for their freedom."

The ad is similar in theme to others run or planned by Planned Parenthood units elsewhere. Many linked between now and election day, Planned Parenthood Federation of America just launched a year-long national promotion making similar points on radio, television and in newspapers.

An ad in Mid-Iowa Planned Parenthood was an intruder in a couple's kitchen. The intruder is identified as the United States government. The Supreme Court of the United States has said tax funds cannot pay for abortions for poor women.

Alfred P. Moran, executive vice president of Planned Parenthood of New York City, said campaigns are underway or on the works in Maryland, Pennsylvania, Minnesota, Massachusetts, California, Michigan, Greater Charlotte in North Carolina and Indiana — among other places.

The campaigns striking out against threats to personal freedom, are funded by special contributions — supplied by givers for that purpose.

There is no federal money, which Planned Parenthood gets from contracts with state and local services or funded way funds, which Planned Parenthood gets in some locals.

Planned Parenthood Federation of America's annual budget is over \$24 million — mostly for education, the research and services to its 1.4 million clients. Some of the services include abortion. Clinics offering abortion have been fire-bombed. Clinic permits have been harassed in some locations.

Moran, whose New York City unit is biggest, 146 community affiliates of PPFPA, said the ads are the most visible sign of Planned Parenthood forces on the attack against what he describes as "a dangerous new alliance."

"Political coercion combined with media hype is being used by a new alliance of right to life groups, the reactionary right and electronic evangelists to eliminate America's freedom of personal choice," Moran said.

"The public must have access to full information about the potential impact this new alliance may have on a free society."

At a Planned Parenthood conference Sept. 13 on the "dangerous new alliance," Mary D. Christ, former

chairman of the Republican National Committee, was the keynote speaker. She now is co-chair, National Unity Campaign. It is presidential campaign John B. Anderson's support group.

She also urged the Republican Party to support the party's official opposition to anti-abortion and anti-Roe v. Wade Amendment positions.

"There is a trend in America that terrifies me," she said.

It is, she resurgence of "Moral imperialism." Like all imperialism it is a dangerous course. It is a grave threat to our personal rights and freedom.

Moral imperialists wish to impose their views and values on others. This is an often single issue thinkers, including those who differ.

They are the New Right, they are anti-abortion, anti-ERA, the moral majority, the Christian voice.

In convention, Democrats promised to protect abortion in 1980 and Republicans resisted pressure to do that and favored the Human Life Amendment in the constitution.

Which calls for protection of life in the embryo.

The abortion issue came up in the fall of the presidential debates. Defeated by the League of Women Voters, Ronald Reagan said:

"I will stand in the tradition of the individual for anyone who wants to abort. There is one individual who is not being considered at all. That is the one who is being aborted."

Now, several League members in a platform that calls for a constitutional amendment banning abortion. I think this is a moral issue that ought to be left to the freedom of conscience of the individual.

Dr. Jack Wilke, president of the National Right-to-Life Committee, was asked about ads pushing off Planned Parenthood's campaign. The Cincinnati, Ohio, family doctor and sexual counselor said:

"We do not think any American should have the freedom of choice to see another American."

"Certain solutions are not open to us as required people. We have never in our nation given to one person the complete legal right to kill another to solve their personal or social problems. Abortion, however, does this."

Wilke said the Planned Parenthood ad is an error in one respect.

"We do not want to see the right to life lost."

A second protest, about 100 miles up the New York Planned Parenthood chain is on the Hudson River.

"What is your baby is doing to life is back to the start."

The nationwide movement wants to force people to have a baby. The matter now hangs on the matter how she, her doctor or her parents feel. Even if the pregnancy resulted from rape.

Increased anti-abortion activity among Roman Catholic leaders is part of the background.

In Boston five days before the Massachusetts Commonwealth primary election held Sept. 18, Cardinal Humberto Medeiros spoke out against abortion.

His letter read in part: "I do not believe that the state has the right to regulate abortion as an offense against God and humanity."

and against our Maker and his people.

I plead with you to exercise your right and duty to vote in the upcoming elections and to bring your own conscience — the voice of God — into the ballot box with you.

When votes were counted, voters were candidates supported by the state were winners. The winners' candidates on record as favoring abortion as a choice.

The current campaign the ad was spotted out by Faye Wattleton, president of Planned Parenthood Federation of America in July — after the Supreme Court upheld the Hyde Amendment that said tax funds can't be used for abortions for poor women.

Planned Parenthood's platform is simple, Ms. Wattleton said.

"We will not permit a zealous minority to dictate laws that force women to bear children against their will."

A newspaper ad PPFPA ran nationally at the time showed the statue of Liberty torch burning out. It attacked Jesuit — the Rev. David J. Roemer — was at the conference to consider the threat from the dangerous new alliance.

He was expelled from the priesthood when he baptized a baby when had been refused church baptism because his mother, a Massachusetts resident, spoke out against the church's movement with respect to the subject.

He said he is still a priest, a fact confirmed by Roman Catholic hierarchy.

The American bishops have a mandate from Rome to hold the line on every single issue that has anything to do with sex and reproduction — and to hold the line against any change, he said.

"Change is not in the wind from the top but in the desire of most of the individuals below the bishops."

The priest said he did not always agree.

A blanket confession was never heard. Episcopacy is a flourish said.



Sheer fall of

Sheer elegance and effortless, tiny pearl buttons are styled to feminine look. Uses knitted cotton and polyester.

Rules for 'spouse maintenance' logged by Scottish sea captain

A Scottish sea captain with a detailed log of spouse maintenance rules for divorce proceedings during life's voyage.

See page 10 for details.

Take the other part in law.

Reverend, feel her day to day.

and should be the blow of her heart with by

and of marriage. I am at stand and see her

married.

In return, the male had to have a bank account

opened, after by renouncing "standing as a law

constant in law whether, date of agreement, and

and under the laws of assisted by additions or

provisions.

Provision should be stored in a safe, dark place

to avoid exposure to light will cause them to turn

green.

The amount of gold and silver coins that be

required in providing the course around cliffs, with

boats and buildings.

Date changed for candidate's dinner

The West County Republican Women's Club

announced dinner

previously scheduled for

Oct. 12 had been changed

to Oct. 19. The turkey



THEY WANT⁹ TO SET YOU BACK A LONG WAY. BABY.



The "right-to-life" movement wants to deprive you of your freedom of choice. By imposing its beliefs on everyone:

- On your friends.
- On your children.
- On you.

Some of your most important rights are being challenged.

The right to have any number of children you want. When you want them. Or to have none at all.

The right to use contraceptives.

The right to an abortion even when it's essential to your health.

The right to terminate a pregnancy even if it resulted from rape.

Don't stand by silently and let outrage become law. Fight back.

Take pen in hand and fill out the Planned Parenthood coupon. Give generously of your time and money.

Your most important possession is being threatened: your freedom.

JOIN PLANNED PARENTHOOD

NAME _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

PLANNED PARENTHOOD

**THE TIME HAS COME AGAIN WHEN
AMERICANS MUST FIGHT FOR THEIR FREEDOM.**

911060

R1318

Thelford
COO#321

NOV 3 11:55

10

BRAMES, BOPP & HAYNES
ATTORNEYS AT LAW
800 SYCAMORE BUILDING
19 SOUTH SIXTH STREET
TERRE HAUTE, INDIANA 47807

ARNOLD H. BRAMES
JAMES BOPP, JR.
DAVID D. HAYNES

TELEPHONE
(812) 238-2421

October 29, 1980

Attachment 2

Supplement

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

Gentlemen:

On October 15, 1980, I filed a complaint alleging violation of federal election laws by Planned Parenthood Federation of America, Inc., (Planned Parenthood) and Planned Parenthood of New York City, Inc. In that complaint, the National Right to Life Committee (NRLC) alleged that Planned Parenthood and its New York affiliate were violating Section 441 b of the Federal Election Campaign Act (FECA) prohibiting any corporation from making a contribution or expenditure in connection with any federal election.

This letter is to file supplemental information concerning that complaint. Specifically, on October 13, 1980, a news article was run in the Gannett Westchester Newspaper concerning the ad campaign launched by Planned Parenthood of New York, critical of the Right to Life movement. In that article, which is attached hereto, Joyce Lisbin-Domena, executive director of Planned Parenthood of Rockland, stated that the reason that ads were run in the Rockland area was "The Right to Life party's success at the ballot box." Thus, Planned Parenthood is expressly stating the fact that its ad campaign is intended to have an impact upon the election in which candidates are running for federal office on the Right to Life party line.

This intent to influence Federal election is in violation of Section 441 b and should be immediately stopped. As a result, my client demands that the Federal Election Commission take immediate action to stop these violations of federal election laws.

NOV 3

13:04

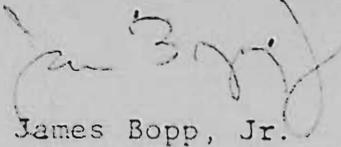
810103330

Federal Election Commission
October 29, 1980
Page 2

I have prepared this complaint and believe that it is true and correct to the best of my knowledge. This complaint was not filed on behalf of the request or suggestion of any candidate.

Sincerely,

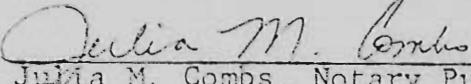
BRAMES, BOPP & HAYNES

By:  James Bopp, Jr.

JB/jmc

cc: Jack Willke, M.D.
Warren Sweeney

Subscribed and sworn to before me this 29th day of October, 1980.


Julia M. Combs, Notary Public

My Commission Expires:

July 9, 1984

My County of Resident:

Yigo

Birth control group mounts ad campaign

By KATHRYN KAHLER
Staff Writer

Rockland and Westchester counties have been targeted by Planned Parenthood of New York for an advertising campaign critical of the Right to Life movement.

The two counties were chosen because of the active Right to Life movements in both, according to Planned Parenthood officials in the two counties and New York City.

"Our highest priority areas are where the Right to Life movement makes the most noise. Rockland is certainly one of those areas, as is Westchester," said Doug Gould, public educator with Planned Parenthood of New York.

Three full-page advertisements, placed a week apart in Gannett Westchester Newspapers in September, told people the Right to Life movement is "challenging your rights" and asked for contributions to Planned Parenthood.

"The 'Right to Life' movement wants to deprive you of your freedom of choice. By imposing its beliefs on everyone," one advertisement read.

Among the challenged rights mentioned in the ads are abortion — even when the life of the mother is threatened or in cases where pregnancy results from rape — and contraception.

The advertisements concluded by saying, "Your most important possession is being threatened, your freedom."

Gould said Planned Parenthood would be running more advertisements, especially in light of the possible reconvening of the state Legislature after next month's election.

Joyce Lisbin-Domena, executive director of Planned Parenthood of Rockland, said the ads were designed to educate the public about fundamental issues and to motivate people to action.

"Through the ads, we are trying to show people the effects of the laws if they don't act appropriately," she said. "The Right to Life movement is trying to control not only the abortion laws, but also a human life amendment which would give the fetus the same status as a full adult. The movement jeopardizes all family planning programs and threatens the decision to have a vasectomy or any sterilization procedure."

"We want people to see the consequences of any legal changes," she said.

Leaders of Rockland's Right to Life movement were critical of the advertising campaign, saying it misconstrued the ideals of the movement.

"The whole campaign is degrading to women," said Bill Martin, head of the Rockland Right to Life group.

The ads bordered on hysteria and did not tell the whole story. They were not truthful. They were one lie after another.

"They say the Right to Life movement is against contraception. We take no stand on contraception except if the woman uses a device like an IUD (intrauterine device) or takes some drugs that cause an abortion. I am against the taking of unborn life," he said.

Richard Bruno, active in the Right to Life Party, called the advertisements a "total misrepresentation of the right to life movement."

The first ad showed a mother and 10 children with the caption, "They want to set you back a long way, baby." It charged the Right to Life movement with challenging the right to use contraceptives and to have children when the individual chooses.

The second showed the picture of a young girl and asked, "What if your baby is going to have a baby?" The answer was that the Right to Life movement would force her to give birth, no matter how young she was.

The third ad in the series showed a bride and groom about to kiss. In bold white letters above the picture, it read, "If you make contraception and abortion illegal, you better make sex illegal."

One of the reasons Rockland was targeted, Ms. Lisbin-Domena said, is the Right to Life Party's success at the ballot box. The party took eight percent of the vote in the county last year, its best showing in the state.

In addition to Rockland and Westchester, Planned Parenthood listed Suffolk and Nassau counties and parts of the Bronx and Brooklyn as having active Right to Life movements.

The topic of future advertisements will depend on what issues develop and what the Legislature considers, Gould said.

Future advertising also will depend on private contributions. Since the three advertisements ran in newspapers ending Sept. 30, Ms. Lisbin-Domena said almost \$1,000 in contributions have been received. In addition, Planned Parenthood of Rockland has received 66 letters, 62 of which were pro-choice, she said.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Sheffield
(13)

October 21, 1980

SPECIAL DELIVERY
RETURN RECEIPT REQUESTED

*Attachment 2
1 of 2*

Planned Parenthood Federation of America,
Inc.
1220 19th Street, N.W.
Washington, D.C. 20036

RE: MUR 1318

Dear Sir or Madam:

This letter is to notify you that on October 20, 1980, 1980, the Federal Election Commission received a complaint which alleges that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1318. Please refer to this number in all future correspondence.

The Commission has adopted special procedures to expedite compliance matters during the pre-General Election period. A summary of these procedures is enclosed. Where possible, within five days after receipt of a complaint, the Commission will determine whether the complaint should be dismissed prior to receipt of your response to this notice. If the Commission dismisses the complaint, you will be so notified by mailgram followed by an explanatory letter. A copy of the Commission's determination to dismiss the complaint may also be picked up in person by you, or your authorized agent, from our Associate General Counsel, Mr. Kenneth A. Gross.

Under the Act, you have the opportunity to demonstrate, in writing, that no further action should be taken against you in connection with this matter. If the Commission is unable to expeditiously dismiss the complaint as outlined above, it will take no further action until we receive your response or 15 days after your receipt of this notification. If the Commission does not receive a response from you within 15 days after your receipt of this letter, it may take further action based on available information.

Letter to: Planned Parenthood Federation of America, Inc.
Page Two

You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response to this notification, we have enclosed a pre-addressed, postage paid, special delivery envelope.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Judy Thedford, the staff member assigned to this matter at (202) 523-4057.

Sincerely,

N. Steele
Counsel

31740243307

1318 Thedford

1. The following service is requested (check one) <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> Show to whom, date and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom, date, and address of delivery.	
2. ARTICLE ADDRESSED TO: Planned Parenthood Federation of America	
3. ARTICLE DESCRIPTION: REGISTERED NO. 1087874 INSURED NO.	(Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE [Signature] AUTHORIZED AGENT
4. DATE OF DELIVERY POSTMARK	5. ADDRESS (Check delivery if requested)
6. UNABLE TO DELIVER BECAUSE:	
CLERK'S INITIALS	

15



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 21, 1980

SPECIAL DELIVERY
RETURN RECEIPT REQUESTED

Planned Parenthood of New York City, Inc.
380 Second Avenue
New York, New York 10010

*Attachment 2
2 of 2*

RE: MUR 1318

Dear Sir or Madam:

This letter is to notify you that on October 20, 1980, 1980, the Federal Election Commission received a complaint which alleges that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1318. Please refer to this number in all future correspondence.

The Commission has adopted special procedures to expedite compliance matters during the pre-General Election period. A summary of these procedures is enclosed. Where possible, within five days after receipt of a complaint, the Commission will determine whether the complaint should be dismissed prior to receipt of your response to this notice. If the Commission dismisses the complaint, you will be so notified by mailgram followed by an explanatory letter. A copy of the Commission's determination to dismiss the complaint may also be picked up in person by you, or your authorized agent, from our Associate General Counsel, Mr. Kenneth A. Gross.

Under the Act, you have the opportunity to demonstrate, in writing, that no further action should be taken against you in connection with this matter. If the Commission is unable to expeditiously dismiss the complaint as outlined above, it will take no further action until we receive your response or 15 days after your receipt of this notification. If the Commission does not receive a response from you within 15 days after your receipt of this letter, it may take further action based on available information.

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16

Letter to : Planned Parenthood of New York City, Inc.
Page Two

You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response to this notification, we have enclosed a pre-addressed, postage paid, special delivery envelope.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Judy Thedford, the staff member assigned to this matter at (202) 523-4057.

Sincerely,

Charles N. Steele
Charles N. Steele
General Counsel

MUR 1328 Thedford

PS Form 3811, Jan. 1979

1. The following service is requested (check one)
 Show to whom and date delivered.
 Show to whom, date and address of delivery.
 RESTRICTED DELIVERY
 Show to whom and date delivered.
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery \$

(CONSULT POSTMASTER FOR FTES)

2. ARTICLE ADDRESSED TO
Planned Parenthood of NYC, Inc

3. ARTICLE DESCRIPTION REGISTERED NO. CERTIFIED NO. INSURED NO.
9269742

(Always obtain signature of addressee in or near post)
 I have received the article described above.
 SIGNATURE Addressee Authorized agent
Wynne Herbert

4. DATE OF DELIVERY POSTMARK
10/23/80

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

Thedford

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RECEIVED
ECC

80 NOV 28 9:41

GREENBAUM, WOLFF & ERNST
437 MADISON AVENUE
NEW YORK, N. Y. 10022

911382

CABLES
"GREWOLFERN"
TELECOPIER NO.
(212) 751-0843
TELEX
ITT 423007
RCA 236099

(212) 758-4010

Attachment 3

FLORIDA OFFICE
ONE BISCAYNE TOWER
2 SOUTH BISCAYNE BOULEVARD
MIAMI, FLORIDA 33131
(305) 371-6262

November 24, 1980

Ms. Judy Thedford
Federal Election Commission
Washington, D.C. 20463

Re: Complaint No. MUR 1318

Dear Ms. Thedford:

This letter is in response to the above-numbered complaint, filed against Planned Parenthood Federation of America, Inc. ("PPFA") and Planned Parenthood of New York City, Inc. ("PPNYC") by the National Right to Life Committee.

The responses of the two organizations have been consolidated because the legal considerations bearing on the activities of both organizations are identical. An analysis of these considerations is contained in Part III hereof. Parts I and II are factual statements dealing with the separate activities of PPFA and PPNYC and each is submitted independently on behalf of the organization to which the facts set forth therein relate.

The responses of both parties will demonstrate, pursuant to 2 U.S.C. § 437g(a)(1), that no action should be taken against either PPFA or PPNYC on

80 NOV 28 9:41

RECEIVED
GENERAL COUNSEL

basis of this complaint.

Very truly yours,

GREENBAUM, WOLFF & ERNST
Counsel to Planned Parenthood
of New York City, Inc.

By: *Harriet F. Pilpel*
Harriet F. Pilpel

By: *Laurie R. Rockett*
Laurie R. Rockett

PLANNED PARENTHOOD FEDERATION
OF AMERICA, INC.

By: *Eve W. Paul, dx.*
Eve W. Paul
Vice President for Legal
Affairs

By: *Dara Klassel*
Dara Klassel
Staff Attorney

PART I

STATEMENT OF FACTS RELEVANT TO
THE COMPLAINT AGAINST PPFA

The complaint charges that PPFA has violated 2 U.S.C. § 441b(a), which prohibits any corporation from making contributions or expenditures in connection with federal elections, by "launching a campaign to influence the 1980 federal elections." It is by no means clear from a review of the complaint and attached materials just what this "campaign" is supposed to involve. Although Complainant alleges that the "campaign" was designed to support selected Senators and Representatives, no real evidence is adduced in support of this allegation. Complainant points only to a PPFA fundraising letter which describes right wing and "right-to-life" efforts to influence legislation involving issues of concern to PPFA and to defeat pro-choice legislators and the placement of ads during a period prior to the election by PPFA and its affiliates, including PPNYC. An examination of these materials, if anything, demonstrates that PPFA has launched no such campaign. Rather it shows that PPFA has engaged and continues to engage in public affairs activities, intended to educate the public regarding issues of vital concern to

PPFA and to the public and to influence legislation bearing directly on these issues.

PPFA is the leading national voluntary public health organization in the field of family planning. It is a not-for-profit corporation, organized in 1922 under the laws of the State of New York and exempt from taxation under §501(c)(3) of the Internal Revenue Code. Its Certificate of Incorporation charges it with providing leadership:

in making effective means of voluntary fertility control, including contraception, abortion, and sterilization, available and fully accessible to all as a central element of reproductive health care;

in achieving a United States population of stable size in an optimum environment;

in stimulating and sponsoring relevant biomedical, socio-economic, and demographic research;

in developing appropriate information, education, and training programs; [Emphasis added].

PPFA does not itself provide family planning services, rather it gives technical assistance to 188 affiliates located throughout the country, all of which are separately incorporated not-for-profit 501(c)(3) organizations. Planned Parenthood affiliates provide

fertility related services, in the form either of medical services, (including abortion, sterilization, infertility and contraception) or education and counseling activities.

PPFA's family planning activities have been the subject of public controversy from the time the organization was founded as the American Birth Control League by Margaret Sanger in the 1920's. Dying down for a time as contraception became publicly accepted, the controversy arose again following the Supreme Court's 1973 decision in Roe v. Wade which recognized the fundamental Constitutional right of every woman, in consultation with her physician, to obtain an abortion free from interference by government, at least during the early stages of pregnancy, 410 U.S. 113 (1973). This case precipitated a wave of activities on the part of organized minority groups aimed at denying to women the Constitutional right recognized in Roe v. Wade through such devices as restrictive legislation, a Constitutional amendment and even the calling of a Constitutional Convention. In keeping with its purpose of making all legal and effective forms of reproductive health care, including abortion, available to every individual who needs and wants them, PPFA has consistently opposed these efforts to restrict or limit the accessibility and availability of such care.

With the increasing intensification of attempts to restrict access to abortion in recent years PPFA, in 1979, launched a major Public Impact Program designed to defend the right of every individual to full access to reproductive health care. This Program includes "increase[d] public relations and other communications activities promoting public awareness of family planning issues and concerns" (PPFA's Annual Report 1979, 9-10, attached hereto as Exhibit A); lobbying efforts against proposed restrictive legislation, and litigation challenging restrictive legislation when enacted. The ads referred to in the Complaint, insofar as they were created or financed by PPFA represent one small segment of this overall program.

As part of the communications component of the Public Impact Program, PPFA has designed a series of posters, print media advertisements and thirty second broadcast media public service announcements, stressing the role of Planned Parenthood in helping build a strong America by helping build strong American families. These materials are aimed at increasing public support for Planned Parenthood as an institution. Their tone is completely non-political. The packet was unveiled at the PPFA annual

meeting in October, 1980 and will be available to all of PPFA's affiliates as long as supply and demand continue (a brochure and press release describing these materials is attached hereto as Exhibits B and C). A similar packet emphasizing advocacy of PPFA's point of view on issues that concern it is planned.

PPFA ran one other ad this year as part of its Public Impact Program. In response to the Supreme Court's June 30, 1980 decision upholding federal and state exclusion of medically necessary abortions from the Medicaid program (Harris v. McRae), PPFA ran an ad in several major newspapers with the theme "For 2,600,000 Women The Torch Of Liberty Just Went Out." This ad solicited contributions to PPFA's Justice Fund, a special fund for defending the right of reproductive choice which was formed in 1977 in response to the Supreme Court's decision holding that the states need not fund non-therapeutic abortions under their Medicaid programs. (Justice Fund ad attached hereto as Exhibit D). Copies of the ad were sent to all of PPFA's affiliates, but PPFA has no information as to which, if any, affiliates actually ran the ad.

PPFA's Public Impact Program also gives technical and financial assistance to Planned Parenthood affiliates in

developing their own public affairs programs. This assistance includes aid in developing issue-oriented ad campaigns. So far this year, PPFA has assisted its Minnesota and Mid-Iowa affiliates in developing such campaigns (copies of these ads are attached hereto as Exhibits E, F and G). A similar campaign is planned later this year for Arizona, as is a second series of ads for Mid-Iowa. None of these ads mentions political candidates or political campaigns. Stated simply, the message of the ads is that the right to make responsible family planning choices is under attack and that people should stand up for their rights by joining and contributing to the Planned Parenthood affiliate. No one is urged to take any political action whatever, least of all vote for or against any candidate.

PPFA's Public Impact Program was initiated at a time when the issues of concern to PPFA were at the forefront of the public consciousness. The prominence of these issues is the result of their politicization by forces opposing abortion. The abortion issue was included in the platforms of both major parties and was a heated subject of debate among the candidates in the 1980 election.

While any subject of major public concern is

likely to become an issue in electoral politics, the mere politicization of an issue by third parties or organizations cannot and should not bar an organization to which that issue is of vital concern from participating in public debate. Indeed it is of utmost importance that the public have the broadest possible access to information relating to issues which are debated in connection with campaigns so that individuals may intelligently evaluate such debate.

As the leading voluntary public health organization in the field of family planning, charged under its Certificate of Incorporation with the obligation to "provide leadership in making effective means of voluntary fertility control, including . . . abortion available and fully accessible", PPFA could not, consistent with such obligation, remain silent when the issue of limiting access to abortion was in the center of public debate. And candidates who oppose abortion cannot deprive PPFA of the right to speak out on issues of vital concern to its legitimate not-for-profit purposes by making the abortion issue a part of their political campaign.

Focusing on the 1980 election as it does, the complaint obscures the significant factors which led to the development of PPFA's Public Impact Program. Chief among

these were the ongoing attempts by the proponents of the Hyde amendment in the U.S. Congress to prevent poor women from obtaining abortions. In addition, there have been continued and increasingly intensive legislative attempts in the past several years on both state and federal levels to cut off or limit abortion rights and funding for sex education and contraceptive services as well as continued court struggles over such legislation.

PPFA's educational and lobbying activities initiated in response to these events are entirely consistent with the organization's not-for-profit corporate purposes and are in no way intended to influence the outcome of any federal election. Moreover, PPFA's public affairs activities are completely independent. No candidate or political organization has ever been involved in any way in developing or carrying out such activities. As to the fundraising letter alluded to in the complaint, its intent was to point out, as evidence of the growing threat to reproductive rights, a general increase in the activities of the "right to life" movement, of which electoral politics was one tactic among many. In no way were proponents of reproductive rights urged to engage in politics. Rather, they were urged to contribute to PPFA so that it might

continue its non-electoral struggle to educate, lobby and litigate to make effective means of fertility regulation available and fully accessible to all (letter attached hereto as Exhibit H).

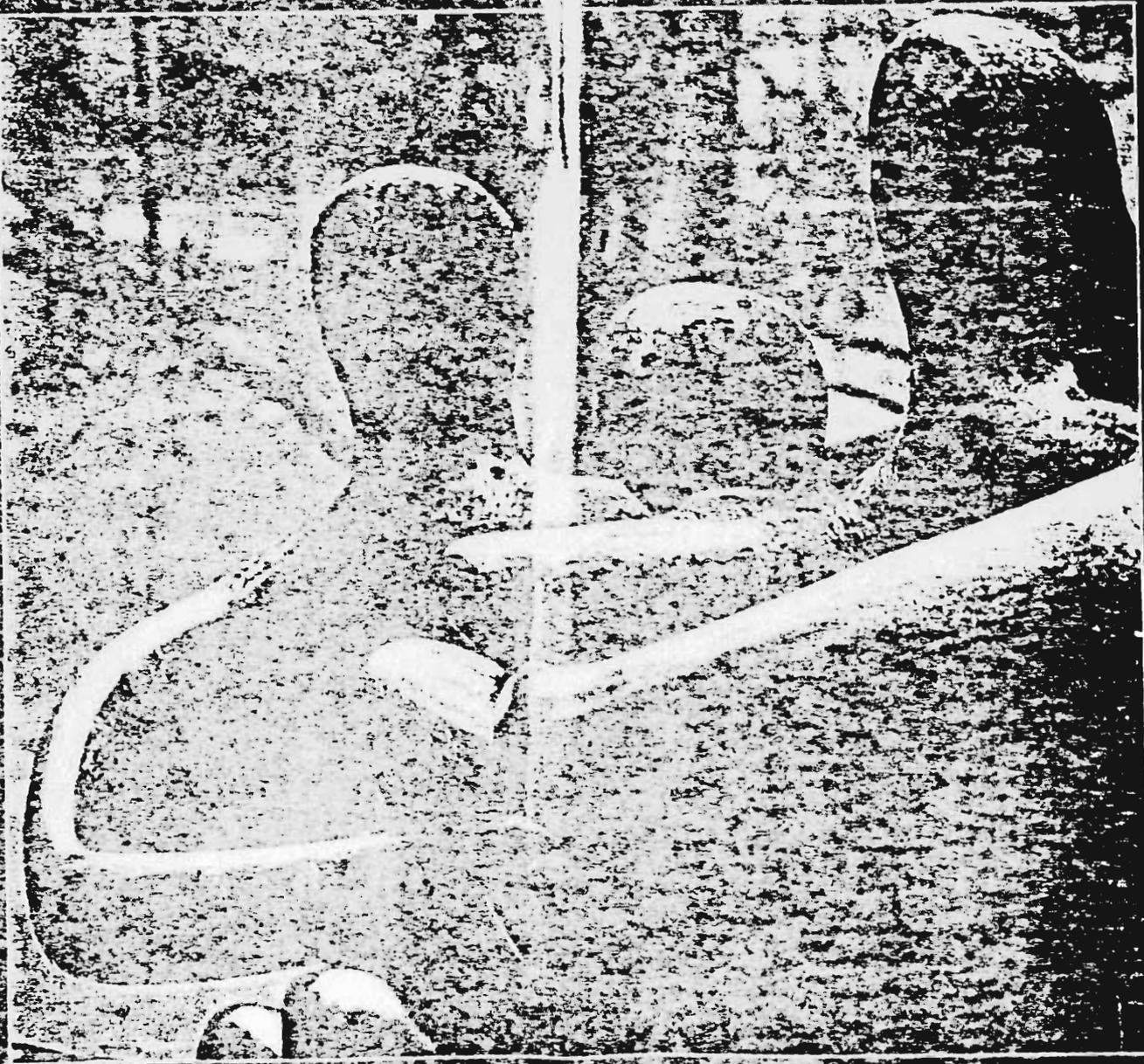
The foregoing information summarizes the public affairs activities supported or financed by PPFA in 1980. PPFA has not conducted or in any other way participated in ad campaigns in states mentioned in the complaint other than Minnesota and Iowa. Since all PPFA affiliates, including those in the states mentioned, are separate corporate entities, they are free to develop their own independent public affairs programs. The details of these programs are not ordinarily reviewed by PPFA.

EXHIBITS TO PART I

81040244321

Exhibit A

Pro-Child
Pro-Family
Pro-Choice



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**Pro-Child
Pro-Family
Pro-Choice**

**Planned Parenthood
Federation of America, Inc.**

Annual Report 1979



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Pro-Family, Pro-Choice
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Margaret Sanger Centennial Year
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National Headquarters Activities **17**

Financial Activities **23**



From the Chairperson

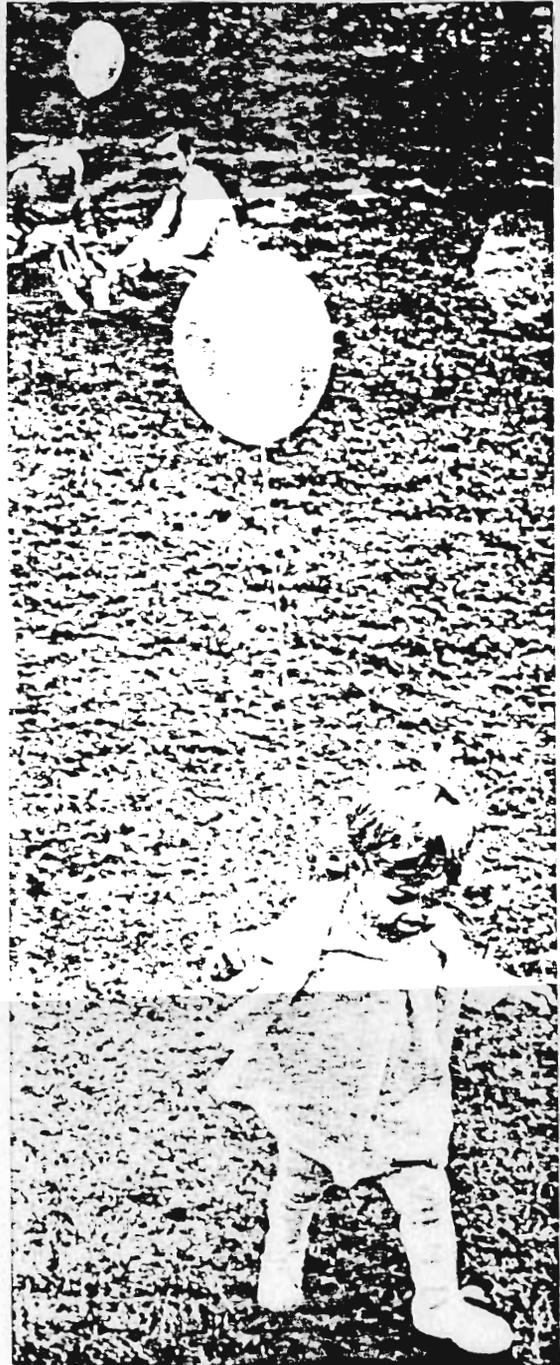
For the thousands of Planned Parenthood volunteers and staff throughout the country, 1979 was a renaissance year. We entered a new era of social and political activity, as tied to our traditional role as the nation's largest and most trusted provider of reproductive health services. Our renewed effort in the public arena represents a reaffirmation of our total commitment to the principle of reproductive choice for all Americans.

The Roe v. Wade decision provides the foundation upon which we will be—stronger, more vocal, more active—defenders of reproductive choice. Our Public Awareness Program is the means by which we are advancing that cause in the legislative arena and in the public mind.

The Constitution guarantees our fundamental right to equal and free treatment of choice. The battles we are now winning in the country's courts affirm that truth. And public opinion polls prove that the vast majority of Americans support our programs and their underlying principles. In light of such overwhelming confirmation, I am convinced that the initiatives we developed in 1979 will have far-reaching consequences in the coming years.

With the continued support of our dedicated staff and volunteers, we shall forge a future that will ensure the right of all individuals to make independent family planning decisions—based on their own moral standards and religious beliefs, and free of coercion by government or by society.

Frederick C. Smith
Chairperson





From the President

Rarely has an organization had as perfect an opportunity to merge past, present, and future into one broad, clear image of its purpose as Planned Parenthood had in 1979.

During a year of progress and achievement perhaps unmatched in the Federation's history, we remembered our heritage, rededicated ourselves to our guiding principles, and continued to fashion an aggressive plan of action to strengthen our future.

Our past was proudly honored in 1979 through a wide variety of national and local activities commemorating the 100th anniversary of our founder's birth. The Margaret Sanger Centennial Year had a two-fold purpose: first, to recognize the life and work of one of history's most noteworthy heroines; and second, to increase awareness of the fact that the fight for reproductive freedom begun by Mrs. Sanger over 60 years ago still continues. I am deeply gratified by our resounding success in reaching out to our supporters—the media, government representatives, and the general public to fulfill these objectives.

Last year also marked the initiation of the Federation's *Three Year Plan for 1979-1981*, unanimously approved by the membership at our 1978 annual meeting. This document sets forth clearly and unmistakably five goals designed to preserve, increase, and expand the family planning services offered by Planned Parenthood.

To bring national office management and staffing patterns in line with the mandates of our *Three Year Plan*, last year we also instituted a reorganization of the Federation's headquarters. We strengthened our capacity in operations, public affairs, communications, education, legal affairs, finance, and fund raising. We placed a greater emphasis on affiliate planning and evaluation. We improved the structure through which headquarters provides services to affiliates. And we continued to upgrade activities in the areas of medical services and international affairs.

To help reach our goals and to make maximum use of our strengthened organizational structure, the Federation developed plans for a Public Impact Program. This is a nationwide, comprehensive program of legislative and social advocacy designed to mobilize the support of Americans for the concept of reproductive freedom of choice, and to assure that their voice for choice is heard in Congress and in other federal and state policy-making branches of government.

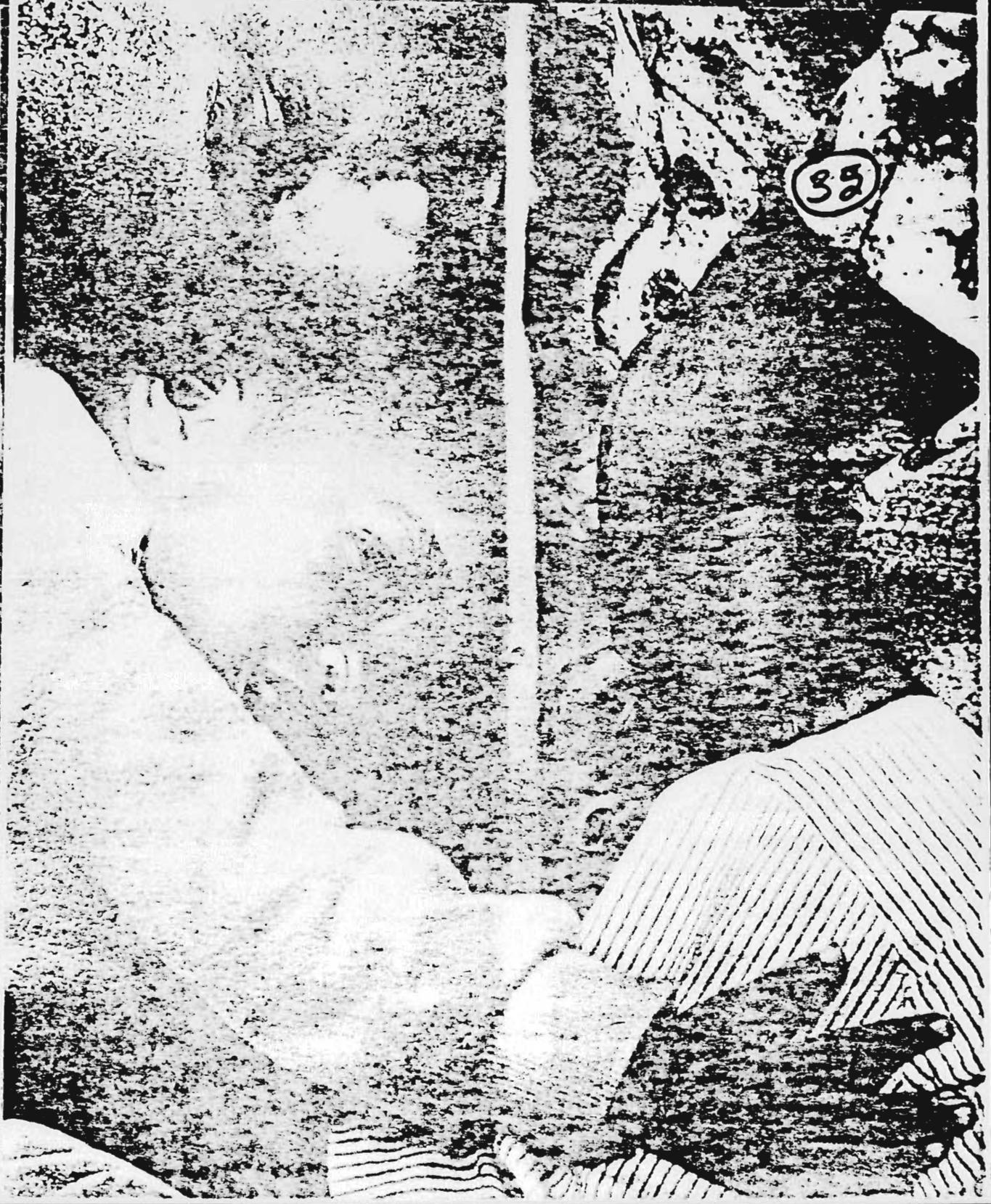
The first phase of our Public Impact Program consisted of research to determine public opinion on birth control, sex education, abortion, and Planned Parenthood. Despite the continuing social, economic, and legislative pressures exerted by anti-choice forces, our polls proved to us, and to anyone else willing to listen, that the majority of Americans support the concept and the practice of family planning. This support will serve as the foundation for our ongoing efforts to provide reproductive health services in the years ahead.

During the last year, we provided medical, educational, and counseling services to more than 1.3 million people in the United States. We also provided approximately \$14 million in family planning commodities, technical assistance, and project grants to people in developing countries overseas.

Just as Margaret Sanger's bold-spirited commitment became our heritage and led us to where we are today, a look at the present-day role of Planned Parenthood cannot help but prophesy where we will be tomorrow. I am confident that our future ultimately will be one in which every child born will be wanted and loved, every family will be a matter of responsible planning and not chance, and reproductive choice will be an enduring, irrevocable right for every individual.

Faye Wattleton
President

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Planned Parenthood: Pro-Child, Pro-Family, Pro-Choice

An Essay

Reproductive freedom—the fundamental right of every individual to decide freely and responsibly when and whether to have children—is a reaffirmation of the principles of individual liberty upon which this country was founded.

By guaranteeing this freedom for everyone, a society protects its citizens and reinforces those principles. It assures that each child will be wanted and loved, that every family will be strong and secure, and that choice rather than chance will help to guide the future of humanity.

Historically, reproductive freedom was not a controversial issue. To control their fertility, men and women have used contraceptives and women have had abortions since the beginning of recorded time. With societal changes and technological advances, and despite the relatively recent legal and religious prohibitions against contraception and abortion, the number of people using such methods has grown to extraordinary proportions. A reasoned understanding of the realities of life confirms that no moral or legal proscription will deter people from doing so in the future.

Nevertheless, moral and legal proscriptions against reproductive freedom have multiplied in recent years. A well-organized, well-financed minority in this country has concentrated on banning abortion in its attempts to destroy our right to make the profound, moral decision to be or not to be parents. For some, the abortion issue is a wedge to further their attacks on birth control and sex education. The tactics used by anti-choice factions to impose their narrow moral standards on an unwilling majority include fear, harassment, intimidation, and occasional violence.

