

# Proposed Articles of Impeachment

The following four proposed articles of impeachment were drafted by the staff of the House Judiciary Committee.

RESOLVED, that the House of Representatives does impeach Richard M. Nixon, of high crimes and misdemeanors in the conduct of his office, as set forth in the following articles, in violation of the sacred obligation of his constitutional oath, faithfully to execute the office of the President of the United States, and, to the best of his ability, preserve, protect and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, all in the manner marked by concealment and public deception, contrary to his trust as President, unmindful of the solemn duties of his high office, to the manifest injury of the confidence of the nation and the great prejudice of the cause of law and justice, and subversive of constitutional government:

## I

On May 27 and June 17, 1972, agents of the Committee to Re-elect the President, on behalf of Richard M. Nixon, and solely in his interest in preserving political power, at the direction of his political agents, including H. R. Haldeman, chief of staff to the President, John Mitchell, and Jeb Magruder, illegally committed burglary at the Watergate headquarters of the Democratic National Committee. This act was pursuant to authorization from the President's personal agents at the White House, including H. R. Haldeman, and was supervised by G. Gordon Liddy, an agent of the White House previously assigned to the Committee to Re-elect the President, for the purpose of conducting such unlawful, covert activities, and E. Howard Hunt, an agent of the White House employed by it for such purposes. Beginning almost immediately after the burglary, and continuing up to the present time, Richard M. Nixon, using the powers of his high office, acting directly and personally and through his personal agents at the seat of government and their immediate subordinates, has made it

his policy to cover up and conceal responsibility for the burglary, the identity of other participants, and the existence and scope of related unlawful covert activities. The means of implementing this policy have included the subornation of perjury, the purchase of silence of those directly participating in the burglary, the obstruction of justice, the destruction of evidence, improper and unlawful interference with the conduct of lawful investigation by the Department of Justice, including the Federal Bureau of Investigation and the office of the special prosecutor, improper and unlawful misuse of other agencies of the Executive branch, including the CIA, and the release of deliberately false and misleading statements from the White House and by the President. For all this Richard M. Nixon is personally and directly responsible. For his part in it he has been found by a duly constituted grand jury in the District of Columbia to have participated in a criminal conspiracy to obstruct justice, but not indicted solely by reason of his office as President, leaving the pursuit of justice no recourse but through the constitutional powers of impeachment and removal from office granted to the Congress, as set forth in Article I, Sections 2 and 3; Article II, Sections 2 and 4; Article III, Section 2.

## II

On September 3, 1971, agents of the White House, on behalf of Richard M. Nixon and solely in the interest of obtaining information to be used by him and his agents in public defamation of Daniel Ellsberg, unlawfully committed burglary at the office of Dr. Lewis Fielding, Ellsberg's psychiatrist, in Los Angeles, California. The agents who committed this crime were part of a special unit established in the White House at the direction of Richard M. Nixon to engage in such unlawful covert activities; were supervised directly by John Ehrlichman, assistant to the President; and were financed in part by the unlawful conversion of funds raised for campaign purposes and controlled on behalf of the President by Special

Counsel to the President Charles Colson. The burglary was part of a pattern of massive and persistent abuse of power for political purposes involving unlawful and unconstitutional invasion of the rights and privacy of individual citizens of the United States. The pattern has included the use and attempted use of the CIA and the Secret Service, as well as White House agents, for investigative intelligence work not authorized by law, unlawful FBI electronic surveillance of White House staff, newspaper reporters and private citizens in the political interests of the President, deliberate concealment of records of the FBI, corrupt use of the IRS to obtain information for political purposes, improper effort by the President to influence Judge Byrne in the criminal proceedings against Ellsberg and the release of misleading information by the White House in efforts to conceal and distort the true nature of these actions. The pattern of conduct has been at the direction of Richard M. Nixon and on his behalf, acting both personally and directly and through his personal agents at the seat of government and their immediate subordinates.

## III

In its investigation of the matters set forth in Articles I and II of this resolution, the Judiciary Committee of the House of Representatives has issued subpoenas to Richard M. Nixon for materials pertinent to its Watergate inquiry. These materials were necessary for a full record as is demonstrated by the record of the proceedings before the committee, and the assumption is justified that had they been exculpatory of Richard M. Nixon he would have produced them. The Judiciary Committee has also issued subpoenas to the President for materials relevant to allegations concerning:

(1) Condonation of false testimony concerning the matter before the Senate Judiciary Committee in February and March, 1973, by former Attorney General

John Mitchell and Attorney General designee Richard Kleindienst.

(2) The relationship between large political contributions from the American Milk Producers Institute [sic] and a contemporaneous political decision by the President to reverse a decision by the Secretary of Agriculture that an increase in milk price supports was not warranted by the statutory criteria.

Each of these subpoenas was duly authorized by vote of the committee, and under the resolution of the House of Representatives directing the committee to conduct the impeachment inquiry, Richard M. Nixon has refused without cause to comply with the subpoenas, in contempt of the Congress and of the cause of constitutional government, leaving the process with no recourse but through the exercise of the constitutional powers of impeachment and removal from office that are granted to the Congress.

## IV

In his tax returns for the taxable years 1969 through 1972, Richard M. Nixon claimed deductions of approximately \$500,000 based on the claimed deed of his vice presidential papers to the United States. These claims constituted a fraud upon the United States because they were based on a deed prepared in March, 1970, but backdated to March, 1969, in order to appear to be effective prior to the date set by statute, July, 1969, for disallowing such deductions for the future. The investigation of this fraud by the Internal Revenue Service and the staff of the Joint Committee on Internal Revenue Taxation remained incomplete and inconclusive, and a normal use of criminal process was rendered ineffective, solely by reason of the fact that Richard M. Nixon was President of the United States and that impeachment proceedings against him had been instituted, thus leaving the fair enforcement of the tax laws no recourse but through the exercise of the constitutional powers of impeachment and removal from office that are granted to the Congress of the United States.

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