



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1805

Date Filmed 1/9/85 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

MUR 1805

copies of letters - routing slipsinstruction/address to docket

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act; 5 U.S.C. Section 552(b):

- | | |
|--|---|
| ☐ (1) Classified Information | ☐ (6) Personal privacy |
| ☒ (2) Internal rules and practices | ☐ (7) Investigatory files |
| ☐ (3) Exempted by other statute | ☐ (8) Banking Information |
| ☐ (4) Trade secrets and commercial or financial information | ☐ (9) Well Information (geographic or geophysical) |
| ☒ (5) Internal Documents | |

Signed

Matthew R. ...

date

1/3/85

FEC 9-21-77

190
1/4/85

85040510398



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 27, 1984

Jeanne Connelly, Esquire
Steptoe and Johnson
1250 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: 1805
The Gray Panthers Project
Fund

Dear Ms. Connelly:

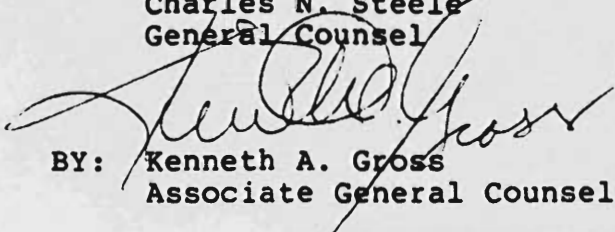
On October 12, 1984 and November 30, 1984, the Commission notified the Gray Panthers Project Fund of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. On December 17, 1984, the Commission received a statement designating you as the Gray Panthers' counsel.

The Commission, on December 18, 1984, determined that on the basis of the information in the complaint, 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.

Enclosed please find a photocopy of the letter informing your client of the Commission's decision.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

Enclosure

85040510399

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
The Gray Panthers
Project Fund

)
)
)
)
MUR 1805

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 18, 1984, the Commission decided by a vote of 6-0 to take the following actions in MUR 1805:

1. Find no reason to believe the Gray Panthers Project Fund violated 2 U.S.C. 441b or 2 U.S.C. 441d, provisions of the Federal Election Campaign Act, as amended.
2. Approve the letters attached to the First General Counsel's Report signed December 13, 1984.
3. Close the file.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

12-19-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

12-13-84, 3:17
12-14-84, 2:00

35040510400



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1984

John T. Dolan
National Conservative Political
Action Committee
1001 Prince Street
Alexandria, Virginia 22314

RE: MUR 1805
The Gray Panthers Project Fund

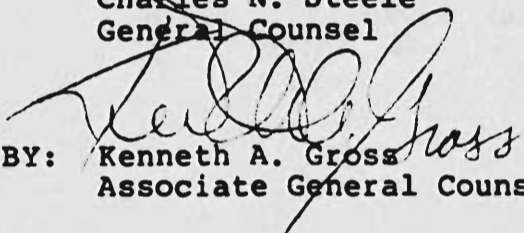
Dear Mr. Dolan:

The Federal Election Commission has reviewed the allegations of your complaint received October 5, 1984 and determined that on the basis of the information provided in your complaint 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

BY: 
Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

85040510401



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 20, 1984

Maggie Kuhn
Gray Panthers Project Fund
3700 Chestnut Street
Philadelphia, Pennsylvania 19104

RE: MUR 1805
The Gray Panthers Project Fund

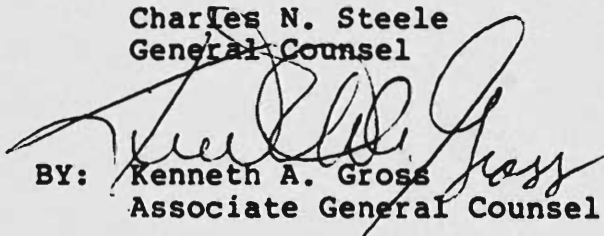
Dear Ms. Kuhn:

On October 12, 1984 and November 30, 1984, the Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on December 18, 1984, determined that on the basis of the information in the complaint, 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

BY: 
Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

35040510402

SENSITIVE

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

RECEIVED
OFFICE OF THE FEC
CLERK

FIRST GENERAL COUNSEL'S REPORT

DEC 13 P 3:17

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION

12/13/84
3:15

MUR 1805
DATE COMPLAINT RECEIVED
BY OGC: October 5, 1984
DATE OF NOTIFICATION TO
RESPONDENT: October 12, 1984
and November 30, 1984
STAFF MEMBER: MATT GERSON

COMPLAINANT'S NAME: National Conservative Political Action
Committee
John 'Terry' Dolan

RESPONDENT'S NAME: The Gray Panthers Project Fund

RELEVANT STATUTES: 2 U.S.C. § 431(8)A(i)
2 U.S.C. § 441b
2 U.S.C. § 441d
11 C.F.R. § 110.11(a)(1)
11 C.F.R. § 114.3(a)(1)
AO 1984-14
AO 1984-17