Anti-choice forces have won support from politicians willing to betray the public trust by bartering away fundamental rights for their own expedient gains. Such legislators see the poor, the young, and other

powerless segments of society as easy prey to political manipulation.

Thus, the issue of reproductive freedom—until modern times a matter of individual decision making—is now inappropriately the subject of intense legislative and judicial debate and heated moral and social controversy.

Following is a summary of the major rights and issues that will determine the future of reproductive freedom in this country.

Right of Privacy

The constitutional right of privacy has been addressed by the U.S. Supreme Court many times during recent years. The court has ruled on several cases involving the right of a person to control decisions directly affecting his or her body and the right of privacy in human relationships, specifically within marriage and the family.

Although the right of privacy is not mentioned explicitly in the Constitution, the Court has derived such a right from the Ninth and Fourteenth Amendments to the Constitution.

In 1965, the case of *Griswold v. Connecticut* challenged a Connecticut statute which made it illegal to obtain contraceptives and to counsel their use. The Court ruled that married couples have the right to make certain decisions, including the use of contraceptives, without interference by government.

In *Roe v. Wade* and *Doe v. Bolton* (1973), the Supreme Court established that the constitutional right of privacy includes the right of a woman to decide to terminate a pregnancy with the concurrence of her doctor, at least until the fetus is viable. Viability must be determined by physicians on an individual basis.

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Minors' Rights

The Supreme Court's decisions in *Planned Parenthood of Central Missouri v. Danforth* (1976) and in *Bellotti v. Baird* (1979) firmly established that minors have rights, although not necessarily identical with those of adults, to sex-related health care.

The Court ruled that mature minors have a right to obtain an abortion on their own consent, and that immature minors seeking abortion must be provided with a swift and confidential alternative to parental involvement.

The right of minors at any age to purchase nonprescriptive contraceptives was established in 1977 (*Care v. Population Services International*), and it follows from *Danforth* and *Bellotti* that mature minors also have the right to obtain medically prescribed contraceptives on their own consent. The right of immature minors to purchase prescriptive contraceptives without parental involvement is more complex, and a clear-cut decision has yet to be reached.

"Akron Type" Ordinances

Since the 1973 Supreme Court decision legalizing abortion in the U.S., several attempts have been made to restrict and regulate the procedure through legislation. The prototype for this kind of legislation was introduced as a city ordinance in Akron, Ohio.

Supposedly intended to provide women with comprehensive information and to assure safer conditions for abortion, most of these ordinances actually restrict abortion by requiring parental, spousal, or "informed" consent, and long waiting periods.

In recent years, despite successful court actions upsetting them, these ordinances have forced large numbers of women to bear unwanted children. They also have legislated the conditions of doctor-patient relationships, an unprecedented occurrence.

Medicaid Reimbursement

In addition to restricting abortions through regulation of the conditions under which they may be performed, anti-choice forces also have restricted abortions by denying public funding for their provision.

Since 1976, Congress has passed Hyde amendments that drastically limit the use of federal funds for abortions. Although several states, either voluntarily or under court order, have continued to fund abortions without the federal share of Medicaid monies, hundreds of thousands of women each year (close to 500,000 in 1979 alone, according to The Alan Guttmacher Institute) have been denied the means by which to obtain safe, legal abortions.

On January 15, 1980, Judge John F. Dooling, Jr., of the Federal District Court for the Eastern District of New York, ruled the Hyde amendment unconstitutional in *McRae v. Secretary of DHEW*. This action was brought by Planned Parenthood of New York City, a class of poor women, and physicians.

Judge Dooling declared that excluding medically necessary abortions from the otherwise comprehensive Medicaid program violates First Amendment rights of freedom of conscience and Fifth Amendment rights of privacy, due process, and equal protection. On February 17, the federal government resumed Medicaid funding of abortions, pending an appeal of the *McRae* decision to the U.S. Supreme Court.

Sex Education

Sexuality is an inherent part of every individual's self-image and relationships with others. Sex education, therefore, becomes essential to the development of stable families and healthy, well-adjusted children and adults.

According to a recent study by HEW, most sex education programs have a number of positive effects—they increase students' knowledge about sexuality but do

not change students' personal values which guide their behavior.

Unfortunately, adequate sex education in school too often is unavailable, even though Planned Parenthood's national opinion surveys show that huge majorities of Americans favor such teaching.

Sex education programs also must be provided for parents to help them strengthen their own sexual knowledge for the benefit of themselves and their families. Parents also should be encouraged to play a larger role in educating their children about sex and sexuality.

One of the obvious results of the unwillingness or inability of parents and institutions to educate children about sex is the 600,000 unwanted teenage pregnancies that occur each year, many of them due to improper or inadequate information about reproduction and contraception.

The escalating increase in teenage pregnancies has resulted in large numbers of high school dropouts, medically high-risk births, foster care placements, unemployed and underemployed single parents, and children who perpetuate the cycle of sexual ignorance.

The Pro-Choice Movement

Nothing could make clearer the ultimate objective of Planned Parenthood than its name. We are dedicated to helping men, women, and teenagers plan their parenthood.

Planned Parenthood works to assure reproductive freedom by providing family planning information, education, and medical services. We also preserve reproductive freedom by defending it in Congress and state legislatures, in the courts, and in the press.

In all our efforts, we strive to prevent the need for abortion. At the same time, we recognize abortion as a legitimate option for women who make this choice

based on their own needs and guided by their own consciences.

Any attempt to abridge or negate one individual's reproductive freedom is an attack on us all. Every time a woman is forced to bear an unwanted child, we all suffer. Every time a family is broken up because of too little money and too many children, we all are threatened. Every time an elected official refuses to speak out on these and related matters, we all are disenfranchised. Every time we as citizens ignore the consequences of unplanned families, our world's capacity for tolerance, justice, and compassion is diminished.

Planned Parenthood is pro-child. We believe the birth of a child should never be an accident. We believe all children deserve a loving home, a decent life, and a future that offers them the opportunity to grow and flourish to their full potential.

Planned Parenthood is pro-family. We believe the family is by far the most important social unit in modern society. We advocate programs that support families' needs, not just to survive the difficulties of day-to-day living, but to create an atmosphere where love and compassion guide the future development of the human race.

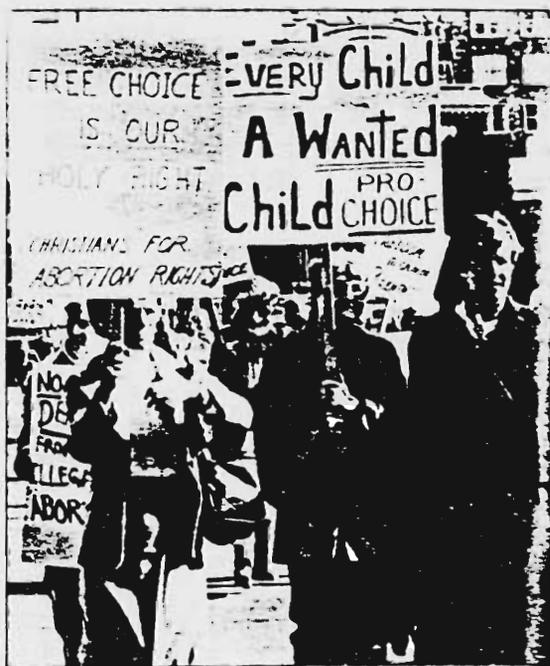
Planned Parenthood is pro-choice. There is no more profoundly moral decision than the decision to bring a child into the world. Becoming a parent is the most long-lasting moral obligation any of us will ever know. There can be no excuse for imposing that obligation on any individual.

Reproductive freedom is a matter of individual morality. And the most moral position is that which offers moral choice to others. Only on the basis of this standard can our decisions about bringing children into the world truly be consistent with our own consciences, guided by our own personal and religious values, and based on our life experiences and needs.

Public Impact Program

A Special Report

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In 1979, Planned Parenthood launched a frontal attack against mounting opposition to the principle of reproductive freedom, and against the repressive attempts by a well-organized minority to impose its own moral and religious views on the rest of society.

The Federation's Public Impact Program, approved on June 1 by the national Board of Directors with initial funding of \$300,000, is a nationwide strategy for legislative and social advocacy aimed at safeguarding the fundamental right of all individuals to decide whether and when to have children. The program refines and reinforces Planned Parenthood's traditional advocacy of reproductive freedom.

Many of today's anti-choice factions wield fear, harassment, intimidation, and violence as weapons, as did their counterparts in the early 1900's when Margaret Sanger founded America's modern birth control movement. But the most menacing and long-lasting threat we currently face is the attempt to destroy basic human rights through legislation.

Goals and Objectives

The program's goals and objectives are:

- ▶ To maintain a woman's fundamental constitutional right to abortion—by preventing any restrictive amendment of the Constitution with respect to abortion, by opposing the enactment of statutes and ordinances restricting access to and availability of abortion care, and by supporting litigation which challenges restrictive statutes and ordinances and protects freedom of choice
- ▶ To assure non-discriminatory public policies with respect to the availability and provision of comprehensive reproductive health care services—by assuring that publicly funded medical programs include abortion services; and by protecting the right of all individuals, regardless of age, to obtain contraceptive and abortion services confidentially and on their own consent.

Opinion Research

The first stage in our program consisted of research to understand the climate of public opinion on Planned Parenthood and family planning issues.

Two public opinion polls were conducted by RL Associates of Princeton, N.J. Survey results, released at PPF's 1979 annual meeting, showed that an overwhelming majority of Americans support Planned Parenthood, our services, and our principles.

Program Development

The second stage of the Public Impact Program was development of a detailed action plan based in part on these research results. All national, state, and local components of the Federation helped to develop the plan, and they all will play important roles in ensuring its success.

The plan includes efforts to expand grassroots activities; to upgrade our national government relations and influence; to build coalitions at all levels with other organizations that have similar concerns; to implement a litigation strategy challenging crucial unfavorable legislative and judicial decisions; to increase public relations and other communications activities promoting public awareness of family planning issues and concerns; and to foster increased financial support for the Federation's national and local public impact plans.

The Federation has committed itself to a broad, far-reaching program, one that will have a significant impact on the future of family planning in this nation. Clearly, we represent the voice of majority opinion on the issue of reproductive freedom, and we will assure that this voice is heard and understood by legislators who make our laws, by judges who interpret them, and by citizens who live by them.

Americans Support Family Planning in National Public Opinion Polls

In 1979, Planned Parenthood Federation of America commissioned two public opinion polls to determine attitudes toward birth control, abortion, sex education, and Planned Parenthood.

Highlights of the results of the surveys, conducted by RL Associates of Princeton, N.J., are:

- ▶ An overwhelming 92 percent of Americans support abortion under at least some circumstances. Only 8 percent oppose abortion absolutely.
- ▶ 78 percent of Americans say government should not interfere in a woman's decision to have an abortion.
- ▶ 74 percent of Americans favor teaching sex education in schools; 59 percent believe sex education should be taught to students aged 12 or younger.
- ▶ 51 percent of Americans believe young people between the ages of 14 and 15 should have the legal right to information about contraception.
- ▶ 63 percent of Americans, including a majority of those who oppose abortion, have favorable attitudes toward Planned Parenthood.

Margaret Sanger Centennial Year

Profile Courage

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Sarah Weddington (left), assistant to President Carter, and PPEA President Faye Wattleton at September 13th White House Reception honoring Margaret Sanger.

Last year, thousands of Planned Parenthood staff, volunteers, and supporters participated in a nationwide celebration of the 100th anniversary of the birth of Margaret Sanger, the founder of Planned Parenthood and America's modern birth control movement.

The year-long celebration honored the woman who, born on September 14, 1879, successfully challenged the repressive laws of her day to give women the knowledge and the means by which to control pregnancy and birth.

Mrs. Sanger created the term "birth control," published the first booklet on contraceptives, opened America's first birth control clinic, and founded the American Birth Control League, which later became Planned Parenthood.

Centennial activities included a special reception at the White House, a quarter page ad on *The New York Times* op-ed page, a colloquy on women's rights at Rockefeller University, and a full day of programs dedicated to Mrs. Sanger during PPEA's 1979 annual meeting in Houston, Texas.

During their 1979 annual meetings, each of the Federation's five regions presented a distinguished individual with a Regional Founder's Award designed especially for the occasion.

Scores of PPEA's affiliates hosted a wide range of special events, including luncheons, dinners, birthday parties with cakes topped by 100 candles, open houses, readings from Mrs. Sanger's writings, races and jog-a-thons, and clinic tours. Due largely to affiliate efforts, the governors and mayors of 33 states, cities, and counties proclaimed September 14, 1979, as "Margaret Sanger Day."

DEMONSTRATION ROOM

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Affiliate Activities

1979 Brief

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Patient Services

In 1979, Planned Parenthood's 188 affiliates in 45 states and the District of Columbia provided medical, educational, and counseling services to a record 1.3 million Americans, a five percent increase over the previous year's patient load. More than two-fifths of those who turned to us were aged 19 or younger.

A variety of information on reproductive health care and birth control, and referrals to other community agencies, were offered by all Planned Parenthood affiliates, and particularly by our six "educational" affiliates.

Our remaining 182 "medical" affiliates, with their 700 local clinics, also offered contraceptive care to more than one million female patients; infertility care and referral to almost 1,000 patients; and pre-natal care to about 300 patients.

Surgical procedures provided by these affiliates included approximately 1,000 female sterilization procedures, close to 8,800 vasectomies, and almost 67,000 abortions. Reinforcing Planned Parenthood's efforts to prevent the need for abortion, approximately 90 percent of our patients who had abortions last year subsequently elected to use some form of contraception.

Medical affiliates also provided counseling in these and other areas, such as infertility services, self-breast examination, pregnancy, human sexuality, fertility awareness, and nutrition.

In addition, these affiliates offered a wide spectrum of diagnostic procedures, including urine and blood tests, sickle cell anemia screening, and tests for hypertension, pregnancy, cervical and breast cancer, and sexually transmitted diseases.

Recognizing the importance of improving access to reproductive health services, last year virtually every affiliate held clinics in the evenings and on Saturdays

to accommodate the thousands of patients who work full-time during the day.

Public Education

Planned Parenthood affiliates offered over 60,000 education and training sessions for a variety of audiences, among them parent groups, churches and other community organizations, students in junior and senior high schools and colleges, teachers of reproductive health courses, social workers, physicians, nurse practitioners, women in hospital maternity wards, and family planning volunteers.

Topics ranged from parent-child communication about sex, family life education, and legal aspects of sexuality and the mentally retarded, to population change and its effects on children, sexuality in and beyond the middle years, and procedures for minilaparotomy (a safe, simple, and inexpensive surgical technique for voluntary female sterilization).

Affiliate public education efforts also included films, newsletters, brochures, posters, bumper stickers, radio and television talk show appearances, and the rental of booths at county and health fairs.

Teen Programs

To help stem the tide of the country's teenage pregnancy crisis, many affiliates focused on reaching young people, and especially on encouraging the participation of male teenagers in family planning. They used public service announcements (PSAs) in the print and broadcast media, distributed literature in schools, and sponsored teen clinics and "rap" sessions.

Planned Parenthood of Greater Camden Area (N.J.) used a life-size mannequin to educate young girls about human reproduction and physical examinations. Also in New Jersey, the Planned Parenthood Association/Mercer Area gave away free record albums at an open house. Planned Parenthood League of Massachusetts sponsored a traveling theater



group of teenagers who acted out adolescent sexuality problems. Our Columbus, Ohio, affiliate designed a unique media campaign to increase male teen awareness of early childbearing problems. The campaign gained nationwide attention through coverage in *Mr. Magazine* and on the nationally televised Phil Donahue Show.

Reaching Other Groups

Several affiliates concentrated on reaching newly arrived refugees (particularly Cambodians, Laotians, and Vietnamese), as well as other minority groups. The Planned Parenthood Association of San Mateo County (Calif.) introduced "Books That Speak," a foreign language audio-visual program about anatomy and contraception.

Community Services

Recognizing the growing impact of government legislation and regulation on services provided by Planned Parenthood, affiliates increased their efforts last year to influence the development of both local and national health policies and interpretations of those policies in the nation's courts.

To accomplish these objectives, many affiliates participated fully in lobbying activities permitted for tax-exempt organizations, hired public affairs specialists to coordinate statewide advocacy programs, visited legislators to educate them on PPFA issues, encouraged consumers to contact their legislators, mailed action alerts, developed "telephone trees," presented testimony at public hearings, and participated in litigation to establish reproductive freedom.

Public Affairs Programs

Several affiliates built coalitions with other family planning agencies, with local chapters of the National Organization for Women, and with the National Abortion Rights Action League. In Ohio, for instance, the Cincinnati Freedom of Choice Coalition staged a week-long series of events in June which garnered media attention and demonstrated the growing strength of the pro-choice movement.

Many affiliates promoted the continuation of state and/or local government funding of "medically necessary" abortions for poor women in 20 states, despite the Hyde amendment which had cut off the federal share of Medicaid reimbursement for the procedure since 1976.

To help foster the image of Planned Parenthood as pro-family, affiliates helped to win a high number of pro-choice delegates to several state conventions participating in the White House Conference on Families.

Planned Parenthood Affiliates of California, a statewide public affairs network, received a \$6,000 grant

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from *Ms. Magazine* for a toll-free, 24-hour-a-day "Pro-Choice Hotline," providing a 30-second tape message on family planning and abortion events.

To increase public awareness of their programs last year, many affiliates sponsored special events to commemorate the January 22, 1973, Supreme Court decision legalizing abortion nationally, and to promote National Family Sex Education Week (October 7-13) and Abortion Rights Action Week (October 22-28). In New Jersey, affiliate efforts to advance sex education were strengthened when the State Board of Education recommended that family life courses, including sex education, be taught to all students in grades kindergarten through high school.

Successful Court Action

Several affiliates successfully participated in court actions designed to eliminate "Akron-type" ordinances which restrict abortion through requirements for parental, spousal, or "informed" consent. Such ordinances, or parts of them, were voided in Nebraska, Illinois, Tennessee, and Louisville, Kentucky. Even in Akron itself portions of the restrictive abortion law were struck down.

In the case of *Bellotti v. Baird*, a landmark decision by the U. S. Supreme Court struck down a Massachusetts law which required parental consent for a minor's abortion.

In other court actions, Planned Parenthood of Minnesota successfully challenged a law which denied state family planning grants to agencies that provide abortion counseling services. Similarly, in North Dakota, a court voided a law which prevented federal or state family planning funds from being granted to agencies providing abortion referral services.

The Alan Guttmacher Institute (AGI)

With offices in New York City and Washington, DC, AGI is Planned Parenthood's special affiliate for research, policy analysis, and public education.

In 1979, AGI continued to estimate the needs of poor women and teenagers for family planning services, and to monitor the level of services provided by Planned Parenthood, health departments, hospitals, and other agencies. It also surveyed hospitals, clinics, and private physicians to determine the level, distribution, and nature of abortion services, and provided expert testimony in numerous court cases and legislative hearings involving services to teenagers, family planning, and abortion policy.

As part of its extensive publications program, AGI published "Abortions and the Poor," a chartbook illustrating the consequences of the Hyde amendment for poor women. Comprehensive coverage of all major family planning issues and activities was carried in AGI's influential and internationally respected journals and reports: *Family Planning Perspectives*; *International Family Planning Perspectives*; *Family Planning Population Reporter*; and the *Washington Memo*.

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National Headquarters Activities

1979 Brief

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Services to Affiliates

Continuing its tradition as a resource for Planned Parenthood's 188 affiliates, the Federation's national office last year provided quality services for its members, tailored to their specific needs and designed for their full participation.

Headquarters provided leadership in national affairs; helped affiliates respond to local reproductive health problems and issues, served as a resource center and information clearinghouse, and offered training workshops and materials related to educational programming, medical services, malpractice and liability insurance, communications, public affairs, legal affairs, fund raising and management techniques.

Key Accomplishments

In 1979, headquarters services to affiliates included the following:

- ▶ Organization of a new Affiliate Development Division at the national office to coordinate headquarters services to affiliates through the five regional offices; to provide training and technical assistance for growth and expansion of affiliate services, particularly in the area of sex and family life education through the Division's new Department of Education, and to assist in the organization of new affiliates.
- ▶ Sponsorship of the Federation's annual membership meeting and five regional annual meetings which included sessions on major family planning issues, a variety of technical assistance workshops, and opportunities for volunteers and staff to exchange information and problem-solving ideas.
- ▶ Revision of the Standards of Affiliation to comply with changing social needs, legislative requirements, and medical advances, and initiation of a centralized evaluation process for affiliate certification.
- ▶ Expansion of a quality assurance program, including implementation of a medical audit system, revision of the *Manual of Medical Standards and Guidelines*, coordination of insurance claims management and incident reporting systems, and improvements in other risk management and financial reporting practices.
- ▶ Management of loan programs for affiliates initiating sterilization and abortion services, and distribution of Consumer Loan Funds (CLFs) provided through the Justice Fund. A portion of the Justice Fund, including \$100,000 donated last year by the Educational Foundation of America, is earmarked for affiliates establishing CLFs that allow indigent women to obtain abortions in the absence of public financing. The Justice Fund also supports advocacy and litigation in defense of reproductive freedom.
- ▶ Negotiation of a new contraceptive pill purchase agreement which resulted in substantial savings to affiliates.
- ▶ Development of fund raising workshops and materials to assist affiliates in finding new funding sources, implementing new strategies for appeals, and handling grant-related income. The national office also instituted The Optional Plan for Sharing (TOPS), a program designed to combine national and local fund raising efforts.
- ▶ Monitoring legislative and judicial decisions on the national and state levels, interpreting their impact on affiliate programming and services, and providing affiliate alert mailings with suggestions and information for local advocacy activities.
- ▶ Assistance in implementing litigation strategies and initiation of the Federation's first workshop for affiliate attorneys which drew some 40 affiliate lawyers to hear nationally known litigators discuss current legal issues related to reproductive freedom.
- ▶ Survey of affiliates' public affairs and public relations activities and needs as a basis for the develop-



ment of workshops, literature, "how-to" guidelines, and public service advertising to meet those needs

- ▶ Provision of publications directed toward consumers and community health professionals, and solicitation of affiliate suggestions for topics and content of future publications.
- ▶ Visits to more than 40 affiliates by the Federation's president, whose presence brought a national perspective to bear on the development of local legislation and who increased public awareness and media coverage of affiliate services and community family planning needs.
- ▶ Updates on Federation-wide activities and developments in the national family planning field through *Planned Parenthood News*, and information about family planning programs and population issues in developing countries overseas through *FPIA Newsletter*, published by Family Planning International Assistance, Planned Parenthood's International division.

Services to U.S. Family Planning Field

How many men and women need government-funded family planning services? How effective and safe are different contraceptives? What are the long-range economic benefits of family planning? What legal precedents have been set for local statutes restricting abortion? What can be done to reduce the staggering number of early teenage pregnancies?

Questions such as these guide the work of Planned Parenthood's national headquarters in advancing programs to meet the needs of the family planning field in this country. Our mission includes developing information and data for the field and for consumers; testing new types of manpower and new modes of service delivery; building coalitions with organizations in many fields, including medicine, law, human rights, and the social services; monitoring legal actions, judicial decisions, medical advances, research findings, and media coverage of family planning issues; and evaluating family planning programs, services, and patients.

Activity Highlights

Specific highlights of these activities in 1979 included the following:

- ▶ Initiation of our Public Impact Program (outlined elsewhere in this report), a plan for nationwide legislative and social advocacy in support of reproductive freedom.
- ▶ Sponsorship of two public opinion polls (also outlined elsewhere in this report) to determine attitudes toward birth control, abortion, sex education, and Planned Parenthood.
- ▶ Strengthening relationships and influence with U.S. Department of Health, Education and Welfare officials.
- ▶ Presentation of testimony on family planning

issues before Congress and other government bodies.

- ▶ Provision of lobbying tools, strategy advice, and other information which helped affiliates in successful efforts to secure increased appropriations for Title X funding of family planning services and reproductive research.
- ▶ Sponsorship of and leadership in Abortion Rights Action Week (October 22-28).
- ▶ National representation of the Federation and other family planning agencies in the mass media (including an NBC Today Show interview in September with PPEA President Faye Wattleton as part of our nationwide celebration of the 100th birthday of Planned Parenthood's founder Margaret Sanger).
- ▶ Fund raising efforts to reach three million individuals through the mail, which resulted in 12,000 new donors (a jump of 34 percent over last year's total), as well as an increased awareness of family planning issues among the general public.
- ▶ Completion of the eighth year of a model project to train nurse practitioners to deliver many family planning services traditionally reserved for physicians. The training project, which has graduated 235 nurses to date, is designed to improve access to reproductive health services.
- ▶ Promotion of health and motivational research, and supervision of 18 ongoing research projects in such areas as the outcome of unwanted pregnancies in adolescence and new techniques for male sterilization.
- ▶ Development of a litigation strategy focusing on elimination of restrictive abortion laws, reinstatement of federal funding of abortions for poor women, protection of minors' rights to contraceptive services, and increased federal funding of family planning services and reproductive research.
- ▶ Filing of an *amicus curiae* (friend of the court)

brief in the *Bellotti v. Baird* case in the U.S. Supreme Court, a landmark suit which successfully challenged a Massachusetts law requiring parental consent for a minor's abortion.

- ▶ Participation in another landmark case, *McRae v. Secretary of HEW*, challenging the constitutionality of Hyde amendments that have reduced federal Medicaid funding of abortions by 99 percent since 1976.
- ▶ Promotion of the Federation's visibility and services through expanded media coverage and distribution of over 2.5 million consumer publications, *Planned Parenthood News*, and PPEA's annual report.
- ▶ Monthly publication of *Current Literature in Family Planning*, the field's most comprehensive literature digest, by PPEA's internationally recognized Katherine Dexter McCormick Library.
- ▶ Promotion of overseas family planning issues and programs through published reports and international press coverage of Planned Parenthood staff visits overseas.

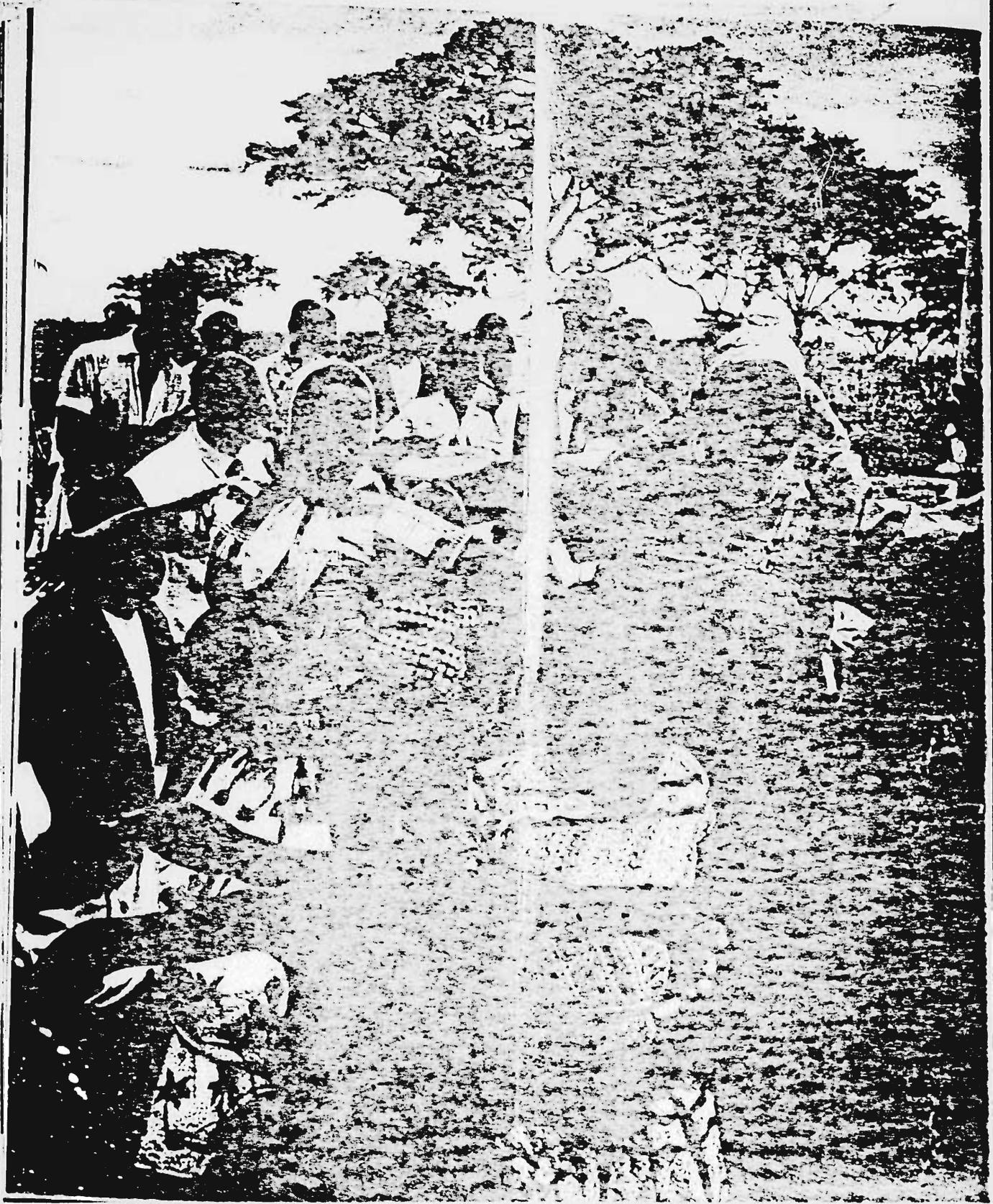
Services to International Family Planning

Planned Parenthood participates in international action and cooperation to provide fertility regulation services to a world in need. Through Family Planning International Assistance (FPIA), its overseas aid program for developing countries, and through its membership in the International Planned Parenthood Federation (IPPF), Planned Parenthood works to promote, initiate, maintain, and expand family planning services in other countries around the world.

Family Planning International Assistance (FPIA)

The primary purpose of the Federation's international division is to provide voluntary agencies and some governments in developing countries with funds, con-

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ceptives, educational materials, and medical equipment to meet family planning needs.

In fiscal year 1979, FPIA provided a record \$14 million in assistance to some 60 developing countries. The number of FPIA-assisted projects last year totalled 88, a 33 percent increase over the previous year. Since it was founded in 1971, FPIA has provided a total of over \$40 million in assistance to more than 2,100 agencies in 100 countries.

Grants from the U.S. Agency for International Development (AID) are the primary source of support for FPIA activities, but contributions from individuals and grants from foundations help to fund many of its most innovative programs.

With five regional offices (in Manila, Philippines; Dacca, Bangladesh; Bogota, Colombia; and two offices in Nairobi, Kenya) and with a staff of 75 persons, FPIA is recognized as a major donor and technical assistance agency for the development of effective family planning programs overseas.

One project FPIA sponsored last year was the Nairobi Breast Feeding Group which promoted breast feeding to enhance child spacing and which offered non-hormonal methods of contraceptives to nursing women.

An FPIA project in Mexico City, the Center for Orientation for Adolescents, reached young people with an integrated program of sex education and family planning services. The Center, the first of its kind in Latin America, provided young people with an opportunity for socializing in a learning environment.

Adolescents also were the primary audience for a new Center for Family Welfare, Education and Counseling, a program initiated by the Sierra Leone Home Economics Association and assisted by FPIA. The Center promotes responsible parenthood and provides non-prescriptive contraceptive services.

In Dacca, FPIA supported the Concerned Women's Project, which serves women in their homes because in a traditional Muslim society women generally do not venture outside. Mother's Clubs also have been organized in Dacca to serve the contraceptive needs of continuing users.

In Indonesia, another FPIA-assisted project was the Association of Voluntary Health Services. Last year, the Association continued to expand and strengthen its contraceptive services program through the 270 hospitals and clinics that are part of the Catholic Church's health delivery system in that country.

International Planned Parenthood Federation (IPPF) Participating in the world family planning movement is the IPPF, an organization of 94 national family planning associations (FPAs) which represent 120 countries worldwide. Planned Parenthood is a founding member of IPPF and its largest contributing FPA member.

With a worldwide budget of \$45 million in 1979, IPPF serves as the principal source of financial assistance to member associations helping to set up and develop family planning programs throughout the world. IPPF's goals also include promotion of education, training, and research related to human fertility, and an increased understanding by people and governments of their demographic problems.

In the Africa Region, where the birth rate (46 per 1000) and the death rate (20 per 1000) are among the highest in the world, FPAs last year continued implementation of the Planned Parenthood and Women's Development Programme. In collaboration with a number of women's organizations in the region, the program has made a notable contribution to improving the status of women and the economic potential of women in rural areas.

In the East and South-East Asia and Oceania Region,

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IPPF's regional office sponsored a workshop on adolescent sexuality last year in Singapore. The workshop created interest among decision makers from youth-serving institutions in the public and private sectors. The Planned Parenthood Association of Thailand also addressed adolescent needs by launching a multi-agency adolescent-oriented project supported by IPPF's regional office.

The Irish Family Planning Association in the Europe Region helped promote the passage of a Family Planning Bill last year. Contraceptives can now be sold legally for the first time, but contraceptives can only be used by married couples, and they must be prescribed by a physician. In addition, the bill prohibits abortions.

In the Indian Ocean Region, the FPAs of Pakistan and Bangladesh have succeeded in securing the collaboration of several other agencies to promote family planning. These include the Salvation Army Mission hospitals and other social welfare organizations in Pakistan, and the Bangladesh Diabetic Association, anti-TB Association, and Women's Association.

Throughout last year in the Middle East and North Africa Region, there was a steady increase in efforts to integrate with and utilize other service networks for clinic and information services, and to provide other services either through FPA clinics or referral. Successful integration of services has been achieved by FPAs in Iraq, Egypt, Jordan, Morocco, Syria, Yemen Arab Republic, Sudan, Tunisia, and Afghanistan.

In the Western Hemisphere Region, through which Planned Parenthood holds its IPPF membership, the Argentina FPA last year expanded its activities to include training students in 13 nursing schools in Buenos Aires and sponsoring a regional meeting for priests from countries in the southern part of the region.

PPFA Three Year Plan: 1979-1981

Goal I

To address the unmet need for fertility regulation services in the United States, regardless of an individual's age or ability to pay.

Goal II

To reduce the incidence of unwanted pregnancies and births among adolescents.

Goal III

To preserve and assure access to safe, legal abortion services and counseling for all women, regardless of their age or ability to pay.

Goal IV

To further research in human reproduction.

Goal V

To reduce the unmet need for fertility regulation services around the world.

Summary of 1979 Financial Activities

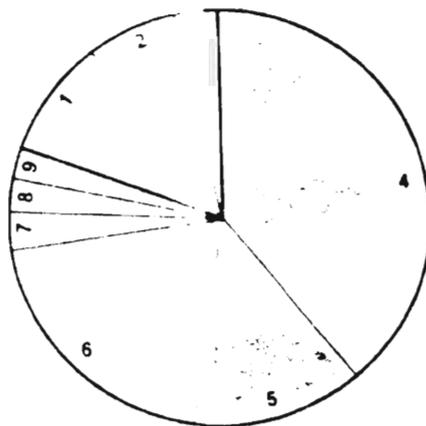
Estimate In Millions

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Total Federal Income: \$140.8

Headquarters Total: \$24.3

- 1— Government Contracts and Grants: \$13.9
- 2— Private Contributions and other income: \$9.0*
- 3— Income from Affiliates: \$1.4



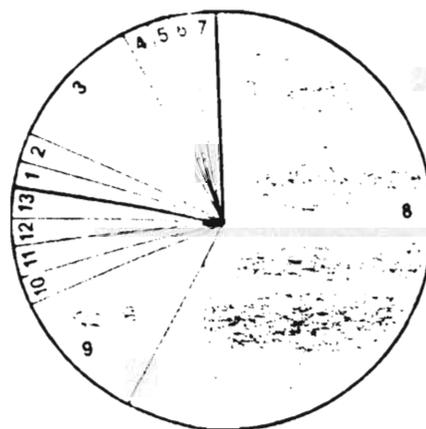
Affiliates Total: \$116.5

- 4— Government Reimbursements and Grants: \$55.6
- 5— Private Contributions, including donated services (less payments to headquarters): \$21.6
- 6— Clinic Income: \$29.7
- 7— Other: \$4.6
- 8— Capital and Endowment: \$2.2
- 9— AGI Special Affiliate—Research and Development: \$2.6

Total Federation Expenditure: \$140.8

Headquarters Total: \$24.3

- 1— Assistance to PPFA Affiliates: \$2.0
- 2— Assistance to U.S. Family Planning Field: \$1.0
- Assistance to International Family Planning
- 3— FPIA: \$16.1
- 4— Contributions to IPPF: \$6
- 5— General Administration: \$2.0
- 6— Fund Raising Expense: \$1.0
- 7— Funds to be Expended in 1980: \$1.6



Affiliates Total: \$116.5

- 8— Program Services (includes patient services, public education, and community services): \$86.9
- 9— Program Administration: \$18.9
- 10— Fund Raising Expenses: \$2.2
- 11— Capital Expenditures: \$3.3
- 12— Additions to Reserves and Funds to be Expended in 1980: \$2.8
- 13— AGI Special Affiliate—Research and Development: \$2.4

Audited statement available upon request from New York State Department of State, Office of Charities Registration, Albany, N.Y. 12231, or from Planned Parenthood Federation of America, Inc., 810 Seventh Avenue, New York, N.Y. 10019. Planned Parenthood is a non-profit charitable organization and all contributions are tax-deductible.

*Includes corporate contributions and foundation grants, plus support from 40,000 private donors. In addition, we are one of seven international service agencies approved by the U.S. Office of Personnel Management for on-the-job solicitation of federal civilian and military personnel.

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Little Rock, Arkansas

Nancy R. Winter
Milwaukee, Wisconsin

Leanne S. Zabin, Ph.D.
Baltimore, Maryland

Robert G. Zimelman, Ph.D.
Philadelphia, Pennsylvania



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President

David John Andrews
Executive Vice President

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*Vice President
Communications*

Winston E. Forrest, Jr.
Vice President Resource

Bertram Gibson
Vice President Finance

Eve W. Paul
Vice President Legal Affairs

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*Vice President
Public Affairs*

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*Vice President
Medical Affairs*

Daniel R. Weintraub
*Vice President
International Programs*

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Federation of America Inc.
is a member of the
International Planned
Parenthood Federation*

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Aziza Hussein
Cairo, Egypt

IPPF Secretary General:

Carl Wansen
London, England

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Public Relations Manager

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Cover: Family group
sculpture by Henry Moore.

Photograph courtesy of
David Finn. From *Henry
Moore: Sculpture and
Environment*, Thames and
Hudson, Ltd., 1977.

Pages 1, 2, 4, 6, 12 and 16:
Ken Heyman

Page 18: Arthur Tress

57

General Corporation of America, Inc.
110 Seventh Avenue
New York, New York 10019
(212) 341-7800

... in your area.
... directory.

no. 1610

3171011375

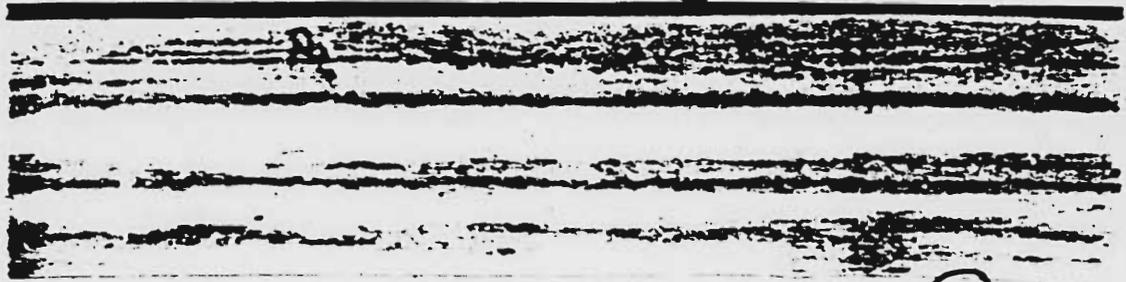
Exhibit B



1981

**Planned Parenthood[®]
Federation of America
Public Service
Campaign**

Helping build a strong America by
Helping build strong American families.



60

An Exciting New Package for Planned Parenthood

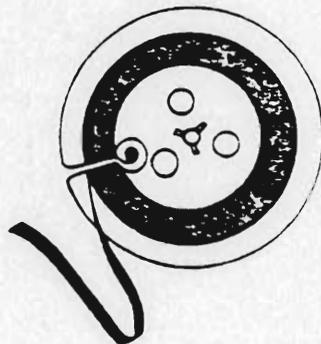
A complete package of materials designed to increase support for Planned Parenthood's vital role in your community.

Your 1981 Campaign



TELEVISION

Two 30-second television spots are available on 2" videotape including Spanish-speaking versions. Each spot can be personalized with your local identification in the final three seconds of the spot. Your order should include enough copies for each television station in your market to use as public service announcements. The spot series supports the theme and reminds the viewers of the basics that Planned Parenthood has always stood for in America.



RADIO

The radio spot package includes three 60-second spots and three 30-second spots (Spanish speaking versions available). The copy approach in the radio series provides a tie-in with the other elements of our package. Copies of the script for your use are included when you order this package component. Each spot can be tagged with your local affiliate identification. Be sure your order includes dubs for each radio station in your market.

NEWSPAPER/MAGAZINE

Several sizes of the newspaper/magazine advertisements are available. 2/3 page, 1/4 page, 1/8 page and a one column x 2 inch theme line filler ad. Additional repro clip pages are available as well. The theme of "Helping Build a Strong America" is again supported through the graphic approach in this component. You'll receive reproduction materials suitable for use in either newspaper or magazine.

