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Text of Bipartisan Substitute Article II

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WASHINGTON, July 27—
Following is the text of a draft of a second article of impeachment, prepared today by a bipartisan group of House Judiciary Committee members and expected to be introduced on Monday by Robert McClory, Republican of Illinois, as a substitute for a second article pending before the panel:

ARTICLE II

In his conduct of the office of President of the United States, Richard M. Nixon has engaged in a pattern of conduct in violation of his constitutional oath faithfully to execute the office of President of the United States, and to the best of his ability, to 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, which violated the constitutional rights of citizens impaired the due and proper administration of justice and contravened the laws governing agencies of the executive branch of the Government and the purposes of these agencies, to wit:

[1]

He misused the constitutional powers of the office of the President of the United States by authorizing or permitting unlawful electronic surveillance for which no plausible national security

justification existed, and by authorizing or permitting the use by his subordinates of information obtained through electronic surveillance ostensibly justified by national security considerations for purposes unrelated to national security, the enforcement of the law or any other function of his office, all in violation of the Constitution;

[2]

Without taking care to protect the constitutional rights of citizens, he authorized and allowed to be maintained a secret investigative unit within the office of the President, financed in part through the unlawful conversion of campaign contributions on his behalf, to engage in covert and unlawful activities, including an attempt to prejudice the constitutional right of an accused to a fair trial;

[3]

He has endeavored to corrupt and unlawfully use agencies of the executive branch of the Government, including the Internal Revenue Service, the Federal Bureau of Investigation and the Central Intelligence Agency, whose proper and lawful functioning is particularly essential to the faithful execution of the laws of the United States and the protection of the rights of the people;

[4]

He has endeavored to im-

pede and frustrate lawful inquiries by duly constituted judicial and legislative bodies of the unlawful entry of the headquarters of the Democratic National Committee and related matters by concealing, or causing or permitting to be concealed or altered, evidence relevant to these inquiries;

[5]

He has failed to execute faithfully the office of President of the United States by employing his office to obtain material information from, and to make false representations to, the Department of Justice in order to assist those being investigated for possible criminal prosecution to escape criminal liability; and

[6]

He knew that subsequent to the unlawful entry into the Democratic National Headquarters on June 17, 1972, his subordinates and agents obstructed justice and he failed to take care that the laws be faithfully executed.

In all of this, Richard M. Nixon has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice and to the manifest injury of the people of the United States:

Wherefore, Richard N. Nixon, by such conduct, warrants impeachment and trial, and removal from office.