

Article II on Impeachment

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WASHINGTON, July 29—Following is the text of a proposed substitute Article II of impeachment offered to the House Judiciary Committee today by Representative William L. Hungate, Democrat of Missouri, as amended by the committee:

ARTICLE II

Using the powers of the office of President of the United States, Richard M. Nixon, in violation of his constitutional oath faithfully to execute the office of President of the United States, and to the best of his ability preserve, protect and defend the Constitution of the United States, and in disregard of his constitutional duty to take care that the laws be faithfully executed, has repeatedly engaged in conduct violating the constitutional right of citizens, impairing the due and proper administration of justice in the conduct of lawful inquiries, of contravening the law of governing agencies of the executive branch and the purposes of these agencies.

This conduct has included one or more of the following:

[1]

He has, acting personally and through his subordinates and agents, endeavored to obtain from the Internal Revenue Service in violation of the constitutional rights of citizens, confidential information contained in income tax returns for purposes not authorized by law; and to cause, in violation of the constitutional rights of citizens, income tax audits or other income tax investigations to be initiated or conducted in a discriminatory manner.

[2]

He misused the Federal Bureau of Investigation, the Secret Service and other executive personnel in violation or disregard of the constitutional rights of citizens by directing or authorizing such agencies or personnel to conduct or continue electronic surveillance or other investigations for purposes unrelated to national security, the enforcement of laws or other lawful function of his office.

He did direct, authorize or permit the use of information obtained thereby for purposes unrelated to national security, the enforcement of laws or any other lawful function of his office. And he did direct the concealment of certain records made by the Federal Bureau of Investigation of electronic surveillance.

[3]

He has, acting personally and through his subordinates and agents, in violation or disregard of the constitutional rights of citizens, authorized and permitted to be maintained a secret investigative unit within the office of the President, financed in part with money derived from campaign contributions which unlawfully utilized the resources of the Central Intelligence Agency, engaged in covert and unlawful activities and attempted to prejudice the constitutional right of an accused to a fair trial.

[4]

He has failed to take care that the laws were faithfully executed by failing to act when he knew or had reason to know that his close subordinates endeavored to impede and frustrate lawful inquiry by duly constituted executive, judicial and legislative entities concerning the unlawful entry into the headquarters of the Democratic National Committee and the cover-up thereof and concerning other unlawful activities including those relating to the confirmation of Richard Kleindienst as Attorney General of the United States, electronic surveillance of private citizens, the break-in into the offices of Dr. Lewis Fielding and the campaign financing practices of the Committee to Re-Elect the President.

[5]

In disregard of the rule of law he knowingly misused the executive power by interfering with agencies of the executive branch including the Federal Bureau of Investigation, the Criminal Division and the office of Watergate special prosecution forces of the Department of Justice, and the Central Intelligence Agency, in violation of his duty 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 M. Nixon by such conduct warrants impeachment and trial and removal from office.