Planned Parenthood for a strong America.
(AFFILIATE NAME HERE)



Public Service Package Fraternity Affiliates

(61)

Increase public awareness and strengthen support
for the program in providing service to America.

The campaign includes:

BILLBOARDS BUS CARDS

Finished art suitable for reproduction by your local transit or outdoor companies is made available to further support the theme for this campaign in your marketplace. Price includes reproduction art suitable for production of the necessary posters you order direct from your transit and outdoor companies.



MINI-POSTERS

A special 8 1/2 x 11 version of art and theme line are provided for your use to post in libraries, community centers, etc. in your marketplace. Great for handouts at special meetings, to the media, anywhere that you want to promote the public service campaign. This visually attractive poster is priced in thousand lots for you to order as needed. The poster can carry your personal affiliate identification as well as other copy elements you want imprinted on the reverse side.



CAMPAIGN PLANNER

A complete, handy reference guide for use with your package of public service campaign materials, including how to get exposure for your public service efforts, where to distribute them, a listing of the media in your market, how to set up a press conference to announce your kick-off in your market and how to follow-up with the media. As a special request item, a handy media market analysis of your community that gives you an in-depth analysis of your market including demographic and media usage breakdowns. A quick useful resource to guide you in the use of your package of public service materials. Each planner includes repro sheets of the package elements plus color storyboard sheets of each television spot.



MS

62

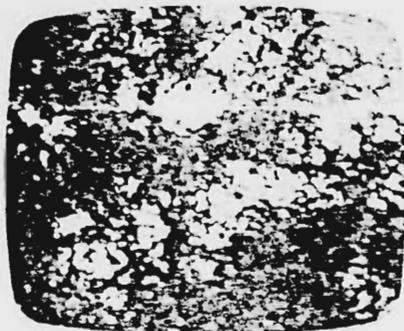
For more information contact:
Communications Division
Planned Parenthood Federation of America, Inc.
810 Seventh Avenue
New York, New York 10019
(212) 541-7800

PLANNED PARENTHOOD FEDERATION

63

:30 TV Public Service Announcement "AMERICA"

Produced by Hameroff/Milenthal, Inc.



Announce America — Our strength is the strength of American Families.



For over 60 years, Planned Parenthood has been working to build stronger families.



By helping people make responsible choices about their lives.



Today, through its family planning and health-care services.



Planned Parenthood continues its tradition.



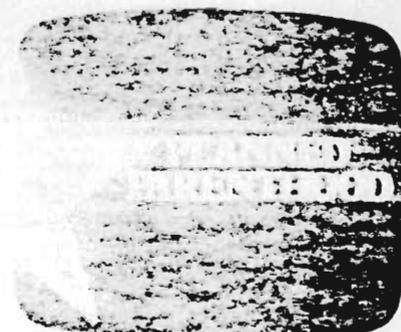
of service to America's most precious institution.



Planned Parenthood



Helping build a strong America



by helping build strong American families.

PLANNED PARENTHOOD FEDERATION

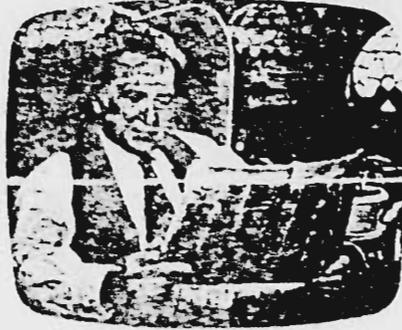
64

:30 TV Public Service Announcement "THE FAMILY"

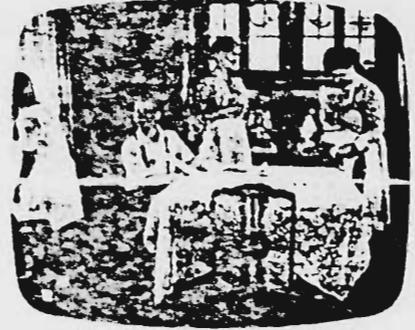
Produced by Hameroff / Milenthal, Inc.



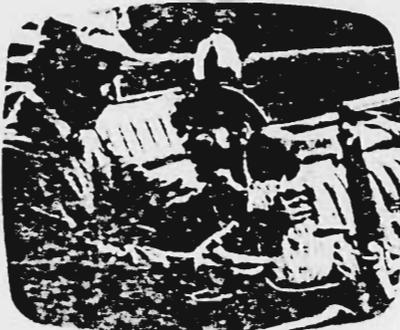
Anner: The Family ...



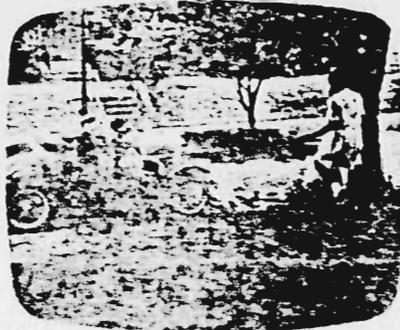
Then and now ...



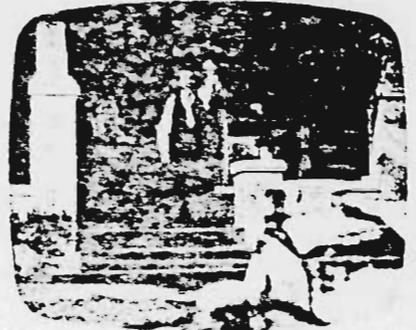
America's greatest source of strength.



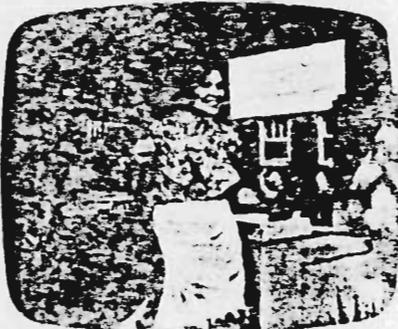
For over 60 years ...



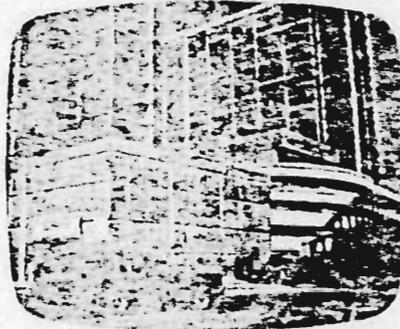
People have turned ...



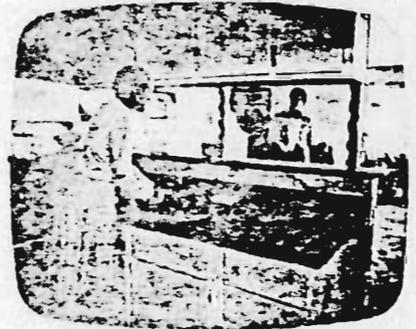
to Planned Parenthood ...



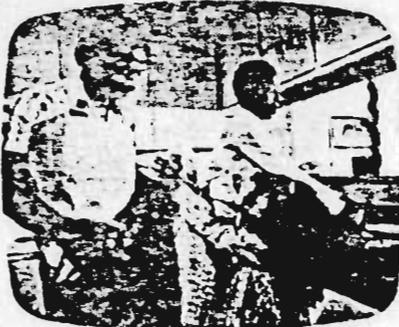
For help in making important
decisions about family planning



America has changed



and so have families



But today people still turn to
Planned Parenthood



... for counseling, information, and
family planning service.



Planned Parenthood - helping build a
strong America by building strong
American families.

65

C. 74

NEWS:

Planned Parenthood- World Population

66

CONTACT:

Mimi Barker
Tel: Office (212) 541-7800
Home (212) 982-7896

In Denver:

Sept. 28 - Oct. 4
PPFA Press Room
Denver Hilton Hotel
Tel: (303) 893-3333

FOR RELEASE AFTER 10:30 A.M.
MONDAY, SEPTEMBER 29

PLANNED PARENTHOOD LAUNCHES NATIONWIDE ADVERTISING AND PUBLIC SERVICE CAMPAIGN;
"HELPING BUILD A STRONG AMERICA BY HELPING BUILD STRONG AMERICAN FAMILIES" IS THEME

DENVER, Sept. 29 -- A nationwide, comprehensive public service and advocacy campaign was launched today as part of Planned Parenthood Federation of America's public impact program, the organization's drive to protect and defend individual rights. The announcement was made in Denver at the start of PPFA's annual meeting.

"This is the first time in our organization's sixty-four year history that a comprehensive campaign of this sort has been developed," Faye Wattleton, President of PPFA, said in making the announcement. "This program will allow us to get our message on reproductive freedom out to that vast majority of Americans who support us in our determination to safeguard the fundamental American rights to privacy and individual decision making."

Wattleton said the program would consist of television and radio spots as well as print advertising. Individual advocacy ads will be developed to address specific issues as they arise.

"Our theme is 'Helping Build a Strong America by Helping Build Strong American Families,'" Wattleton said. "This reflects our strong belief that freedom of choice in family planning and reproductive health is essential to the health and well being of all families."

Planned Parenthood Federation of America, Inc. - 810 7th Ave., New York, N.Y. 10019
Tel. (212) 541-7800

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"Planned Parenthood has served millions of American families. It is our tradition of service and advocacy that gives us the legitimacy with which to speak out against those who would deny all of us our fundamental human rights," Wattleton commented.

"We are moving aggressively to defend those rights. Through out public impact program, our affiliates and the national office have been taking bold and creative steps in the courts, in the legislatures, and in the media to stop those who want to impose their will on all of us."

Wattleton said the most immediate goal of the "zealous anti-choice faction" is to deny public funds for poor women's abortions.

"It is abundantly clear, however, that the anti-choice faction in this country wants to do more than simply limit a poor woman's right to choose abortion," she stated. "As we will be discussing during our meeting here over the next few days, this minority wants to outlaw all abortions. It wants to eliminate sexuality education. It wants to dictate to the American public what kinds of contraception to use."

"Planned Parenthood is confident that the American public will not tolerate this blatant attack on our freedoms. Our campaign that we are announcing today is to insure the public is aware of our mission in fighting for these fundamental rights."

###

Planned Parenthood Federation of America is the largest national voluntary family planning agency. Its 186 community-based affiliates in 43 states and the District of Columbia provide medical, educational, and counseling services to more than 1.4 million individuals each year, as well as act as advocates in safeguarding reproductive rights for everyone, regardless of race, age, sex or economic circumstances.

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RECEIVED
LEGAL



THE
JUSTICE
FUND

FOR 2,600,000
AMERICAN WOMEN
THE TORCH OF LIBERTY
JUST WENT OUT.

How to protect yourself from some of your well-meaning neighbors.

We've been doing it for you for more than half a century. Only it's not as easy as it used to be. You see, Planned Parenthood of Minnesota is an organization dedicated to protecting some of your most basic rights. Like when and where to have children. And the right to plan the birth of your children through responsible decision making.

Yet, perhaps the most frightening thing of all, today these rights are threatened by some of your neighbors.

Would you pay five dollars to support fifty years of protecting your rights? Even though two-thirds of Minnesotans support these reproductive rights issues, Planned Parenthood of Minnesota and other organizations have stood virtually alone in speaking out for them.

Which means you could lose access to accurate information about human reproduction and responsible sexuality.

And even access to contraceptives and our vital cancer testing is in jeopardy. (Last year we examined over 30,000 women for breast and cervical cancer.)

Not to mention a responsible person's right to a medically safe, legal abortion.

So, please join Friends of Planned Parenthood and support your most basic human rights with your money and your time.

Before you don't have any rights to protect from those well-meaning neighbors.



If responsible people like you don't stand up for your reproductive rights pretty soon, never mind.

I want to protect my right to responsible decision making by joining Friends of Planned Parenthood, a volunteer support organization.

I also want to help support the work of Planned Parenthood. Enclosed is my tax-deductible contribution payable to Planned Parenthood of Minnesota of \$5, \$10, \$15, \$25.

I want to make a special gift of \$ _____

NAME _____ Return to _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____ PHONE _____

PLANNED PARENTHOOD OF MINNESOTA
1145 Ford Parkway, St. Paul, MN 55116

What some of your neighbors are willing to do to your rights should give you a nice warm feeling.

For centuries people have started the process of taking away the rights of others by burning books or otherwise destroying access to information.

Well, it's happening again right here in Minnesota. There are people involved in incidents of censorship, harassment and even arson. All in the cause of imposing their values on you.

Now if you think that's scary, cons per it's plain. These people are not fanatics.

These people are some of your neighbors.

And whether you know it or not, they're about to start asking you to decide when to have children and when to have children. And the right to an abortion of your own body is one of the most basic decisions you'll ever make.

After fifty years of supporting these rights, Planned Parenthood needs your help.

It's a simple thing to do. We need your information, your name, your address, your phone number, and your signature. It's all yours to give. It's all yours to keep.

Even a small contribution will help us fight the forces of censorship, harassment and arson. We need your help. We need your help. We need your help.

Not to mention a responsible person's right to a free, safe, legal abortion.

Would you pay five dollars to support fifty years of protecting your rights?

That's not much to ask for an organization that has made a difference in the lives of millions of women.

Please join Friends of Planned Parenthood. That way you can help stand up for the rights of the millions of women who are being harassed, censored, and even burned.

It's not much of the time, but your neighbors could do up to 500,000.

If responsible people like you don't stand up for your reproductive rights pretty soon, never mind.



I want to protect my right to responsible decision-making by joining Friends of Planned Parenthood, a volunteer support organization.

I also want to help support the work of Planned Parenthood. Enclosed is my tax-deductible contribution payable to Planned Parenthood of Minnesota of \$5, \$10, \$15, \$25

I want to make a special gift of \$ _____

NAME _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____ PHONE _____

Return to

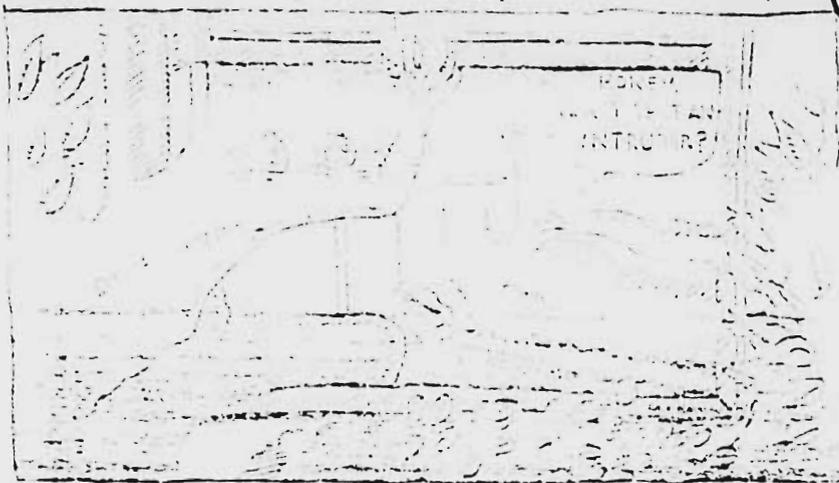
PLANNED PARENTHOOD OF MINNESOTA

1165 Ford Parkway, St. Paul, MN 55116

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G
E. 154

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Are you ready to keep your bedroom separate and uninvaded?
Your bedroom is your private sanctuary. It's your place to relax and recharge.

PLANNED PARENTHOOD

There is an epidemic of government intrusion into your bedroom. You need to take action now to protect your privacy and your freedom.

For more information, contact Planned Parenthood in your area. We'll help you understand your rights and how to fight back against government intrusion.

Planned Parenthood is a national organization that works to protect your privacy and your freedom. We'll help you understand your rights and how to fight back against government intrusion.

For more information, speak out.

Keep the Government Out of Your Bedroom.

NAME _____

ADDRESS _____

CITY _____

STATE _____ ZIP _____

Phone _____

PLANNED PARENTHOOD

Des Moines Sunday Register 7 Sep 1985

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Dear Friend,

"TANTAMOUNT TO SEVERE PUNISHMENT . . ."

. . . That's how one dissenting Justice describes the United States Supreme Court's recent decision upholding the Hyde Amendment which denies poor women federally funded abortions.

But the so-called Right-to-Lifers are elated. The Court ruling boosts their drive to ban abortions and contraceptive devices as well.

Here are some of the goals the Right-to-Life forces have set in their campaign to outlaw all abortion and ban most methods of contraception.

- Amend The Constitution -- The votes of 34 states are needed to call a Constitutional Convention. Already the Right-to-Life forces have succeeded in winning the votes of 19 states. Congress can also vote for a Constitutional Amendment. Already the Right-to-Life forces have won nearly a majority of Congressmen and Senators in support of their Human Life Amendment. Only two-thirds are needed to bring their Human Life Amendment out of Congress and put it before the States for ratification!
- Purge Progressive Political Leaders -- In an effort to eliminate Congressmen and Senators who defend family planning rights, the Right-to-Lifers, backed by the extreme Right Wing, have mounted a massive campaign to destroy the political careers of some of this nation's most courageous leaders.

They've drawn up a "hit list" aimed at defeating men like Senators Bayh, Culver, McGovern and Packwood, and Representatives Morris Udall and Joe Fisher.

Judging from the amount of money they're spending and the recent polls I've seen, they're dangerously close to defeating some of the most effective voices we have on our side.

- On to The Presidency -- They've gone beyond Congress to the Presidency. Ronald Reagan strongly supports The Human Life Amendment and his candidacy is backed by a platform which these extremists helped forge. A platform which calls for abolition of abortion . . . passage of The Human Life Amendment . . . and -- unbelievable as it sounds -- a "litmus test" for new appointments to the federal judiciary. A test designed to insure that new judges would not decide a case in favor of abortion.

(over, please)

That is why . . .

We at PLANNED PARENTHOOD are asking you and all Americans who truly value our fundamental rights to no longer remain silent but to stand up and be counted with us to stop the zealous minority who wish to impose their dogmatic will upon us all.

PLANNED PARENTHOOD is by no means a newcomer to the human rights scene. Quite the contrary! For over sixty years we have been the acknowledged preeminent force in advancing the right of all Americans to know the facts about their bodies and in defending our right to determine our own fertility. Actually, PLANNED PARENTHOOD has been quietly helping so many millions upon millions of women, men and families for so long that we have come to be considered a highly respected part of the establishment -- the progressive, thinking establishment, at least!

But that was not always the case. What many people, even those who have directly benefited from our family-planning work, do not know is that PLANNED PARENTHOOD was founded by a determined woman who was jailed many times before she saw her dream become reality.

Margaret Sanger, an American pioneer in the truest and noblest self-sacrificing sense, was committed to seeing that the poor women in 1916 did not have their "right to life" destroyed by a cycle of oversized families and poverty. And she dedicated her own life to freeing these helpless women from a succession of unwanted pregnancies, which often led to early deaths in childbirth. And she launched her courageous crusade: To educate American parents on how to control the size of their families -- how to plan parenthood. For this "crime" she was arrested and jailed time and again. Yet, on each release from imprisonment, Margaret Sanger with quiet determination returned to her just cause: freeing women the world over from the slavery of uncontrolled reproduction.

Today, her dream -- PLANNED PARENTHOOD -- is a reality with over 100,000 supporters, 20,000 active volunteers, over 700 clinics in the United States, and with programs in 111 foreign countries. And now, more than 100 years after her birth, Margaret Sanger's memory is honored throughout the world by men and women who understand her monumental achievements for humanity.

Yet, the same kind of thinking which sent Mrs. Sanger to jail is still with us. Often it takes an ugly form. When clinics were burned we saw it explode into violence that threatened lives and property. Most importantly, this effort to impose the beliefs of some on the rest of us threatens our most cherished rights and freedoms.

-- Although seven years earlier the Supreme Court had ruled that a woman has the right to choose when and if to bear a child, the Court's Hyde decision in June of this year is a clear victory for anti-abortionists in their battle of coercion and intimidation to negate the right to choice. Thus, while polls show that the majority of Americans favor legalized abortions,

(next page, please)

militant anti-abortion elements have badgered Congress into cutting off all federal funds for abortions. The result: poverty-stricken women, those who most desperately need to exercise their right of choice, are forced to resort to the dangers of self-induced abortions or to the degradation of motel-room butchers.

-- Where local funding for abortions is still available to those in need, the anti-abortionists are browbeating legislators into restricting or curtailing available funds. And, where they fail, they often rely on their ultimate weapon -- violence -- vandalizing the clinics which offer impoverished women their only hope for a safe abortion, and threatening the lives of the staffs.

-- While the Right-to-Lifers and their right-wing allies have kept a low profile on their staunch opposition to contraception, they are now becoming more and more vociferous in demanding the banning of "the Pill" and IUDs which they term "silent abortion" methods. In their headstrong drive to outlaw these proven birth-control devices, they again demonstrate their misplaced concern for a fertilized egg over the truly living.

-- With teenage pregnancies now openly acknowledged as a rampant "epidemic" (one million a year; two every minute!), there are still those who wish to force us to bury our heads in the sands of ignorance when it comes to sex education. They refuse to face the facts of life -- that sex education provides teenagers with a true understanding of their sexuality and their sexual responsibility. Sexual ignorance or misinformation gleaned on street corners leads to frightening statistics such as these: babies born to teenage mothers are two to three times more likely to die in their first year; teen maternal death risk is 60% higher than for mothers in their twenties; unwanted babies cause 30% of their teenage parents to drop out of school and usually onto welfare; clandestine and self-induced abortions threaten the lives and future health of thousands of young girls every year!

And while those who vehemently oppose legalized abortion, contraception, sex education and family planning are fighting to nullify our right to determine our own fertility, they are also threatening all our civil rights. So adamant are these short-sighted extremists to impose their beliefs upon all Americans that they are calling for a Constitutional Convention to strip all women of their right to abortion! BUT . . .

A WARNING: Once a Constitutional Convention is called -- for whatever reasons -- there is absolutely no restriction on the

(over, please)

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areas of this document that can be tampered with or entirely rewritten. And the extreme right-wingers, who have joined the anti-choice forces in calling for this convention, see it as their golden opportunity to remold even the Bill of Rights to their own views.

The threat of a Constitutional Convention dominated by the so-called "Pro-Life" forces is real! Already 19 state legislatures have caved in under the incredible pressure mounted by the anti-choice zealots and have passed resolutions calling for the convention. Only 15 more states have to follow suit. Then Congress would be forced -- by the Constitution itself -- to call a convention that could mean the end of personal freedoms and civil liberties we have known since this nation was founded.

If you have not fully realized the true extent of the danger facing us all, you are not alone. Many PLANNED PARENTHOOD supporters and even staff members have felt we should ignore the Right-to-Lifers and quietly continue our vital activities in the name of humanity, as we have for over 60 years. However, the recent Supreme Court ruling, which seriously abridges the right of poor women to choose, the reign of terror against pro-choice groups in the form of clinic burning and harassment of patients and the horrifying prospect of a Constitutional Convention, have welded us all into a firm resolve to . . .

STOP the insane headlong rush toward a Constitutional Convention by awakening all Americans to the real threat it poses to us all. We must create a groundswell of grassroots opposition that will silence the rantings of the anti-choice minority and the right-wing fanatics.

STOP the blatant discrimination against poor women by challenging in the Congress and the state legislatures the cut-off of funds for abortions.

STOP the rising tide of red-tape restrictions on legal abortions, foisted on municipal and state governments by anti-choice factions. The vast bulk of these regulations are purely technical barriers to prevent women from exercising their personal right to an abortion, a freedom the Supreme Court has declared as constitutionally theirs and has now seriously undermined with its Hyde decision.

STOP the further erosion of a woman's right to choose by well-funded zealots who are pushing for more restrictive legislation, more stringent court rulings, and, worst of all, a constitutional amendment that would make all abortions illegal!

STOP the return to the "dark ages" of back-room and self-induced abortions, by establishing an emergency loan program which will

(next page, please)

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help finance safe, professional abortions for women in financial need who have been ruthlessly denied federal and state funds.

STOP the spread of teenage pregnancies which now extends across every ethnic and financial group in the nation. The only way we can curb this tragedy is by instilling in each teenager sexual understanding and responsibility, before he or she becomes another unprepared parent of yet another unwanted, unloved child.

What we at PLANNED PARENTHOOD cannot and will not stop is the uninterrupted delivery of the life-enriching services we provide, regardless of the threats against us.

However, to meet the challenge of those who wish to plunge us all back into the "sex-is-taboo" mentality of Margaret Sanger's day and, at the same time, to maintain our vital ongoing programs, places an enormous demand upon our finances.

Therefore, we at PLANNED PARENTHOOD seek your personal support.

In 1916, Margaret Sanger suffered unrelenting ridicule, arrests and jail sentences before she saw her unflinching belief in the right of all men and women to intelligently plan their parenthood become a reality in PLANNED PARENTHOOD. For the last few years, our professional medical staffs and thousands of volunteers have bravely worked under threats of harassment and violence in order to guarantee that the most personal of all our civil liberties is not destroyed.

Now, we at PLANNED PARENTHOOD do not ask that you make such a personal sacrifice. We only ask that you look to your conscience and then contribute what you can. Every dollar you send us will be immediately put to full use to help us carry on our humanitarian services, helping people the world over plan their parenthood.

Sincerely,

Faye Wattleton

Faye Wattleton
President

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Yes, I want to stand up and say STOP to those who would force their beliefs on me and take away my right to be in charge of my own body!

I've long been expressing my tax deductible contribution to help Planned Parenthood further its 60 years of history having succeeded in advancing our right to know the facts about our bodies and in defending our right to self-determine our own parenthood.

Enclosed is my contribution of:

\$15 \$25 \$30 \$50 \$100 \$500 \$1,000 Other \$ _____

I would also like to receive a free copy of:

- How to Talk to Your Teenager About Something That's Not Easy to Talk About
- Basics of Birth Control
- I would like to do more. Please tell me how I can become one of Planned Parenthood's over 20,000 volunteers.

Planned Parenthood 810 Seventh Avenue, New York, New York 10019

AFFIDAVIT OF FAYE WATTLETON
IN RESPONSE TO COMPLAINT NO. MUR 1318

Faye Wattleton, being duly sworn, states:

1) I am President (Chief Executive Officer of Planned Parenthood Federation of America, Inc. ("PPFA"). I work at the Federation's national headquarters at 810 7th Avenue, New York, New York 10019.

2) I am making this statement in support of the annexed reply to complaint number MUR 1318, filed against PPFA by the National Right to Life Committee on October 20, 1980.

3) PPFA is a not-for-profit corporation organized in 1922 under the laws of the State of New York and exempt from federal taxation under §501(c)(3) of the Internal Revenue Code.

4) One of the purposes of PPFA as set forth in its Certificate of Incorporation is to make voluntary fertility control services, including abortion, available to all who need and want them.

31010241177

5) In keeping with this goal, PPFA has launched a Public Impact Program to defend the right to reproductive choice. One of the components of this Program is public relations and other communications activities promoting public awareness of family planning issues and concerns.

6) As part of this communications component, PPFA has developed print and broadcast media messages which may be run as paid advertising or public service announcements. The theme of these messages is "Helping Build a Strong America by Helping Build Strong American Families."

7) As part of its Public Impact Program, PPFA has run one other ad this year. In response to the Supreme Court's June, 1980 decision in Harris v. McRae, PPFA purchased advertising space to solicit contributions to the Justice Fund, a special fund established in 1977 to defend the right to reproductive choice after three decisions by the U.S. Supreme Court permitted the states to deny public funding for abortions. The theme of the ad, run on July 3, 1980 in several major newspapers, was "For 2,600,000 American Women The Torch of Libery Just Went Out." The copy

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for this ad was distributed to all PPFA affiliates. I have no knowledge whether or not the ad was in fact run by any PPFA affiliate.

8) As part of its Public Impact Program PPFA has assisted its Minnesota and Mid-Iowa affiliates in developing their own ad campaigns. The purpose of these ads is to alert the public to threats to the right of reproductive choice and to urge individuals to join the affiliate by volunteering time or money.

9) For the balance of this year PPFA plans to continue its assistance to the Mid-Iowa campaign and help its Arizona affiliate launch a new campaign.

10) With the exception a single advertisement jointly published by PPFA and PPNYC in 1977 following three Supreme Court decisions limiting the access of poor women to abortion services and the PPFA advertisements referred in paragraphs 6 and 7 hereof, PPFA has not itself run or assisted its affiliates in running any other advertising campaigns. PPFA's affiliates are separate corporate entities and may develop their own public affairs and communications

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programs.

11) None of PPFA's ads or public service campaigns have been undertaken for the purpose of influencing the election of any person to public office, nor have they been undertaken with the cooperation or consent or at the suggestion of any candidate, his agent, or authorized committee. The sole purpose of PPFA's public affairs activities is to inform the public regarding issues that concern the organization.

12) PPFA's Certificate of Incorporation and tax exempt status under § 501(c)(3) of the Internal Revenue Code prohibit it from participating or intervening directly or indirectly in any political campaign of any candidate for public office.

13) From August through October, 1980, I sent a letter to potential contributors describing some of the activities of the "right to life" (anti-abortion) movement. Among these described activities were influencing the platform of the Republican Party, lobbying for legislation restricting the exercise of the right of free choice in matters regarding

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reproductive freedom and attempting to assure the defeat of pro-choice legislators. The purpose of the letter, as clearly set forth therein, was to raise contributions to PPFA to permit it to carry on activities aimed at defending the right of every individual to choose abortion. None of these PPFA activities, as described on pages four and five of the letter, involved combatting the electoral activities of the "right to life" movement.

14) The description of "right to life" activities in the letter was entirely in the context of a factual description of the "right to life" movement. Such description was necessary to alert persons sympathetic to PPFA to the extent of the opposition to the organization and the principles for which it stands. Informing individuals of the scope of the opposition, was dsigned to move individuals to contribute to PPFA to help it carry on its struggle outside of the electoral arena in the legislatures, the courts and administrative agencies and to educate the public at large as to the factual background and social and constitutional issues involved in the struggle to insure full access and availability to every individual of all effective and lawful forms of fertility control.

Faye Wattleton
FAYE WATTLETON

Sworn to and subscribed
before me this 19th day
of November, 1980.

Dara Kassel

DARA KLASSEL
Notary Public
Qualified in Kings County
Registration No. 4687641
Term Expires 3/30/81

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PART II

STATEMENT OF FACTS RELEVANT TO
THE COMPLAINT AGAINST PPNYC

The complaint of the National Right to Life Committee alleges that "Planned Parenthood [PPFA] and its New York affiliate [PPNYC] have violated and continue to violate Section 441b of the Federal Election Campaign Act" in launching a campaign to influence the 1980 federal elections" by supporting selected Senators and Representatives. The sole evidence adduced by complainant in support of this allegation against PPNYC is the running of various advertisements by PPNYC and a number of other PPFA affiliates.*

*The complaint also refers to a fund-raising letter published by PPFA. This is discussed in the response of PPFA. Since PPNYC is a separately incorporated legal entity this letter is wholly irrelevant to any alleged violation of the Act on the part of PPNYC.

A newspaper article attached to the complaint also refers to a conference held by PPNYC on September 13. Although this is not mentioned in the complaint itself, for the benefit of the Commission, we wish to clarify that this conference, to which all individuals on PPNYC's public action mailing list as well as contributors to PPNYC, its Board and staff were invited, was intended to educate its supporters as to the nature of the "right to life" and related movements in connection with its lobbying activities. The conference involved, in addition to talks by people familiar with the goals and policies promoted by the "right to life" movement, workshops designed to develop skills in lobbying activities.

A review of these ads and the background relating to their publication will clearly establish (1) that the ads published by PPFA, PPNYC and other affiliates were undertaken independently by each respective corporate entity and accordingly formed no part of any such alleged campaign; and (2) that the ads published by PPNYC were not addressed to any election for federal office but were rather an integral part of a major public affairs program designed, in accordance with its corporate purposes, to educate the public as to issues of vital importance to PPNYC and to influence significant legislation bearing on those issues

(Footnote continued from previous page.)

On November 21 we received an additional letter submitted by the Complainant to the Commission on October 29, 1980. This letter alleges that the executive director of Planned Parenthood of Rockland, Joyce Lisbin-Domena, stated that "Planned Parenthood[']s ad campaign is intended to have an impact upon the elections . . ." and quotes a statement taken from a newspaper story to the effect that the reason the ads were run in the Rockland area was because of "The Right to Life Party's success at the ballot box." Aside from the fact that PPNYC has no control over or responsibility for what the executive director of the Rockland affiliate may say, a careful review of the article demonstrates that Complainant's reading of the statement is erroneous and taken out of context. Indeed other statements contained in the article by Ms. Lisbin-Domena and by Doug Gould of PPNYC demonstrate that Rockland was chosen as an area in need of education because of the showing the Right to Life Party made in an election a year earlier. And as stated by Mr. Gould, additional advertisements would be running "in light of the possible recovering of the State Legislature after next month's election" which in fact took place and in which restrictive legislating relating to abortion was again considered.

within the State of New York.

PPNYC is a not-for-profit corporation organized in 1968 under the laws of the State of New York and exempt from taxation under § 501(c)(3) of the Internal Revenue Code. It is the nation's largest provider of comprehensive fertility management services. PPNYC operates state licensed clinics in New York's four major boroughs as well as two city-wide telephone information and referral services and conducts a variety of community based outreach and education programs related to reproductive health care. Approximately 100,000 New Yorkers each year are directly served by these programs and over 200,000 others are in some way touched by a PPNYC activity. PPNYC's Margaret Sanger Center, located in Manhattan, is the largest and most comprehensive reproductive health care center in the nation providing, under one roof, the full range of birth control services, including contraception, pregnancy detection, abortion, male and female sterilization, diagnosis and treatment of infertility, colposcopy, venereal disease screening and treatment, diagnosis and treatment of gynecological infections and direct referral for hospital services, when needed.

In addition to medical services provided by its

clinics, PPNYC, both independently and in cooperation with the New York state and federal governments, conducts innovative programs in the reproductive health care field. These include training programs for nurse practitioners and foreign physicians, programs designed to educate consumers of reproductive health care services, and technical assistance to other agencies and organizations.

In connection with all of the foregoing activities, and on the basis of the broad knowledge generated by its experiences in the field of reproductive health care, PPNYC maintains a vigorous public affairs program designed to educate the public and officials at all levels and in all branches of government as to the facts and issues relating to such care, including such crucial issues of public concern as teenage pregnancy, sex education and abortion.

The foregoing activities are conducted by PPNYC in accordance with its charitable and educational purposes as set forth in its Certificate of Incorporation:

* * *

(a) To establish, operate and maintain eleven (11) treatment and diagnostic centers . . . wherein medically approved birth-control information, advice and treatment will be provided . . .

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To establish operate and maintain facilities, the primary functions of which shall be the performance of abortion services under medically approved and supervised circumstances . . .

(b) To provide leadership for the universal acceptance of family planning as an essential element of responsible parenthood, stable family life and social harmony;

(c) To provide information for family planning and study the social and economic consequences of various rates of population increase;

(d) To provide information about control of conception without regard to race, color or creed;

* * *

(g) To provide medically approved birth control information in conformity with the laws of the State of New York . . ."

* * *

In accordance with Article VI of its Bylaws, PPNYC is required to conduct its affairs "in a manner consistent with the standards of Affiliation promulgated by the Federation [PPFA]." Under these standards (Article XII of the Bylaws of PPFA) PPNYC is required to "publicly support the purposes and policies of PPFA" and to "develop a program to further those purposes and policies"; to "serve as a

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source of education and information about voluntary fertility control", to "develop varied programs to assure that such education and information are available and to "see that available and accessible family planning services are maintained in its defined area." Apart from complying with these general requirements, upon which PPNYC's affiliation with PPFA is conditioned, PPNYC does not participate except as a member in the activities of PPFA and is not required to obtain the direct participation or approval of PPFA in any of its public affairs activities.

PPNYC's public affairs activities have been an integral part of its overall program since the incorporation of the organization in 1968. In 1976 PPNYC established a Public Issues and Action Program ("PIAP") to deal with the then pressing issues of sterilization legislation in New York City, parental consent regarding teenage abortion in New York State and the Hyde amendment which amended the DHEW-Department of Labor Appropriations Bill to cut off federal Medicaid funding of abortions for poor women. PIAP includes public education, lobbying and litigation designed to preserve the right of every woman to have access to all effective forms of reproductive health care.

In connection with the lobbying component of

PIAP, PPNYC employs a staff person who spends substantial time in Albany; helped establish and contributes to Family Planning Advocates, a lobbying group located in Albany; runs buses of supporters of pro-choice legislation to the State Legislature when crucial bills are pending, and reports regularly to those on its public action mailing list as to the status of pending legislation in the area of reproductive health care and the voting records of state legislators on these issues. In October of 1976, following the passage of the Hyde amendment, PPNYC initiated, as a co-plaintiff, the litigation, Harris v. McRae, challenging the constitutionality of the Hyde amendment, which was eventually to reach the Supreme Court.

A history of PPNYC's public affairs program makes clear that the ads complained of in the complaint are an ongoing component of this general public affairs program. As early as July of 1977 PPNYC, together with PPFA* ran an ad in The New York Times in response to three decisions of the Supreme Court in June of that year which severely limited the access of poor women to abortion services

*This is the only ad which has been jointly run by PPFA and PPNYC.

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(Exhibit A). In 1978 PPNYC ran an ad in The New York Times addressing legislation introduced in the New York State legislature to cut off State Medicaid funding of abortions (Exhibit B). An ad on the same subject was run in March of 1979 (Exhibit C). Similarly, in the spring of 1980 when the New York legislature was considering legislation which would have required parental consent as a condition of a teenager's obtaining an abortion, PPNYC ran full page ads in The New York Times and in Albany entitled "The Pregnant Teenager---The New Political Pawn?" (Exhibit D). Again, in June of 1980, PPNYC ran a series of three quarter page ads in The New York Times, in the Westchester Gannet chain and in local papers in Albany, Rochester and Buffalo reporting the results of polls which it had conducted on public attitudes towards sex education use of contraception and the right to abortion (Exhibit E).

On June 30, 1980, the Supreme Court in the case of Harris v. McRae, referred to above, held valid the Hyde Amendment, prohibiting the use of federal funds to finance most abortions for poor women dependent on Medicaid. In response to this decision PPNYC published an ad in The New York Times, on July 6, 1980 (Exhibit F).

Because the Hyde Amendment relates only to

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federal Medicaid funds, the states remain free, following the McRae decision, to fund abortions through state funds under their Medicaid programs. The result of the McRae decision was accordingly to throw into the State legislatures the question of whether poor women's abortions will be financed under the Medicaid program. In New York this decision intensified the already strong pressures being imposed by the "right to life" movement on state legislators to pass restrictive legislation both as to funding and availability of abortion services. At the same time the formation in New York State by certain elements of the "right to life" movement of the Right to Life Party and the appearance of that party on the ballot in New York thrust the issue of abortion into the 1980 election campaigns.

The ads referred to in the complaint, a series of six (Exhibit G), were originally scheduled to run in the summer of 1980 as part of PPNYC's ongoing public affairs campaign. As a result, however, of a change in PPNYC's advertising agency, the publication of the ads was delayed until the second week of September. As is clear from their text, the purpose of this series of ads was to respond to the situation created by the Harris v. McRae decision and the ongoing public controversy surrounding the abortion

issue in New York. They were intended to alert the public as well as New York legislators to the threat to individual freedom of choice posed by the kind of legislation actively promoted by the "right to life" movement as well as to request financial and other support of PPNYC during a period when issues of critical importance to the organization had become the focus of intense debate in the public press and within the State legislature. No one of the six ads refers to any candidate, electoral race, or indeed even to any party involved in any such race. Rather the ads are concerned solely with the "right to life" movement and its goals in the context of attempts by the movement to influence the New York State Legislature to enact legislation restricting access to abortion. Indeed, legislation prohibiting the expenditure of state funds for Medicaid abortions has been considered in the Legislature and passed by the State Senate in the special November session following the election.

With regard to similar ads published by Planned Parenthood affiliates other than PPNYC, it has been a long standing policy of PPNYC to provide other organizations and individuals interested in the field of reproductive health with factual information regarding current issues in the

field as well as with material which it generates. In accordance with this policy PPNYC sent copies of the six ads referred to in the complaint to every New York State legislator, members of the boards of national organizations in the reproductive health field and all PPFAs affiliates. These ads were provided to other affiliates as a service by PPNYC, and PPNYC had no control over their use by other PPFAs affiliates. However, PPNYC has been advised that the ads have been run by five other affiliates and six additional affiliates are planning to run the ads in connection with forthcoming legislative sessions in their state.

The ads published by PPNYC itself are accordingly the only basis upon which the complaint's allegations are founded. But these ads are clearly related to and part of PPNYC's legitimate educational and lobbying activities undertaken in accordance with the organization's not-for-profit corporate purposes. The ads were in no way intended to influence the outcome of any federal election and were independently developed by PPNYC. No candidate or political organization has ever been involved in any way in developing or carrying out any of PPNYC's public affairs activities.

PIAP was initiated at a time when the issues of

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concern to PPNYC were at the forefront of the public consciousness. The prominence of these issues in 1980 is the result of their politicization by forces opposing abortion, particularly in New York State where the Right to Life Party secured a place on the 1978 and 1980 ballots.

As the Supreme Court recognized in Buckley v. Valeo (See p. 1 Part III), any subject of major public concern is likely to become an issue in electoral politics. The formation of a single issue party cannot and should not appropriate that issue exclusively to the realm of electoral politics and bar an organization directly concerned with the issue from participating in public debate on that issue. Indeed in such circumstances it is of utmost importance that the public have the broadest possible access to information relating to the issue so that individuals may intelligently evaluate the substance of such debate. It is cynical to say the least for the National Right to Life Committee, which has itself done everything it can to politicize the issue, now to suggest that its positions on the issues of abortion and contraception may not be mentioned publicly by the nation's largest provider of reproductive health services without violating § 441b of the Federal Election Campaign Act.

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PART III

LEGAL ARGUMENT

- A. To Construe the Federal Election Campaign Act to Prohibit The Public Affairs Activities of PPFA and PPNYC Would Violate the First Amendment.

