

THE WHITE HOUSE

WASHINGTON

February 25, 1974

MEMORANDUM FOR: BRYCE HARLOW
THROUGH: WILLIAM E. TIMMONS
FROM: TOM C. KOROLOGOS *TK*
SUBJECT: Constitutional Amendment on Abortions

My Hill sources report that we should not go near this issue with a stick. We would alienate more than half the people no matter which way we decided to go. (I realize that is not mathematically possible but that is how it was described to me).

I am told Buckley made a mistake when he filed a constitutional amendment banning abortions. He should have gone for "freedom of choice" and for something allowing the state's jurisdiction. The only people apparently with Buckley on this are the wild Catholics, but everyone else is driving him crazy.

Indeed, Birch Bayh would be placed between a rock and a hard place but he will merely duck the issue and not move in any direction.

On the other hand, some friends on the Judiciary Committee, such as Ed Gurney and Marlow Cook, would suffer because of the make-up of their constituencies. Hruska himself opposed the constitutional amendment on legal grounds rather than substance. There is absolutely no sign of movement on the issue and I am afraid we would be criticized for coming out for an amendment on abortions and not coming out on one on busing.

My advice would be to stay away from it.