

IN THE MATTER OF
REPRESENTATIVE CHARLES H. WILSON
OF CALIFORNIA

REPORT
BY THE
COMMITTEE ON STANDARDS
OF
OFFICIAL CONDUCT

[To accompany H. Res. 1414]



OCTOBER 6, 1978.—Referred to the House Calendar and ordered to be printed

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CONTENTS

Report.

Appendixes:

- Appendix A. Proposed findings of fact submitted by the special staff to the committee.
- Appendix B. Respondent's proposed findings of fact.
- Appendix C. Answer to statement of alleged violation.
- Appendix D. Response of special staff to the answer of Charles H. Wilson.
- Appendix E. Transcript of hearings.
- Appendix F. Transcript of arguments.
- Appendix G. Transcript of decision.
- Appendix H. Exhibits.

IN THE MATTER OF
REPRESENTATIVE CHARLES H. WILSON
OF CALIFORNIA

OCTOBER 6, 1978.—Referred to the House Calendar and ordered to be printed

Mr. FLYNT, from the Committee on Standards of Official Conduct,
submitted the following

REPORT

[To accompany H. Res. 1414]

INTRODUCTION TO THE REPORT

After an inquiry conducted by the Committee on Standards of Official Conduct (the "Committee") pursuant to House Resolution 252, the committee on July 12, 1978, filed a Statement of Alleged Violation charging Representative Charles H. Wilson of California with a violation of the Code of Official Conduct of the House of Representatives. The charge against Representative Wilson grew out of his response dated July 28, 1977, to the questionnaire sent by the committee to each member of Congress. In the response, Representative Wilson stated that he had not received anything of a value greater than \$100 from Tongsun Park. In fact, Mr. Wilson had received United States and foreign currency from Tongsun Park worth about \$1,000 on October 22, 1975. A hearing was held at which Representative Wilson was represented by counsel. After the submission of evidence and written and oral arguments by attorneys for Representative Wilson and by the committee's staff, the committee voted, 8 to 1, one member present not voting, to sustain the charge with a modification in the language of the Statement of Alleged Violation.

The committee found it had been established by clear and convincing evidence that Representative Wilson had made "a false statement in writing" when in his July 28, 1977 response to the committee's questionnaire he denied receiving anything of a value greater than \$100 from Tongsun Park and that Representative Wilson "then and there knew that" that statement was false.

The committee voted, 8 to 1, one member present not voting, to recommend that, as a result of its findings, Representative Wilson

be reprimanded. The adoption of this report by the House shall constitute such a reprimand.

This report summarizes the findings made by the committee and procedures followed by the committee with respect to the said Statement of Alleged Violation. The record of the hearing with respect to the Statement of Alleged Violation is set forth in full as appendices hereto.

DISCUSSION

On February 9, 1977, the House unanimously adopted House Resolution 252.¹ That resolution directed the committee to conduct a "full and complete inquiry and investigation to determine whether Members of the House of Representatives, their immediate families, or their associates accepted anything of value, directly or indirectly, from the Government of the Republic of Korea or representatives thereof."

In pursuing the investigation mandated by House Resolution 252, the committee in early June of 1977 mailed a questionnaire to all current Members of the House and to all persons who had been Members of the House since 1970 asking them about their contacts with Tongsun Park and with representatives of the Korean Government. Among other things the committee questionnaire asked whether Tongsun Park had offered the Member or whether the Member had received from Tongsun Park anything of a value greater than \$100. Representative Wilson responded to the committee questionnaire by sending a letter to the Chairman, John J. Flynt, Jr., dated July 28, 1977, in which he stated that he had not been offered by and had not received from Tongsun Park anything of a value greater than \$100.

Thereafter, on July 12, 1978, the committee filed a statement of Alleged Violation² against Representative Wilson,³ which provided in its entirety as follows:

STATEMENT OF ALLEGED VIOLATION

In the matter of—

CONGRESSMAN CHARLES H. WILSON

On or about July 28, 1977, Charles H. Wilson, the respondent, who at all times relevant to this statement of alleged violation was a Member of the House of Representatives from the State of California, did conduct himself in

¹ Section 3 of H. Res. 252 provides that the Committee: "After appropriate notice and hearing, shall report to the House of Representatives its recommendations as to such action, if any, that the Committee deems appropriate by the House of Representatives as a result of any alleged violation of the Code of Official Conduct or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities."

² A "Statement of Alleged Violation" is the name given by the Committee's Rules of Procedure to a charge filed after an investigation conducted on the initiative of the committee. The committee files such a charge, according to its Rules of Procedure, only if it determines that there is "reason to believe" that a violation of the Code of Official Conduct or any other law, rule, regulation, or standard of conduct applicable to a Member in his official capacity has taken place.