The Supreme Court held in its landmark decision in Buckley v. Valeo, 424 U.S. 1 (1976), that the Federal Election Campaign Act must be interpreted very narrowly to avoid impeding the wide-open discussion of issues of public importance which forms the core of First Amendment rights. Under this holding, a construction of the Act which would prohibit the kind of public affairs activities in which PPFA and PPNYC engage, that is, vigorous and independent discussion of issues of concern to the organization and to the public, would clearly run afoul of the First Amendment.

The complaint herein charges both organizations with violating section 441b of the Act which prohibits corporations from making contributions and expenditures "in connection with" federal elections. As the term "in connection with" is nowhere defined, the extent of the "connection" between a federal election and the activity on the part of a corporation required to bring the activity within the purview of the statute is by no means clear. In dealing with other provisions of the statute similarly devoid of precise definition, the Supreme Court held in

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Buckley that the statute must be interpreted to apply only to activity which is unambiguously related to a campaign for federal office in order to avoid constitutional invalidity on the ground of vagueness. As the Court explicitly recognized in Buckley (dealing with a constitutional challenge to the provisions of the Federal Election Campaign Act not here involved):

[The entire Act] operate[s] in an area of the most fundamental First Amendment activities. Discussion of public issues and debate on the qualifications of candidates are integral to the operation of the system of government established by our Constitution. The First Amendment affords the broadest protection to such political expression in order 'to assure [the] unfettered interchange of ideas for the bringing about of political and social changes desired by the people.' 424 U.S. 1, 14 (1976), citing Roth v. United States, 354 U.S. 476, 484 (1957).

Consequently, "[b]ecause First Amendment freedoms need breathing space to survive, government must regulate in the area only with narrow specificity." 424 U.S. at 41, n.48, citing NAACP v. Button, 371 U.S. 415, 433 (1963).

In dealing with a vagueness challenge to former section 608(e)(1) of the Act which limited spending "relative to a clearly identified candidate", the Court

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in Buckley, accordingly held that, in order to survive constitutional challenge, the term "relative to" can mean no more than "communications that include explicit words of advocacy of election or defeat of a candidate." [Emphasis added] 428 U.S. at 43. To read the phrase more broadly, it concluded, would inhibit the free and open discussion protected by the First Amendment. For, "[c]andidates, especially incumbents, are intimately tied to public issues involving legislative proposals and governmental actions. Not only do candidates campaign on the basis of their positions on various public issues, but campaigns themselves generate issues of public interest." 424 U.S. at 42.

Similarly, the Court upheld the Act's reporting requirements only after an extremely narrow construction of who must report and what must be reported. The Court first discussed the vagueness problems raised by the requirement that political committees report their contributions and expenditures. Since "political committee" was defined only in terms of the amount of its contributions and expenditures, the phrase might have been interpreted to encompass groups engaged solely in the discussion of issues. Because such an interpretation would fall outside the "core area sought to be addressed by Congress," the Court held that the term referred narrowly to "organizations that are

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under the control of a candidate or the major purpose of which is the nomination or election of a candidate." 424 at 79.

The Court next construed the Act's definition of reportable "contributions and expenditures" as payments "for the purpose of . . . influencing" a federal election. Like the "relative to" language of former section 608(e)(i), the term "for the purpose of" was undefined by the Act and presented similar vagueness problems "particularly treacherous where, as here, the violation of its terms carries criminal penalties and fear of incurring these sanctions may deter those who seek to exercise protected First Amendment rights." 424 U.S. at 76-7. These provisions share "the same potential for encompassing both issue discussion and advocacy of a political result." Accordingly, these terms were interpreted to apply only to activities unambiguously related to federal election campaigns.

"Contributions" were held by the Court to include both direct and indirect contributions to a political candidate and expenditures in cooperation with or with the consent of the candidate. In the case of expenditures made independently of any candidate, "the relation of the information sought to the purposes of the Act may be too

remote. To ensure that the reach of § 434(e) is not impermissibly broad, we construe 'expenditure' . . . to reach only funds used for communications that expressly advocate the election or defeat of a clearly identified candidate." 424 U.S. at 79-80. Thus narrowly defined, the reporting requirements were upheld.

Although Buckley did not deal with section 441b's prohibition on corporate activities "in connection with" federal elections, the same principles of narrow construction necessarily apply. The clear teaching of Buckley is that the entire Act implicates First Amendment rights and must be narrowly construed to apply only to activities which are unambiguously related to federal election campaigns so as to avoid unconstitutional curtailment of the free discussion of issues of public importance. The nexus of activity and election must be extremely close; even in the least onerous of the Act's provisions, the reporting requirements, expenditures not made at the behest of or with the consent of the candidate need only be reported if they expressly advocate election or defeat of a clearly identified candidate. Section 441b's total prohibition of expenditures and contributions may not be interpreted more broadly.

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a candidate". Thus, if § 441b were construed to apply to any expenditure made "in connection with" a federal "election" or even if it were limited to an expenditure made for the purpose of influencing the outcome of a federal "election", it would prohibit corporations, including not-for-profit corporations concerned with issues of major public concern, from (1) making any expenditures designed to educate candidates as to factual information relating to those issues; (2) publishing purely factual information needed by the public to evaluate issues of public concern debated during the election campaign, and (3) having any input into party platforms dealing with those issues. The result of such an interpretation, to restrict public access to information crucial to an intelligent evaluation of the issues, is entirely contrary to the First Amendment.

The fact that Section 441b involves corporations rather than individuals or other groups does not affect the application of the First Amendment in considering its validity. Where the discussion of issues of public interest is involved, the Supreme Court has clearly held that the First Amendment affords the same rights to corporations as to individuals. In First National Bank of Boston v. Bellotti, 435 U.S. 765 (1978), the Court struck down a Massachusetts statute prohibiting, with certain exceptions, corporate spending directed at influencing the outcome of

The type of speech engaged in by PPFA and PPNYC is identical to that involved in First National Bank of Boston. It concerns one of the primary issues of concern to the public today - freedom of choice regarding human reproduction. And it does not fall within that narrow range of electorally related speech which the Buckley Court held to be subject to regulation by Congress.

Numerous courts, before and since Buckley, have held that activities such as those engaged in by PPFA and PPNYC are outside the scope of the Act and have explicitly stated that to interpret the Act otherwise would raise serious questions as to its constitutionality. Most recently, in FEC v. Central Long Island Tax Reform Immediately Committee, 616 F.2d 45 (2d Cir. 1980), it was held that a group's publication during an election campaign of the voting record of an incumbent office-holder in regard to the issue of government spending was not subject to the Act's reporting requirements. Although the materials did not expressly advocate the re-election or defeat of the incumbent, the Commission argued that their hidden purpose was to "unseat big spenders." The court considered this irrelevant: absent express advocacy of election or defeat of a particular candidate, the group's activities did not fall within the statute. To hold that they did would be

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inconsistent with the firmly established principle that "the right to speak out at election time is one of the most zealously protected under the Constitution", 616 F.2d at 53, and would be antithetical to the Supreme Court's holding in Buckley.

PPFA's and PPNYC's advertisements are even less electorally related than those involved in the Central Long Island Tax Reform case. They make no mention of the name of any candidate. They involve only the discussion of issues of public interest. And, as the holdings in that case and in Buckley make clear, discussion of issues can not fall within the purview of the Act by virtue of the fact that it takes place at the time of a federal election. See also, United States v. National Committee for Impeachment, 469 F.2d 1135, 1139-42 (2d Cir. 1972); A.C.L.U. v. Jennings, 366 F.Supp. 1041, 1055-57 (D.C. Cir. 1973) vacated for mootness sub nom. Staats v. A.C.L.U., 422 U.S. 1030 (1975) ("political committee" may not, consistent with the First Amendment, include non-partisan organizations): Ash v. Cort, 350 F.Supp. 227, 232 (E.D. Pa. 1972), aff'd, 471 F.2d 811 (3d Cir. 1973), rev'd on other grounds, 422 U.S. 66 (1975) (corporate advertisement advocating honest elections may not, consistent with the Constitution, be within the purview of § 441b).

If the Act were interpreted to extend to the

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public affairs activities of PPFA and PPNYC complained of by the National Right to Life Committee, the Act would, under these cases, be clearly invalid under the First Amendment of the U.S. Constitution.

B. The Act Does Not Regulate Independent Advocacy Such As That Engaged In By PPFA and PPNYC.

In response to the Supreme Court's decision in Buckley, Congress revised the sections of the Act there involved to repeal unconstitutional provisions and narrow potentially vague terms. Section 441b, which was not before the Court in Buckley, was not amended or, as far as can be determined from the legislative history of the amendments, considered by Congress in connection with the amendments. An analysis of the amended portions of the statute again establishes that the type of activity engaged in by PPFA is simply outside the regulatory framework of the Act as a whole.

The statute divides expenditures into two categories. The first category is "expenditures made by any person in cooperation, consultation, or concert, with, or at the request or suggestion of, a candidate, his authorized committees, or their agents . . . "Such expenditures are treated as contributions and subject to specific dollar

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limits. 2 U.S.C. § 441a(a)(1) and (a)(7)(B)(i). A second type of expenditures, termed "independent expenditures", are subject only to the reporting requirements of section 434(b)(4)(H)(iii). "Independent expenditures" are defined as those made without cooperation or consultation with any candidate, and not in concert with, or at the request or suggestion of any candidate, or any authorized committee or agent of such candidate." 2 U.S.C. § 431(17). The definition of independent expenditures is further narrowed to refer only to "an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate." Id. "Clearly identified" is, in turn, precisely defined as meaning that the name of a candidate, or his photograph or drawing appears, or that he is identified by "unambiguous reference". 2 U.S.C. § 431(18).

The Act thus imposes neither dollar limits nor reporting requirements on independent expenditures which do not expressly advocate a candidate's election or defeat. In other words, all independent expenditures which do not "clearly identify" a candidate are simply outside the Act's regulatory framework. Since PPFA's and PPNYC's activities are similarly independent and free of reference to any candidate they are also outside the application of the Act.

With respect to § 441b itself, a restrictive interpretation as to the scope of its application is

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required by both its language and the legislative history relating to its enactment. Subsection (b) of Section 441b contains a similarly restrictive definition of "contribution or expenditure":

"(2) For purposes of this section . . . the term 'contribution or expenditure' shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value . . . to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section, . . ." [Emphasis added].

The section itself thus specifically limits the purview of its prohibition to contributions or expenditures to a particular candidate, political party or organization made in connection with an election for a particular federal office. None of PPFA's or PPNYC's expenditures fall within this proscription.

The present language of § 441b(a) was enacted long before the passage of the Federal Election Campaign Act. It derives from the Tillman Act, a statute enacted in 1907 which made it unlawful for national banks and corporations

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to "make a money contribution in connection with" various elections. 34 Stat. 864. Given the limitation of the original prohibition - to "money contribution" - there can be little doubt that what the 1907 Congress sought to prohibit was the use of bank or corporate funds to control or to aid in controlling the election of specific candidates or of a specific party.

In 1925, Congress concluded that corporations and national banks were still free to make valuable non-money contributions to political candidates and political parties to aid them in winning their elections and so amended the statute, replacing the term "money contribution" with "contribution", defining that term broadly, and extending the prohibition to other elections. 43 Stat. 1070. In 1947, labor organizations were grouped with national banks and corporations, primaries and national conventions were included with the various elections, and the prohibition was further extended to include "expenditures." The inclusion of "expenditures" in the statutory scheme was intended to "plug up a loophole" (Statement by Sen. Taft, 93 Cong. Rec. 6439), that permitted corporations to publish advertisements advocating specific candidates (statement by Sen. Taft, 93 Cong. Rec. 6439) and that permitted labor unions to

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distribute pamphlets opposing particular candidates and supporting their rivals.* Again, the perceived evil sought to be corrected was clearly the support of or opposition to specific candidates and specific parties.

More recent congressional history adds further support to this restrictive reading of the statutory prohibition. In 1971, when the Federal Election Campaign Act was enacted, Congress amended § 610 of Title 18, the section that then housed the prohibition against corporate contributions and expenditures, to include the present subparagraph (b) defining the term "contribution or expenditure". Congressman Hansen, the author of the amendment, explained on the floor of the House of Representatives that "[t]he effect of [the] language is to carry out the basic intent of section 610." (117 Cong. Rec. 43379). He continued by stating that:

"[t]he legislative history of section

*An incident involving the Ohio C.I.O.'s general distribution of pamphlets opposing the reelection of Senator Taft and supporting his rival provided the impetus for Congress to amend the statute. The C.I.O. claimed that its conduct was not a "contribution" but was merely "an expenditure [by the union] of its own funds to state its position to the world." See United States v. International Union Auto Workers, 352 U.S. 567, 580 (1957).

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a particular candidate or a particular party," and that the section was "understood to proscribe the expenditure of union dues to pay for commercial broadcasts that are designed to urge the public to elect a certain candidate or party." United States v. International Union Auto Workers, 352 U.S. 567, 589, 586-87 (1957) [Emphasis added].

The Commission has itself suggested that this interpretation of the statute is the correct one. In an Advisory Opinion on corporate promotion of voter registration the Commission quotes and relies on the Supreme Court's language quoted above in declaring the purpose of § 441b(a) and its predecessor 18 U.S.C. § 610 (FEC AO 80/20). In MUR No. 1235, closed on July 2, 1980, the Commission found no reason to believe that advertisements for a periodical which made favorable mention of a candidate violated §441b because "there [was] no evidence that the main purpose of these advertisements was to influence a Federal election . . . or . . . were made in coordination, cooperation, consultation, with or the suggestion of [the candidate] or his principle committee . . ."

Thus, the regulatory scheme of the statute as a whole the language of the section itself, its legislative history, judicial interpretation of its provisions and

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relevant Commission opinions leave no doubt that the statute must be read to prohibit corporate contributions and expenditures only when they are clearly made in the support of or opposition to specific candidates for federal office.

C. Summary

Any interpretation of the language of § 441b of the Federal Election Campaign Act which would prohibit the public affairs activities of either PPFA or PPNYC as set forth in Parts I and II of this response would be in clear violation of the First Amendment to the United States Constitution. Moreover, no such interpretation is possible in light of the language of the section itself, its legislative history and the entire context of the Federal Election Campaign Act, all of which make clear that the purpose of the Act is to regulate only those activities which involve express advocacy of the election or defeat of clearly identified candidates.

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EXHIBITS TO PART II

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American
women need
your help.
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May 17, 1977: President Carter publicly stated that he opposed the use of Medicaid funds for abortions.

June 17, 1977: The U.S. House of Representatives voted to ban the use of Medicaid funds for all abortions.

June 20, 1977: The U.S. Supreme Court ruled that states are not required to spend Medicaid funds for non-therapeutic abortions. Further, counties and cities are not required to provide—or permit—such abortions in public hospitals.

June 29, 1977: The U.S. Senate voted to forbid the use of Medicaid funds for abortions, except when pregnancy would endanger the life of the mother, or was caused by rape or incest, or when abortion was deemed "medically necessary."

What does this mean?

In very quick succession, the Executive, Legislative, and Judicial branches of our government have, in effect, acted to deny safe abortions to the poorest women in our land.

Who are these women? They are the 3,000,000 American women of child-bearing age who qualify for Medicaid. Of these, 300,000 a year depend on Medicaid funds to secure safe, legal abortions.

These women may now be denied the chance to exercise their constitutional right to have an abortion, because they can't pay for it. They may now be forced to have children they don't want or can't afford. Or, they may now be forced to seek the only kind of abortion they can afford—either by their own hands, or by the hands of an unqualified "alley practitioner."

We are headed right back to where we were years ago, when the rich were able to get abortions and the poor were not.

De facto discrimination.

That's what will happen. And that's why you don't have to be personally for abortion to be against these recent government actions. Here is just a sampling of the reactions of leading public figures, journalists, and news media:

U.S. Supreme Court Justice Thurgood Marshall: "The impact... here falls tragically upon those among us least able to help or defend themselves. As the Court well knows, these regulations inevitably will have the practical effect of preventing nearly all poor women from obtaining safe and legal abortions." (Dissenting opinion, *Beal v. Doe*, June 20, 1977)

Tom Wicker: The Supreme Court decision "plainly discriminates against a class, since a right guaranteed to the rich is denied in practice to the poor." (THE NEW YORK TIMES, June 28, 1977)

Senator Edward Brooke (Massachusetts): The ban on Medicaid funds for abortion is "nothing but a means test saying who's allowed to have an abortion." (THE NEW YORK TIMES, June 28, 1977)

Joseph Kraft: "I understand very well the distinction between what is required and what is permitted. Logically, I have no problem with the [Supreme Court] ruling. But in practice, the decision says that people of means have access to safe abortions while poor women do not." (NEW YORK POST, June 27, 1977)

THE NEW YORK TIMES: "On the merits, the Carter Administration's position is deplorable social policy... Many women will continue to have [abortions] no matter what Congress does. The affluent will continue to buy them, the poor will seek them at bargain rates. So the real question is whether poor women will obtain safe abortions or whether they will be forced to choose between back alley butchers and the birth of children they do not want or cannot afford." (Editorial, June 13, 1977)

THE WASHINGTON POST: "A decision by Congress to restrict abortions... would state, as the policy of the U.S. government, that women in this country have a constitutional right, upheld by the Supreme Court, to choose for themselves to have an abortion if they want one, but only if they have the money—or can beg, borrow or steal enough to pay for it." (Editorial, June 24, 1977)

Carl Rowan: The Medicaid ban "would effectively deny abortions to only the poorest, least-educated women in the land..." (NEW YORK POST, June 25, 1977)

In the words of THE NEW YORK TIMES on July 5, 1977: "What has been done is outrageous. But what now?"

3,000,000 poor American women have been abandoned by their government. Somebody has to stand up and speak out against this grave injustice. And somebody has to do something about it. We will... with your help.

Planned Parenthood is an organization founded—and fighting—to protect the rights of men and women all over the world.

If we don't fight to protect our most basic human rights, who will? The government isn't—its most recent actions are eroding our rights. And we can expect more of the same in the future. Here is a telling comment by Supreme Court Justice Marshall: "... I fear that the Court's decision will be an invitation to public officials, already under extraordinary pressure from well-financed and carefully orchestrated lobbying campaigns, to approve more such restrictions."

And the future is not far away. Congress is about to decide whether to ban Medicaid funds for all abortions; state legislatures around the country are already acting to deny the use of their Medicaid funds for abortions.

So we have to act, and we have to act quickly. But how?

The Justice Fund.

We know that the Supreme Court's June 20th decisions have left important areas of law unresolved. They need to be tested.

And we know that millions of Americans are stunned by the recent actions of the three branches of our government.

That's why Planned Parenthood is establishing "The Justice Fund", to:

- Go to court for as long as it takes to regain and safeguard the rights of poor women.
- Unite those millions of Americans who are offended by their government's actions and give them a voice to tell governors, legislators, and the President that, in America, the poor have the same fundamental rights as the rich.
- And, in the meantime, help as many women as possible obtain safe legal abortions. We can't help them all, but—with your help—

One person can make a difference.

Your contribution is needed to help the hundreds of thousands of American women who are in danger of losing their chance to determine their own destinies. Your contribution is needed to give these women a voice to challenge a government which is callously disregarding the consequences of its actions.

Please give... give generously... and give now.

The Justice Fund

I would like to contribute to The Justice Fund. I am enclosing a check, made payable to The Justice Fund of Planned Parenthood, in the amount of \$_____

I would like to know what else I can do to help.

Name _____

Address _____

City/State/Zip Code _____

Please send your contribution to:
The Justice Fund
c/o Planned Parenthood
380 Second Avenue
New York, N.Y. 10010

All contributions are tax deductible.

A copy of our annual report can be obtained from Planned Parenthood, 380 Park Avenue South, New York, N.Y. 10010, or from the New York State Board of Social Welfare, Office Super, Empire State Plaza, Albany, N.Y. 12245

Who is Planned Parenthood?

We are the largest voluntary health agency in the nation, providing men and women with programs and services that include contraception, abortion, infertility, prenatal care, sex education, venereal disease prevention, cancer detection, and adoption referral.

We have over 20,000 volunteers, 700 clinics, and 3,000 staff members in 43 states across the country. In 1978, we served over 1,100,000 people.

Planned Parenthood has been fighting to get the public to provide better health and family planning services to men and women for 61 years. Most of our programs have been controversial at the outset but are part of the mainstream of thought and practice today.

Planned Parenthood
380 Second Avenue
New York, N.Y. 10010
(212) 777-2002

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Keep it Fair

**Abortion is legal.
And, in New York, it's fair.**

In 1970, the New York State Legislature legalized abortion. Thanks to the courageous support of Perry Duryea, Warren Anderson, Stanley Steingut, Manfred Ohrenstein, Nalson Rocketteller Jacob Jarvis, the New York State Council of Churches, and others, all women won the right that only rich women used to have—to decide with their doctors whether or not to have an abortion, and then, to be able to obtain a safe one.

In 1973, the U.S. Supreme Court followed the New York example and ruled that women have a constitutional right to have an abortion... and that no state can make it illegal.

Today, the issue is not legalization of abortion; abortion is legal. Today, the issue is fairness: should all women continue to have access to medically safe abortions—should Medicaid funds be used to cover abortions?

The answer is yes. Women—all women—must have equal protection under the law. If Medicaid funds for abortion are cut off or restricted 369,000 women in New York State—women who might need an abortion but couldn't pay for it—would be seriously jeopardized.

A. The New York Times, editorial page.

Keep it Safe

**Abortion is legal.
And, in New York, it's safe.**

Today, in New York State—and for as long as elected officials and the public support Medicaid funding—abortion is a safe, legal, medical procedure.

It wasn't always like that. Before abortions were legal, they accounted for over 39% of all maternal deaths in New York City. In 1955 alone, 41 women died. In 1976, no women died.

But today, there is a vocal, well-financed group in the state who would change all this—who would cut off or restrict Medicaid funding for abortions—who would deprive 369,000 Medicaid-dependent women of access to medically safe abortions.

The effect: delay and danger for thousands of these women—for some, even death. They may be forced to

A. The New York Times, editorial page.

Keep it Funded

**Abortion is legal.
And, in New York, it's Medicaid-funded.**

That means that all women—regardless of how much money they have—can exercise their constitutionally guaranteed right to choose a medically safe abortion by a qualified physician.

In New York, the dollars-and-cents cost of Medicaid-funded abortions is not the issue. All Medicaid-funded abortions in 1976 cost only \$14,250,000. If the state had cut off Medicaid funds

Who is Planned Parenthood?

safe abortions—should Medicaid funds be used to cover abortions?

The answer is yes. Women—all women—must have equal protection under the law. If Medicaid funds for abortion are cut off or restricted, 369,000 women in New York State—women who might need an abortion but couldn't pay for it—would be seriously jeopardized. As *The New York Times* editorial on July 13, 1977, said: "The affluent will continue to buy them, the poor will seek them at bargain rates. So the real question is whether poor women will obtain safe abortions or whether they will be forced to choose between back alley butchers and the birth of children they do not want or cannot afford."

Such a fact of life . . . and law . . . would be unfair and unworthy of New York.

Maybe that's why Governor Hugh Carey, Assembly Speaker Stanley Steingut, Senate Majority Leader Warren Anderson, Assembly Minority Leader Perry Duryea, and Senate Minority Leader Manfred Ohrenstein are all in favor of keeping Medicaid funding for abortion in New York State, even though some of them may not personally favor abortion.

A WCBS-TV editorial summed it up: "Life may not be fair, but our laws can and should be."

**Abortion is legal.
Keep it fair . . . for all women.**



financed group in the state who would change all this—who would cut off or restrict Medicaid funding for abortions—who would deprive 369,000 Medicaid-dependent women of access to medically safe abortions.

The effect: delay and danger for thousands of these women—for some, even death. They may be forced to delay the abortion while they try in vain to raise money . . . and delay endangers a woman's health and life. They may be forced to seek the only kind of abortion they can afford . . . by their own hand or by the hand of an "alley practitioner." On December 11, 1977, Governor Carey, who is personally opposed to abortion, said, "... the alternative to supplying the money . . . is to force the poor person into some form of illegal or unprofessional surgery or other kind of practice that will bring that person hemorrhaging to a hospital."

The alternatives to a safe, Medicaid-funded abortion are grim. That is why *The New York Times* said, "... safe abortions should be available to all women, not just those who can afford them."

**Abortion is legal.
Keep it safe . . . for all women.**

exercise their constitutionally guaranteed right to choose a medically safe abortion by a qualified physician.

In New York, the dollars-and-cents cost of Medicaid-funded abortions is *not* the issue: All Medicaid-funded abortions in 1976 cost only \$14,250,000. If the state had cut off Medicaid funds for those abortions and if only half of the women had gone to term, it is estimated that the additional public cost for family health and welfare services would have exceeded \$100,000,000.

The real cost to New York isn't money. The real cost is women's lives and health. New York can't afford that cost.

New York must stay committed to the fair application of the law.

**Abortion is legal.
Keep it funded.**

Who is Planned Parenthood?

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In New York State, we are a group of 23 affiliates who have 77 clinics, 1,982 volunteers, and 1,036 staff members. In 1976, we served more than 141,000 patients.

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Planned Parenthood
300 Park Avenue South
New York, New York 10010
(212) 777-2002

369,000 New York women need your help . . . now.

That is why Planned Parenthood has helped organize the Campaign to Keep Abortion Fair, Safe, and Funded in New York State—to give these women a voice in Albany, to encourage legislators to listen to concerned New Yorkers.

Join the Campaign. Your contribution—in time, in money—is urgently needed. Help us educate and inform the public. Help us keep Medicaid funding in New York State. Help us guarantee justice for 369,000 women.

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Address _____

City/State/Zip _____

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921 Sometimes the toughest decisions public officials have to make are the most important decisions they do make.

And when a wise and fair decision is made, the public responds positively

That's what happened in New York last year. And last November, New York State voters proved it.

New York re-elected Governor Hugh Carey and almost every one of the state legislators who stood up for fairness, safety, and Medicaid funding of poor women's abortions.

Here's what happened last year:

Last spring, 369,000 poor women in New York State—women who depend on state funds for health care—were threatened by a single interest group that wanted to prevent them from having access to medically safe abortions under the Medicaid program.

That group wants to outlaw all abortions. Last year, they made their fight on the backs of poor women who desperately need access to quality health care. These women often don't speak up for themselves, and they need their elected officials to remember them.

That single interest group lobbied fiercely and succeeded in pressuring the Senate to tie up the state budget beyond the April 1

■ Imperiling thousands of indigent women and teenage girls who, deprived of abortion services through Medicaid, are likely to seek them elsewhere"

The New York Times—March 31, 1978:

"... The strategy of the abortion foes is as distressing as their purpose. They intend to offer the budget amendment from the floor as a way of precluding committee hearings, informed debate and the possibility of a sure veto by Governor Carey, who opposes the enactment of anti-abortion legislation that discriminates against the poor."

In the end, the State Legislature and the Governor chose to do the right thing and kept New York's policy of paying for poor women's abortions.

The Governor and the Legislature made a tough, moral decision and rejected the political threats that had been made against them.

They put politics aside and stood up for the 369,000 New York women who needed their help. They also stood up for their constitutional oath of office. Article XVII, Section 1 of the constitution provides, "The afd. care and support of the needy are

For New York's 369,000 poor women, a Medicaid funding cut-off for abortion could be disastrous. And it wouldn't be fair.

As Massachusetts Senator Edward M. Kennedy said regarding the national debate, "In those cases of genuine necessity, the availability of abortions is equally important for women—regardless of economic status . . . We know what the effects . . . will be on these women—thousands of medical complications and hundreds of deaths each year. This is a burden that most of the women in this country do not carry. It is a burden that Medicaid recipients should not carry."

Senator Kennedy is right. It's up to us to make sure poor women here can have safe, medically necessary abortions.

What happens now?

It's up to you.

Once again, we are faced with the same battle, the same arguments, potentially the same irresponsible tactics, and the same potential victims—thousands of New York State women who depend on Medicaid for health care.

The facts are the same as last year—and so

have declined by 99%. When the number of federally funded abortions declines 99% in one year—that's no compromise.

Keep keeping abortion fair, safe, and funded.

Abortion is still fair, safe, and funded in New York. And it should stay that way.

What was wrong last year is still wrong this year—and a false compromise won't change that.

The Governor and the Legislature should reject a change in the law—even one called a compromise—just as they rejected last year's proposed injustice.

The public stood by the Governor and the Legislature last year, and they are likely to do that again.

But what counts is that the Governor and the Legislature stand by the 369,000 women who need them—especially the 50,000 women who will depend on Medicaid for safe abortions this year. That may be tough to do—maybe just as tough as it was last year. But it's important—just as important as it was last year.

And it's right.

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to the state through Albany and before a constitutional deadline. That irresponsible tactic threatened \$7.2 billion in vitally needed state aid for local governments, schools, and health care.

That group was willing to put the health and well-being of millions of New Yorkers—not just Medicaid recipients—in jeopardy to get their way.

Editorials in newspapers from around the state condemned the tactics:

The Rochester Democrat and Chronicle—April 4, 1978:

"Not content with wanting to discriminate against poor women needing abortions, the State Senate is now holding hostage the state budget.

"This is political dictatorship and it says a lot about the wrecking tactics of those determined to have their own way at any price."

Long Island's Newsday—April 4, 1978:

"State Senate Republicans have taken the budget hostage.

"The GOP tactics... are totally disreputable. Seeking to force through an amendment to cut off Medicaid funds for abortions, the Republicans are...

■ Jeopardizing this month's spring borrowing by the state, which depends on passage of a balanced budget and which directly involves aid to the schools.

and, care and support of the needy are public concerns and shall be provided by the state...."

Here's what happened in other states and why keeping Medicaid funding in New York is so important:

In other states which have cut off Medicaid funding, the results have been tragic.

Dr. Willard Cates, head of the Abortion Surveillance Project at the United States Center for Disease Control says, "we know that some women are resorting to non-physicians or self-induced abortions."

The New York Times reported on December 26, 1978, "In Columbia, S.C. a 24-year old woman could not pay the \$370-\$550 that a legal abortion would cost. She went to an illegal, non-professional abortionist who charged only \$110. Three days later, she was taken to a hospital. Her uterus had been torn by the abortion, and a hysterectomy was necessary. Nationwide, three women have died in the last sixteen months, federal officials say, after botched, non-professional abortions."

According to the Alan Guttmacher Institute, if the funding cut-offs in other states "are ultimately upheld by the courts and access to safe, legal procedures continues to be constricted, we can expect more poor pregnant women will resort to these dangerous alternatives."

The facts are the same as last year—and so is the need—to help and protect these women

Guaranteeing rich women the right to safe, legal abortion and denying poor women the ability to exercise that same right is still unfair.

And it's just as important today for our elected officials to support Medicaid funding for abortion as it was last year.

Maybe that's why the opposition may try to change the focus of the argument to a false issue called a "compromise." Last year, they wanted to eliminate all state Medicaid funds for abortion except when the life of the woman was in danger. Now, they're talking about stopping Medicaid payments except when the life of the woman is in danger or if she becomes pregnant as a result of rape or incest.

They're trying to make the Legislature and the Governor think this "new" position is a compromise. It isn't a compromise at all. On the national level, similar restrictions have been imposed—they're called the Hyde Amendment, and they've greatly limited poor women's access to safe abortion.

New York State Assembly Speaker Stanley Fink has said, "I don't buy that the Hyde Amendment is a compromise position." And Speaker Fink is right.

According to Joseph Califano, Secretary of the United States Department of Health, Education and Welfare, since the implementation of the Hyde Amendment on the national level, federally funded abortions

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A copy of our weekly report card, obtained from Planned Parenthood, 300 Park Avenue South, New York, New York 10010 or from the New York State House of Representatives Office, Albany, New York State House Building, Albany, NY 12224.

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THE NEW POLITICAL PAWNS?

What effects may ensue from this bill?

1. Harassment of innocent teens: embarrassment and humiliation by dragging them through the public courts.

"We disapprove the bill on the ground that it places an undue burden on the exercise by a minor of her right under the U.S. Constitution to obtain an abortion." *The Association of the Bar of the City of New York, Special Committee on Sex and Law*

"A courtroom is no place to deal with the needs of law-abiding teenagers." *Marion R. Ascoli, Chairman, Health Section, Citizens Committee for Children of New York*

"Evaluating a young person's medical needs and her ability to understand necessary medical information is a job for a doctor, not a judge." *Juan Morgenthau, M.D., Director of Adolescent Services, Mount Sinai Hospital of New York, Professor of Clinical Pediatrics, Mount Sinai School of Medicine, Past President, New York Chapter, Society of Adolescent Medicine*

"It is hard to imagine many pregnant teenagers with the presence of mind to make a plea before the bench." *The New York Times, Editorial, May 3, 1980*

"They're really going to have us play God now, aren't they?" *Judge Allan Dixon, Honessauer Family Court, as reported in the Albany Times Union, May 14, 1980*

2. Intimidation of doctors through mandated regulations which are impossible to exercise without fear of legal risk and severe penalties.

"Under such chilling conditions, physicians will not risk using their own judgment. They are likely to refer everyone under 18 to the courts, overwhelming the system and creating delays that will jeopardize teenagers' ability to get safe abortions." *Adela Hollman, M.D., Director of Adolescent Medicine Unit, New York University Medical Center, Associate Professor of Pediatrics, New York University Medical School, Chairman, Section on Adolescent Health, American Academy of Pediatrics*

"The state's concern in such delicate matters should be not to pass rigid laws, but to see that doctors and clinics maintain high standards." *The New York Times, Editorial, May 3, 1980*

3. Back-alley abortions on teenagers. Or worse, self-induced abortions or dangerous, 2nd trimester abortions due to court delays. In 1979-1980, 4000 deaths.

"This bill is a giant step backward, whose predictable effect would be to make teenagers avoid the legal health care system entirely and turn to the back alleys where no questions are asked." *Juan Morgenthau, M.D. (500 personal contacts)*

"Our priority must be teenagers' health, not creating bureaucratic and judicial barriers that will endanger it." *Carol Ballany, President, New York City Council*

Additionally, the whole bill is almost certainly unconstitutional.

For instance, it doesn't provide for anonymous or expeditious court decisions. And it forces parental consultation in most cases. The procedures of this bill simply don't meet constitutional requirements.

The bill fails on most counts... and it should fail on the floor.

George H. Wynn, a Republican member of the Assembly Health Committee, was the only member not to succumb to political pressure — and to cast a "no" vote to keep the bill in committee. He states it so: "I never saw such a sadistic job in my whole life... The Committee memo bears up this bill badly... Why do we even go through the charade?" *Reported in The New York Times, May 14, 1980*

What will happen without it?

Just safe, honest medical care, practiced as it is for all types of surgery... with integrity, concern of the patient, and with security and safety. The present system works well. It provides objective medicine. It lessens the personal decision in private consultation with their doctors. It already encourages parental involvement... more than half of the teens who have abortions do so with their parents in their decision. It safeguards against harassment and coercion. And it takes the pregnant teenagers off the political agenda.

Consider all this before you vote.

Don't send 13,000 innocent teenagers to COY-1. Don't hold hostage their rights... for your political ends. Honor their U.S. — and their need — for fairness, for safe, timely medical care, for the right to grow from adolescence, innocent teenagers to responsible adults.

Send a message to the right-to-life movement: Our daughters can't be used as political pawns.

NEW YORK STATE LEGISLATORS: IT'S UP TO YOU.

NY 175.2/31

What is Planned Parenthood?
We are the largest voluntary health agency in the nation, providing birth control and family planning services to over 100 million people. We provide the research, information, and services that help people make informed choices about their lives and their families.
Our New York State office is a group of 22 affiliates with over 22 clinics, 1,842 employees, and 100,000 birth control pills. We received the 1979 national award.

Planned Parenthood has been working with the public to provide better health and family planning services to young people. We are now working with you to help us do this. We need your help. We need your voice. We need your support. We need your action.
Planned Parenthood, 245 Second Avenue, New York, N.Y. 10010 (212) 777-7700
Phone: (212) 777-7700. Fax: (212) 777-7700. We are open 10:00 a.m. to 6:00 p.m., 7 days a week.

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THE PREGNANT TEENAGER

New York State Legislators: What will be on your mind when you vote on the controversial Nicholas Pataconi bill? Will you vote to safeguard your daughter's rights under the Constitution... or will you play politics in an election year? Put another way, which matters more... your daughter's health and welfare, her need for safe, secure medical care... or right-to-life promises of political support?

You are parents. But you have an extra burden. You are legislators. So, when you act, you must act not just from personal knowledge of your family experience, but also from far-reaching knowledge and an understanding of the sociological, political, legal, ethical, and moral factors affecting families across the state.

You must think of your daughters... and of everybody else's daughters. Some come from homes where love and communication flow easily. And some come from homes where there is neglect, abuse, hardship, even incest... and where family relationships are tenuous. And you must act for all daughters, because teenage pregnancy can happen to anyone. In New York State, 24,000 of our teenage daughters aged seventeen and younger become pregnant every year. Half elect to carry to term. Half elect to have abortions. The freedom to make that election—the freedom to make a personal decision, to choose for themselves—is guaranteed by the Constitution for all women, including teenagers. And the people of New York State support that right.

Strong majorities favor the right to have an abortion for all women, including teenagers. And an overwhelming majority favor teenage contract plans and sex education in the public schools. Isn't it time to take politics out of this, the most personal and private matter the Legislature may ever face? Isn't it time to do what's best for the people and its elected officials?

The people of New York State want responsive legislators—responsive to them, the constituents, not to politics of pressure by radical, impressionistic splinter groups. Your constituents can see through the cloys of the right-to-life movement. And headlines like "Anti-Abortions! Strike Assembly Now!" don't enlighten the public trust, they hurt it. (The New York Times, May 14, 1991) Your constituents will hold you accountable for each and every vote. They will look to see how consistent you are. They will judge you on the basis of how well you represent them, their interests, their daughters. And they will wish to see if you stand up to the fringe groups who may speak loudly, but who don't speak for them.

So, before you vote on the Nicholas Pataconi bill, look at it—hard. How does it impact on all the daughters of New York State, on county government, on the state budget? Is it constitutional? Is it fair? Is it adequately funded? Can it be implemented? Here are some observations and comments by people who have studied this or similar bills... by leading health care professionals, newspapers, judges, labor legislators, and members of the Governor's special commission on the problems of teenage pregnancy.

"In effect, the bill denies qualified help and access to safe, legal abortions to the very (group) most vulnerable to damage, physical and emotional."
Margot H. Azub (see previous citation)

4. Invasion of the privacy of the doctor-patient relationship respected in all other surgical procedures.

"This bill plainly says to physicians: 'We don't trust you to know what is good medical practice or to act in accordance with professional standards!'"
Asaie Hoffman, M.D. (see previous citation)

5. Legal coercion of defenseless teens, who would have no counsel, no right of appeal, no guidance from social workers.

"The girl may go only once to a judge and if he turns her down, that's it. She may get a hostile judge, for one who takes off the right to life line. And there is no guaranteed right of counsel."
Barbara Shuck, Director, New York Civil Liberties Union, as reported in the Albany Times-Union, May 14, 1990

6. Forced childbearing due to court delays, causing: birth of an unwanted child the teen mother can't care for, terrible risks to the teenager's health by continuing pregnancy, and the inability of the teenage mother to complete her education or gain employment.

"Suppose we're litigating a case. If we don't act within a certain period of time (the abortion can't be done, if a doctor can't, with his medical information, make a determination, then you can a Family Court judge?)"
Judge Allan Dixon, as reported in the Albany Times-Union (see previous citation)

"The attorney also said, according to Dixon, that most Family Court cases have a 60-day extension for consideration, no matter how urgent."
(The attorney also said, according to Dixon, that most Family Court cases have a 60-day extension for consideration, no matter how urgent.)

"The potential health risks involved in pregnancies who especially prominent among teenagers. Pregnant women have a 50% higher incidence of high blood pressure, with kidney and liver involvement, both being deleterious, prolonged labor, miscarriage and death than do older women. For those children who become pregnant before they are 15, the death rate for complications of pregnancy, birth and delivery is 60% greater than for those mothers who wait until their early twenties. Approximately 80% of all teenage mothers never complete high school. Many have no job experience at the time of giving birth. Many are on welfare."
Final Report of the Governor's Commission to Review the New York Abortion Law as it Affects the Rights of Parents whose Minor Daughters seek Abortions, 1975, Joseph M. McLaughlin, Chairman, Cash, Fordham Law School

This bill interferes not just with the patient/doctor relationship... but also with the parent/daughter relationship.

Under this bill, if a young teenager, her parents, and her doctor all agree that abortion is in her best interests, but she is deemed to be incapable of making informed consent, then the parents would have to seek the court's permission to proceed. This is unfair, invasive, and unethically illegal.



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YOU'RE ON THE RIGHT SIDE.

This document summarizes the results of a statewide survey of public opinion commissioned by Planned Parenthood of New York City and conducted by Penn and Schuman Research for adult citizens 18 and over. 1500-464 respondents were contacted by telephone with New York State residents ages 18 or older who were selected through a probability sample random digit dialing. The statistical error for a sample of this size is plus or minus 1.5 percent.

Penn and Schuman, which is an independent research firm, has reviewed the results of the findings of the survey and certifies that it fairly reflects public opinion in New York State and that it complies with the principles of disclosure of the National Council on Public Polls.

Planned Parenthood is a non-profit health agency that family planning programs include: contraceptive education, treatment for infertility, voluntary sterilization, and adoption referral. To support our programs and public information efforts, please send a check to any amount you can to Planned Parenthood, 340 Second Avenue, New York, New York 10001.

YOU'RE FOR CONTRACEPTION FOR ADULTS AND TEENAGERS.

And you're not alone.

91% agree for adults.
78% agree for teenagers.

Q Do you have any moral or religious objections to the use of contraceptives by adults?

A: No	Yes	Don't Know
91%	8%	1%

Q Do you have any moral or religious objections to the use of contraceptives by teenagers?

