

Clarification of position on pending abortion amendments to the U.S. Constitution

Senator Hiram L. Fong Papers

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From the office of

SENATOR HIRAM L. FONG

of Hawaii

Clarification of Position of Senator Hiram L. Fong
On Pending Abortion Amendments to the U. S. Constitution
Washington, D. C. -- September 17, 1975

To date, the Senate Subcommittee on Constitutional Amendments has held 16 days of hearings on S. J. Res 6, S. J. Res. 10 and S. J. Res. 11, proposed amendments to the U. S. Constitution on the subject of abortion.

I have heard or read most of the testimony of the 80-odd witnesses who appeared before the Subcommittee at these hearings, met with representatives of all views on the subject and read thousands of letters and cables from interested persons in Hawaii and all the other states.

Personally, I am in accord with the Supreme Court decisions in Roe v. Wade, and Doe v. Bolton. If any vote should take place on the floor of the Senate on the subject, I shall vote so as to up-hold these decisions of the Supreme Court.

However, because of the highly charged emotional reactions to the question of abortion, I have stated that in Subcommittee and, if necessary, in the Senate Committee on the Judiciary, I would vote to allow the abortion amendments at issue to reach the Senate floor so that the Senate may have an opportunity to take whatever action two-thirds of the Senators deem proper. Before the Subcommittee, were the

Helms Amendment (S. J. Res. 6) and the Buckley Amendments (S. J. Res. 10 and S. J. Res 11). These were the amendments at issue and on which hearings had been conducted at length.

My vote, as I have indicated, will be in opposition to adoption of any of these amendments.

As to Senator Scott's amendment (S. J. Res. 91), the Subcommittee has not fully explored the ramifications of this amendment. I am informed that one of the religious groups strongly lobbying for an abortion amendment will lobby against this amendment, if reported. It is my view that before this amendment is favorably acted upon, full hearings should be held in the Subcommittee. Accordingly, I will not vote to report out S. J. Res. 91 at this time.

Another amendment known as the Noonan Amendment is also surfacing for action. No hearings have been held by the Subcommittee on the specific language of this Amendment and I shall not vote to report out this proposal.

The Noonan Amendment, on its face, is the most drastic of all proposed amendments seeking to nullify the Supreme Court decisions in Roe v. Wade and Doe v. Bolton. On its merits, I am opposed to the concept of this amendment.

My State of Hawaii was one of the first to provide for legal abortions. The Supreme Court and the legislature of my State and that of other States have spoken on this subject, and I am in accord with their position on the subject of abortion.