RELEVANT CASES: Miller v. American Telephone and Telegraph
Company, 507 F.2d. 758 (3d. Cir. 1974).
United States v. United Automobile Workers,
325 U.S. 567 (1957)

INTERNAL REPORTS CHECKED: NONE

FEDERAL AGENCIES CHECKED: NONE

SUMMARY OF ALLEGATIONS

On October 5, 1984, the Federal Election Commission received from the National Conservative Political Action Committee (hereinafter "NCPAC") a complaint alleging that the Gray Panthers Project Fund (hereinafter "Gray Panthers") violated 2 U.S.C. § 441d by not including a disclaimer statement on direct mailings that allegedly advocated Ronald Reagan's defeat. By its reference to AO 1984-14, NCPAC has raised the question of

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whether the Gray Panthers violated 2 U.S.C. 441b by making expenditures in connection with a federal election and distributing partisan material beyond the class of people that a corporation may contact lawfully.

It does not appear that the Gray Panthers have received the complaint notification mailed to them on October 12, 1984. This Office has not received the green certified mail receipt or any other communication. On November 30, 1984 we mailed a second notification by first class mail.

II. FACTUAL AND LEGAL ANALYSIS

The Gray Panthers Project Fund is an organization that seeks to protect senior citizens by monitoring issues important to the elderly. The group is particularly concerned with Medicare and Medicaid, health care costs and housing.

NCPAC alleges that the Gray Panthers' direct mailer should have contained a disclaimer statement. 2 U.S.C. § 441d requires that

whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate, or solicits any contribution through any ... direct mailing ...

the communication must indicate who paid for it, and where required, who authorized such communication. The Commission's regulations promulgated pursuant to 2 U.S.C. § 441d(a) specify that a sponsor's identification ("disclaimer") must

be presented in a clear and conspicuous manner to give the reader, observer or listener adequate notice of the identity of the persons who paid for ... the communication. 11 C.F.R. § 110.11(a)(1).

Thus, the issues under 2 U.S.C. 441d and 11 C.F.R. § 110.11(a)(1)

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are: (1) whether the communication expressly advocated Ronald Reagan's defeat, or (2) whether the communication solicited contributions for the purpose of influencing a federal election. 2 U.S.C. § 431(8)A(i). The answers to both these questions rely on the Commission's interpretation of the language the Gray Panthers used in their direct mailings.

The letter criticizes the President for cutting the Medicare and Medicaid budget and charges that the defense budget was increased at the expense of social programs. The group's stated objectives are to maintain an active voice before Congress and key government officials, educate the public, issue press releases, conduct press conferences and demonstrations and organize neighborhood networks around the country.

One paragraph states:

Gray Panthers are fighting back, fighting to make changes, reminding anyone who needs reminding that people over 65 will not be pushed around by the Administration, not by callous landlords, not by nursing home profiteers, and not by an indifferent health care system.

The letter also states:

President Reagan has now targeted Medicare and Medicaid for his most merciless budget cuts to date.

And:

Your support will put Reagan on notice that we're ready to use our political powers to prevent further scapegoating of the elderly.

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It is of primary importance that there is no express advocacy in the direct mailer. In Buckley, the Supreme Court held that in order for communications to be considered express advocacy they must be unambiguously related to the campaign of a particular federal candidate and must expressly advocate one's election or defeat with terms such as "vote for," "elect," "vote against" and "defeat." In the instant case, the solicitation's lack of reference to Reagan's candidacy and lack of a message expressly advocating Reagan's defeat places the solicitation outside the strictures of 2 U.S.C. § 441d in that regard.

In addition, because the General Counsel's opinion is that the communication did not solicit contributions for the purpose of influencing a federal election, it is not governed by 2 U.S.C. § 441d on that basis. The purpose was to generate funds to sustain the Gray Panthers' effort at sharing its views with the public. All the factors noted in AO 1984-17 indicating a "non-influencing purpose" are also present here:

- the Gray Panthers' material is issue-oriented and not election or candidate-oriented
- no one is referred to as a candidate in any federal election
- no information is given regarding elections
- no one is urged to vote on the basis of the letter or to take the information it conveys into account in voting
- there is no suggestion of a relationship between the issues and the election. See AO 1984-17 addressing a corporation's lawful distribution of congressional voting records to the general public.

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NCPAC has raised the possibility of a 2 U.S.C. § 441b violation through its reference to AO 1984-14.1/ The Gray Panthers Project Fund is a Not-for-Profit Pennsylvania corporation that may not make an expenditure in connection with a federal election nor make partisan communications to non-members. It is the General Counsel's view that the Gray Panthers' expenditures were not in connection with the President's reelection campaign since there is no nexus between the mailings and a federal election. See Miller v. American Telephone and Telegraph Company, 507 F.2d 758 (1974). The Gray Panthers' mailer makes no reference to a federal campaign. Instead, it emphasizes their disapproval of the President's health care policies. There is no "active electioneering" but only a recitation of their perception of the administration's record. See United States v. United Automobile Workers, 352 U.S. 567 (1957). Finally, because the mailer contains only legislative and issue advocacy, it is not partisan material and may be distributed beyond the statutorily restricted class.