A: No	Yes	Don't Know
78%	18%	3%

There are few people with moral or religious objections to the use of contraceptives by adults or teenagers. On the question of use by adults, almost all New Yorkers (91%) said they had no objections. Because the support is so broad, there is little difference when the results are analyzed by demographic categories such as sex, age, or education. 89% of Catholics now report no religious or moral objections to contraceptive use.

When asked about teenage use, more than 5/6ths of the respondents said they had no objections to it. 71% of Catholics polled had no objections. The overall findings show strong support for contraceptive use across the state.

YOU'RE FOR SEX EDUCATION IN PUBLIC SCHOOLS.

And you're not alone.

88% agree with you.

Q Do you favor or oppose sex education in public schools?

A: Favor	Oppose	Don't Know
88%	10%	1%

New York State residents overwhelmingly support sex education in public schools. This support is almost unanimous, extending to nearly 9 out of 10 New Yorkers in every region of the state and in every demographic group analyzed.

Support for sex education is even higher among young people. 87% of those aged 18-24 said they favor it. Even 85% of the people aged 18 and older favor it. College educated respondents were more favorable towards sex education (94% in favor) than those who did not finish high school (79% in favor). Men and women were about equally in favor of sex education in the schools.

YOU'RE FOR THE RIGHT OF ABORTION.

And you're not alone.

89% agree with you.

Q Do you favor permitting a woman who wants an abortion to have one under all circumstances, under some circumstances but not others, or under no circumstances?

A: Favor	Oppose	Don't Know
89%	9%	2%

All circumstances	Some	None
35%	54%	9%

Only a very small group, 9%, favors an absolute ban on abortion. The attitude this group receives in the press and other media is far out of proportion to its real level of support in New York State.

The great majority (89%) of New York State residents in every region support the right of a woman to have an abortion in all or some circumstances. 97% of Jews and 91% of Protestants polled support this view. Even 85% of Catholics and 87% of conservatives agree. Also, contrary to popular notions, men and women have almost the same views on abortion.

THANK YOU, NEW YORK STATE, FOR STANDING UP FOR WELFARE'S RIGHTS.

810101113

NON-PROFIT ORG.
U.S. POSTAGE
PAID
NEW YORK, N.Y.
Permit No. 7093

June 1980
Page 2

Planned Parenthood
380 Second Avenue
New York, New York 10010

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violation of the... duty to govern impartially."

These are the words of an angry Associate Justice, read from this bench of the United States Supreme Court on June 30, 1980. In a bitterly divided 5-4 vote, the Court had just held that the Hyde Amendment was constitutional. Now Congress and the states are free to exclude medically necessary abortions from the Medicaid program.

- Even if a woman's doctor says continued pregnancy would devastate her health.
- Even if she is a pregnant 14 year-old.
- Even if the doctor knows the baby will die shortly after birth.
- Even if the woman's only recourse is to abort herself.

The five justices of the Court took this action on the ground that government has a "legitimate interest in protecting the potential life of the fetus" -- even if it means endangering women alive and pregnant today. That's placing as many as 300,000 poor women and teenagers at risk. Justice Stevens was angry. We are angry. And you should be too. We are all part of the solid majority of the American people who believe that all women and men should be guaranteed the freedom to make their own decisions about childbearing. That is a basic human right. That is a constitutional right. When our nation chooses to deprive the poor, it is only one short step from disenfranchising us all. The forces behind the Hyde Amendment are committed not just to banning abortion, but to ending contraception, sex education, and efforts to help infertile couples have children. And this suggests that other fundamental freedoms may be in danger as well. New Yorkers must not let it happen here. It should not be allowed to happen anywhere.

The Court has told us what we must do.
The Court has said these are policy questions to be determined by our elected representatives. So be it. New Yorkers have convinced their legislators that legal, medically safe abortion, available to all women, and funded under the Medicaid program, is the policy they want. This is the policy New York has -- and has had for ten years. It is a record that other states should emulate.

It is a record that must be protected.
It is time for everyone of us to be counted -- individually and collectively. It is time for you to act. It is time for us to act together. Sign on -- Join our public action program today and make a contribution to support it. If you live in New York City: Send us the coupon below. As a beginning, we will send you the voting record of your Senator and Representative in Congress, your State Senator, and your State Assemblymember. If you live outside New York City: Please call your local Planned Parenthood affiliate to volunteer.

Planned Parenthood, 380 Second Avenue, New York, NY 10010 (212) 777-2602

Yes,

I want to help

Name _____

Address _____

City, State, Zip _____ Telephone (____) _____

I want to join Planned Parenthood's public action program.

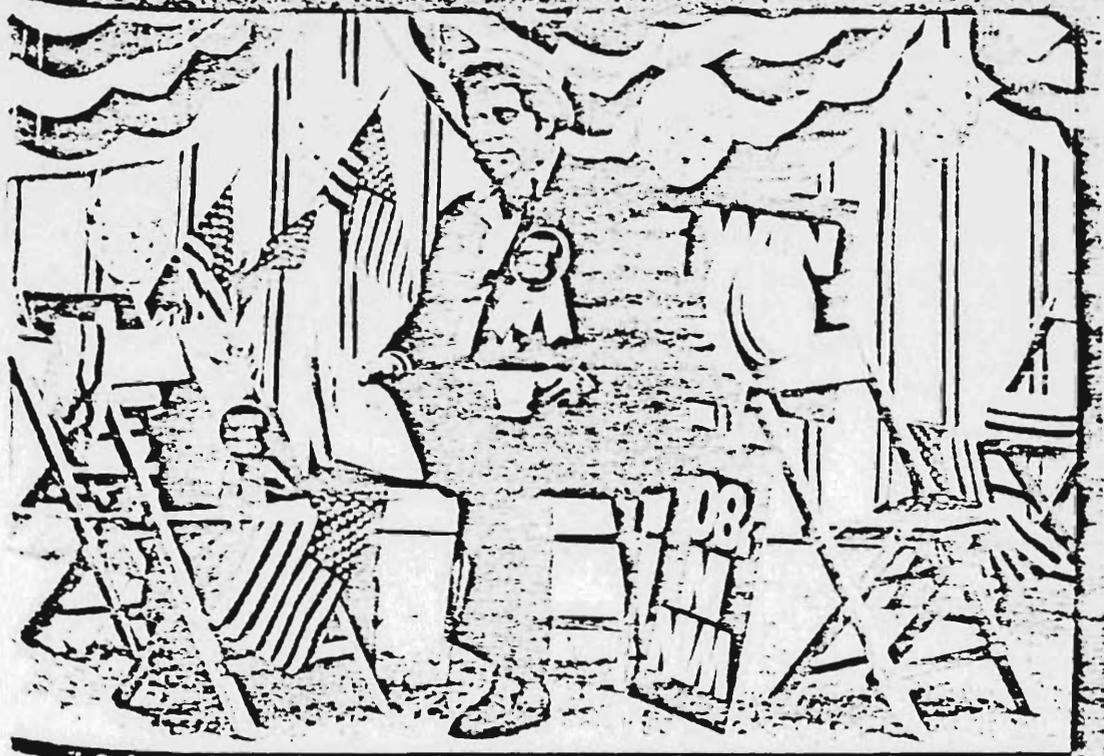
I want to make a contribution. My check in the amount of \$ _____ is enclosed.

I want to be added to your mailing list.

I want more information on the Hyde Amendment.

This advertisement has been paid with private contributions. © 1980 Planned Parenthood. A copy of this report can be obtained from Planned Parenthood, 380 Second Avenue, New York, NY 10010 or from the New York State Board of Social Services, 100 West Avenue, Albany, NY 12242. Planned Parenthood is a 501(c)(3) organization. All contributions are tax deductible to the extent of the law. For more information on the Hyde Amendment, call (212) 777-2602. Planned Parenthood is the largest voluntary health agency in the nation, providing women and their unborn young with safe and effective birth control methods. See our booklet, "The Choice."

ABORTION SHOULD BE BETWEEN YOU AND A DOCTOR. NOT A POLITICIAN.



to the movement feels to have an abortion isn't a issue... it's a political issue... believe, despite medical... should not be allowed... of abortion. By law... if your doctor feels your... could disable you... if your pregnancy results... if you're only a child

And many of your other rights are being challenged. The right to have any number of children. When you want them. Or none at all. And the right to use contraceptives. Don't stand by silently and let outrage become law. Fight back. Take pen in hand and fill out the Planned Parenthood coupon. Give generously of your time and money. Your most important possession is being threatened: your freedom.

JOIN PLANNED PARENTHOOD

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PLANNED PARENTHOOD

THE TIME HAS COME AGAIN WHEN AMERICANS MUST FIGHT FOR THEIR FREEDOM.

IF YOU MAKE CONTRACEPTION AND ABORTION ILLEGAL, YOU BETTER MAKE SEX ILLEGAL



as important and fundamental
right to choose
to marry, is the right to
set the number of children
want. When you want them,
have none at all.
The "right to life" movement
is to deprive you of your
right of choice by imposing
limits on everyone.
Some of your most important
rights are being challenged:

The right to use contraceptives.
The right to an abortion, even
when it's essential to your health.
The right to terminate a preg-
nancy even if it resulted from rape.
Don't stand by silently and
let outrage become law. Fight back.
Take pen in hand and fill out the
Planned Parenthood coupon. Give
generously of your time and money.
Your most important possession
is being threatened: your freedom.

**JOIN
PLANNED PARENTHOOD**

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

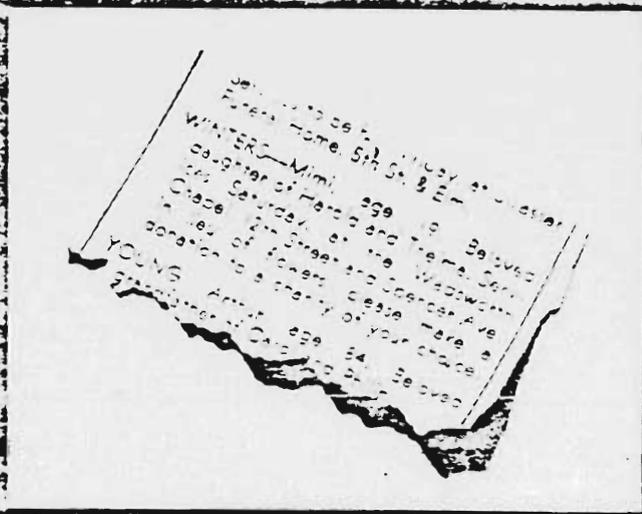
PLANNED PARENTHOOD

THE TIME HAS COME AGAIN WHEN AMERICANS MUST FIGHT FOR THEIR FREEDOM.

3 1 7 1 0 1 3 3 1 1 4

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THERE IS A GROUP THAT WOULD SOONER SEE YOU DEAD THAN ALLOW YOU AN ABORTION.



The "right to life" movement wants to prevent you from getting an abortion in any circumstances. Even if your doctor feels an abortion is essential to your health. Even if the pregnancy results in a dead fetus. Even if you're only a child yourself. What's more, your right to use reproductive freedom is being challenged. The "right to life" movement

wants to deprive you of your freedom of choice. By imposing its beliefs on everyone. Don't stand by silently and let outrage become law. Fight back. Take pen in hand and fill out the Planned Parenthood coupon. Give generously of your time and money. Your most important possession is being threatened. Your freedom.

JOIN PLANNED PARENTHOOD

NAME _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
PLANNED PARENTHOOD
1111 N. GARDEN ST. SUITE 100
ANN ARBOR MI 48106
PHONE _____

THE TIME HAS COME AGAIN WHEN AMERICANS MUST FIGHT FOR THEIR FREEDOM.

31010111117

AFFIDAVIT OF ALFRED F. MORAN
IN RESPONSE TO COMPLAINT NO. MUR 1318

Alfred F. Moran, being duly sworn, deposes and says:

1. I am Executive Vice President of Planned Parenthood of New York City, Inc. and have continuing responsibility for the administration of all of the corporation's programs.

2. I make this statement in support of the annexed response of PPNYC to Complaint No. MUR 1318, filed against PPNYC on October 15th by the National Right to Life Committee.

3. PPNYC was incorporated in 1968 under the Not-for-Profit Corporation Law of the State of New York and is exempt from taxation under § 501(c)(3) of the Internal Revenue Code. As an organization exempt under this section and, pursuant to the provisions of its Certificate of Incorporation, PPNYC may not and does not participate or intervene in any campaign for public office.

4. In connection with its charitable and educational purposes in the reproductive health field PPNYC conducts an active public affairs program.

5. As a part of this program, in 1976, PPNYC organized a Public Issues and Action Program ("PIAP") to deal with the then pressing issues of sterilization legislation in New York City, parental consent regarding teenage abortion in New York State and the Hyde amendment to the DHEW - Department of Labor Appropriations Bill which cut off federal Medicaid funding of abortions. PIAP incorporates public education, lobbying and litigation components, all of which are designed to preserve the right of every woman to have access to all effective forms of reproductive health care.

6. In connection with the lobbying component of this program PPNYC engages in direct lobbying through a staff person who spends substantial time in Albany; helped establish and contributes to Family Planning Advocates, a non-profit social action organization located in Albany; encourages and aids supporters of pro-choice legislation to go to Albany to lobby the state legislature when issues of crucial importance in the field are pending, and maintains a public affairs alert network of individuals and organizations to whom it regularly sends information regarding the status of pending legislation as well as the voting records of New York state legislators on issues relating to reproductive health care.

7. In addition to the foregoing activities, PPNYC has, since 1977, engaged in the ongoing development of a media program designed to educate and alert the public as to court decisions, pending legislation or legislative proposals affecting the right of the individual to free choice in the area of reproductive health as well as to raise funds in support of its programs.

8. Under this media program the following ads have been developed and published by PPNYC: a full page ad in the New York Times, run in July, 1977, in response to three June, 1977 decisions of the Supreme Court affecting the availability of abortion services to poor women; an ad run in the New York Times and one paper in Albany, New York dealing with the issue of Medicaid funding for abortion while legislation prohibiting the use of state funds for such purposes was pending in the state legislature; an ad run in the same papers on March 27, 1979 again dealing with the issue of Medicaid funding for abortion; a full page ad in the New York Times and several Albany papers run in 1980 and addressing the issue of a pending bill in the New York legislature requiring parental consent as a condition of a minor's obtaining an abortion; a series of three quarter-page ads run in June of 1980 in the New York Times, the Westchester Gannett chain as well as Albany, Rochester and Buffalo papers, reporting the results of a poll commissioned

by PPNYC on public attitudes towards sex education, the use of contraception and the right to abortion; an ad run in the New York Times on July 6, 1980 commenting upon the June 30th decision of the United States Supreme Court in Harris v. McRae; and the series of six ads referred to in the Complaint which appeared in papers throughout the state* beginning in September and concluding in October of 1980.

9. PPNYC plans, subject to the availability of funds, to continue this advertising campaign during the special legislative session called by the Governor for the latter part of 1980 and the regular session beginning in 1981.

10. All ads developed by PPNYC are sent to individuals and organizations active in the reproductive health field including the 188 affiliates of PPFA. Except in the one case of those ads in the series of six purchased by PPNYC in the name of other New York affiliates, PPNYC has no control over the use of advertisements sent out to these organizations and individuals including other PPFA affiliates. They are merely provided as a service.

*Ads run outside of the New York metropolitan area were purchased by PPNYC but were run in the name of the local Planned Parenthood affiliate with the prior approval of such affiliate. Proceeds derived from the ads were turned over to PPNYC by the other affiliates.

11. I have been advised, however, by other PPFA affiliates, that five such affiliates have run one or more of the ads in the series of six and that an additional six affiliates have plans to run them in connection with lobbying activities during the forthcoming legislative sessions in their states.

12. All of the foregoing ads were developed solely for purposes of educating the public as to pending threats to reproductive freedom posed by restrictive legislation introduced in the New York State legislature. They were not intended to nor are they directed at any campaign for public office and indeed the agencies which have assisted PPNYC in developing all of its ads have been strictly instructed that the media campaign relates only to issues of public concern and that no mention of any political party, campaign or candidate is to be used in connection with any part of such campaign.


ALFRED F. MORAN
EXECUTIVE VICE PRESIDENT

Sworn to and subscribed
before me this 27th day of
November, 1980



RAMONA CAPECE
NOTARY PUBLIC State of New York
No. 4656875
Qualified in Suffolk County
Commission Expires March 30, 1981

31010215013

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Attachment 4
1 of 3

James Bopp, Jr.
Bramas, Bopp and Haynes
900 Sycamore Building
19 South Sixth Street
Terre Haute, Indiana 47807

Re: MUR 1318

Dear Mr. Bopp:

The Federal Election Commission has reviewed the allegations of your complaint dated October 15, 1980, and October 29, 1980, and determined, that on the basis of the information provided in your complaint and the information provided by the Respondent, that there is no reason to believe that a violation of the Federal Election Campaign Act of 1971 as amended the "Act" has been committed.

Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a) (8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

31740243114

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Attachment 1
2 of 3

Laurie R. Rockett, Esq.
Greenbaum, Wolff & Ernst
437 Madison Avenue
New York, New York 10022

Dear Ms. Rockett:

On October 21, 1980, the Commission notified you of a complaint alleging that your client had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on February , 1981, determined that on the basis of information in the complaint and information provided by you that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

31010243415

Battle lines drawn for abortion bat-

By PATRICIA McCORMACK
UPI Health Editor

"They want to set you back a long way, baby," the fullpage ad says.

Big black letters run across the top of the page featuring a picture of a woman surrounded by children. "I want you to set me back."

Counting three infants on the woman's lap, there are the abortion "No" letters in the ad claim a movement in America that stands to take away the right to our contraceptives and the right to abortion — even when pregnancy threatens a woman's life or results from rape and a child must bear a baby.

The movement is identified as the right-to-life. It wants to impose its beliefs on everyone, the ad says.

Those are the main points in the Planned Parenthood of New York City ad in selected newspapers the third week in September.

Big black letters running across the bottom of the page say:

"The time has come again when Americans must fight for their freedom."

The ad is similar in theme to others run or planned by Planned Parenthood units elsewhere, many booked between now and election day. Planned Parenthood Federation of America just launched a year-long national promotion making similar points on radio, television, and in newspapers.

An ad in Mid-Iowa Planned Parenthood shows an intruder in a couple's bedroom. The intruder is identified as the United States government. The Supreme Court of the United States has said tax funds cannot pay for abortions for poor women.

Alfred F. Moran, executive vice president of Planned Parenthood of New York City, said campaigns are underway in or on the work in Maryland, Pennsylvania, Minnesota, Massachusetts, California, mid-Iowa, Greater Charlotte in North Carolina and Indiana — among other places.

The crusade, striking out against "threats to personal freedom," are funded by special centers that "earn money by giving out that purpose."

There is no federal money, which Planned Parenthood gets for child care work and special services, or United Way funds, which Planned Parenthood gets in some localities.

Planned Parenthood Federation of America's annual budget is over \$10 million, mostly for education, research and services to its 14 million patients. Some of the services include abortion clinics, offering abortion have been fire-bombed. Clinic events have been harassed in some localities.

Moran, whose New York City unit is biggest of 196 community affiliates of PFFA, said the ads are the most visible sign of Planned Parenthood forces on the attack against what he describes as "a dangerous new alliance."

"Political coercion combined with media hype is being used by a new alliance of right to life groups, the religious right and electronic evangelists to eliminate American's freedom of personal choice," Moran said.

The public must have access to full information about the potential impact this new alliance may have on a free society.

At a Planned Parenthood conference Sept. 13 on the "dangerous new alliance," Mary D. Crisp, former

co-chair of the Republican National Committee, was the keynote speaker. She now is co-chair, National Unity Campaign. It is presidential candidate John B. Anderson's support group.

She said the Republican platform supports the right to life and the adoption of anti-abortion and anti-fetal-tissue Amendment of constitution.

There is a freedom of abortion that is not being fought for.

It is the right to our contraceptives and the right to abortion. It is a dangerous course. It is a grave threat to our personal rights and freedom.

Moral imperatives with to impose their views and values on others. The late often, speakers are thinkers, excluding those who suffer.

They are the New Right, they are anti-abortion, anti-ERA, the moral majority, the Christian voice.

In convention, Democrats promised to protect abortion on demand. Republicans resisted pressure to do that and favored the Human Life Amendment to the constitution, which calls for protection of life in the womb.

The abortion issue came up in the first of the presidential debates sponsored by the League of Women Voters, Ronald Reagan said.

With regard to the freedom of the individual for choice with regard to abortion, there is one individual who is not being considered at all. That's the one who is being aborted.

And John B. Anderson said:

"Now, I've seen Reagan's return on a platform that calls for a constitutional amendment banning abortion. I think this is a moral issue that ought to be left to the freedom of conscience of the individual."

Dr. Jack Wilke, president of the National Right to Life Committee, was asked about ads pushing off Planned Parenthood's campaign. The Cincinnati, Ohio, family doctor and sexual counselor said:

"We do not think any American should have the freedom of choice to kill another American."

"Certain solutions are for when we are civilized people. We have no right of domination given to one person to completely deny the right to kill another to solve their personal or social problems. Abortion, however, does this."

Wilke said the Planned Parenthood ad is an error in one respect.

"We do not want to stop control of the fetus," he said.

A recent protest in a field in the New York City Planned Parenthood office is on the "hunger for life."

"What if your baby is going to die a baby?" it starts.

The "right to life" movement wants a force to have a baby. No matter how young she is. No matter how long her doctor or her parents fear, even if the pregnancy resulted from rape.

Increased anti-abortion activity across Roman Catholic leaders as part of the backfire.

In Boston, two days before the Massachusetts Constitutional Convention, a group of anti-abortionists held Sept. 29 a "hunger strike" for the right to life.

The letter read at masses in 40 churches, talked about "unacceptable opposition to legalized abortion as an offense against God and humanity

and against our Maker and his people."

"I plead with you to exercise your right and duty to vote in the upcoming elections, and to bring your own conscience — the voice of God — to bear on the ballot box with you."

When voters were counted, voters were candidates supported by "some of the best minds in the world" and "the wisest of our people" as favoring moral and religious values.

The current campaign the ad was spelled out by Faye Wattleton, president of Planned Parenthood Federation of America in July — after the Supreme Court upheld the Hyde Amendment that said tax funds can't be used for abortions for poor women.

Planned Parenthood's platform is simple, Ms. Wattleton said.

"We will not permit a zealous minority to dictate laws that force women to bear children against their will."

A newspaper ad PFFA ran nationally at the time showed the Statue of Liberty torch burning out.

A de-frocked Jesuit — the Rev. Joseph O'Rourke — was at the conference to consider the "threat from the dangerous new alliance."

He was expelled from the Jesuit Order when he baptized a baby which had been refused church baptism because its mother, a Massachusetts resident, spoke out against the church's involvement with right-to-life activities.

He said he is still a priest, a fact confirmed by Roman Catholic hierarchy.

"The American bishops have a mandate from Rome to hold the line on every single issue that has anything to do with sex and reproduction — and to hold the line against any change," he said.

"Change is not in the wind from the top but it is the desire of most of the organizations below the bishops."

The priest said he did not always cry.

"A blanket condemnation was never heard from my Episcopacy," O'Rourke said.



Sheer fall el.

Sheer elegance and effortless. tiny pearl buttons are styled to feminine look. uses knitted or and polyester

Rules for 'spouse maintenance' logged by Scottish sea captain

A 19th century Scottish sea captain with a nautical nod at marriage logged these rules for "spouse maintenance" during "life's voyage."

Keep her in due repair.
Take no other craft in tow.
Individual keep her day to day.
And "should she be blown on her beam ends by wind or misfortune, I am to stand and see her righted."

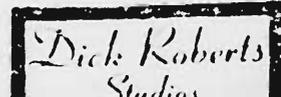
In return, his mate had to "come signals without question," "steer by reckoning," "stand by as a true consort in foul weather, battle or shipwreck, and 'run under my guns if assailed by pirates or privateers."

Potatoes should be stored in a cool, dark place because exposure to light will cause them to turn green.

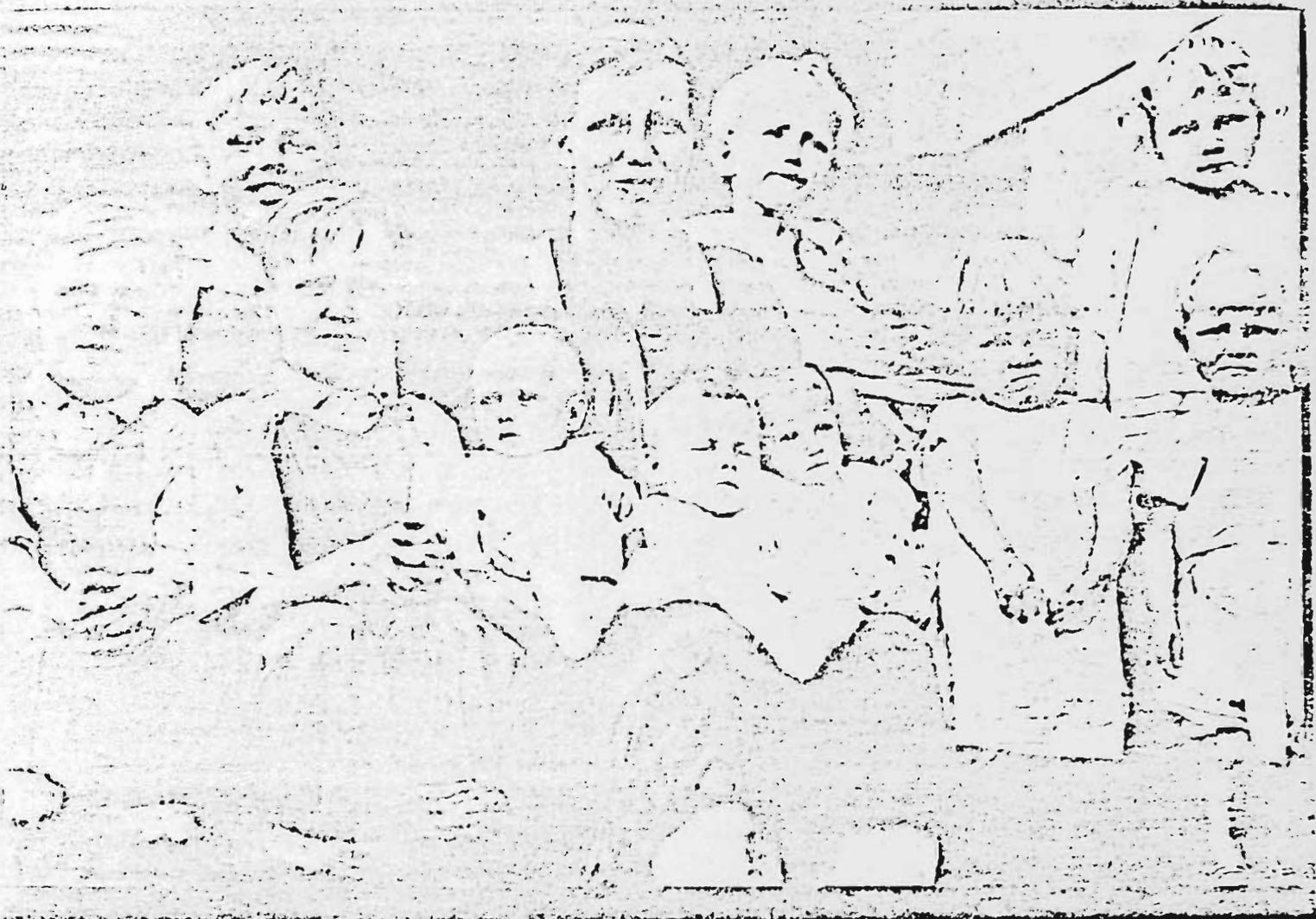
The amount of cold air that enters a house can be reduced by plugging the cracks around doors, windows and chimneys.

Date changed for candidate's dinner

The 1980 County Republican Women's Club Candidates' Dinner, originally scheduled for Oct. 12, has been changed to Oct. 19. The turkey



THEY WANT⁹ TO SET YOU BACK ALONGWAY, BABY.



The "right-to-life" movement wants to deprive you of your freedom of choice. By imposing its beliefs on everyone:

- On your friends.
- On your children.
- On you.

Some of your most important rights are being challenged:

The right to have any number of children you want. When you want them. Or to have none at all.

The right to use contraceptives. The right to an abortion even when it's essential to your health.

The right to terminate a pregnancy even if it resulted from rape.

Don't stand by silently and let outrage become law. Fight back.

Take pen in hand and fill out the Planned Parenthood coupon. Give generously of your time and money.

Your most important possession is being threatened: your freedom.

JCIN PLANNED PARENTHOOD

1000 Pennsylvania Avenue, N.W., Washington, D.C. 20004
202-338-3000

- I want to help keep the infant. Add me to your mailing list.
- I want to see the baby returned to the mother.
- I want to see a law passed that would force every baby back to the mother.

Name _____
Address _____
City _____
State _____
Zip _____
This information will be used for the purpose of _____
A check for \$_____ will be sent to _____
Name _____
Address _____
City _____
State _____
Zip _____

**THE TIME HAS COME AGAIN WHEN
AMERICANS MUST FIGHT FOR THEIR FREEDOM.**

*Reproduced copy of Pamphlet
full page ad - Washington Sept 17, 1980.*

60

An Exciting New Package for Planned Parenthood

A complete package of materials designed to increase awareness for Planned Parenthood's vital role in your community.

Your 1981 Campaign



TELEVISION

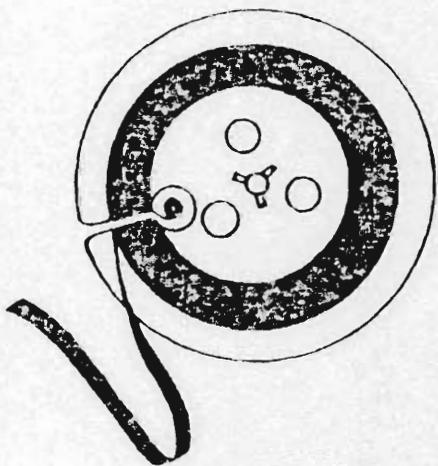
Two 30-second television spots are available on 2" videotape including Spanish-speaking versions. Each spot can be personalized with your local identification in the final three seconds of the spot. Your order should include enough copies for each television station in your market to use as public service announcements. The spot series supports the theme and reminds the viewers of the basics that Planned Parenthood has always stood for in America.

RADIO

The radio spot package includes three 60-second spots and three 30-second spots (Spanish speaking versions available). The copy approach in the radio series provides a tie-in with the other elements of our package. Copies of the script for your use are included when you order this package component. Each spot can be tagged with your local affiliate identification. Be sure your order includes dubs for each radio station in your market.

NEWSPAPER/MAGAZINE

Several sizes of the newspaper/magazine advertisements are available, 2/3 page, 1/4 page, 1/8 page and a one column x 2 inch theme line filler ad. Additional repro clip pages are available as well. The theme of "Helping Build a Strong America" is again supported through the graphic approach in this component. You'll receive reproduction materials suitable for use in either newspaper or magazine.



Planned Parenthood for a Strong America

(61)

Public Service Package Youthhood Affiliates

Increase public awareness and strengthen support
for the program in providing service to America.

The campaign includes:

BILLBOARDS/BUS CARDS

Finished art suitable for reproduction by your local transit or outdoor companies is made available to further support the theme for this campaign in your marketplace. Price includes reproduction art suitable for production of the necessary posters you order direct from your transit and outdoor companies.



MINI-POSTERS

A special 8 1/2 x 11 version of art and theme line are provided for your use to post in libraries, community centers, etc. in your marketplace. Great for handouts at special meetings, to the media, anywhere that you want to promote the public service campaign. This visually attractive poster is priced in thousand lots for you to order as needed. The poster can carry your personal affiliate identification as well as other copy elements you want imprinted on the reverse side.

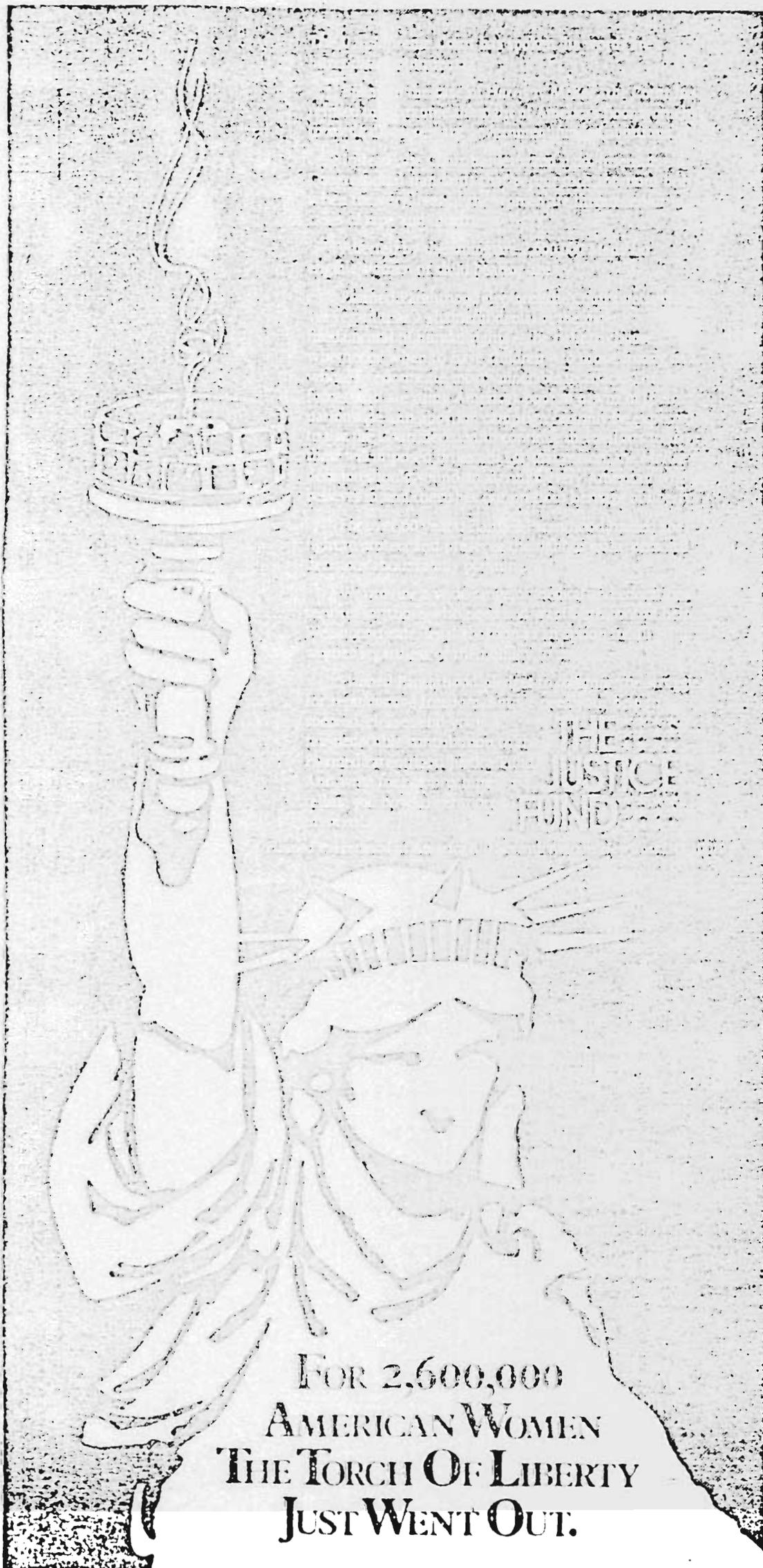


CAMPAIGN PLANNER

A complete, handy reference guide for use with your package of public service campaign materials, including how to get exposure for your public service efforts, where to distribute them, a listing of the media in your market, how to set up a press conference to announce your kick-off in your market and how to follow-up with the media. As a special request item, a handy media market analysis of your community that gives you an in-depth analysis of your market including demographic and media usage breakdowns. A quick useful resource to guide you in the use of your package of public service materials. Each planner includes repro sheets of the package elements plus color storyboard sheets of each television spot.



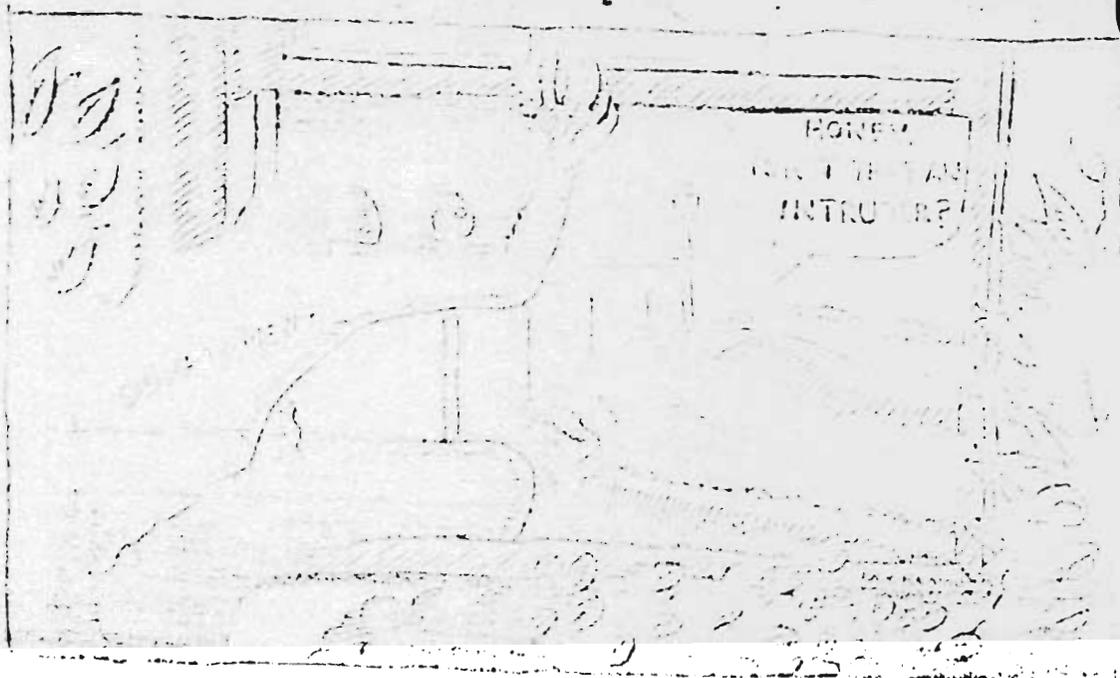
RECEIVED
1952
LEGAL



THE
JUSTICE
FUND

FOR 2,600,000
AMERICAN WOMEN
THE TORCH OF LIBERTY
JUST WENT OUT.

74



Keep the government out of your bedroom. It's your own business. It's your own life. It's your own choice.

PLANNED PARENTHOOD SAYS

The government is not the people.
We won't let it legislate
your life. We won't let it legislate your family.

It's your right to decide if and when to have a child.
It's your right to decide if and when to have a family.

Don't let the government decide for you.
Don't let the government decide for your family.

Don't let the government decide for you.
Don't let the government decide for your family.

Keep the Government Out of Your Bedroom.

Name _____
 Address _____
 City _____ State _____ Zip _____
 Planned Parenthood, 1111 Madison Ave., 4720 East Market, Iowa City, IA 52242

Printed by Planned Parenthood

Des Moines Sunday Register 7 Sep 1980

**YOU'RE
ON
THE
RIGHT
SIDE.**

132

[Faint, illegible text, likely bleed-through from the reverse side of the page.]

**YOU'RE FOR
CONTRACEPTION
FOR
ADULTS
AND TEENAGERS.**

And you're not alone.

**91% agree for adults.
78% agree for teenagers.**

- Q. Do you have any moral or religious objections to the use of contraceptives by adults?
- | | | |
|-------|-----|------------|
| A. No | Yes | Don't Know |
| 91% | 8% | 1% |
- Q. Do you have any moral or religious objections to the use of contraceptives by teenagers?
- | | | |
|-------|-----|------------|
| A. No | Yes | Don't know |
| 78% | 15% | 7% |

There are few people with moral or religious objections to the use of contraceptives by adults or teenagers. On the question of use by adults, almost all New Yorkers (91%) said they had no objections. Because the support is so broad, there is little difference when the results are analyzed by the religious categories such as sex, age, or education. In fact, Catholics now report no such as to moral objections to contraceptive use.

When asked about teenage use, more than half of the respondents said they had no objections to it. 78% of Catholics polled had no objections. The overall findings show strong support for contraceptive use among the state.

**YOU'RE FOR
SEX EDUCATION
IN
PUBLIC
SCHOOLS.**

And you're not alone.

88% agree with you.

- Q. Do you favor or oppose sex education in public schools?
- | | | |
|----------|--------|------------|
| A. Favor | Oppose | Don't know |
| 88% | 10% | 2% |

New York State students overwhelmingly support sex education in public schools. This support is almost unanimous, extending to nearly 90% of New Yorkers in every section of the state and in every demographic group surveyed.

Support for sex education is even higher among young people. 90% of those aged 18-24 said they favor it. Even 80% of the people aged 25 and older favor it. College educated respondents were more favorable towards sex education, 94% in favor, than those who had not finished high school (78% in favor). Men and women were about equal in favor of sex education in the schools.

**YOU'RE FOR
THE
RIGHT
OF
ABORTION.**

And you're not alone.

89% agree with you.

- Q. Do you favor permitting a woman who wants an abortion to have one under all circumstances, under some circumstances but not others, or under no circumstances?
- | | | |
|----------|--------|------------|
| A. Favor | Oppose | Don't know |
| 89% | 9% | 2% |
- | | | |
|-------------------|------|------|
| All circumstances | Some | None |
| 35% | 54% | 9% |

Only a very small group (9%) favors an absolute ban on abortion. The absolute ban group remains a tiny fraction of the total population, far out of proportion to its real level of support in New York State.

