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THE WHITE HOUSE
WASHINGTON

INFORMATION

April 15, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: Jim Cannon *J. Cannon*

SUBJECT: U. S. Commission on Civil Rights Report --
Constitutional Aspects of the Right to Limit Childbearing

On April 14, 1975, the United States Commission on Civil Rights issued a formal report to you and to the Congress, the thrust of which is that proposals to amend the Constitution to bar abortions would undermine the First, Ninth and Fourteenth Amendments.

In its report, the Commission takes no moral or theological position on the issue of abortion. Rather, the Commission seeks solely to affirm and support each woman's constitutional right, as delineated by the Supreme Court in Roe v. Wade, January 22, 1973.

The Commission argues that the proposed constitutional amendments are inconsistent with precepts underlying the First, Ninth and Fourteenth Amendments, since they would give government sanction to one set of moral and religious views, outlaw the common law right of abortion held by American women when the Bill of Rights was adopted, and deny equal protection to poor women, many of whom belong to racial and ethnic minorities.

Moreover, the Commission notes that the effect of these amendments would be to diminish civil rights rather than to enhance them. This, in the view of the Commission, is not the direction this nation wants or ought to be moving in.

Therefore, the Commission recommends that:

1. Congress should reject constitutional amendments which seek to abolish the historic freedom to limit childbearing, as contained in the Bill of Rights and the Fourteenth Amendment, and as recognized by the Supreme Court of the United States.

2. Congress should reject anti-abortion legislation and amendments and repeal those which have been enacted which undermine the constitutional right to limit childbearing.
3. Since low-income persons have no other access to legal assistance in attempts to vindicate their rights, Congress should amend the Legal Services Corporation Act to permit legal services attorneys to bring abortion-related cases for their clients.

Since all of the Commission's recommendations are directed toward Congress, Presidential response to the report would not appear to be necessary.