In AO 1984-14, the Commission ruled that a Not-for-Profit membership organization could distribute to the general public a voter guide compiling voting records of candidates and advocating positions on issues, so long as it did not favor one candidate or political party over another. The compilation was lawful because the language did not evince, "an election-influencing purpose," i.e. noting that a certain candidate is easier to convince when he's looking for votes than after he's safely in the office.

III. RECOMMENDATIONS

1. Find no reason to believe the Gray Panthers Project Fund violated 2 U.S.C. 441b or 2 U.S.C. 441d, provisions of the Federal Election Campaign Act, as amended.
2. Approve the attached letters.
3. Close the file.

Charles N. Steele
General Counsel

December 13, 1984
Date

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

1. Letter to respondent
2. Letter to complainant

85040510408



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: December 13, 1984
SUBJECT: MUR 1805 - First General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____
Open Session _____
Closed Session _____

CIRCULATIONS

48 Hour Tally Vote [X]
Sensitive [X]
Non-Sensitive []
24 Hour No Objection []
Sensitive []
Non-Sensitive []
Information []
Sensitive []
Non-Sensitive []
Other []

DISTRIBUTION

Compliance [X]
Audit Matters []
Litigation []
Closed MUR Letters []
Status Sheets []
Advisory Opinions []
Other (see distribution below) []

35040510407

STATEMENT OF DESIGNATION OF COUNSEL

RECEIVED AT THE FEC

GOC # 5982

84 DEC 17 A9: 47

MUR 1805

NAME OF COUNSEL: Jeanne Connelly, Esq.

ADDRESS: Step toe & Johnson
1250 Connecticut Ave., N. W.
Washington, D. C. 20036

TELEPHONE: (202) 862-2277

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

12/13/84
Date

Edith Chris - Executive Director
Signature

RESPONDENT'S NAME: Ms. Maggie Kuhn

ADDRESS: Gray Panthers Project Fund
3700 Chestnut Street
Philadelphia, PA 19104

HOME PHONE: _____

BUSINESS PHONE: (215) 382-3300

85040510410



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 30, 1984

Maggie Kuhn
Gray Panthers Project Fund
3700 Chestnut Street
Philadelphia, Pennsylvania 19104

RE: MUR 1805

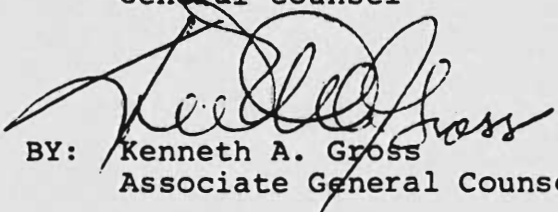
Dear Ms. Kuhn:

On October 12, 1984, you were sent by certified mail notification of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended. It appears that you have not received the notification addressed to the Gray Panthers Project Fund's old address at 3635 Chestnut Street. Therefore, you will find enclosed a copy of the October 12 letter and of the complaint.

Any response which you may wish to make in this matter must be submitted within 15 days of your receipt of this second letter.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

Enclosures

Letter of October 12, 1984
Complaint
Procedures
Designation of Counsel Statement

35040510412



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

84 OCT 19 P 2: 36

October 19, 1984

SENSITIVE

MEMORANDUM TO: The Commission
FROM: Charles N. Steele
By: Kenneth A. Gross
Associate General Counsel *KAG*
SUBJECT: MUR 1805 - Gray Panthers Project Fund

The National Conservative Political Action Committee alleges that the Gray Panthers Project Fund violated 2 U.S.C. § 441d. That statute requires that:

Whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate or solicits any contribution... through general public political advertising...

the Communication must indicate who paid for it, and where required, who authorized such communication.

The issues presented are whether the communication expressly advocated Ronald Reagan's defeat and whether the communication solicited contributions for the purpose of influencing a federal election. 2 U.S.C. § 431(8)(A)(i). While the respondent's communication criticized the Reagan administration, it did not expressly advocate Reagan's defeat. However, while the Gray Panthers Project Fund definitely solicited contributions in order to advocate positions contrary to those of the Administration, it is uncertain whether the language utilized fell within the statute's purview. It will, therefore, be necessary for the Commission to review the communication's pertinent language before rendering a reason to believe determination.

In addition, we are unable to discern the respondent organization's corporate structure at this time. Because § 441b violations may be involved, we will wait until the fifteen day response period expires before providing the Commission with a complete analysis of this allegation.