The great majority (89%) of New York State residents in every region support the right of a woman to have an abortion under all circumstances, or under some circumstances but not others and 9% of Protestants support this view. Even 80% of Catholics and 87% of other values agree. And contrary to popular notions, men and women have almost the same views on abortion.

**THANKS
YOU!
NEW YORK
STATE,
FOR
STANDING
UP
FOR
WHAT'S
RIGHT!**

WHAT IF YOUR BABY IS GOING TO HAVE A BABY?



18, over 63,000 teenagers became
want. In New York State alone
Each is some text, a daughter. With
ntire life in front of her.
ret the right to life movement
s to force her to have a baby. No
r how young she is. No matter how
er doctor or her parents feel. Even
pregnancy resulted from rape.
I doesn't stop with your daughter
are also challenging your rights.
he right to have any number of

children you want. When you want
them. Or to have more of a
The right to use birth control.
The right to an abortion even if
it's essential to your health.
Don't stand by silently and let
outrage become law. Fight back.
Take pen in hand and fill out the
Planned Parenthood coupon. Give
generously of your time and money.
Your most important possession
is being threatened, your freedom.

**JOIN
PLANNED PARENTHOOD**

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

PLANNED PARENTHOOD
1111 N. 17TH AVE., SUITE 100
DENVER, CO 80202

**THE TIME HAS COME AGAIN WHEN
AMERICANS MUST FIGHT FOR THEIR FREEDOM.**

THERE IS A GROUP THAT WOULD FORCE YOU TO BEAR YOUR RAPIST'S CHILD.



As if being raped isn't terrible enough, the "right to life" movement could deny you the right to an abortion if you become pregnant. Even if you're only a child yourself. Even if your sanity depends on it. Even if your life depends on it. The "right to life" movement is challenging some of your most important rights. The right to have any number

of children you want. Or to have none at all. The right to use contraceptives. The right to an abortion even when it's essential to your health. Don't stand by silently and let outrage become law. Fight back. Take pen in hand and fill out the Planned Parenthood coupon. Give generously of your time and money. Your most important possession is being threatened: your freedom.

JOIN PLANNED PARENTHOOD
 1100 Pennsylvania Avenue, N.W., Washington, D.C. 20037
 (202) 338-3100

I will donate \$_____ to Planned Parenthood.

I will donate my time and talents to Planned Parenthood.

I will donate my services to Planned Parenthood.

I will donate my skills to Planned Parenthood.

Name _____

Address _____

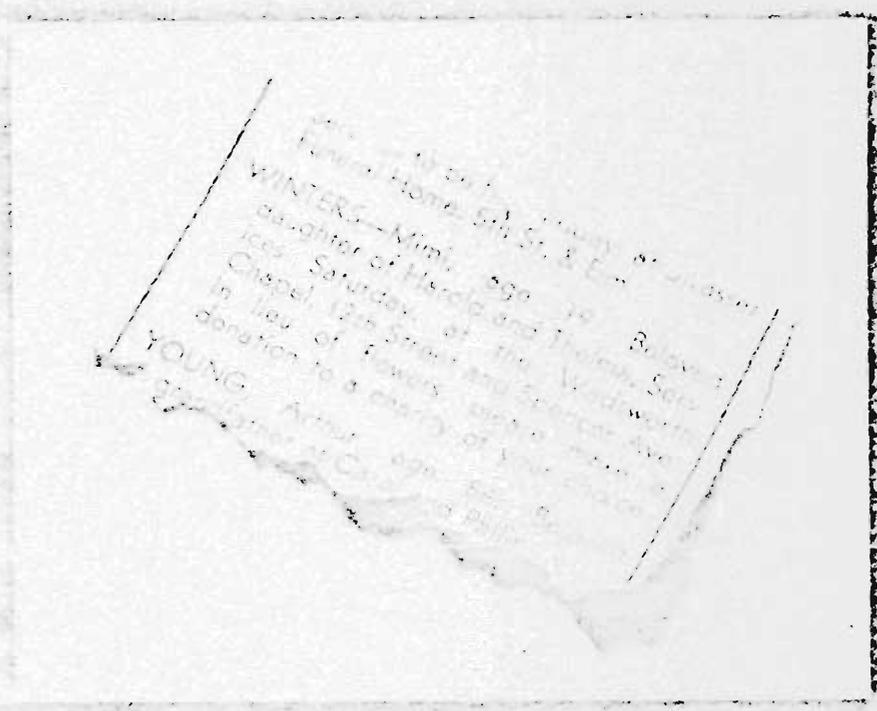
City _____ State _____ Zip _____

Phone _____

Signature _____

THE TIME HAS COME AGAIN WHEN AMERICANS MUST FIGHT FOR THEIR FREEDOM.

THERE IS A GROUP THAT WOULD SOONER SEE YOU DEAD THAN ALLOW YOU AN ABORTION.



"right to life" movement wants to prevent you from getting an abortion under any circumstances. Even if your doctor feels an abortion is essential to your health. Even if the pregnancy results in rape. Even if you're only a child yourself. What's more, your right to use contraceptives is being challenged. The "right to life" movement

wants to deprive you of your freedom of choice. By imposing its beliefs on everyone. Don't stand by silently and let outrage become law. Fight back. Take pen in hand and fill out the Planned Parenthood coupon. Give generously of your time and money. Your most important possession is being threatened. Your freedom.

JOIN PLANNED PARENTHOOD

1400 Broadway, New York, N.Y. 10019
 1600 Broadway, New York, N.Y. 10019 (212) 777-2100

I want to help. Keep me informed. Add me to your mailing list.

I would like to make a tax-deductible contribution to Planned Parenthood in the amount of \$ _____

NAME _____

ADDRESS _____

CITY _____

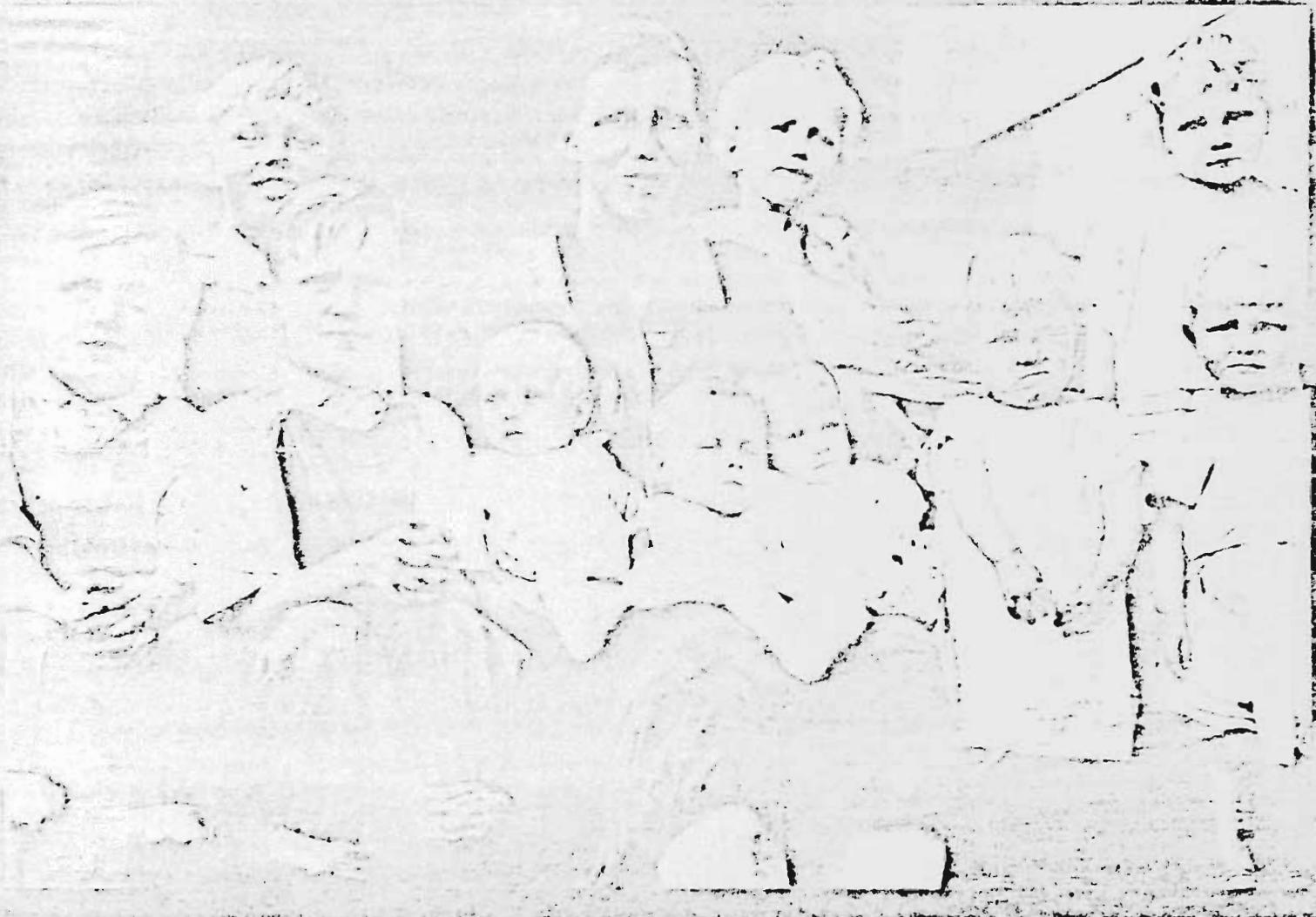
STATE _____

ZIP _____

This is a public relation matter. It is not a solicitation for funds. We are not a charitable organization. New York State has a law that prohibits the use of the word "charitable" in the name of any corporation.

THE TIME HAS COME AGAIN WHEN AMERICANS MUST FIGHT FOR THEIR FREEDOM.

THEY WANT TO SET YOU BACK ALONGWAY, BABY.



The "right to life" movement wants to deprive you of your freedom of choice. By imposing its beliefs on everyone

- On your friends.
- On your children.
- On you.

Some of your most important rights are being challenged:

The right to have any number of children you want. When you want them. Or to have none at all.

The right to use contraceptives. The right to an abortion even when it's essential to your health.

The right to terminate a pregnancy even if it resulted from rape.

Don't stand by silently and let outrage become law. Fight back.

Take pen in hand and fill out the Planned Parenthood coupon. Give generously of your time and money.

Your most important possession is being threatened: your freedom.

JOIN PLANNED PARENTHOOD

Planned Parenthood, 417 W. 11th St., Suite 100, New York, N.Y. 10014 (212) 777-2600

- I want to help keep the information Add me to your mailing list.
- Send me the mailing materials for my campaign.
- I want to know if you need additional funds. Please send me a check for the amount of \$ _____

Name _____
Address _____
City _____ State _____ Zip _____

The above information will be used for the purpose of carrying out the mission of Planned Parenthood. We will never give your name or address to anyone else. If you have any questions, please call (212) 777-2600.

THE TIME HAS COME AGAIN WHEN AMERICANS MUST FIGHT FOR THEIR FREEDOM.

RECEIVED

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NOV 28 9:41

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GREENBAUM, WOLFF & ERNST

437 MADISON AVENUE

NEW YORK, N. Y. 10022

(212) 758-4010

CABLES
"GREWOLFERN"
TELECOPIER NO
212 751-0843
TELEX
ITT 423007
RCA 236099

FLORIDA OFFICE
ONE BISCAYNE TOWER
2 SOUTH BISCAYNE BOULEVARD
MIAMI, FLORIDA 33131
(305) 371-6262

November 24, 1980

Ms. Judy Thedford
Federal Election Commission
Washington, D.C. 20463

Re: Complaint No. MUR 1318

Dear Ms. Thedford:

This letter is in response to the above-numbered complaint, filed against Planned Parenthood Federation of America, Inc. ("PPFA") and Planned Parenthood of New York City, Inc. ("PPNYC") by the National Right to Life Committee.

The responses of the two organizations have been consolidated because the legal considerations bearing on the activities of both organizations are identical. An analysis of these considerations is contained in Part III hereof. Parts I and II are factual statements dealing with the separate activities of PPFA and PPNYC and each is submitted independently on behalf of the organization to which the facts set forth therein relate.

The responses of both parties will demonstrate, pursuant to 2 U.S.C. § 437g(a)(1), that no action should be taken against either PPFA or PPNYC on

NOV 28 4:02

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GREENBAUM, WOLFF & ERNST

basis of this complaint.

Very truly yours,

GREENBAUM, WOLFF & ERNST
Counsel to Planned Parenthood
of New York City, Inc.

By: *Harriet F. Piipel*
Harriet F. Piipel

By: *Laurie R. Rockett*
Laurie R. Rockett

PLANNED PARENTHOOD FEDERATION
OF AMERICA, INC.

By: *Eve W. Paul, dk.*
Eve W. Paul
Vice President for Legal
Affairs

By: *Dara Klassel*
Dara Klassel
Staff Attorney

010103461

PPFA and to the public and to influence legislation bearing directly on these issues.

PPFA is the leading national voluntary public health organization in the field of family planning. It is a not-for-profit corporation, organized in 1922 under the laws of the State of New York and exempt from taxation under §501(c)(3) of the Internal Revenue Code. Its Certificate of Incorporation charges it with providing leadership:

in making effective means of voluntary fertility control, including contraception, abortion, and sterilization, available and fully accessible to all as a central element of reproductive health care;

in achieving a United States population of stable size in an optimum environment;

in stimulating and sponsoring relevant biomedical, socio-economic, and demographic research;

in developing appropriate information, education, and training programs; [Emphasis added].

PPFA does not itself provide family planning services, rather it gives technical assistance to 188 affiliates located throughout the country, all of which are separately incorporated not-for-profit 501(c)(3) organizations. Planned Parenthood affiliates provide

fertility related services, in the form either of medical services, (including abortion, sterilization, infertility and contraception) or education and counseling activities.

PPFA's family planning activities have been the subject of public controversy from the time the organization was founded as the American Birth Control League by Margaret Sanger in the 1920's. Dying down for a time as contraception became publicly accepted, the controversy arose again following the Supreme Court's 1973 decision in Roe v. Wade which recognized the fundamental Constitutional right of every woman, in consultation with her physician, to obtain an abortion free from interference by government, at least during the early stages of pregnancy, 410 U.S. 113 (1973). This case precipitated a wave of activities on the part of organized minority groups aimed at denying to women the Constitutional right recognized in Roe v. Wade through such devices as restrictive legislation, a Constitutional amendment and even the calling of a Constitutional Convention. In keeping with its purpose of making all legal and effective forms of reproductive health care, including abortion, available to every individual who needs and wants them, PPFA has consistently opposed these efforts to restrict or limit the accessibility and availability of such care.

With the increasing intensification of attempts to restrict access to abortion in recent years PPFA, in 1979, launched a major Public Impact Program designed to defend the right of every individual to full access to reproductive health care. This Program includes "increase[d] public relations and other communications activities promoting public awareness of family planning issues and concerns" (PPFA's Annual Report 1979, 9-10, attached hereto as Exhibit A); lobbying efforts against proposed restrictive legislation, and litigation challenging restrictive legislation when enacted. The ads referred to in the Complaint, insofar as they were created or financed by PPFA represent one small segment of this overall program.

As part of the communications component of the Public Impact Program, PPFA has designed a series of posters, print media advertisements and thirty second broadcast media public service announcements, stressing the role of Planned Parenthood in helping build a strong America by helping build strong American families. These materials are aimed at increasing public support for Planned Parenthood as an institution. Their tone is completely non-political. The packet was unveiled at the PPFA annual

meeting in October, 1980 and will be available to all of PPFA's affiliates as long as supply and demand continue (a brochure and press release describing these materials is attached hereto as Exhibits B and C). A similar packet emphasizing advocacy of PPFA's point of view on issues that concern it is planned.

PPFA ran one other ad this year as part of its Public Impact Program. In response to the Supreme Court's June 30, 1980 decision upholding federal and state exclusion of medically necessary abortions from the Medicaid program (Harris v. McRae), PPFA ran an ad in several major newspapers with the theme "For 2,600,000 Women The Torch Of Liberty Just Went Out." This ad solicited contributions to PPFA's Justice Fund, a special fund for defending the right of reproductive choice which was formed in 1977 in response to the Supreme Court's decision holding that the states need not fund non-therapeutic abortions under their Medicaid programs. (Justice Fund ad attached hereto as Exhibit D). Copies of the ad were sent to all of PPFA's affiliates, but PPFA has no information as to which, if any, affiliates actually ran the ad.

PPFA's Public Impact Program also gives technical and financial assistance to Planned Parenthood affiliates in

developing their own public affairs programs. This assistance includes aid in developing issue-oriented ad campaigns. So far this year, PPFA has assisted its Minnesota and Mid-Iowa affiliates in developing such campaigns (copies of these ads are attached hereto as Exhibits E, F and G). A similar campaign is planned later this year for Arizona, as is a second series of ads for Mid-Iowa. None of these ads mentions political candidates or political campaigns. Stated simply, the message of the ads is that the right to make responsible family planning choices is under attack and that people should stand up for their rights by joining and contributing to the Planned Parenthood affiliate. No one is urged to take any political action whatever, least of all vote for or against any candidate.

PPFA's Public Impact Program was initiated at a time when the issues of concern to PPFA were at the forefront of the public consciousness. The prominence of these issues is the result of their politicization by forces opposing abortion. The abortion issue was included in the platforms of both major parties and was a heated subject of debate among the candidates in the 1980 election.

While any subject of major public concern is

likely to become an issue in electoral politics, the mere politicization of an issue by third parties or organizations cannot and should not bar an organization to which that issue is of vital concern from participating in public debate. Indeed it is of utmost importance that the public have the broadest possible access to information relating to issues which are debated in connection with campaigns so that individuals may intelligently evaluate such debate.

As the leading voluntary public health organization in the field of family planning, charged under its Certificate of Incorporation with the obligation to "provide leadership in making effective means of voluntary fertility control, including . . . abortion available and fully accessible", PPFA could not, consistent with such obligation, remain silent when the issue of limiting access to abortion was in the center of public debate. And candidates who oppose abortion cannot deprive PPFA of the right to speak out on issues of vital concern to its legitimate not-for-profit purposes by making the abortion issue a part of their political campaign.

Focusing on the 1980 election as it does, the complaint obscures the significant factors which led to the development of PPFA's Public Impact Program. Chief among

these were the ongoing attempts by the proponents of the Hyde amendment in the U.S. Congress to prevent poor women from obtaining abortions. In addition, there have been continued and increasingly intensive legislative attempts in the past several years on both state and federal levels to cut off or limit abortion rights and funding for sex education and contraceptive services as well as continued court struggles over such legislation.

PPFA's educational and lobbying activities initiated in response to these events are entirely consistent with the organization's not-for-profit corporate purposes and are in no way intended to influence the outcome of any federal election. Moreover, PPFA's public affairs activities are completely independent. No candidate or political organization has ever been involved in any way in developing or carrying out such activities. As to the fund-raising letter alluded to in the complaint, its intent was to point out, as evidence of the growing threat to reproductive rights, a general increase in the activities of the "right to life" movement, of which electoral politics was one tactic among many. In no way were proponents of reproductive rights urged to engage in politics. Rather, they were urged to contribute to PPFA so that it might

continue its non-electoral struggle to educate, lobby and litigate to make effective means of fertility regulation available and fully accessible to all (letter attached hereto as Exhibit H).

The foregoing information summarizes the public affairs activities supported or financed by PPFA in 1980. PPFA has not conducted or in any other way participated in ad campaigns in states mentioned in the complaint other than Minnesota and Iowa. Since all PPFA affiliates, including those in the states mentioned, are separate corporate entities, they are free to develop their own independent public affairs programs. The details of these programs are not ordinarily reviewed by PPFA.

EXHIBITS TO PART I

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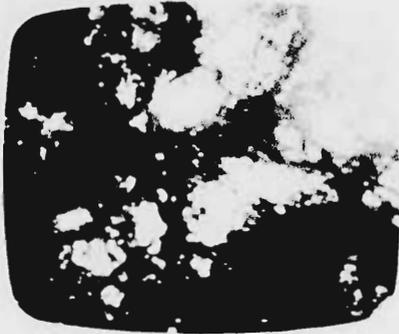
3100248173



PLANNED PARENTHOOD FEDERATION

:30 TV Public Service Announcement "AMERICA"

Produced by Hameroff / Milenthal, Inc.



America Our strength is
the strength of American
families.



For over 60 years, Planned
Parenthood has been working to
build stronger families.



By helping people make responsible
choices about their lives.



Today, through its family planning
and health care services.



Planned Parenthood continues its
tradition.



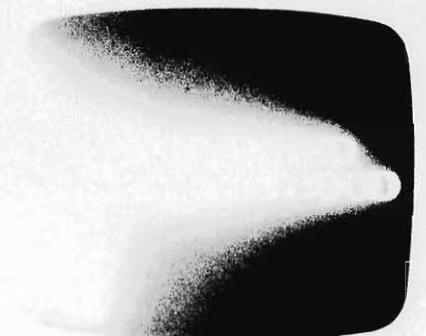
of service to America's most
precious institution.



Planned Parenthood



Helping build a strong America

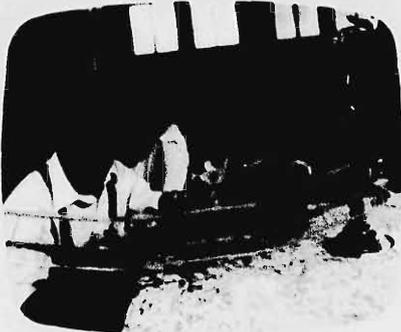


by helping build strong American
families.

PLANNED PARENTHOOD FEDERATION

:30 TV Public Service Announcement "THE FAMILY"

Produced by Hameroff/Milenthal, Inc.



Annex: The Family ...



Then and now



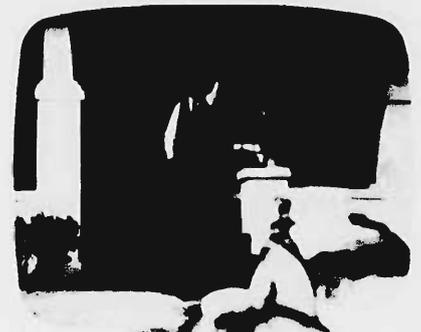
America's greatest source of strength



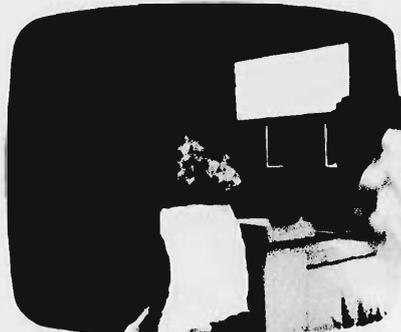
For over 60 years ...



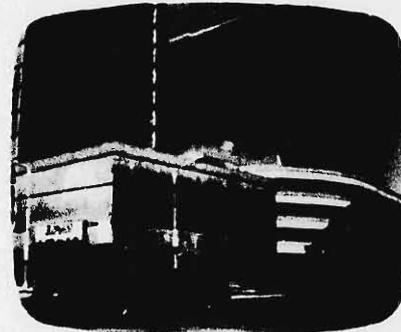
People have turned



to Planned Parenthood



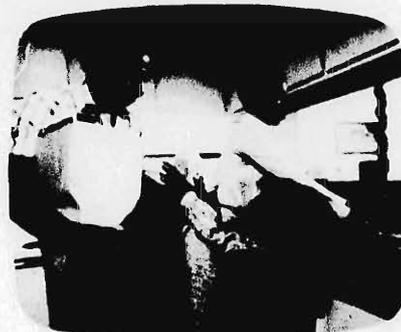
For help in making important decisions about family planning.



America has changed



and so have families



But today people still turn to Planned Parenthood



for counseling, information, and family planning service



Planned Parenthood - helping build a strong America by building strong American families



317103



12

24



NEWS:

Planned Parenthood- World Population

CONTACT:

Mimi Barker
Tel: Office (212) 541-7800
Home (212) 982-7896

In Denver:

Sept. 28 - Oct. 4
PPFA Press Room
Denver Hilton Hotel
Tel: (303) 893-3333

FOR RELEASE AFTER 10:30 A.M.
MONDAY, SEPTEMBER 29

PLANNED PARENTHOOD LAUNCHES NATIONWIDE ADVERTISING AND PUBLIC SERVICE CAMPAIGN;
"HELPING BUILD A STRONG AMERICA BY HELPING BUILD STRONG AMERICAN FAMILIES" IS THEME

DENVER, Sept. 29 -- A nationwide, comprehensive public service and advocacy campaign was launched today as part of Planned Parenthood Federation of America's public impact program, the organization's drive to protect and defend individual rights. The announcement was made in Denver at the start of PPFA's annual meeting.

"This is the first time in our organization's sixty-four year history that a comprehensive campaign of this sort has been developed," Faye Wattleton, President of PPFA, said in making the announcement. "This program will allow us to get our message on reproductive freedom out to that vast majority of Americans who support us in our determination to safeguard the fundamental American rights to privacy and individual decision making."

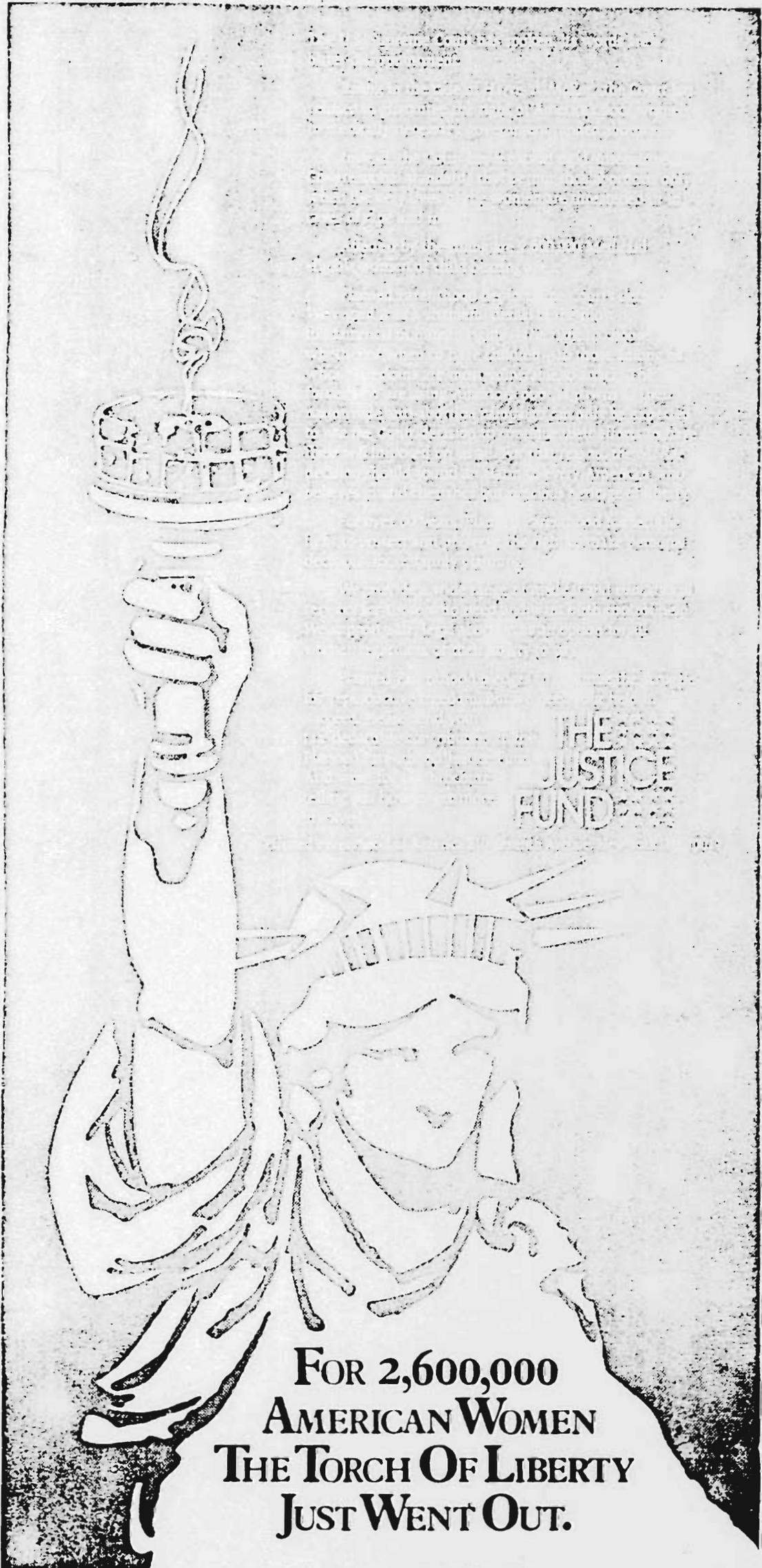
Wattleton said the program would consist of television and radio spots as well as print advertising. Individual advocacy ads will be developed to address specific issues as they arise.

"Our theme is 'Helping Build a Strong America by Helping Build Strong American Families,'" Wattleton said. "This reflects our strong belief that freedom of choice in family planning and reproductive health is essential to the health and well being of all families.

Planned Parenthood Federation of America, Inc. - 310 7th Ave., New York, N.Y. 10019
Tel. (212) 541-7800

810101177

3121011173





3177777777

How to protect yourself from some of your well-meaning neighbors.

We've been doing it for you for more than half a century. Only it's not as easy as it used to be.

You see, Planned Parenthood of Minnesota is an organization dedicated to protecting some of your most basic rights. Like whether and when to have children. And the right to plan the birth of your children through responsible decision making.

Yet, perhaps the most frightening thing of all, today these rights are threatened by some of your neighbors.

Would you pay five dollars to support fifty years of protecting your rights? Even though two-thirds of Minnesotans support these reproductive rights issues, Planned Parenthood of Minnesota and other organizations have stood virtually alone in speaking out for them.

Which means you could lose access to accurate information about human reproduction and responsible sexuality.

And even access to contraceptives and our vital cancer testing is in jeopardy. (Last year we examined over 30,000 women for breast and cervical cancer.)

Not to mention a responsible person's right to a medically safe, legal abortion.

So, please join Friends of Planned Parenthood and support your most basic human rights with your money and your time.

Before you don't have any rights to protect from those well-meaning neighbors.



If responsible people like you don't stand up for your reproductive rights pretty soon, never mind.

I want to protect my right to responsible decision making by joining Friends of Planned Parenthood, a volunteer support org. invitation.

I also want to help support the work of Planned Parenthood. Enclosed is my tax-deductible contribution payable to Planned Parenthood of Minnesota of \$ 25 \$ 50 \$ 85 \$ 125

If I want to make a special gift:

NAME _____

Return to:

ADDRESS _____

CITY _____

STATE _____

ZIP _____

PLANNED PARENTHOOD OF MINNESOTA

317101133

What some of your neighbors are willing to do to your rights should give you a nice warm feeling.

For centuries people have started the process of taking away the rights of others by burning books, or otherwise destroying access to information.

Well, it's happening again right here in Minnesota. There are people involved in incidents of censorship, harassment and even arson. All for the cause of imposing their values on you.

Now if you think that's scary, consider this point: These people are not fanatics.

These people are some of your neighbors.

And whether you know it or not, they're about to steal some of your most basic rights. Like whether and when to have children. And the right to plan the birth of your children through responsible decision-making.

After fifty years of supporting those rights, Planned Parenthood needs your help.

If you don't want to lose access to information about human reproduction and responsible sexuality, it's time to do something.

Even access to contraceptives and our vital cancer testing is in jeopardy. (Last year we examined over 30,000 women for breast and cervical cancer.)

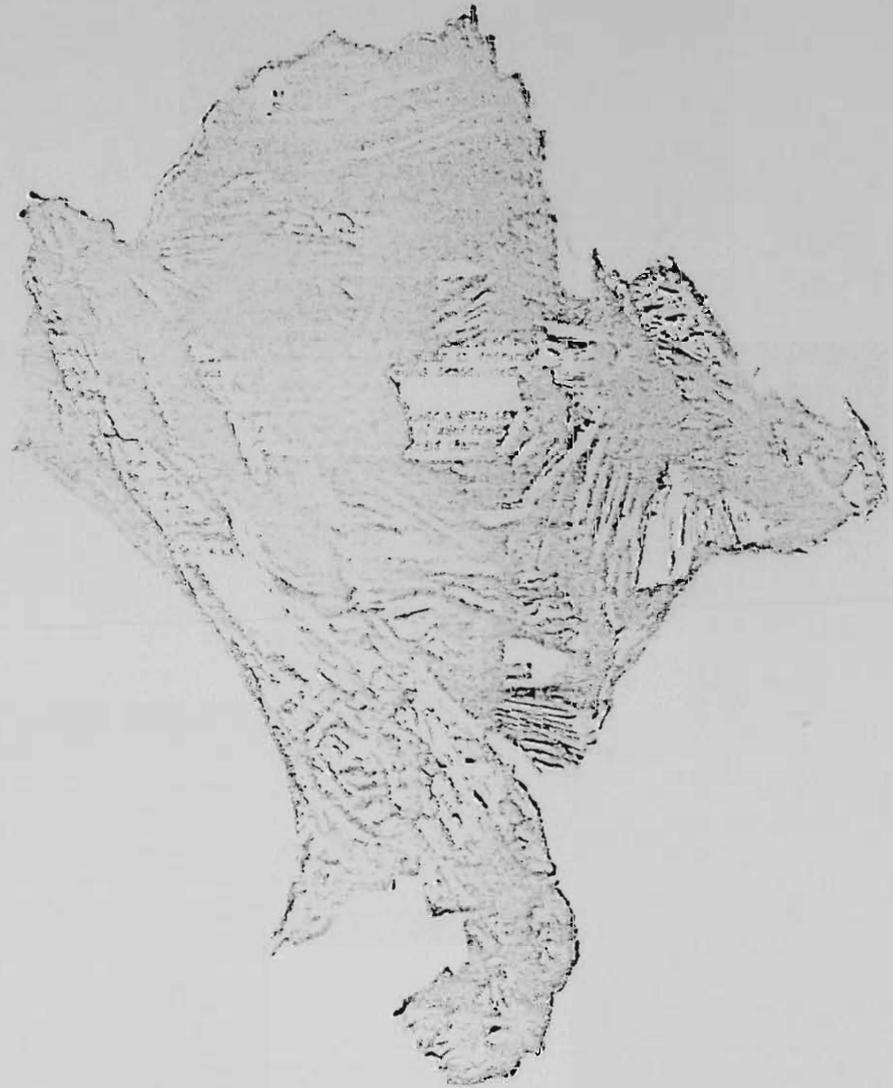
Not to mention a responsible person's right to a medically safe legal abortion.

Would you pay five dollars to support fifty years of protecting your rights?

That's not much to ask for an organization that has among others stood virtually alone in speaking out for them.

Please join Friends of Planned Parenthood. That way you'll help stand up for the reproductive rights issues supported by nearly two-thirds of Minnesota adults.

Otherwise, much of the freedom you cherish could go up in smoke.



If responsible people like you don't stand up for your reproductive rights pretty soon, never mind.

I want to protect my right to responsible decision-making by joining Friends of Planned Parenthood. I will make a five dollar support contribution.

I also want to help support the work of Planned Parenthood. Enclosed is my six dollar contribution to the Minnesota branch of Planned Parenthood of Minnesota to help support the work of Planned Parenthood.

NAME _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

Return to:

PLANNED PARENTHOOD OF MINNESOTA

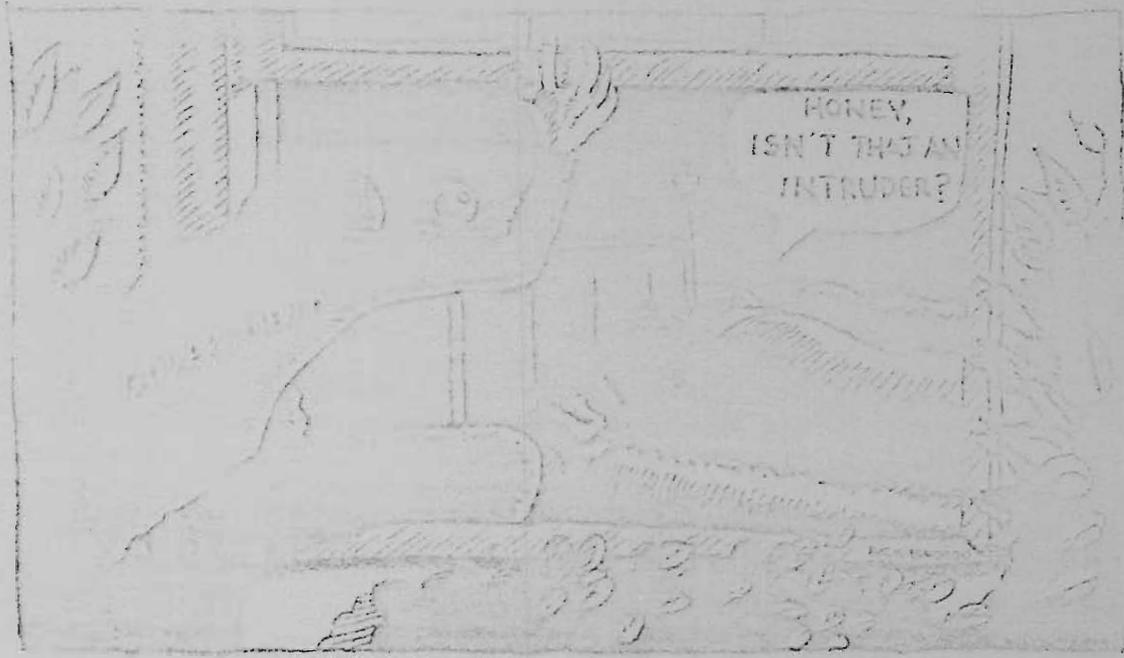
1045 Ford Parkway St. Paul, MN 55103

81740341103

31001131



THE ULTIMATE INVASION OF PRIVACY



Are you responsible enough to make your own decisions about parenthood?
About pregnancy, birth control, sterilization or abortion?

PLANNED PARENTHOOD thinks you are

There is an attempt by some people
who would like to legislate
your decisions about planning your family.

For over 60 years, Planned Parenthood has led the fight to preserve
your right to make responsible decisions about planning your family.

Planned Parenthood pledges to continue today's fight
to save the privacy of American homes from government intrusion.

Join these efforts. Speak out.

Keep the Government Out of Your Bedroom.

I want to join FRIENDS OF PLANNED PARENTHOOD to help preserve my freedom to make decisions about parenthood.

I also want to help support the work of Planned Parenthood. Enclosed is my tax deductible contribution payable to Planned Parenthood of Mid-Iowa, Inc. for \$_____.

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

Return to Planned Parenthood of Mid-Iowa, Box 4772, Des Moines, Iowa 50306

For more Planned Parenthood

Des Moines Sunday Register 7 Sept 1980



Dear Friend,

"TANTAMOUNT TO SEVERE PUNISHMENT . . ."

. . . That's how one dissenting Justice describes the United States Supreme Court's recent decision upholding the Hyde Amendment which denies poor women federally funded abortions.

But the so-called Right-to-Lifers are elated. The Court ruling boosts their drive to ban abortions and contraceptive devices as well.

Here are some of the goals the Right-to-Life forces have set in their campaign to outlaw all abortion and ban most methods of contraception.

- Amend The Constitution -- The votes of 34 states are needed to call a Constitutional Convention. Already the Right-to-Life forces have succeeded in winning the votes of 19 states. Congress can also vote for a Constitutional Amendment. Already the Right-to-Life forces have won nearly a majority of Congressmen and Senators in support of their Human Life Amendment. Only two-thirds are needed to bring their Human Life Amendment out of Congress and put it before the States for ratification!
- Purge Progressive Political Leaders -- In an effort to eliminate Congressmen and Senators who defend family planning rights, the Right-to-Lifers, backed by the extreme Right Wing, have mounted a massive campaign to destroy the political careers of some of this nation's most courageous leaders.

They've drawn up a "hit list" aimed at defeating men like Senators Bayh, Culver, McGovern and Packwood, and Representatives Morris Udall and Joe Fisher.

Judging from the amount of money they're spending and the recent polls I've seen, they're dangerously close to defeating some of the most effective voices we have on our side.

- On to The Presidency -- They've gone beyond Congress to the Presidency. Ronald Reagan strongly supports The Human Life Amendment and his candidacy is backed by a platform which these extremists helped forge. A platform which calls for abolition of abortion . . . passage of The Human Life Amendment . . . and -- unbelievable as it sounds -- a "litmus test" for new appointments to the federal judiciary. A test designed to insure that new judges would not decide a case in favor of abortion.

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That is why . . .

We at PLANNED PARENTHOOD are asking you and all Americans who truly value our fundamental rights to no longer remain silent but to stand up and be counted with us to stop the zealous minority who wish to impose their dogmatic will upon us all.

PLANNED PARENTHOOD is by no means a newcomer to the human rights scene. Quite the contrary! For over sixty years we have been the acknowledged preeminent force in advancing the right of all Americans to know the facts about their bodies and in defending our right to determine our own fertility. Actually, PLANNED PARENTHOOD has been quietly helping so many millions upon millions of women, men and families for so long that we have come to be considered a highly respected part of the establishment -- the progressive, thinking establishment, at least!

But that was not always the case. What many people, even those who have directly benefited from our family-planning work, do not know is that PLANNED PARENTHOOD was founded by a determined woman who was jailed many times before she saw her dream become reality.

Margaret Sanger, an American pioneer in the truest and noblest self-sacrificing sense, was committed to seeing that the poor women in 1916 did not have their "right to life" destroyed by a cycle of oversized families and poverty. And she dedicated her own life to freeing these helpless women from a succession of unwanted pregnancies, which often led to early deaths in childbirth. And she launched her courageous crusade: To educate American parents on how to control the size of their families -- how to plan parenthood. For this "crime" she was arrested and jailed time and again. Yet, on each release from imprisonment, Margaret Sanger with quiet determination returned to her just cause: freeing women the world over from the slavery of uncontrolled reproduction.