35040510413



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *CX*
DATE: October 19, 1984
SUBJECT: MUR 1805 - Memorandum to The Commission

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote []
Sensitive []
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other [X]

DISTRIBUTION

Compliance [X]

Audit Matters []

Litigation []

Closed MUR Letters []

Status Sheets []

Advisory Opinions []

Other (see distribution below) []

SENSITIVE - EXPEDITE

CIRCULATE ON PINK PAPER

INFORMATIONAL

35040510414



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 12, 1984

SPECIAL DELIVERY
RETURN RECEIPT REQUESTED

Maggie Kuhn
Gray Panthers
Project Fund
3635 Chestnut Street
Philadelphia, Pennsylvania 19104

RE: MUR 1805

Dear Ms. Kuhn:

This letter is to notify you that on October 5, 1984, the Federal Election Commission received a complaint which alleges that you and Gray Panthers Project Fund 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 1805. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing, that no action should be taken against you and Gray Panthers Project Fund in connection with this matter. You may respond to the allegations made against you within 15 days of receipt of this letter. The complaint may be dismissed by the Commission prior to receipt of the response if the alleged violations are not under the jurisdiction of the Commission or if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, you and Gray Panthers Project Fund will be notified by mailgram. If no response is filed within the 15 day statutory requirement, the Commission may take further action based on available information.

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.

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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 Stephen Levin, the staff person assigned to this matter at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

By:

Kenneth A. Gross (LGL)
Kenneth A. Gross

Associate General Counsel

Enclosures
Complaint
Procedures
Envelope

35040510416



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 12, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John T. Dolan
National Chairman
National Conservative
Political Action Committee
1001 Prince Street
Alexandria, Virginia 22314

Dear Mr. Dolan: "

This letter is to acknowledge receipt of your complaint which we received on October 5, 1984, against Maggie Kuhn and Gray Panthers Project Fund which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondent(s) will be notified of this complaint within 24 hours. 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)(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

Kenneth A. Gross (25-7)
By: Kenneth A. Gross
Associate General Counsel

Enclosure

35740510417

*National Conservative
Political Action Committee*

*1001 Prince Street
Alexandria, Virginia 22314*

*John T. Dolan
National Chairman*

RECEIVED AT THE FEC.
GCC #5008
84 OCT 5 AM: 22

(703) 684-1800

September 28, 1984

*mur
1805*

84 OCT 5 P4:49

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

Dear Sir:

This letter constitutes a complaint filed pursuant to 2 U.S.C. 437g by the National Conservative Political Action Committee ("NCPAC"), a registered independent political action committee, against Gray Panthers Project Fund ("GPPF"), which has apparently violated the provisions of 2 U.S.C. 441d in making expenditures for the purpose of financing communications which expressly advocate the defeat of Ronald Reagan.

Attached hereto and made a part of this complaint is a copy of a direct mailing produced by GPPF which violates 2 U.S.C. 441d. The name and address of the recipient of the mailing has been excised; no other alterations to the mailing have been made.

NCPAC has reason to believe that this communication was mailed to the general public.

NCPAC has reviewed the records of the Commission and ascertained that GPPF is not a registered political action committee.

The lack of an outright admonition to vote against President Reagan in the upcoming Presidential election does not defeat the clear intent and purpose of GPPF in advocating the defeat of President Reagan as set forth in the enclosed direct mailings.

NCPAC notes that by AO 1984-14, the Commission ruled that a membership organization which compiled voter guides may not distribute such material to the general public if they imply

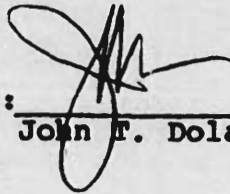
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Federal Election Commission
September 28, 1984
Page Two

a right or wrong answer or a weak record. In that same advisory opinion it was noted that favoring one candidate over the other in the context of an election indicates an election-influencing purpose.

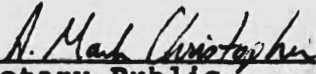
Very truly yours,

NATIONAL CONSERVATIVE POLITICAL
ACTION COMMITTEE

By: 
John T. Dolan, Chairman

COMMONWEALTH OF VIRGINIA)
CITY OF ALEXANDRIA) to-wit:

Sworn to before me this 17 day of ^{October} ~~September~~, 1984,
by JOHN T. DOLAN, as Chairman of National Conservative Political
Action Committee, under the penalty of perjury and subject to the
provisions of section 1001 of Title 118 of the United States
Code.


Notary Public

My Commission Expires: 11/21/86

35040510412

GRAY PANTHERS

PROJECT FUND
3635 Chestnut Street
Philadelphia, PA 19104

National Convener
MAGGIE KUHN

Dear Friend,

Frankly I'm scared -- for the stakes are life and death. Not content with abusing our nation's elderly by trying to dismantle the Social Security system, ~~President Reagan~~ has now targeted Medicare and Medicaid for his most merciless budget cuts to date.