Today, her dream -- PLANNED PARENTHOOD -- is a reality with over 100,000 supporters, 20,000 active volunteers, over 700 clinics in the United States, and with programs in 111 foreign countries. And now, more than 100 years after her birth, Margaret Sanger's memory is honored throughout the world by men and women who understand her monumental achievements for humanity.

Yet, the same kind of thinking which sent Mrs. Sanger to jail is still with us. Often it takes an ugly form. When clinics were burned we saw it explode into violence that threatened lives and property. Most importantly, this effort to impose the beliefs of some on the rest of us threatens our most cherished rights and freedoms.

-- Although seven years earlier the Supreme Court had ruled that a woman has the right to choose when and if to bear a child, the Court's Hyde decision in June of this year is a clear victory for anti-abortionists in their battle of coercion and intimidation to negate the right to choice. Thus, while polls show that the majority of Americans favor legalized abortions,

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militant anti-abortion elements have badgered Congress into cutting off all federal funds for abortions. The result: poverty-stricken women, those who most desperately need to exercise their right of choice, are forced to resort to the dangers of self-induced abortions or to the degradation of motel-room butchers.

-- Where local funding for abortions is still available to those in need, the anti-abortionists are browbeating legislators into restricting or curtailing available funds. And, where they fail, they often rely on their ultimate weapon -- violence -- vandalizing the clinics which offer impoverished women their only hope for a safe abortion, and threatening the lives of the staffs.

-- While the Right-to-Lifers and their right-wing allies have kept a low profile on their staunch opposition to contraception, they are now becoming more and more vociferous in demanding the banning of "the Pill" and IUDs which they term "silent abortion" methods. In their headstrong drive to outlaw these proven birth-control devices, they again demonstrate their misplaced concern for a fertilized egg over the truly living.

-- With teenage pregnancies now openly acknowledged as a rampant "epidemic" (one million a year; two every minute!), there are still those who wish to force us to bury our heads in the sands of ignorance when it comes to sex education. They refuse to face the facts of life -- that sex education provides teenagers with a true understanding of their sexuality and their sexual responsibility. Sexual ignorance or misinformation gleaned on street corners leads to frightening statistics such as these: babies born to teenage mothers are two to three times more likely to die in their first year; teen maternal death risk is 60% higher than for mothers in their twenties; unwanted babies cause 80% of their teenage parents to drop out of school and usually onto welfare; clandestine and self-induced abortions threaten the lives and future health of thousands of young girls every year!

And while those who vehemently oppose legalized abortion, contraception, sex education and family planning are fighting to nullify our right to determine our own fertility, they are also threatening all our civil rights. So adamant are these short-sighted extremists to impose their beliefs upon all Americans that they are calling for a Constitutional Convention to strip all women of their right to abortion! BUT . . .

A WARNING: Once a Constitutional Convention is called -- for whatever reasons -- there is absolutely no restriction on the

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areas of this document that can be tampered with or entirely rewritten. And the extreme right-wingers, who have joined the anti-choice forces in calling for this convention, see it as their golden opportunity to remold even the Bill of Rights to their own views.

The threat of a Constitutional Convention dominated by the so-called "Pro-Life" forces is real! Already 19 state legislatures have caved in under the incredible pressure mounted by the anti-choice zealots and have passed resolutions calling for the convention. Only 15 more states have to follow suit. Then Congress would be forced -- by the Constitution itself -- to call a convention that could mean the end of personal freedoms and civil liberties we have known since this nation was founded.

If you have not fully realized the true extent of the danger facing us all, you are not alone. Many PLANNED PARENTHOOD supporters and even staff members have felt we should ignore the Right-to-Lifers and quietly continue our vital activities in the name of humanity, as we have for over 60 years. However, the recent Supreme Court ruling, which seriously abridges the right of poor women to choose, the reign of terror against pro-choice groups in the form of clinic burning and harassment of patients and the horrifying prospect of a Constitutional Convention, have welded us all into a firm resolve to . . .

STOP the insane headlong rush toward a Constitutional Convention by awakening all Americans to the real threat it poses to us all. We must create a groundswell of grassroots opposition that will silence the rantings of the anti-choice minority and the right-wing fanatics.

STOP the blatant discrimination against poor women by challenging in the Congress and the state legislatures the cut-off of funds for abortions.

STOP the rising tide of red-tape restrictions on legal abortions, foisted on municipal and state governments by anti-choice factions. The vast bulk of these regulations are purely technical barriers to prevent women from exercising their personal right to an abortion, a freedom the Supreme Court has declared as constitutionally theirs and has now seriously undermined with its Hyde decision.

STOP the further erosion of a woman's right to choose by well-funded zealots who are pushing for more restrictive legislation, more stringent court rulings, and, worst of all, a constitutional amendment that would make all abortions illegal!

STOP the return to the "dark ages" of back-room and self-induced abortions, by establishing an emergency loan program which will

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help finance safe, professional abortions for women in financial need who have been ruthlessly denied federal and state funds.

STOP the spread of teenage pregnancies which now extends across every ethnic and financial group in the nation. The only way we can curb this tragedy is by instilling in each teenager sexual understanding and responsibility, before he or she becomes another unprepared parent of yet another unwanted, unloved child.

What we at PLANNED PARENTHOOD cannot and will not stop is the uninterrupted delivery of the life-enriching services we provide, regardless of the threats against us.

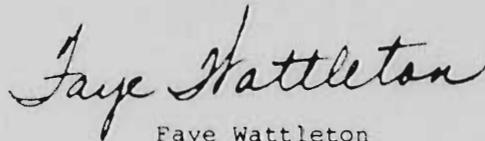
However, to meet the challenge of those who wish to plunge us all back into the "sex-is-taboo" mentality of Margaret Sanger's day and, at the same time, to maintain our vital ongoing programs, places an enormous demand upon our finances.

Therefore, we at PLANNED PARENTHOOD seek your personal support.

In 1916, Margaret Sanger suffered unrelenting ridicule, arrests and jail sentences before she saw her unflinching belief in the right of all men and women to intelligently plan their parenthood become a reality in PLANNED PARENTHOOD. For the last few years, our professional medical staffs and thousands of volunteers have bravely worked under threats of harassment and violence in order to guarantee that the most personal of all our civil liberties is not destroyed.

Now, we at PLANNED PARENTHOOD do not ask that you make such a personal sacrifice. We only ask that you look to your conscience and then contribute what you can. Every dollar you send us will be immediately put to full use to help us carry on our humanitarian services, helping people the world over plan their parenthood.

Sincerely,



Faye Wattleton
President



Yes, I want to stand up and say STOP to those who would force their beliefs on me and take away my right to be in charge of my own body!

Therefore, I'm enclosing my tax-deductible contribution to help Planned Parenthood further its 50 years of humanitarian services in advancing our right to know the facts about our bodies and in defending our right to intelligently plan our parenthood.

Enclosed is my contribution of

\$15 \$25 \$30 \$50 \$100 \$500 \$1,000 Other \$ _____

I would also like to receive a free copy of

- How to Talk to Your Teenager About Something That's Not Easy to Talk About*
- Basics of Birth Control*

I would like to do more. Please tell me how I can become one of *Planned Parenthood's* over 20,000 volunteers.

Planned Parenthood 810 Seventh Avenue, New York, New York 10019

AFFIDAVIT OF FAYE WATTLETON
IN RESPONSE TO COMPLAINT NO. MUR 1318

Faye Wattleton, being duly sworn, states:

1) I am President (Chief Executive Officer of Planned Parenthood Federation of America, Inc. ("PPFA"). I work at the Federation's national headquarters at 810 7th Avenue, New York, New York 10019.

2) I am making this statement in support of the annexed reply to complaint number MUR 1318, filed against PPFA by the National Right to Life Committee on October 20, 1980.

3) PPFA is a not-for-profit corporation organized in 1922 under the laws of the State of New York and exempt from federal taxation under §501(c)(3) of the Internal Revenue Code.

4) One of the purposes of PPFA as set forth in its Certificate of Incorporation is to make voluntary fertility control services, including abortion, available to all who need and want them.

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5) In keeping with this goal, PPFA has launched a Public Impact Program to defend the right to reproductive choice. One of the components of this Program is public relations and other communications activities promoting public awareness of family planning issues and concerns.

6) As part of this communications component, PPFA has developed print and broadcast media messages which may be run as paid advertising or public service announcements. The theme of these messages is "Helping Build a Strong America by Helping Build Strong American Families."

7) As part of its Public Impact Program, PPFA has run one other ad this year. In response to the Supreme Court's June, 1980 decision in Harris v. McRae, PPFA purchased advertising space to solicit contributions to the Justice Fund, a special fund established in 1977 to defend the right to reproductive choice after three decisions by the U.S. Supreme Court permitted the states to deny public funding for abortions. The theme of the ad, run on July 3, 1980 in several major newspapers, was "For 2,600,000 American Women The Torch of Liberty Just Went Out." The copy

for this ad was distributed to all PPFA affiliates. I have no knowledge whether or not the ad was in fact run by any PPFA affiliate.

8) As part of its Public Impact Program PPFA has assisted its Minnesota and Mid-Iowa affiliates in developing their own ad campaigns. The purpose of these ads is to alert the public to threats to the right of reproductive choice and to urge individuals to join the affiliate by volunteering time or money.

9) For the balance of this year PPFA plans to continue its assistance to the Mid-Iowa campaign and help its Arizona affiliate launch a new campaign.

10) With the exception a single advertisement jointly published by PPFA and PPNYC in 1977 following three Supreme Court decisions limiting the access of poor women to abortion services and the PPFA advertisements referred in paragraphs 6 and 7 hereof, PPFA has not itself run or assisted its affiliates in running any other advertising campaigns. PPFA's affiliates are separate corporate entities and may develop their own public affairs and communications

programs.

11) None of PPFA's ads or public service campaigns have been undertaken for the purpose of influencing the election of any person to public office, nor have they been undertaken with the cooperation or consent or at the suggestion of any candidate, his agent, or authorized committee. The sole purpose of PPFA's public affairs activities is to inform the public regarding issues that concern the organization.

12) PPFA's Certificate of Incorporation and tax exempt status under § 501(c)(3) of the Internal Revenue Code prohibit it from participating or intervening directly or indirectly in any political campaign of any candidate for public office.

13) From August through October, 1980, I sent a letter to potential contributors describing some of the activities of the "right to life" (anti-abortion) movement. Among these described activities were influencing the platform of the Republican Party, lobbying for legislation restricting the exercise of the right of free choice in matters regarding

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reproductive freedom and attempting to assure the defeat of pro-choice legislators. The purpose of the letter, as clearly set forth therein, was to raise contributions to PPFA to permit it to carry on activities aimed at defending the right of every individual to choose abortion. None of these PPFA activities, as described on pages four and five of the letter, involved combatting the electoral activities of the "right to life" movement.

14) The description of "right to life" activities in the letter was entirely in the context of a factual description of the "right to life" movement. Such description was necessary to alert persons sympathetic to PPFA to the extent of the opposition to the organization and the principles for which it stands. Informing individuals of the scope of the opposition, was dsigned to move individuals to contribute to PPFA to help it carry on its struggle outside of the electoral arena in the legislatures, the courts and administrative agencies and to educate the public at large as to the factual background and social and constitutional issues involved in the struggle to insure full access and availability to every individual of all effective and lawful forms of fertility control.

Faye Wattleton
FAYE WATTLETON

Sworn to and subscribed
before me this 19th day
of November, 1980.

Dara Kassel

DARA KASSEL
Notary Public
Qualified in Kings County
Registration No. 4687641
Term Expires 3/30/81

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PART II

STATEMENT OF FACTS RELEVANT TO
THE COMPLAINT AGAINST PPNYC

The complaint of the National Right to Life Committee alleges that "Planned Parenthood [PPFA] and its New York affiliate [PPNYC] have violated and continue to violate Section 441b of the Federal Election Campaign Act" in launching a campaign to influence the 1980 federal elections" by supporting selected Senators and Representatives. The sole evidence adduced by complainant in support of this allegation against PPNYC is the running of various advertisements by PPNYC and a number of other PPFA affiliates.*

*The complaint also refers to a fund-raising letter published by PPFA. This is discussed in the response of PPFA. Since PPNYC is a separately incorporated legal entity this letter is wholly irrelevant to any alleged violation of the Act on the part of PPNYC.

A newspaper article attached to the complaint also refers to a conference held by PPNYC on September 13. Although this is not mentioned in the complaint itself, for the benefit of the Commission, we wish to clarify that this conference, to which all individuals on PPNYC's public action mailing list as well as contributors to PPNYC, its Board and staff were invited, was intended to educate its supporters as to the nature of the "right to life" and related movements in connection with its lobbying activities. The conference involved, in addition to talks by people familiar with the goals and policies promoted by the "right to life" movement, workshops designed to develop skills in lobbying activities.

A review of these ads and the background relating to their publication will clearly establish (1) that the ads published by PPFA, PPNYC and other affiliates were undertaken independently by each respective corporate entity and accordingly formed no part of any such alleged campaign; and (2) that the ads published by PPNYC were not addressed to any election for federal office but were rather an integral part of a major public affairs program designed, in accordance with its corporate purposes, to educate the public as to issues of vital importance to PPNYC and to influence significant legislation bearing on those issues

(Footnote continued from previous page.)

On November 21 we received an additional letter submitted by the Complainant to the Commission on October 29, 1980. This letter alleges that the executive director of Planned Parenthood of Rockland, Joyce Lisbin-Domena, stated that "Planned Parenthood['s] ad campaign is intended to have an impact upon the elections . . ." and quotes a statement taken from a newspaper story to the effect that the reason the ads were run in the Rockland area was because of "The Right to Life Party's success at the ballot box." Aside from the fact that PPNYC has no control over or responsibility for what the executive director of the Rockland affiliate may say, a careful review of the article demonstrates that Complainant's reading of the statement is erroneous and taken out of context. Indeed other statements contained in the article by Ms. Lisbin-Domena and by Doug Gould of PPNYC demonstrate that Rockland was chosen as an area in need of education because of the showing the Right to Life Party made in an election a year earlier. And as stated by Mr. Gould, additional advertisements would be running "in light of the possible recovering of the State Legislature after next month's election" which in fact took place and in which restrictive legislating relating to abortion was again considered.

within the State of New York.

PPNYC is a not-for-profit corporation organized in 1968 under the laws of the State of New York and exempt from taxation under § 501(c)(3) of the Internal Revenue Code. It is the nation's largest provider of comprehensive fertility management services. PPNYC operates state licensed clinics in New York's four major boroughs as well as two city-wide telephone information and referral services and conducts a variety of community based outreach and education programs related to reproductive health care. Approximately 100,000 New Yorkers each year are directly served by these programs and over 200,000 others are in some way touched by a PPNYC activity. PPNYC's Margaret Sanger Center, located in Manhattan, is the largest and most comprehensive reproductive health care center in the nation providing, under one roof, the full range of birth control services, including contraception, pregnancy detection, abortion, male and female sterilization, diagnosis and treatment of infertility, colposcopy, venereal disease screening and treatment, diagnosis and treatment of gynecological infections and direct referral for hospital services, when needed.

In addition to medical services provided by its

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clinics, PPNYC, both independently and in cooperation with the New York state and federal governments, conducts innovative programs in the reproductive health care field. These include training programs for nurse practitioners and foreign physicians, programs designed to educate consumers of reproductive health care services, and technical assistance to other agencies and organizations.

In connection with all of the foregoing activities, and on the basis of the broad knowledge generated by its experiences in the field of reproductive health care, PPNYC maintains a vigorous public affairs program designed to educate the public and officials at all levels and in all branches of government as to the facts and issues relating to such care, including such crucial issues of public concern as teenage pregnancy, sex education and abortion.

The foregoing activities are conducted by PPNYC in accordance with its charitable and educational purposes as set forth in its Certificate of Incorporation:

* * *

(a) To establish, operate and maintain eleven (11) treatment and diagnostic centers . . . wherein medically approved birth-control information, advice and treatment will be provided . . .

To establish operate and maintain facilities, the primary functions of which shall be the performance of abortion services under medically approved and supervised circumstances . . .

(b) To provide leadership for the universal acceptance of family planning as an essential element of responsible parenthood, stable family life and social harmony;

(c) To provide information for family planning and study the social and economic consequences of various rates of population increase;

(d) To provide information about control of conception without regard to race, color or creed;

* * *

(g) To provide medically approved birth control information in conformity with the laws of the State of New York . . ."

* * *

In accordance with Article VI of its Bylaws, PPNYC is required to conduct its affairs "in a manner consistent with the standards of Affiliation promulgated by the Federation [PPFA]." Under these standards (Article XII of the Bylaws of PPFA) PPNYC is required to "publicly support the purposes and policies of PPFA" and to "develop a program to further those purposes and policies"; to "serve as a

source of education and information about voluntary fertility control", to "develop varied programs to assure that such education and information are available and to "see that available and accessible family planning services are maintained in its defined area." Apart from complying with these general requirements, upon which PPNYC's affiliation with PPFA is conditioned, PPNYC does not participate except as a member in the activities of PPFA and is not required to obtain the direct participation or approval of PPFA in any of its public affairs activities.

PPNYC's public affairs activities have been an integral part of its overall program since the incorporation of the organization in 1968. In 1976 PPNYC established a Public Issues and Action Program ("PIAP") to deal with the then pressing issues of sterilization legislation in New York City, parental consent regarding teenage abortion in New York State and the Hyde amendment which amended the DHEW-Department of Labor Appropriations Bill to cut off federal Medicaid funding of abortions for poor women. PIAP includes public education, lobbying and litigation designed to preserve the right of every woman to have access to all effective forms of reproductive health care.

In connection with the lobbying component of

PIAP, PPNYC employs a staff person who spends substantial time in Albany; helped establish and contributes to Family Planning Advocates, a lobbying group located in Albany; runs buses of supporters of pro-choice legislation to the State Legislature when crucial bills are pending, and reports regularly to those on its public action mailing list as to the status of pending legislation in the area of reproductive health care and the voting records of state legislators on these issues. In October of 1976, following the passage of the Hyde amendment, PPNYC initiated, as a co-plaintiff, the litigation, Harris v. McRae, challenging the constitutionality of the Hyde amendment, which was eventually to reach the Supreme Court.

A history of PPNYC's public affairs program makes clear that the ads complained of in the complaint are an ongoing component of this general public affairs program. As early as July of 1977 PPNYC, together with PPFA* ran an ad in The New York Times in response to three decisions of the Supreme Court in June of that year which severely limited the access of poor women to abortion services

*This is the only ad which has been jointly run by PPFA and PPNYC.

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(Exhibit A). In 1978 PPNYC ran an ad in The New York Times addressing legislation introduced in the New York State legislature to cut off State Medicaid funding of abortions (Exhibit B). An ad on the same subject was run in March of 1979 (Exhibit C). Similarly, in the spring of 1980 when the New York legislature was considering legislation which would have required parental consent as a condition of a teenager's obtaining an abortion, PPNYC ran full page ads in The New York Times and in Albany entitled "The Pregnant Teenager---The New Political Pawn?" (Exhibit D). Again, in June of 1980, PPNYC ran a series of three quarter page ads in The New York Times, in the Westchester Gannet chain and in local papers in Albany, Rochester and Buffalo reporting the results of polls which it had conducted on public attitudes towards sex education use of contraception and the right to abortion (Exhibit E).

On June 30, 1980, the Supreme Court in the case of Harris v. McRae, referred to above, held valid the Hyde Amendment, prohibiting the use of federal funds to finance most abortions for poor women dependent on Medicaid. In response to this decision PPNYC published an ad in The New York Times, on July 6, 1980 (Exhibit F).

Because the Hyde Amendment relates only to

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federal Medicaid funds, the states remain free, following the McRae decision, to fund abortions through state funds under their Medicaid programs. The result of the McRae decision was accordingly to throw into the State legislatures the question of whether poor women's abortions will be financed under the Medicaid program. In New York this decision intensified the already strong pressures being imposed by the "right to life" movement on state legislators to pass restrictive legislation both as to funding and availability of abortion services. At the same time the formation in New York State by certain elements of the "right to life" movement of the Right to Life Party and the appearance of that party on the ballot in New York thrust the issue of abortion into the 1980 election campaigns.

The ads referred to in the complaint, a series of six (Exhibit G), were originally scheduled to run in the summer of 1980 as part of PPNYC's ongoing public affairs campaign. As a result, however, of a change in PPNYC's advertising agency, the publication of the ads was delayed until the second week of September. As is clear from their text, the purpose of this series of ads was to respond to the situation created by the Harris v. McRae decision and the ongoing public controversy surrounding the abortion

issue in New York. They were intended to alert the public as well as New York legislators to the threat to individual freedom of choice posed by the kind of legislation actively promoted by the "right to life" movement as well as to request financial and other support of PPNYC during a period when issues of critical importance to the organization had become the focus of intense debate in the public press and within the State legislature. No one of the six ads refers to any candidate, electoral race, or indeed even to any party involved in any such race. Rather the ads are concerned solely with the "right to life" movement and its goals in the context of attempts by the movement to influence the New York State Legislature to enact legislation restricting access to abortion. Indeed, legislation prohibiting the expenditure of state funds for Medicaid abortions has been considered in the Legislature and passed by the State Senate in the special November session following the election.

With regard to similar ads published by Planned Parenthood affiliates other than PPNYC, it has been a long standing policy of PPNYC to provide other organizations and individuals interested in the field of reproductive health with factual information regarding current issues in the

field as well as with material which it generates. In accordance with this policy PPNYC sent copies of the six ads referred to in the complaint to every New York State legislator, members of the boards of national organizations in the reproductive health field and all PPFA affiliates. These ads were provided to other affiliates as a service by PPNYC, and PPNYC had no control over their use by other PPFA affiliates. However, PPNYC has been advised that the ads have been run by five other affiliates and six additional affiliates are planning to run the ads in connection with forthcoming legislative sessions in their state.

The ads published by PPNYC itself are accordingly the only basis upon which the complaint's allegations are founded. But these ads are clearly related to and part of PPNYC's legitimate educational and lobbying activities undertaken in accordance with the organization's not-for-profit corporate purposes. The ads were in no way intended to influence the outcome of any federal election and were independently developed by PPNYC. No candidate or political organization has ever been involved in any way in developing or carrying out any of PPNYC's public affairs activities.

PIAP was initiated at a time when the issues of

concern to PPNYC were at the forefront of the public consciousness. The prominence of these issues in 1980 is the result of their politicization by forces opposing abortion, particularly in New York State where the Right to Life Party secured a place on the 1978 and 1980 ballots.

As the Supreme Court recognized in Buckley v. Valeo (See p. 1 Part III), any subject of major public concern is likely to become an issue in electoral politics. The formation of a single issue party cannot and should not appropriate that issue exclusively to the realm of electoral politics and bar an organization directly concerned with the issue from participating in public debate on that issue. Indeed in such circumstances it is of utmost importance that the public have the broadest possible access to information relating to the issue so that individuals may intelligently evaluate the substance of such debate. It is cynical to say the least for the National Right to Life Committee, which has itself done everything it can to politicize the issue, now to suggest that its positions on the issues of abortion and contraception may not be mentioned publicly by the nation's largest provider of reproductive health services without violating § 441b of the Federal Election Campaign Act.

PART III

LEGAL ARGUMENT

- A. To Construe the Federal Election Campaign Act to Prohibit The Public Affairs Activities of PPFA and PPNYC Would Violate the First Amendment.

The Supreme Court held in its landmark decision in Buckley v. Valeo, 424 U.S. 1 (1976), that the Federal Election Campaign Act must be interpreted very narrowly to avoid impeding the wide-open discussion of issues of public importance which forms the core of First Amendment rights. Under this holding, a construction of the Act which would prohibit the kind of public affairs activities in which PPFA and PPNYC engage, that is, vigorous and independent discussion of issues of concern to the organization and to the public, would clearly run afoul of the First Amendment.

The complaint herein charges both organizations with violating section 441b of the Act which prohibits corporations from making contributions and expenditures "in connection with" federal elections. As the term "in connection with" is nowhere defined, the extent of the "connection" between a federal election and the activity on the part of a corporation required to bring the activity within the purview of the statute is by no means clear. In dealing with other provisions of the statute similarly devoid of precise definition, the Supreme Court held in

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Buckley that the statute must be interpreted to apply only to activity which is unambiguously related to a campaign for federal office in order to avoid constitutional invalidity on the ground of vagueness. As the Court explicitly recognized in in Buckley (dealing with a constitutional challenge to the provisions of the Federal Election Campaign Act not here involved):

[The entire Act] operate[s] in an area of the most fundamental First Amendment activities. Discussion of public issues and debate on the qualifications of candidates are integral to the operation of the system of government established by our Constitution. The First Amendment affords the broadest protection to such political expression in order 'to assure [the] unfettered interchange of ideas for the bringing about of political and social changes desired by the people.' 424 U.S. 1, 14 (1976), citing Roth v. United States, 354 U.S. 476, 484 (1957).

Consequently, "[b]ecause First Amendment freedoms need breathing space to survive, government must regulate in the area only with narrow specificity." 424 U.S. at 41, n.48, citing NAACP v. Button, 371 U.S. 415, 433 (1963).

In dealing with a vagueness challenge to former section 608(e)(1) of the Act which limited spending "relative to a clearly identified candidate", the Court

in Buckley, accordingly held that, in order to survive constitutional challenge, the term "relative to" can mean no more than "communications that include explicit words of advocacy of election or defeat of a candidate." [Emphasis added] 428 U.S. at 43. To read the phrase more broadly, it concluded, would inhibit the free and open discussion protected by the First Amendment. For, "[c]andidates, especially incumbents, are intimately tied to public issues involving legislative proposals and governmental actions. Not only do candidates campaign on the basis of their positions on various public issues, but campaigns themselves generate issues of public interest." 424 U.S. at 42.

Similarly, the Court upheld the Act's reporting requirements only after an extremely narrow construction of who must report and what must be reported. The Court first discussed the vagueness problems raised by the requirement that political committees report their contributions and expenditures. Since "political committee" was defined only in terms of the amount of its contributions and expenditures, the phrase might have been interpreted to encompass groups engaged solely in the discussion of issues. Because such an interpretation would fall outside the "core area sought to be addressed by Congress," the Court held that the term referred narrowly to "organizations that are

under the control of a candidate or the major purpose of which is the nomination or election of a candidate." 424 at 79.

The Court next construed the Act's definition of reportable "contributions and expenditures" as payments "for the purpose of . . . influencing" a federal election. Like the "relative to" language of former section 608(e)(i), the term "for the purpose of" was undefined by the Act and presented similar vagueness problems "particularly treacherous where, as here, the violation of its terms carries criminal penalties and fear of incurring these sanctions may deter those who seek to exercise protected First Amendment rights." 424 U.S. at 76-7. These provisions share "the same potential for encompassing both issue discussion and advocacy of a political result." Accordingly, these terms were interpreted to apply only to activities unambiguously related to federal election campaigns.

"Contributions" were held by the Court to include both direct and indirect contributions to a political candidate and expenditures in cooperation with or with the consent of the candidate. In the case of expenditures made independently of any candidate, "the relation of the information sought to the purposes of the Act may be too

remote. To ensure that the reach of § 434(e) is not impermissibly broad, we construe 'expenditure' . . . to reach only funds used for communications that expressly advocate the election or defeat of a clearly identified candidate." 424 U.S. at 79-80. Thus narrowly defined, the reporting requirements were upheld.

Although Buckley did not deal with section 441b's prohibition on corporate activities "in connection with" federal elections, the same principles of narrow construction necessarily apply. The clear teaching of Buckley is that the entire Act implicates First Amendment rights and must be narrowly construed to apply only to activities which are unambiguously related to federal election campaigns so as to avoid unconstitutional curtailment of the free discussion of issues of public importance. The nexus of activity and election must be extremely close; even in the least onerous of the Act's provisions, the reporting requirements, expenditures not made at the behest of or with the consent of the candidate need only be reported if they expressly advocate election or defeat of a clearly identified candidate. Section 441b's total prohibition of expenditures and contributions may not be interpreted more broadly.

Indeed, the language of § 441b is potentially vaguer than that considered in the Buckley case. As § 608(e)(1) limited spending "relative to a clearly identified candidate", and the reporting requirements defined "contributions and expenditures" in terms of payment "for the purpose . . . of influencing" nomination or election of candidates for federal office, it was at least clear that, in the one case, the expenditure related to a candidate for public office and, in the other, was made for the purpose of having some effect on the outcome of the election. The "in connection with" language of § 441b is not so limited. Broadly interpreted it would extend to non partisan expenditures such as public education as to the mechanics of voting, an activity which not only does not expressly advocate the election or defeat of a clearly identified candidate but indeed is not in any way intended to influence the election of any candidate for federal office.

The potential for conflict with the First Amendment posed by a broad construction of the "in connection with" language contained in § 441b becomes even more apparent when read in the context of the definition of "election" contained in § 431 of the Act. Subparagraph (1)(B) of § 431 includes in the definition of "election" a "convention or caucus of a political party which has authority to nominate

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a candidate". Thus, if § 441b were construed to apply to any expenditure made "in connection with" a federal "election" or even if it were limited to an expenditure made for the purpose of influencing the outcome of a federal "election", it would prohibit corporations, including not-for-profit corporations concerned with issues of major public concern, from (1) making any expenditures designed to educate candidates as to factual information relating to those issues; (2) publishing purely factual information needed by the public to evaluate issues of public concern debated during the election campaign, and (3) having any input into party platforms dealing with those issues. The result of such an interpretation, to restrict public access to information crucial to an intelligent evaluation of the issues, is entirely contrary to the First Amendment.

The fact that Section 441b involves corporations rather than individuals or other groups does not affect the application of the First Amendment in considering its validity. Where the discussion of issues of public interest is involved, the Supreme Court has clearly held that the First Amendment affords the same rights to corporations as to individuals. In First National Bank of Boston v. Bellotti, 435 U.S. 765 (1978), the Court struck down a Massachusetts statute prohibiting, with certain exceptions, corporate spending directed at influencing the outcome of

public voting on a referendum. Conceding that such a statute would be unconstitutional with regard to individuals, the state argued that corporate First Amendment rights could be more strictly regulated. The Court disagreed, holding that it was the content of the speech and its importance to the free exchange of ideas, not the speaker's identity, that controlled.

"The speech proposed by appellants is at the heart of the First Amendment's protection. 'The freedom of speech and of the press guaranteed by the Constitution embraces at the least the liberty to discuss publicly and truthfully all matters of public concern without previous restraint or fear of subsequent punishment. . . . Freedom of discussion, if it would fulfill its historic function in this nation, must embrace all issues about which information is needed or appropriate to enable the members of society to cope with the exigencies of their period.'" 435 U.S. at 776, citing Thornhill v. Alabama, 310 U.S. 88, 101-102 (1940).

More recently in Consolidated Edison Company of New York, Inc. v. Public Service Commission, 48 USLW 4776 (1980), the Court affirmed that the protections of the First Amendment extend to comment by corporations on issues of public interest. In that case the Supreme Court reversed a decision of the New York Court of Appeals which had upheld a ruling of the N.Y. Public Service Commission prohibiting the corporation from including inserts discussing political matters in its bills.

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The type of speech engaged in by PPFA and PPNYC is identical to that involved in First National Bank of Boston. It concerns one of the primary issues of concern to the public today - freedom of choice regarding human reproduction. And it does not fall within that narrow range of electorally related speech which the Buckley Court held to be subject to regulation by Congress.

Numerous courts, before and since Buckley, have held that activities such as those engaged in by PPFA and PPNYC are outside the scope of the Act and have explicitly stated that to interpret the Act otherwise would raise serious questions as to its constitutionality. Most recently, in FEC v. Central Long Island Tax Reform Immediately Committee, 616 F.2d 45 (2d Cir. 1980), it was held that a group's publication during an election campaign of the voting record of an incumbent office-holder in regard to the issue of government spending was not subject to the Act's reporting requirements. Although the materials did not expressly advocate the re-election or defeat of the incumbent, the Commission argued that their hidden purpose was to "unseat big spenders." The court considered this irrelevant: absent express advocacy of election or defeat of a particular candidate, the group's activities did not fall within the statute. To hold that they did would be

inconsistent with the firmly established principle that "the right to speak out at election time is one of the most zealously protected under the Constitution", 616 F.2d at 53, and would be antithetical to the Supreme Court's holding in Buckley.

PPFA's and PPNYC's advertisements are even less electorally related than those involved in the Central Long Island Tax Reform case. They make no mention of the name of any candidate. They involve only the discussion of issues of public interest. And, as the holdings in that case and in Buckley make clear, discussion of issues can not fall within the purview of the Act by virtue of the fact that it takes place at the time of a federal election. See also, United States v. National Committee for Impeachment, 469 F.2d 1135, 1139-42 (2d Cir. 1972); A.C.L.U. v. Jennings, 366 F.Supp. 1041, 1055-57 (D.C. Cir. 1973) vacated for mootness sub nom. Staats v. A.C.L.U., 422 U.S. 1030 (1975) ("political committee" may not, consistent with the First Amendment, include non-partisan organizations): Ash v. Cort, 350 F.Supp. 227, 232 (E.D. Pa. 1972), aff'd, 471 F.2d 811 (3d Cir. 1973), rev'd on other grounds, 422 U.S. 66 (1975) (corporate advertisement advocating honest elections may not, consistent with the Constitution, be within the purview of § 441b).

If the Act were interpreted to extend to the

public affairs activities of PPFA and PPNYC complained of by the National Right to Life Committee, the Act would, under these cases, be clearly invalid under the First Amendment of the U.S. Constitution.

B. The Act Does Not Regulate Independent Advocacy Such As That Engaged In By PPFA and PPNYC.

In response to the Supreme Court's decision in Buckley, Congress revised the sections of the Act there involved to repeal unconstitutional provisions and narrow potentially vague terms. Section 441b, which was not before the Court in Buckley, was not amended or, as far as can be determined from the legislative history of the amendments, considered by Congress in connection with the amendments. An analysis of the amended portions of the statute again establishes that the type of activity engaged in by PPFA is simply outside the regulatory framework of the Act as a whole.

The statute divides expenditures into two categories. The first category is "expenditures made by any person in cooperation, consultation, or concert, with, or at the request or suggestion of, a candidate, his authorized committees, or their agents . . . "Such expenditures are treated as contributions and subject to specific dollar

limits. 2 U.S.C. § 441a(a)(1) and (a)(7)(B)(i). A second type of expenditures, termed "independent expenditures", are subject only to the reporting requirements of section 434(b)(4)(H)(iii). "Independent expenditures" are defined as those made without cooperation or consultation with any candidate, and not in concert with, or at the request or suggestion of any candidate, or any authorized committee or agent of such candidate." 2 U.S.C. § 431(17). The definition of independent expenditures is further narrowed to refer only to "an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate." Id. "Clearly identified" is, in turn, precisely defined as meaning that the name of a candidate, or his photograph or drawing appears, or that he is identified by "unambiguous reference". 2 U.S.C. § 431(18).

The Act thus imposes neither dollar limits nor reporting requirements on independent expenditures which do not expressly advocate a candidate's election or defeat. In other words, all independent expenditures which do not "clearly identify" a candidate are simply outside the Act's regulatory framework. Since PPFA's and PPNYC's activities are similarly independent and free of reference to any candidate they are also outside the application of the Act.

With respect to § 441b itself, a restrictive interpretation as to the scope of its application is

required by both its language and the legislative history relating to its enactment. Subsection (b) of Section 441b contains a similarly restrictive definition of "contribution or expenditure":

"(2) For purposes of this section . . . the term 'contribution or expenditure' shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value . . . to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section, . . ." [Emphasis added].

The section itself thus specifically limits the purview of its prohibition to contributions or expenditures to a particular candidate, political party or organization made in connection with an election for a particular federal office. None of PPFA's or PPNYC's expenditures fall within this proscription.

The present language of § 441b(a) was enacted long before the passage of the Federal Election Campaign Act. It derives from the Tillman Act, a statute enacted in 1907 which made it unlawful for national banks and corporations

to "make a money contribution in connection with" various elections. 34 Stat. 864. Given the limitation of the original prohibition - to "money contribution" - there can be little doubt that what the 1907 Congress sought to prohibit was the use of bank or corporate funds to control or to aid in controlling the election of specific candidates or of a specific party.

In 1925, Congress concluded that corporations and national banks were still free to make valuable non-money contributions to political candidates and political parties to aid them in winning their elections and so amended the statute, replacing the term "money contribution" with "contribution", defining that term broadly, and extending the prohibition to other elections. 43 Stat. 1070. In 1947, labor organizations were grouped with national banks and corporations, primaries and national conventions were included with the various elections, and the prohibition was further extended to include "expenditures." The inclusion of "expenditures" in the statutory scheme was intended to "plug up a loophole" (Statement by Sen. Taft, 93 Cong. Rec. 6439), that permitted corporations to publish advertisements advocating specific candidates (statement by Sen. Taft, 93 Cong. Rec. 6439) and that permitted labor unions to

distribute pamphlets opposing particular candidates and supporting their rivals.* Again, the perceived evil sought to be corrected was clearly the support of or opposition to specific candidates and specific parties.

More recent congressional history adds further support to this restrictive reading of the statutory prohibition. In 1971, when the Federal Election Campaign Act was enacted, Congress amended § 610 of Title 18, the section that then housed the prohibition against corporate contributions and expenditures, to include the present subparagraph (b) defining the term "contribution or expenditure". Congressman Hansen, the author of the amendment, explained on the floor of the House of Representatives that "[t]he effect of [the] language is to carry out the basic intent of section 610." (117 Cong. Rec. 43379). He continued by stating that:

"[t]he legislative history of section

*An incident involving the Ohio C.I.O.'s general distribution of pamphlets opposing the reelection of Senator Taft and supporting his rival provided the impetus for Congress to amend the statute. The C.I.O. claimed that its conduct was not a "contribution" but was merely "an expenditure [by the union] of its own funds to state its position to the world." See United States v. International Union Auto Workers, 352 U.S. 567, 580 (1957).

610 demonstrates that it was not Congress' intent in passing this provision to completely exclude these organizations from the political arena. That history, as the Justice Department, which has the responsibility for enforcing the statute, has stated, shows instead that the purpose of section 610 is simply to insure that '[w]hen a union [or corporation] undertakes active electioneering on behalf of particular federal candidates and designed to reach the public at large, [the organization's] general funds . . . may not be used' (Brief for the United States in U.S. v. UAW, 352 U.S. 567)." (117 Cong. Rec. 43379) [Emphasis added].

Both Mr. Hansen and Mr. Thompson, a supporter of the legislation, agreed that "the basic purpose of section 610 is to prohibit active electioneering by corporations and unions for Federal candidates directed at the public at large." (117 Cong. Rec. 43380, 43384) [Emphasis added].

Even prior to the inclusion of the restrictive definition of contribution or expenditure in Section 441b(b)(1), the Supreme Court had endorsed a narrow application of the prohibition contained in the Statute. In a 1957 case the Court stated unequivocally that "[t]he evil at which Congress has struck . . . is the use of corporation or union funds to influence the public at large to vote for

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a particular candidate or a particular party," and that the section was "understood to proscribe the expenditure of union dues to pay for commercial broadcasts that are designed to urge the public to elect a certain candidate or party." United States v. International Union Auto Workers, 352 U.S. 567, 589, 586-87 (1957) [Emphasis added].

The Commission has itself suggested that this interpretation of the statute is the correct one. In an Advisory Opinion on corporate promotion of voter registration the Commission quotes and relies on the Supreme Court's language quoted above in declaring the purpose of § 441b(a) and its predecessor 18 U.S.C. § 610 (FEC AO 80/20). In MUR No. 1235, closed on July 2, 1980, the Commission found no reason to believe that advertisements for a periodical which made favorable mention of a candidate violated §441b because "there [was] no evidence that the main purpose of these advertisements was to influence a Federal election . . . or . . . were made in coordination, cooperation, consultation, with or the suggestion of [the candidate] or his principle committee . . ."

Thus, the regulatory scheme of the statute as a whole the language of the section itself, its legislative history, judicial interpretation of its provisions and

relevant Commission opinions leave no doubt that the statute must be read to prohibit corporate contributions and expenditures only when they are clearly made in the support of or opposition to specific candidates for federal office.

C. Summary

Any interpretation of the language of § 441b of the Federal Election Campaign Act which would prohibit the public affairs activities of either PPFA or PPNYC as set forth in Parts I and II of this response would be in clear violation of the First Amendment to the United States Constitution. Moreover, no such interpretation is possible in light of the language of the section itself, its legislative history and the entire context of the Federal Election Campaign Act, all of which make clear that the purpose of the Act is to regulate only those activities which involve express advocacy of the election or defeat of clearly identified candidates.

EXHIBITS TO PART II



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In effect, the bill denies girls and their mothers to safe legal abortions to the very group most vulnerable to damage, physical and emotional."
Minister R. A. ... (see previous citation)

4 Invasion of the privacy of the doctor-patient relationship respected in all other surgical procedures.

This bill plainly says to physicians, "We don't trust you to know what is good medical practice, so act in accordance with professional standards."
Arnold Hoffman, M.D. (see previous citation)

5 Legal coercion of defenseless teens, who would have no counsel, no right of appeal, no guidance from social workers.

The girl may go only once to a judge and if he turns her down, that's it. She may get a hostile judge, or one who ran on the Right to Life issue. And, there's no guarantee of counsel."
Barbara Shack, Director, New York Civil Liberties Union, as reported in the Albany Times-Union, May 14, 1980

6 Forced childbearing due to court delays, causing birth of an unwanted child the teen mother can't care for, terrible risks to the teenager's health by continuing pregnancy, and the inability of the teenage mother to complete her education or gain employment.

Suppose we're behind on a case. If we don't act within a certain period of time (the abortion) can't be done. If a doctor can't, with his medical information, make a determination, then how can a Family Court judge?
Judge Allan Dixon, as reported in the Albany Times-Union (see previous citation)

(The article also said, according to Dixon, that most Family Court cases have a 90-day extension for consideration—no matter how urgent.)