If you are over 65 or have parents that age, you already know the horrible failings of our health care system first hand -- a health care system whose costs are rising at more than twice the rate of inflation. You, too, probably live in dread of a serious illness that could wipe out lifetime savings -- that could throw you at the mercy of uncaring physicians, overcrowded and understaffed hospitals, and nursing homes that are little more than human junkyards.

Medicare has proved to be a fast shuffle from a stacked deck. It pays less than 40% of the elderly's health care expenses. It doesn't cover items such as eyeglasses, hearing aides, prescription drugs or dental care. And many doctors refuse to participate in the program. Of those who do, 50% charge more than Medicare-defined "reasonable fees," forcing their elderly patients to make up the difference out of their pockets.

Those requiring long-term institutional care fare even worse. Medicare covers very little of such costs, so a large percentage must rely on Medicaid. And Medicaid patients are often shunted into the poorest facilities, where they are over-medicated, allowed to lie in their own filth and even knowingly starved.

What is even more shocking is our government's response to America's health care crisis -- a ruthless slashing of over \$10 billion from Medicare for fiscal 1982-1984. And for the next three years, our elected leaders have voted further Medicare and Medicaid cuts that add up to a whopping \$23 billion -- thus penalizing the sick and vulnerable for our colossal overspending on nuclear weaponry.

And, as if these cuts were not already causing immeasurable suffering, President Reagan is proposing to cut \$2.5 billion more out of next year's budget for Medicare and Medicaid. His "cost containment" plan -- a blatant attempt to drain even more money from social services for the sake of his so-called "defense programs" -- simply and clearly speaks for itself:

- The elderly would pay. On top of the current \$350 deductible, Medicare recipients would be forced to share the costs for hospital stays under 60 days -- as much as \$1,180 additional, or almost three times what the average Social Security beneficiary receives.
- The poor would pay. As more Medicaid costs are shifted to already hard-pressed cities and states, Medicaid beneficiaries would be required to make co-payments for shrinking services.

GRAY PANTHER ADVISORY COMMITTEE (in formation) • Hon. Bella Abzug • Alice Adler • Anna Bing Arnold • Edward Asner • S.J. Axelrod, M.D. • Harry Belafonte • Hon. Frank Church • Dr. Henry B. Clark II • Dr. Kenneth B. Clark • Hon. Wilbur J. Cohen • Dr. Barry Commoner • Richard H. Davis, Ph.D. • Lloyd C. Elam, M.D. • Prof. Erik H. Erikson • Dr. Carroll L. Estes • Rev. T.M. Hesburgh, C.S.C. • Elma Holder • Lissy F. Jarvik, M.D., Ph.D. • Carmela G. Lacayo • Norman Lear • Prof. Robert Lekachman • Marion G. Marshall • Leo McCarthy • Joan Palevsky • Guil Merrifield Papp • Joseph Papp • David A. Peterson, Ph.D. • Ann Phillips • Dr. Carl Sagan • Dr. Lee Salk • Pete Seeger • Toshi Seeger • Donna E. Shalala, Ph.D. • Eva N. Skinner • Tish Sommers • Benjamin Spock, M.D. • James T. Sykes • Alvin Toffler • Dr. Ruth B. Weg • Hon. Andrew J. Young • Quentin Young, M.D.

- The elderly, poor and disabled would pay more for less. Under legislation just passed, hospitals will be reimbursed for services according to the type of illness rather than the length or intensity of treatment, i.e., there will be economic incentives for hospitals to provide minimal care and release patients as early as possible.
- And their children would pay too. ~~The President's~~ "family responsibility" proposal is approved by Congress, states ~~may soon~~ require people to help pay for long-term care for parents in nursing homes.

Isn't it time this insanity stopped? Access to decent, affordable health care is vital to all Americans -- young and old, rich and poor. It is a right our government solemnly pledged to safeguard for the elderly and disabled when Medicare legislation was signed into law. We cannot -- must not -- allow that pledge to be cast aside lightly.

Gray Panthers around the country are working hard to blunt the administration's axe, to safeguard existing Medicare and Medicaid programs, and to bring down the costs of health care professionals and institutions concerned only with the level of their profits. And we are working to persuade more physicians into the system and accept Medicare Assignment. With your support, we can expand these vital efforts, and broaden their impact by working in coalition with other organizations which share our concerns.

We believe that, in the long term, the only way to guarantee all Americans equal access to affordable medical care is by the creation of a National Health Service. It is the only way to ensure a focus of prevention, and the proper emphasis on the physical, mental and spiritual health of every individual, regardless of age or background.

But right now, Medicare and Medicaid are the only hope for countless elderly, poor and disabled. With your help, Gray Panthers can remain in the forefront of the efforts to restore programs already cut and protect them in the months to come from the morally repugnant additional cuts which have just been proposed.

We will continue testifying before Congress and the commissions studying health programs. We will continue to make our position known to key government officials. We will continue speaking out on radio and T.V., issuing press releases, and organizing neighborhood meetings. In Washington and in 110 Gray Panther Network communities around the country, we will make our voices heard.

Your support will help us step up our efforts on behalf of Medicare and Medicaid -- that are of life and death importance to millions -- and will put Reagan on notice that we're ready to use our political powers to prevent further scapegoating of the elderly. Your support will also enable us to work for change in all areas which impact on the lives of millions -- young and old alike.

Won't you send your check in the enclosed reply envelope today? \$25, \$50, \$100, \$500 -- whatever you can afford -- will help bring us one step closer to solving America's health care crisis, the crisis that hurts us all.

Sincerely,

Maggie Kuhn

Maggie Kuhn
National Convener

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Dear Friend,

Ironically, the "last of life" for millions of Americans is far from the best. Retirement incomes seldom keep pace with the rising cost of survival; Medicare pays less than half their medical bills; landlords evict them to build luxury condos; and muggers prey upon them in the street.

To make matters even worse, Congress, which enacted Social Security legislation earlier this year, seems blind to the fact that the program is the sole or primary means of support for tens of millions of Americans -- both young and old. The new legislation -- based closely on the recommendations of the Commission on Social Reform which President Reagan appointed to do his dirty work -- includes delayed Cost of Living Adjustments, major tax increases, and cuts in the growth of benefits.

Does it matter to Congress and the Administration that elderly widows now sleep in the street? Or that entire families go hungry the last two or three days of every month? Or that all of us have a desperate and dragging sense that we have lost the American dream? Tragically, it doesn't seem to matter one bit!

Because now, irony of ironies, the Reagan Administration has turned the sharpened edge of the budget axe to our health-care programs. On top of the \$13.8 billion in cuts already made in Medicare and Medicaid for fiscal years 1982-84, the President has proposed an additional \$2 billion 1984 reduction.

Those determined to enlarge our colossal "defense" budget at the expense of social programs apparently won't stop at anything. The biggest and bloodiest budget confrontation -- the one for which Gray Panthers have been working hard to prepare -- will be over Medicare and Medicaid. For if these unthinkable cuts are adopted:

- Medicare patients would be forced to pay, in addition to the \$350 deductible in 1984, up to 8% of the expenses for hospital stays under 60 days. For 98%, this will mean additional costs of \$280 for the average length of stay, and up to \$1,180 for a longer hospitalization.
- The annual deductible for both doctor and hospital care, which must be met before Medicare coverage can begin, will be increased each year.
- A higher percentage of Medicaid costs would be shifted to already hard-pressed states and cities; and Medicaid beneficiaries in all states would be required to make co-payments for the shrinking services available.

Who would be most affected by these new and harsh cuts? As always, the most vulnerable members of society: the elderly, the poor, minorities -- and the

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staggering number of Americans who lost their health plans along with their jobs because of Reaganomics. Decent, affordable medical care would become even further out of reach for millions.

You and I cannot allow this to happen. We cannot stand silently by while another covenant between the government and the American people is broken.

With the cost of health care increasing at more than twice the inflation rate, cost-containment is one of the gravest issues affecting our nation. Gray Panthers believe that real cost-containment can only come by controlling the outlandish profits of proprietary hospitals, drug companies and nursing homes -- something which Gray Panthers around the country are working hard to achieve. It means keeping doctors' charges in line by urging them to accept Medicare "assignment" and bill no more than Medicare's "reasonable charge" -- something which our Medicare Assignment Campaign is bringing one step closer.

Gray Panthers believe that, ultimately, the only solution to the health care mess is the creation of a national health care system -- one which will make decent health care a reality for all Americans. But in the meantime, Medicare and Medicaid are the best we've got. And the Gray Panthers have been a leading force in the efforts to prevent more painful budget cuts that would weaken and perhaps eventually destroy programs that make a life or death difference to millions.

I'm angry and I hope you are too -- angry enough to add your voice to mine to protect Medicare and Medicaid from an axe-wielding Administration. Once again, older people are being used as scapegoats to divert national attention from the real issues of high unemployment, a stagnant economy and a distended military budget. It's an affront to the public conscience and to common sense that children go without school lunches and the elderly without Food Stamps so we can add to a nuclear arsenal that can already destroy our planet seven times over.

It's going to require a national mobilization of outrage to prevent further cuts in human service programs. That's why I'm asking you to join the Gray Panthers today. 110 Gray Panther Networks in 30 states are mobilizing citizens' groups to fight the reactionary forces in government that would rob people of their daily bread, their homes, their dignity and their security in old age.

Your gift of \$25, \$50, \$100 or \$1000 --whatever sacrifice gift you can make -- will help the Gray Panthers protect Medicare and Medicaid, work towards a comprehensive health plan and strike out against institutions, attitudes, systems and laws that deprive Americans of their basic right to affordable housing and health care, and opportunities for employment and participation in society.