The potential health risks involved in pregnancy are especially prominent among teenagers. Pregnant minors have a 50% higher incidence of high blood pressure, with kidney and liver involvement, nutritional deficiencies, prolonged labor, miscarriage and death than do older women. For those children who become pregnant before they are 15, the death rate for complications of pregnancy, birth and delivery is 60% greater than for those mothers who are in their early twenties. Approximately 80% of all teenage mothers never complete high school. Many have no job experience at the time of giving birth. Many are on welfare."
Final Report of the Governor's Commission to Review the New York Abortion Law as it Affects the Rights of Parents whose Minor Daughters seek Abortions, 1976, Joseph M. McLaughlin, Chairman, Dean, Fordham Law School

This bill interferes not just with the patient/doctor relationship...but also with the parent/daughter relationship.

Under this bill, if a young teenager, her parents, and her doctor all agree that abortion is in her best interests, but she is deemed to be incapable of making informed consent, then the parents would have to seek the court's permission to proceed. This is unfair, intrusive, and unconstitutional.



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YOU'RE ON THE RIGHT SIDE.

This document summarizes the results of a statewide survey of public opinion commissioned by Planned Parenthood of New York City and conducted by Penn and Schoen Associates between February 6th and 10th, 1980. 804 interviews were conducted by telephone with New York State residents, ages 18 or older, who were selected through a process known as random digit dialing. The theoretical error for a sample of this size is plus or minus 4.5 percent.

Penn and Schoen, which is an independent research firm, has reviewed this release of the findings of the survey and certifies that it fairly reflects public opinion in New York State and that it complies with the principles of disclosure of the National Council on Public Polls.

Planned Parenthood is a non-profit health agency. Our family planning programs include: contraception, sex education, treatment for infertility, voluntary sterilization, abortion, and adoption referral. To support our programs and public information efforts, please send a check in any amount you can to: Planned Parenthood, 380 Second Avenue, New York, New York 10010.

YOU'RE FOR CONTRACEPTION FOR ADULTS AND TEENAGERS.

And you're not alone.

91% agree for adults.

78% agree for teenagers.

Q: Do you have any moral or religious objections to the use of contraceptives by adults?

A:	No	Yes	Don't Know
	91%	8%	1%

Q: Do you have any moral or religious objections to the use of contraceptives by teenagers?

A:	No	Yes	Don't know
	78%	18%	3%

There are few people with moral or religious objections to the use of contraceptives by adults or teenagers. On the question of use by adults, almost all New Yorkers (91%) said they had no objections. Because the support is so broad, there is little difference when the results are analyzed by demographic categories such as sex, age, or education. 88% of Catholics now report no religious or moral objections to contraceptive use.

When asked about teenage use, more than 3/4ths of the respondents said they had no objections to it. 73% of Catholics polled had no objections. The overall findings show strong support for contraceptive use across the state.

YOU'RE FOR SEX EDUCATION IN PUBLIC SCHOOLS.

And you're not alone.

88% agree with you.

Q: Do you favor or oppose sex education in public schools?

A:	Favor	Oppose	Don't know
	88%	10%	1%

New York State residents overwhelmingly support sex education in public schools. This support is almost unanimous, extending to nearly 9 out of 10 New Yorkers in every region of the state and in every demographic group analyzed.

Support for sex education is even higher among young people: 96% of those aged 18-24 said they favor it. Even 85% of the people aged 60 and older favor it. College educated respondents were more favorable towards sex education (94% in favor) than those who did not finish high school (79% in favor). Men and women were about equally in favor of sex education in the schools.

YOU'RE FOR THE RIGHT OF ABORTION.

And you're not alone.

89% agree with you.

Q: Do you favor permitting a woman who wants an abortion to have one under all circumstances, under some circumstances but not others, or under no circumstances?

A: Favor	Oppose	Don't know
89%	9%	2%

All circumstances	Some	None
35%	54%	9%

Only a very small group - 9% - favors an absolute ban on abortion. The attention this group receives in the press and other media is far out of proportion to its real level of support in New York State.

The great majority (89%) of New York State residents - in every region - support the right of a woman to have an abortion in all or some circumstances. 97% of Jews and 90% of Protestants polled support this view. Even 85% of Catholics and 87% of conservatives agree. Also, contrary to popular notions, men and women have almost the same views on abortion.

THANK YOU, NEW YORK STATE, FOR STANDING UP FOR WHAT'S RIGHT.

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THEY WANT TO SET YOU BACK A LONG WAY, BABY.



The "right to life" movement wants to deprive you of your freedom of choice. By imposing its beliefs on everyone:

- On your friends
- On your children.
- On you.

Some of your most important rights are being challenged:

The right to have any number of children you want. When you want them. Or to have none at all.

The right to use contraceptives. The right to an abortion even when it's essential to your health.

The right to terminate a pregnancy even if it resulted from rape.

Don't stand by silently and let outrage become law. Fight back.

Take pen in hand and fill out the Planned Parenthood coupon. Give generously of your time and money.

Your most important possession is being threatened: your freedom.

JOIN PLANNED PARENTHOOD

1111 N. W. 10th St., Miami, FL 33136

THE TIME HAS COME AGAIN WHEN AMERICANS MUST FIGHT FOR THEIR FREEDOM.

THERE IS A GROUP THAT WOULD FORCE YOU TO BEAR YOUR RAPIST'S CHILD.



As if being raped isn't terrible enough, the "right to life" movement would deny you the right to an abortion if you become pregnant.

Even if you're only a child yourself

Even if your sanity depends on it
Even if your life depends on it.

The "right to life" movement is challenging some of your most important rights:

The right to have any number

of children you want. Or to have none at all.

The right to use contraceptives.

The right to an abortion even when it's essential to your health.

Don't stand by silently and let outrage become law. Fight back.

Take pen in hand and fill out the Planned Parenthood coupon. Give generously of your time and money.

Your most important possession is being threatened: your freedom

JOIN PLANNED PARENTHOOD

Fill out this coupon and send it to:
Planned Parenthood
1111 17th Street, N.W.
Washington, D.C. 20036
Phone: (202) 338-3100

NAME _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
PHONE _____

THE TIME HAS COME AGAIN WHEN AMERICANS MUST FIGHT FOR THEIR FREEDOM.

WHAT IF YOUR BABY IS GOING TO HAVE A BABY?



In 1978, over 63,000 teenagers became pregnant. In New York State alone

Each is somebody's daughter. With her entire life in front of her.

Yet the "right to life" movement wants to force her to have a baby. No matter how young she is. No matter how she, her doctor or her parents feel. Even if the pregnancy resulted from rape.

It doesn't stop with your daughter. They are also challenging your rights.

The right to have any number of

children you want. When you want them. Or to have none at all.

The right to use contraceptives.

The right to an abortion even if it's essential to your health.

Don't stand by silently and let outrage become law. Fight back.

Take pen in hand and fill out the Planned Parenthood coupon. Give generously of your time and money.

Your most important possession is being threatened: your freedom.

**JOIN
PLANNED PARENTHOOD**

**THE TIME HAS COME AGAIN WHEN
AMERICANS MUST FIGHT FOR THEIR FREEDOM.**

IF YOU MAKE CONTRACEPTION AND ABORTION ILLEGAL, YOU BETTER MAKE SEX ILLEGAL.



Just as important and fundamental as the right to choose who to marry is the right to choose the number of children you want. When you want them. Or to have none at all.

The "right to life" movement wants to deprive you of your freedom of choice by imposing its beliefs on everyone.

Some of your most important rights are being challenged.

The right to use contraceptives.
The right to an abortion even when it's essential to your health.

The right to terminate a pregnancy even if it resulted from rape.

Don't stand by silently and let outrage become law. Fight back.

Take pen in hand and fill out the Planned Parenthood coupon. Give generously of your time and money.

Your most important possession is being threatened - your freedom.

**JOIN
PLANNED PARENTHOOD**

**THE TIME HAS COME AGAIN WHEN
AMERICANS MUST FIGHT FOR THEIR FREEDOM.**

ABORTION SHOULD BE BETWEEN YOU AND A DOCTOR. NOT A POLITICIAN.



The "right to life" movement feels your right to have an abortion isn't a personal issue — it's a political issue.

They believe, despite medical advice, you should not be allowed the choice of abortion. By law.

Even if your doctor feels your pregnancy could disable you.

Even if your pregnancy results from rape.

Even if you're only a child yourself.

And many of your other rights are being challenged: The right to have any number of children. When you want them. Or none at all. And the right to use contraceptives.

Don't stand by silently and let outrage become law. Fight back.

Take pen in hand and fill out the Planned Parenthood coupon. Give generously of your time and money.

Your most important possession is being threatened — your freedom.

JOIN PLANNED PARENTHOOD

PLANNED PARENTHOOD is a national, non-profit organization that has been helping women make their own decisions about their bodies and their lives since 1962. We are currently fighting to protect the right to choose in the United States.

THE TIME HAS COME AGAIN WHEN AMERICANS MUST FIGHT FOR THEIR FREEDOM.

AFFIDAVIT OF ALFRED F. MORAN
IN RESPONSE TO COMPLAINT NO. MUR 1318

Alfred F. Moran, being duly sworn, deposes and
says:

1. I am Executive Vice President of Planned
Parenthood of New York City, Inc. and have continuing
responsibility for the administration of all of the corpo-
ration's programs.

2. I make this statement in support of the
annexed response of PPNYC to Complaint No. MUR 1318, filed
against PPNYC on October 15th by the National Right to Life
Committee.

3. PPNYC was incorporated in 1968 under the Not-
for-Profit Corporation Law of the State of New York and is
exempt from taxation under § 501(c)(3) of the Internal
Revenue Code. As an organization exempt under this section
and, pursuant to the provisions of its Certificate of
Incorporation, PPNYC may not and does not participate or
intervene in any campaign for public office.

4. In connection with its charitable and ed-
ucational purposes in the reproductive health field PPNYC
conducts an active public affairs program.

5. As a part of this program, in 1976, PPNYC organized a Public Issues and Action Program ("PIAP") to deal with the then pressing issues of sterilization legislation in New York City, parental consent regarding teenage abortion in New York State and the Hyde amendment to the DHEW - Department of Labor Appropriations Bill which cut off federal Medicaid funding of abortions. PIAP incorporates public education, lobbying and litigation components, all of which are designed to preserve the right of every woman to have access to all effective forms of reproductive health care.

6. In connection with the lobbying component of this program PPNYC engages in direct lobbying through a staff person who spends substantial time in Albany; helped establish and contributes to Family Planning Advocates, a non-profit social action organization located in Albany; encourages and aids supporters of pro-choice legislation to go to Albany to lobby the state legislature when issues of crucial importance in the field are pending, and maintains a public affairs alert network of individuals and organizations to whom it regularly sends information regarding the status of pending legislation as well as the voting records of New York state legislators on issues relating to reproductive health care.

7. In addition to the foregoing activities, PPNYC has, since 1977, engaged in the ongoing development of a media program designed to educate and alert the public as to court decisions, pending legislation or legislative proposals affecting the right of the individual to free choice in the area of reproductive health as well as to raise funds in support of its programs.

8. Under this media program the following ads have been developed and published by PPNYC: a full page ad in the New York Times, run in July, 1977, in response to three June, 1977 decisions of the Supreme Court affecting the availability of abortion services to poor women; an ad run in the New York Times and one paper in Albany, New York dealing with the issue of Medicaid funding for abortion while legislation prohibiting the use of state funds for such purposes was pending in the state legislature; an ad run in the same papers on March 27, 1979 again dealing with the issue of Medicaid funding for abortion; a full page ad in the New York Times and several Albany papers run in 1980 and addressing the issue of a pending bill in the New York legislature requiring parental consent as a condition of a minor's obtaining an abortion; a series of three quarter-page ads run in June of 1980 in the New York Times, the Westchester Gannett chain as well as Albany, Rochester and Buffalo papers, reporting the results of a poll commissioned

by PPNYC on public attitudes towards sex education, the use of contraception and the right to abortion; an ad run in the New York Times on July 6, 1980 commenting upon the June 30th decision of the United States Supreme Court in Harris v. McRae; and the series of six ads referred to in the Complaint which appeared in papers throughout the state* beginning in September and concluding in October of 1980.

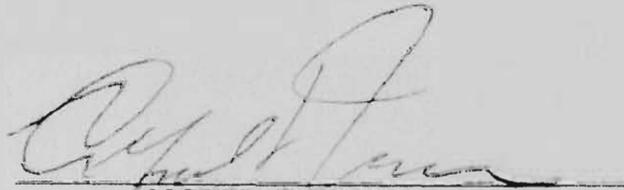
9. PPNYC plans, subject to the availability of funds, to continue this advertising campaign during the special legislative session called by the Governor for the latter part of 1980 and the regular session beginning in 1981.

10. All ads developed by PPNYC are sent to individuals and organizations active in the reproductive health field including the 188 affiliates of PPFA. Except in the one case of those ads in the series of six purchased by PPNYC in the name of other New York affiliates, PPNYC has no control over the use of advertisements sent out to these organizations and individuals including other PPFA affiliates. They are merely provided as a service.

*Ads run outside of the New York metropolitan area were purchased by PPNYC but were run in the name of the local Planned Parenthood affiliate with the prior approval of such affiliate. Proceeds derived from the ads were turned over to PPNYC by the other affiliates.

11. I have been advised, however, by other PPFA affiliates, that five such affiliates have run one or more of the ads in the series of six and that an additional six affiliates have plans to run them in connection with lobbying activities during the forthcoming legislative sessions in their states.

12. All of the foregoing ads were developed solely for purposes of educating the public as to pending threats to reproductive freedom posed by restrictive legislation introduced in the New York State legislature. They were not intended to nor are they directed at any campaign for public office and indeed the agencies which have assisted PPNYC in developing all of its ads have been strictly instructed that the media campaign relates only to issues of public concern and that no mention of any political party, campaign or candidate is to be used in connection with any part of such campaign.



ALFRED F. MORAN
EXECUTIVE VICE PRESIDENT

Sworn to and subscribed
before me this 27th day of
November, 1980



RAMONA CAPECE
NOTARY PUBLIC State of New York
No. 4034873
Qualified in Suffolk County
Commission Expires March 30, 1981

31010211320

REC-1
NOV 28 1980

31010011333

GREENBAUM, WOLFF & ERNST
417 MADISON AVENUE
NEW YORK, NEW YORK 10017

Ms. Judy Thedford
Federal Election Commission
Washington, D. C. 20463



Planned Parenthood
Federation of America, Inc.

810 Seventh Avenue
New York, New York 10019
(212) 541-7800

60043289

DO NOV 10 P 1:14

November 5, 1980

NOV 10 P 2:00

Judy Thedford
Federal Election Commission
Washington, D.C. 20463

Re: Complaint No. MUR 1318

Dear Ms. Thedford:

Please be advised that the undersigned represent the Planned Parenthood Federation of America, Inc. (PPFA) in the above numbered complaint. This letter will confirm a telephone conversation which you had on October 28, 1980 with Mrs. Laurie Rockett of Greenbaum, Wolff & Ernst who represents Planned Parenthood of New York City (PPNYC) in the same matter. Mrs. Rockett requested, on behalf of her client and with our consent, PPFA, an extension of time to **respond** to the above numbered complaint. This request was made in view of the fact that the response will require co-ordination between PPNYC and PPFA and obtaining information from the Planned Parenthood affiliates mentioned in the complaint, which are separate legal entities. Additionally, even were the response to be made within the time required by the expedited procedures, the election would have already taken place. You stated that an extension of time to respond to November 24, 1980 was acceptable.

We, therefore, formally request that PPFA's time to respond to complaint number MUR 1318 be extended to November 24, 1980 and advise you that our response will be made on that date. Accordingly, we understand that the Commission will take no further action in this matter until it receives our response.

Very truly yours,

Eve W. Paul

Eve W. Paul
Vice-President for
Legal Affairs

Dara Klassel per [unclear]

Dara Klassel
Staff Attorney

EWP/DK/ma

cc: Laurie Rockett

Ms. Judy Thedford
Federal Election Commission
Washington, D.C. 20463

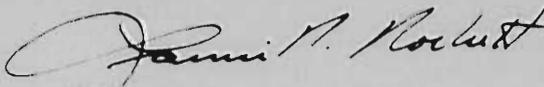
-2-

We also hereby confirm that the Commission will take no further action in this matter until it receives and considers PPNYC's response.

We understand that PPFA has also written you confirming our conversation.

Very truly yours,

GREENBAUM, WOLFF & ERNST



By:

Laurie R. Rockett

/bf

cc: Eve W. Paul, Esq.
Mr. Alfred Moran

91010243317

LRR

GREENBAUM, WOLFF & ERNST

437 MADISON AVENUE

NEW YORK, N. Y. 10022

00NOV10 P 1:14

Ms. Judy Thedford
Federal Election Commission
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

November 18, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Eve W. Paul, Vice President for Legal Affairs
Dara Klassel, Staff Attorney
Planned Parenthood Federation of America, Inc.
1810 7th Avenue
New York City, New York 10019

RE: MUR 1318

Dear Ms. Paul and Ms. Klassel:

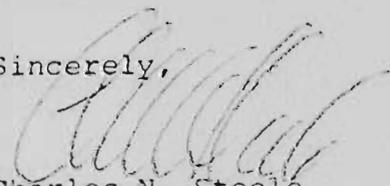
Enclosed please find an additional letter with an enclosure which was submitted to the Commission by the complainant in this matter.

Under the Act, you have an opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Please submit any response which you have to the additional information by Friday, November 28, 1980.

Please note that this matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A).

If you have any questions, please contact Judy Thedford, at (202)523-4057.

Sincerely,


Charles N. Steele
General Counsel

Enclosure
10/29/80 Letter



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

November 18, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Laurie R. Rockett, Esq.
Greenbaum, Wolff & Ernst
437 Madison Avenue
New York, New York 10022

RE: MUR 1318

Dear Ms. Rockett:

Enclosed please find an additional letter with an enclosure which was submitted to the Commission by the complainant in this matter.

Under the Act, you have an opportunity to demonstrate, in writing, that no action should be taken against your client in connection with this matter. Please submit any response which you may have to the additional information by Friday, November 28, 1980.

Please note that this matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A).

If you have any questions, please contact Judy Thedford, at (202)523-4057.

Sincerely,

73 Form 3811 Apr 1977 RETURN RECEIPT REGISTERED INSURED AND CERTIFIED MAIL

SENDER Complete items 1, 2 and 3 Add your address in the RETURN TO space

1. The following service is REGISTERED CERTIFIED REGISTERED AND CERTIFIED (one)

Show to whom and date delivered

Show to whom, date, and address of delivery

RESTRICTED DELIVERY

Show to whom and date delivered

RESTRICTED DELIVERY

Show to whom, date, and address of delivery \$

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO
Laurie R. Rockett Esq.
Greenbaum, Wolff & Ernst

3. ARTICLE DESCRIPTION
REGISTERED NO. 092745 INSURED NO.

(Always obtain signature of addressee or agent)

I have received the article described above

SIGNATURE Addressee Authorized agent

DATE OF DELIVERY
Below York

5. ADDRESS (Complete only if:)

6. UNABLE TO DELIVER BECAUSE

CLERK'S INITIALS
M

NOV 18 1980

1318

911068

600#3321

NOV 3 11:55

BRAMES, BOPP & HAYNES
ATTORNEYS AT LAW
800 SYCAMORE BUILDING
19 SOUTH SIXTH STREET
TERRE HAUTE, INDIANA 47807

ARNOLD H. BRAMES
JAMES BOPP, JR.
DAVID D. HAYNES

TELEPHONE
(812) 238-2421

October 29, 1980

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

Gentlemen:

On October 15, 1980, I filed a complaint alleging violation of federal election laws by Planned Parenthood Federation of America, Inc., (Planned Parenthood) and Planned Parenthood of New York City, Inc. In that complaint, the National Right to Life Committee (NRLC) alleged that Planned Parenthood and its New York affiliate were violating Section 441 b of the Federal Election Campaign Act (FECA) prohibiting any corporation from making a contribution or expenditure in connection with any federal election.

NOV 3 10:04

This letter is to file supplemental information concerning that complaint. Specifically, on October 13, 1980, a news article was run in the Gannett Westchester Newspaper concerning the ad campaign launched by Planned Parenthood of New York, critical of the Right to Life movement. In that article, which is attached hereto, Joyce Lisbin-Domena, executive director of Planned Parenthood of Rockland, stated that the reason that ads were run in the Rockland area was "The Right to Life party's success at the ballot box." Thus, Planned Parenthood is expressly stating the fact that its ad campaign is intended to have an impact upon the election in which candidates are running for federal office on the Right to Life party line.

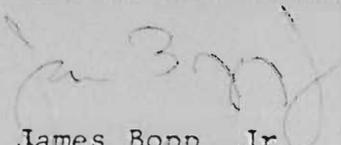
This intent to influence federal election is in violation of Section 441 b and should be immediately stopped. As a result, my client demands that the Federal Election Commission take immediate action to stop these violations of federal election laws.

Federal Election Commission
October 29, 1980
Page 2

I have prepared this complaint and believe that it is true and correct to the best of my knowledge. This complaint was not filed on behalf of the request or suggestion of any candidate.

Sincerely,

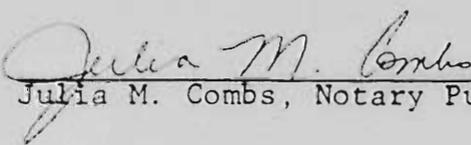
BRAMES, BOPP & HAYNES


By: James Bopp, Jr.

JB/jmc

cc: Jack Willke, M.D.
Warren Sweeney

Subscribed and sworn to before me this 29th day of October, 1980.


Julia M. Combs, Notary Public

My Commission Expires:

July 9, 1984

My County of Resident:

Yigo

Birth control group mounts ad campaign

By KATHRYN KAHLER
Staff Writer

Rockland and Westchester counties have been targeted by Planned Parenthood of New York for an advertising campaign critical of the Right to Life movement.

The two counties were chosen because of the active Right to Life movements in both, according to Planned Parenthood officials in the two counties and New York City.

"Our highest priority areas are where the Right to Life movement makes the most noise. Rockland is certainly one of those areas, as is Westchester," said Doug Gould, public educator with Planned Parenthood of New York.

Three full-page advertisements, placed a week apart in Gannett Westchester Newspapers in September, told people the Right to Life movement is "challenging your rights" and asked for contributions to Planned Parenthood.

The "Right to Life" movement wants to deprive you of your freedom of choice. By imposing its beliefs on everyone," one advertisement read.

Among the challenged rights mentioned in the ads are abortion — even when the life of the mother is threatened or in cases where pregnancy results from rape — and contraception.

The advertisements concluded by saying, "Your most important possession is being threatened: your freedom."

Gould said Planned Parenthood would be running more advertisements, especially in light of the possible reconvening of the state Legislature after next month's election.

Joyce Lasbin-Domena, executive director of Planned Parenthood of Rockland, said the ads were designed to educate the public about fundamental issues and to motivate people to action.

"Through the ads, we are trying to show people the effects of the laws if they don't act appropriately," she said. "The Right to Life movement is trying to control not only the abortion laws, but also a human life amendment which would give the fetus the same status as a full adult. The movement jeopardizes all family planning programs and threatens the decision to have a vasectomy or any sterilization procedure."

"We want people to see the consequences of any legal changes," she said.

Leaders of Rockland's Right to Life movement were critical of the advertising campaign, saying it misconstrued the ideals of the movement.

"The whole campaign is degrading to women," said Bill Martin, head of the Rockland Right to Life group.

The ads bordered on hysteria and did not tell the whole story. They were not truthful. They were one lie after another.

"They say the Right to Life movement is against contraception. We take no stand on contraception except if the woman uses a device like an IUD (intrauterine device) or takes some drugs that cause an abortion. I am against the taking of unborn life," he said.

Richard Bruno, active in the Right to Life Party, called the advertisements a "total misrepresentation of the right to life movement."

The first ad showed a mother and 10 children with the caption, "They want to set you back a long way, baby." It charged the Right to Life movement with challenging the right to use contraceptives and to have children when the individual chooses.

The second showed the picture of a young girl and asked, "What if your baby is going to have a baby?" The answer was that the Right to Life movement would force her to give birth, no matter how young she was.

The third ad in the series showed a bride and groom about to kiss. In bold white letters above the picture, it read, "If you make contraception and abortion illegal, you better make sex illegal."

One of the reasons Rockland was targeted, Ms. Lasbin-Domena said, is the Right to Life Party's success at the ballot box. The party took eight percent of the vote in the county last year, its best showing in the state.

In addition to Rockland and Westchester, Planned Parenthood listed Suffolk and Nassau counties and parts of the Bronx and Brooklyn as having active Right to Life movements.

The topic of future advertisements will depend on what issues develop and what the Legislature considers, Gould said.

Future advertising also will depend on private contributions. Since the three advertisements ran in newspapers ending Sept. 20, Ms. Lasbin-Domena said almost \$1,000 in contributions have been received. In addition, Planned Parenthood of Rockland has received 60 letters, 62 of which were pre-choice, she said.

8 1 0 1 0 1 4 5 3 5 1
BRAMES, BOPP & HAYNES

ATTORNEYS AT LAW

900 SYCAMORE BUILDING

19 SOUTH SIXTH STREET

TERRE HAUTE, INDIANA 47807



Federal Election Commission
1325 K. Street, N.W.
Washington, DC 20463

41:55

MUR 131F

Respondents

Planned Parenthood Federation of
America, Inc.

1820 19th St. NW

Washington, DC 20036

Planned Parenthood of New York
City, Inc.

380 Second Ave.

New York, New York 10010

Complainant:

James Bopp, Jr.

Brames, Bopp - Haynes

900 Spencer Building

19 South Sixth St.

Terre Haute, Indiana 47807

91010143563



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 21, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Bopp, Jr.
Bramas, Bopp and Haynes
900 Sycamore Building
19 South Sixth Street
Terre Haute, Indiana 47807

Dear Mr. Bopp:

This letter is to acknowledge receipt of your complaint of October 15, 1980, against Planned Parenthood Federation of America, Inc., and Planned Parenthood of New York City, Inc., which alleges violation of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within 24 hours and a recommendation to the Federal Election Commission as to how this matter should be initially handled will be made 15 days after the respondents' notification. You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Please be advised that this matter shall remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless the respondent notifies the Commission in writing that they wish the matter to be made public.

Sincerely,



Charles N. Steele
General Counsel

4553101018

1318 Indford

PS Form 3841, Jan. 1978

3. SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

Show to whom and date delivered.

Show to whom, date and address of delivery.

RESTRICTED DELIVERY
Show to whom and date delivered.

RESTRICTED DELIVERY.
Show to whom, date, and address of delivery. \$

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
James Bopp, Jr.

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>286960</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

Jo Ray

4. DATE OF DELIVERY: *10/24/50* POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 21, 1980

SPECIAL DELIVERY
RETURN RECEIPT REQUESTED

Planned Parenthood of New York City, Inc.
380 Second Avenue
New York, New York 10010

RE: MUR 1313

Dear Sir or Madam:

This letter is to notify you that on October 20, 1980, 1980, the Federal Election Commission received a complaint which alleges that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1313. Please refer to this number in all future correspondence.

The Commission has adopted special procedures to expedite compliance matters during the pre-General Election period. A summary of these procedures is enclosed. Where possible, within five days after receipt of a complaint, the Commission will determine whether the complaint should be dismissed prior to receipt of your response to this notice. If the Commission dismisses the complaint, you will be so notified by mailgram followed by an explanatory letter. A copy of the Commission's determination to dismiss the complaint may also be picked up in person by you, or your authorized agent, from our Associate General Counsel, Mr. Kenneth A. Gross.

Under the Act, you have the opportunity to demonstrate, in writing, that no further action should be taken against you in connection with this matter. If the Commission is unable to expeditiously dismiss the complaint as outlined above, it will take no further action until we receive your response or 15 days after your receipt of this notification. If the Commission does not receive a response from you within 15 days after your receipt of this letter, it may take further action based on available information.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 21, 1980

SPECIAL DELIVERY
RETURN RECEIPT REQUESTED

Planned Parenthood of New York City, Inc.
380 Second Avenue
New York, New York 10010

RE: MUR 1318

Dear Sir or Madam:

This letter is to notify you that on October 20, 1980, 1980, the Federal Election Commission received a complaint which alleges that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1318. Please refer to this number in all future correspondence.

The Commission has adopted special procedures to expedite compliance matters during the pre-General Election period. A summary of these procedures is enclosed. Where possible, within five days after receipt of a complaint, the Commission will determine whether the complaint should be dismissed prior to receipt of your response to this notice. If the Commission dismisses the complaint, you will be so notified by mailgram followed by an explanatory letter. A copy of the Commission's determination to dismiss the complaint may also be picked up in person by you, or your authorized agent, from our Associate General Counsel, Mr. Kenneth A. Gross.

Under the Act, you have the opportunity to demonstrate, in writing, that no further action should be taken against you in connection with this matter. If the Commission is unable to expeditiously dismiss the complaint as outlined above, it will take no further action until we receive your response or 15 days after your receipt of this notification. If the Commission does not receive a response from you within 15 days after your receipt of this letter, it may take further action based on available information.

310472135393



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 21, 1980

SPECIAL DELIVERY
RETURN RECEIPT REQUESTED

Planned Parenthood Federation of America,
Inc.
1220 19th Street, N.W.
Washington, D.C. 20036

RE: MUR 1318

Dear Sir or Madam:

This letter is to notify you that on October 20, 1980, 1980, the Federal Election Commission received a complaint which alleges that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1318. Please refer to this number in all future correspondence.

The Commission has adopted special procedures to expedite compliance matters during the pre-General Election period. A summary of these procedures is enclosed. Where possible, within five days after receipt of a complaint, the Commission will determine whether the complaint should be dismissed prior to receipt of your response to this notice. If the Commission dismisses the complaint, you will be so notified by mailgram followed by an explanatory letter. A copy of the Commission's determination to dismiss the complaint may also be picked up in person by you, or your authorized agent, from our Associate General Counsel, Mr. Kenneth A. Gross.

Under the Act, you have the opportunity to demonstrate, in writing, that no further action should be taken against you in connection with this matter. If the Commission is unable to expeditiously dismiss the complaint as outlined above, it will take no further action until we receive your response or 15 days after your receipt of this notification. If the Commission does not receive a response from you within 15 days after your receipt of this letter, it may take further action based on available information.

600-4
307

910607

80 OCT 20 AM 11:31

BRAMES, BOPP & HAYNES
ATTORNEYS AT LAW
900 SYCAMORE BUILDING
19 SOUTH SIXTH STREET
TERRE HAUTE, INDIANA 47807

ARNOLD H. BRAMES
JAMES BOPP, JR.
DAVID D. HAYNES

TELEPHONE
(812) 238-2421

October 15, 1980

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

Gentlemen:

On behalf of the National Right to Life Committee, I am filing the following complaint of violation of the federal election laws by the Planned Parenthood Federation of America, Inc., and Planned Parenthood of New York City, Inc.

Planned Parenthood Federation of America, Inc. (Planned Parenthood) is a non-profit, charitable organization organized to provide family planning and abortion services. Planned Parenthood of New York City, Inc. is an affiliate of Planned Parenthood and must comply with all by-laws and other regulations adopted by Planned Parenthood.

Both Planned Parenthood and its New York affiliate have violated and continue to violate Section 441 b of the Federal Election Campaign Act (FECA), prohibiting any corporation from making a contribution or expenditure in connection with any federal election. Planned Parenthood and its affiliates are violating this Section by launching a campaign to influence the 1980 federal elections.

Specifically, Planned Parenthood has launched a campaign to support selected Senators and Representatives in campaigns where abortion is an issue. Specifically, as revealed in a recent letter sent to their supporters across the country, Planned Parenthood bemoaned the fact that right to life forces "in an effort to eliminate Congressmen and Senators who defend family planning rights, the right to lifers, backed by the extreme right wing, have mounted a massive campaign to destroy the political careers of some of this nation's most courageous leaders. They have drawn up a "hit list" aimed at defeating men like Senators Bayh, Culver, McGovern and Packwood, and Representatives like Morris Udall and Joe Fisher. Judging from the amount of money they are spending and the recent polls I have seen, they are dangerously close to defeating some of the most effective voices we have on our side."

In an effort to support the re-election of these Senators and Representatives, Planned Parenthood is running ads, between now and

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Federal Election Commission
Page Two
October 15, 1980

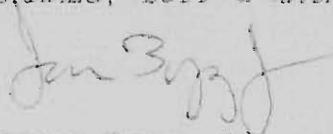
election day attacking the right to life movement in areas where abortion is an issue. Two such ads have been run by Planned Parenthood of New York City, Inc., and are attached. These ads are to be run in Maryland, Pennsylvania, Minnesota, Massachusetts, California, mid Iowa, greater Charlotte, North Carolina, and Indiana-- among other places, according to Alfred F. Moran, Executive Vice President of Planned Parenthood of New York City, as revealed in the enclosed article by Patricia McCormack, UPI Health Editor.

This ad campaign has been begun in New York, where pro-abortion Senator Jacob Javits is running for re-election against the Republican candidate D'Amato, who is endorsed by the Right To Life Party of New York. In addition, the ads are being run in areas where their favorite candidates, such as Bayh and Culver, are running for re-election. The intent of this campaign is to influence the re-election of these candidates in violation of Section 441 b, prohibiting any corporation from making an expenditure in connection with a federal election. As a result, my client demands an immediate investigation of this complaint and proper enforcement action.

I have prepared this complaint and believe it is true and correct to the best of my knowledge. This complaint was not filed on behalf of or at the request or suggestion of any candidate.

Sincerely,

BRAMES, BOPP & HAYNES


James Bopp, Jr.

JB:js

STATE OF INDIANA,)
(SS:
COUNTY OF VIGO.)

Before me, a Notary Public in and for said County and State, personally appeared the above named James Bopp, Jr., and executed the above and foregoing complaint and acknowledged that the contents thereof are true and correct as he verily believes this 15th day of October, 1980.

My Commission Expires:

July 9, 1984
My County of Residence is:
Vigo


(Julia M. Combs) Notary Public

Battle lines drawn for abortion battle

By PATRICIA McCORMACK
UPI Health Editor

"They want to set you back a long way, baby," the full-page ad says.

Big black letters run across the top of the page featuring a picture of a woman surrounded by children. All wear gaslight era threads.

Counting three infants on the woman's lap, there are 10 children.

Small letters in the ad claim a movement in America threatens to take away the right to buy contraceptives and the right to abortion — even when pregnancy threatens a woman's life or results from rape and a child could bear a baby.

The movement is identified as the right to life. It wants to impose its beliefs on everyone, the ad says.

Those are the theme in points in the Planned Parenthood of New York City ad in selected newspapers. The third week in September.

Big black letters running across the bottom of the page say:

The time has come again when Americans must fight for their freedom.

The ad is similar in theme to others run or planned by Planned Parenthood units elsewhere. Many booked between now and election day. Planned Parenthood Federation of America just launched a year-long national promotion making similar points on radio, television, and in newspapers.

An ad in Mid-Iowa Planned Parenthood shows an intruder in a couple's bedroom. The intruder is identified as the United States government. The Supreme Court of the United States has said tax funds cannot pay for abortions for poor women.

Alfred F. Moran, executive vice president of Planned Parenthood of New York City, said campaigns are underway or on the works in Maryland, Pennsylvania, Minnesota, Massachusetts, California, mid-Iowa, Greater Charlotte in North Carolina and Indiana — among other places.

The crusades striking out against "threats to personal freedom" are funded by special contributions — earmarked by givers for that purpose.

There is no federal money, which Planned Parenthood gets for contract work and special services, or United Way funds, which Planned Parenthood gets in some locals.

Planned Parenthood Federation of America's annual budget is over \$140 million — mostly for education, research and services to its 14 million clients. Some of the services include abortion clinics offering abortion have been fire-bombed. Clinic clients have been harassed in some locations.

Moran, whose New York city unit is biggest of 186 community affiliates of PPFPA, said the ads are the most visible sign of Planned Parenthood forces on the attack against what he describes as "a dangerous new alliance."

Political coercion combined with media hype is being used by a new alliance of right to life groups, the reactionary right and electronic evangelists to eliminate Americans' freedom of personal choice," Moran said.

"The public must have access to full information about the potential impact this new alliance may have on a free society."

At a Planned Parenthood conference Sept. 13 on the "dangerous new alliance," Mary D. Crisp, former

co-chair of the Republican National Committee was the keynote speaker. She now is co-chair. National Unity Campaign. It is presidential candidate John B. Anderson's support group.

She resigned the Republican post in opposition to her party's official adoption of anti-abortion and anti-equal Rights Amendment positions.

"There is a trend in America that terrifies me," she said.

It is the resurgence of moral imperialism. Like all imperialism it is a dangerous course. It is a grave threat to our personal rights and freedom.

Moral imperialists wish to impose their views and values on others. They are often single issue thinkers, excluding those who differ.

They are the New Right, they are anti-abortion, anti-E.R.A., the moral majority, the Christian voice.

In convention, Democrats promised to protect abortion on demand. Republicans resisted pressures to do that and favored the Human Life Amendment to the constitution which calls for protection of life in the womb.

The abortion issue came up in the first of the presidential debates sponsored by the League of Women Voters. Ronald Reagan said:

With regard to the freedom of the individual for choice with regard to abortion, there's one individual who is not being considered at all. That's the one who is being aborted."

And John B. Anderson said:

Now governor Reagan is running on a platform that calls for a Constitutional amendment banning abortion. I think this is a moral issue that ought to be left to the freedom of conscience of the individual."

Dr. Jack Wilke, president of the National Right-to-Life Committee, was asked about ads pushing off Planned Parenthood's campaign. The Cincinnati, Ohio, family doctor and sexual counselor, said:

"We do not think any American should have the freedom of choice to kill another American.

"... certain solutions are forbidden us as civilized people. We have never in our nation given to one person the complete legal right to kill another to solve their personal or social problems. Abortion, however, does this."

Wilke said the Planned Parenthood ad is in error in one respect.

"We do not want to stop contraception," he said.

A second "protect your freedom" ad in the New York Planned Parenthood series is on the launching pad.

"What if your baby is going to have a baby?" it starts.

"the 'right-to-life' movement wants to force her to have a baby. No matter how young she is. No matter how she, her doctor or her parents feel. Even if the pregnancy resulted from rape."

Increased anti-abortion activity among Roman Catholic leaders is part of the backdrop.

In Boston five days before the Massachusetts Congressional primary election held Sept. 16, Cardinal Humberto Medeiros spoke out against abortion.

His letter read at masses in 410 churches talked about "unalterable opposition to legalized abortion as an offense against God and humanity

and against our Maker and his people."

"I plead with you to exercise your right and duty to vote in the upcoming elections, and to bring your own conscience — the voice of God within you — to the ballot box with you."

When votes were counted, losers were candidates supported by pro-life right to life. The winners? Candidates on record as favoring abortion as a choice.

The current campaign theme was spelled out by Faye Wattleton, president of Planned Parenthood Federation of America, in July — after the Supreme Court upheld the Hyde Amendment that said tax funds can't be used for abortions for poor women.

Planned Parenthood's platform is simple, Ms. Wattleton said.

We will not permit a zealous minority to dictate laws that force women to bear children against their will."

A newspaper ad PPFPA ran nationally at the time showed the Statue of Liberty torch burning out.

A defrocked Jesuit — the Rev. Joseph O'Rourke — was at the conference to consider the "threat from the dangerous new alliance."

He was expelled from the Jesuit Order when he baptized a baby which had been refused church baptism because its mother, a Massachusetts resident, spoke out against the church's involvement with right-to-life activities.

He said he is still a priest, a fact confirmed by Roman Catholic hierarchy.

"... the American bishops have a mandate from Rome to hold the line on every single issue that has anything to do with sex and reproduction — and to hold the line against any change," he said.

"Change is not in the wind from the top but it is the desire of most of the organizations below the bishops."

The priest said the Catholic church did not always condemn abortion.

"A blanket condemnation of abortion was never held by the Vatican or any Episcopacy until 1869," Father O'Rourke said.



Sheer fall elegance

Sheer elegance that looks pretty and effortless. A 1-over pleating, tiny pearl buttons and lace collar are styled to create a soft, feminine look. Jonathan Logan uses knitted crepe of trilacetate and polyester.

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BY Pennsylvan Laughlin general History

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Rules for 'spouse maintenance' logged by Scottish sea captain

A 19th century Scottish sea captain with a nautical nod at marriage logged these rules for "spouse maintenance" during "life's voyage."

Keep her in due repair.
Take no other craft in tow.
Revictual (feed) her day to day.
And "should she be blown on her beam ends by wind or misfortune, I am to stand and see her righted."

In return, his mate had to "obey signals without question," "steer by reckoning," "stand by as a true consort in foul weather, battle or shipwreck" and "run under my guns if assailed by pirates or privateers."

Potatoes should be stored in a cool, dark place because exposure to light will cause them to turn green.

The amount of cold air that enters a house can be reduced by plugging the cracks around doors, windows and sidings.

Date changed for candidate's dinner

The Vigo County Republican Women's Club Candidates' Dinner originally scheduled for Oct. 12 has been changed to Oct. 19. The turkey

Dick Roberts Studios

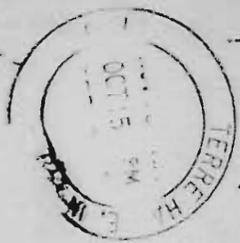
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Papaya Enzyme 89¢	Calcium Pantoate B-15 \$5.95
Grapefruit Diet Plan \$1.98	KELP 39
GARLIC \$1.29	Lecithin \$13

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from

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900 SYCAMORE BUILDING
19 SOUTH SIXTH STREET
TERRE HAUTE, INDIANA 47807

To

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



FEDERAL ELECTION COMMISSION

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