Your support will mean more grass roots activities, more class action suits, more petition drives, more networking and organizing, more programs of mutual support towards our common goal of a just and humane society -- where the "last years" may someday soon be the best years. I look forward to hearing from you.

Sincerely,

Maggie Kuhn

Maggie Kuhn
National Convener

GRAY PANTHER ADVISORY COMMITTEE (in formation) • Hon. Bella Abzug • Alice Adler • Anna Bing Arnold • Edward Asner • S.J. Axelrod, M.D. • Harry Belafonte • Hon. Frank Church • Dr. Henry B. Clark II • Dr. Kenneth B. Clark • Hon. Wilbur J. Cohen • Dr. Barry Commoner • Richard H. Davis, Ph.D. • Lloyd C. Elum, M.D. • Prof. Erik H. Erikson • Dr. Carroll L. Estes • Rev. T.M. Hesburgh, C.S.C. • Elma Holder • Lissy F. Jarvik, M.D., Ph.D. • Carmela G. Lacayo • Norman Lear • Prof. Robert Lekachman • Marion G. Marshall • Leo McCarthy • Joan Palevsky • Gail Merrifield Papp • Joseph Papp • David A. Peterson, Ph.D. • Ann Phillips • Dr. Carl Sagan • Dr. Lee Salk • Pete Seeger • Toshi Seeger • Donna E. Shulala, Ph.D. • Eva N. Skinner • Tish Sommers • Benjamin Spock, M.D. • James T. Sykes • Alvin Toffler • Dr. Ruth B. Weg • Hon. Andrew J. Young • Quentin Young, M.D.

I can't find time
all that we have

take time to learn

But for too long
much grimmer

One of the things
giving to people
than 100,000

Headlines show
5 million people
are in need

How many times
have you heard
the word "elderly"

What a terrible
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Together for a Change

Simone de Beauvoir once wrote "The issues of age challenge the whole society and put the whole society to the test."

Gray Panthers are meeting that challenge. But the Gray Panthers and the 26 million men and women over 65 in this country cannot fight the injustices and indignities unless we have you with us. For in the end, the protection of older people's rights is a commitment to everyone's future and to a just and humane society—a renewed pledge that we care enough about ourselves as a people to make provisions today for what we will surely become tomorrow.

Gray Panthers need your financial support today. Please help by sending a contribution to:

Gray Panthers Project Fund

3635 Chestnut Street
Philadelphia, PA 19104

All gifts to the Gray Panthers Project Fund are tax deductible. Gray Panthers welcome members of all ages.



For the past 13 years, the Gray Panthers have been a vital force opposing ageism, which victimizes people of all ages, and speaking up for older Americans. Gray Panthers are fighting back, fighting to make changes, reminding anyone who needs reminding that people over 65 will not be pushed around by the Administration, not by callous landlords, not by nursing home profiteers, and not by an indifferent health care system.

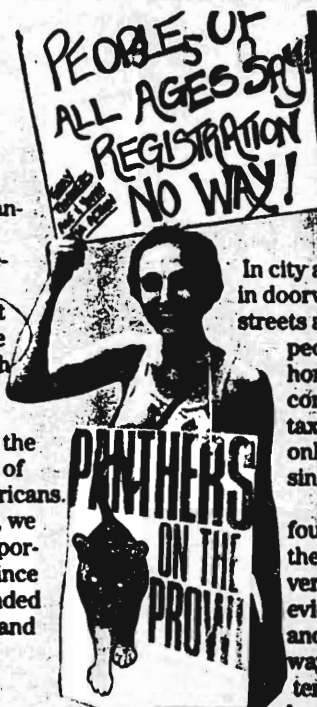
A powerful coalition of people of all ages, with over 100 networks in 30 states, the Gray Panthers have been at the forefront of every major issue confronting older Americans. And as an intergenerational organization, we have concerned ourselves with issues important to Americans at every stage of life. Since the Gray Panthers Project Fund was founded in 1970, Gray Panthers have shown again and again that to stand up and fight is to win.

Look at this record of achievement:

Social Security, the most effective economic lifeline for the elderly, is our hard-earned right and not charity as some politicians call it. It is the slim margin that keeps tens of millions from total destitution. Social Security provides, on the average, 38% of total income. And for one-fourth of those over 65, it provides more than 90%. Without it, most older people simply could not survive.

When the oldest President in our country's history sought to dismantle Social Security, the Gray Panthers fought back fiercely—educating, demonstrating, testifying, and building coalitions which forcibly opposed cuts in the program.

Only because of such public protest did the President fail in his plan last year to cut \$46 billion from the program. Only because of such public protest did Congress approve an emergency plan to save the financially troubled system. But the fight to protect Social Security will have to be fought again and again until our nation's biggest, broadest and most successful social program is safe from the



budget slashers. Gray Panthers will continue working hard—especially with the younger members of our society—to restore confidence in the system, which truly does benefit us all.

In city after city, many of the homeless who sleep in doorways and cart their belongings through the streets are elderly men and women. They are people who have been forced out of their homes by outrageous rent increases, condo conversion evictions, exorbitant property taxes and enormous fuel bills—and whose only alternative to the streets is filthy, unsafe single room occupancy hotels.

Across the nation, Gray Panthers have fought to assure safe, affordable housing for the elderly: working to change condo conversion laws to exempt people over 65 from eviction, lobbying for stronger rent control and more subsidized housing, clearing the way for shared living arrangements and alternatives to age segregated retirement houses—and mobilizing the greatest public

awareness to date that a decent place to live is a right.



Despite national outrage about nursing home scandals in the past decade, abuses continue. Unsafe and

unsanitary conditions, overdrugging of patients and dehumanizing treatment, or no real care at all—such horrors continue to make headlines and yet our government continues to weaken nursing home regulation. Although Gray Panthers have brought about nursing home reform, there are still far too many places where intolerable conditions persist.

And perhaps worst of all is that 640,000 older persons are now institutionalized *only* because they cannot care for themselves and have no one to turn to for help. To free the elderly from such unnecessary and costly custodial care, the Gray Panthers have pressed for alternatives to institutionalization such as home care and adult day care, and have pioneered in developing new living arrangements for dependent older people in intergenerational settings and shared housing.



MEDICARE

Without Medicare, most of our nation's elderly who face major illness would be penniless. Though it only pays on the average less than 40% of day-to-day medical bills, it is the *only* medical insurance millions have. Yet the Administration is proposing accelerated Medicare budget cuts of \$13.8 billion through 1984 plus an additional \$2 billion in cuts right now.

Who will pay the difference between shrinking Medicare reimbursement and the skyrocketing costs of health care? If the Administration has its way, the elderly will pay and pay until every small pension is gone and every dollar of life savings is swallowed by the greedy health care industry.

Making decent, affordable health care available to all Americans is the Gray Panthers' highest priority. We will not sit back and wait for Medicare to be destroyed. We will fight—not just to hold the line—but to restore it and secure Medicare's future. We will fight for real cost containment by working to cut the profits of proprietary hospitals, drug companies and nursing homes that grow rich on the suffering of the poor. We will continue our campaign to persuade all physicians to participate in the Medicare program and charge no more than Medicare-defined "reasonable fees". And we will work with Congress to decrease the deductible and eliminate eligibility restrictions and wait periods that keep older Americans from the maximum benefits to which they are entitled.



Gray Panthers believe it is long past time for change in society's view of aging and the aged. In large part, much of the attempted victimization of older people by politicians, bureaucrats, health care providers, landlords and unscrupulous promoters stems from the erroneous idea that people over 65 are powerless and unable to recognize their rights and fight for them.

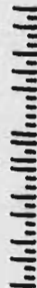
Yet citizens past 65 are consistently the largest and most active voting bloc in the United States. And the emergence of Gray Panthers as a vigorous, forceful organization with a broad national membership of young, old and middle-aged reaffirms that older Americans are putting the country on notice that they will fight hard to keep all they worked toward and are entitled to receive.

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GRAY PANTHERS

PROJECT FUND
3635 Chestnut Street Philadelphia, PA 19104

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AGE AND YOUTH IN ACTION

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EVERY GIFT COUNTS

We, the Gray Panthers, are a grassroots organization—men and women of all ages, in every part of the country—working for social change. We promote equal job opportunities, low cost transportation, affordable health care, decent housing, and an increased public sensitivity to human needs.

We are fighting ageism (age discrimination) wherever it occurs for it deprives both young and old of their basic human rights. We are working for a new age of reason, justice and concern.

WE URGENTLY NEED YOUR SUPPORT

Yes, I like what the Gray Panthers is doing to fight age discrimination and to promote social reforms that will benefit us all—both young and old.

Here is my tax-deductible gift of:

- ☐ \$2,500 ☐ \$1,000 ☐ \$500 ☐ \$250 ☐ \$100
☐ \$50 ☐ \$25 ☐ \$Other_____

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

☐ Please check here if you wish to receive our bi-monthly newspaper, *Network*.

Please make checks payable to: Gray Panthers Project Fund.
Your cancelled check is your receipt.

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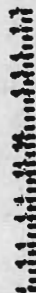
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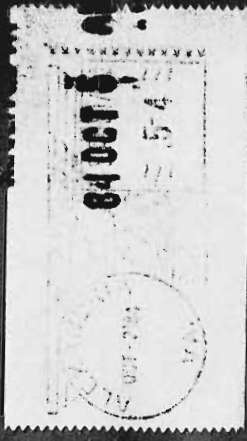
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**National Conservative
Political Action Committee**

1001 prince street, alexandria, va. 22314 (703) 684-1800

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General Counsel
Federal Election Commission
1325 K Street, NW
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

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

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