³ Prior to the filing of the Statement of Alleged Violation the Committee, among other things, took the sworn testimony of Representative Wilson at a deposition in executive session before a Member of the Committee. The Committee is specifically empowered to take depositions by H. Res. 252, sec. 4(a)(1)(A).

a manner which did not reflect creditably on the House of Representatives (in violation of rule 1 of the Code of Official Conduct of the House of Representatives) and did violate the laws of the United States, to wit, title 18, United States Code, section 1001, in that, in a matter within the jurisdiction of an agency of the United States, to wit, the Committee on Standards of Official Conduct, the respondent, Charles H. Wilson, knowingly and willfully did make a false statement and did make a false writing, to wit, in a letter to the Honorable John J. Flynt, Jr., Chairman of the Committee on Standards of Official Conduct, dated July 28, 1977, the respondent Charles H. Wilson did respond "No" to the following question contained in a questionnaire issued by the Committee:

Since January 1, 1970:

Have you or any member of your immediate family, or to your knowledge has any member of your official staff or any person with whom you are a business partner or co-venturer

- (a) *been offered anything of value in excess of \$100 by,*
- (b) *received anything of value in excess of \$100 from,*
- (c) attended a function (other than at an Embassy or official residence) given by, or
- (d) had any commercial dealings with—
 - (1) *Tongsun Park.*
 - (2) *Kim Dong Jo.*
 - (3) *Hancho Kim.*
 - (4) *Kim Sang Keun (emphasis added).*

When he then and there knew that on or about October 22, 1975, he was offered by Tongsun Park a sum of money in Korean currency of value in excess of \$100, and that subsequently on that same date, he received from an agent of Tongsun Park the sum of \$600 in United States currency together with a sum of money in foreign currency, and when he then and there well knew that his answer was false. (Rule XLIII (1), Rules of the House of Representatives; 18 U.S.C., sec. 1001)

After the filing of the Statement of Alleged Violation, Representative Wilson, through his attorney, filed a motion seeking the dismissal of the Statement of Alleged Violation and seeking a hearing in executive session. He also filed an Answer sworn to by Representative Wilson, all as provided for in the Committee's Rules of Procedure. The staff filed a Response. Later, the committee denied Representative Wilson's motion to dismiss the Statement of Alleged Violation. Thereafter Mr. Wilson's attorney was supplied with copies of documents obtained by and depositions and interviews conducted by the staff in its investigation of Representative Wilson's contacts with Tongsun Park.

On September 14, 1978, Representative Wilson and his attorney appeared before the committee in executive session. Representative Wilson read a prepared statement, and his lawyer again argued that the Statement of Alleged Violation should be dismissed and that the hearing should be held in executive session.

The committee voted to deny the motion to dismiss the Statement of Alleged Violation and voted to proceed instead with an investigative hearing in public session.⁴ That afternoon, an investigatory hearing was held.

Prior to the hearing, Representative Wilson was given the opportunity to request the issuance of subpoenas compelling the attendance of witnesses or the production of documents necessary for his defense. At the hearing, Representative Wilson's attorney was given an opportunity to cross-examine witnesses called by the committee's staff and to call his own witnesses and offer evidence. Representative Wilson testified in his own behalf at the hearing.

The full record of the testimony and exhibits received in evidence at the hearing, Representative Wilson's answer, the staff's response, opening statements of counsel for Representative Wilson and the staff are attached hereto as appendices.

After the conclusion of the hearing, Representative Wilson's attorney and staff counsel submitted Proposed Findings of Fact and, on September 27, 1978, made oral arguments to the committee.

At the conclusion of the arguments on September 27, 1978, the committee immediately began deliberations in executive session and, later that day, announced in public session that the Statement of Alleged Violation had been amended by unanimous consent to read as follows:

STATEMENT OF ALLEGED VIOLATION

In the matter of—

CONGRESSMAN CHARLES H. WILSON

On or about July 28, 1977, Charles H. Wilson, the respondent, who at all times relevant to this statement of alleged violation was a Member of the House of Representatives from the State of California, did conduct himself in a manner which did not reflect creditably on the House of Representatives, in violation of rule 1 of the Code of Official Conduct of the House of Representatives, in that the respondent, Charles H. Wilson, did before the House Committee on Standards of Official Conduct knowingly make a false statement in writing, to wit, in a letter to the Honorable John J. Flynt, Jr., Chairman of the Committee on Standards of Official Conduct, dated July 28, 1977, the respondent Charles H. Wilson did respond "No" to the following question contained in a questionnaire issued by the Committee:

Since January 1, 1970:

Have you or any member of your immediate family, or to your knowledge has any member of your official staff or any person with whom you are a business partner or co-venturer

(a) *been offered anything of value in excess of \$100 by,*

(b) *received anything of value in excess of \$100 from,*

(c) *attended a function (other than at an Embassy or official residence) given by, or*

⁴ In determining to proceed with an investigation the Committee, pursuant to its own Rules of Procedure, must determine that "there is credible evidence of [the respondent's] violation of the code of Official Conduct . . ." rule 8(b)(1).

(d) had any commercial dealings with—

- (1) *Tongsun Park.*
- (2) *Kim Dong Jo.*
- (3) *Hancho Kim.*
- (4) *Kim Sang Keun (emphasis added).*

When he then and there knew that on or about October 22, 1975, he was offered by Tongsun Park a sum of money in Korean currency of value in excess of \$100, and that subsequently on that same date, he received from an agent of Tongsun Park the sum of \$600 in United States currency together with a sum of money in foreign currency, and when he then and there well knew that his answer was false. (Rule XLIII (1), Rules of the House of Representatives.)

The Committee found by a vote of 8 to 1, one Member present not voting, that the Statement of Alleged Violation, as amended, had been sustained by clear and convincing evidence. The Proposed Findings of Fact of the staff and the evidence set forth and cited in support thereof are set forth in appendix A hereto. The Proposed Findings of Fact submitted by Representative Wilson are set forth in appendix B hereof. The committee found in substance that in his July 28, 1977 letter Representative Wilson had submitted a false statement to the Committee when he denied receiving anything of a value greater than \$100 from Tongsun Park, and that Representative Wilson then and there knew that on or about October 22, 1975 he had received approximately \$1,000 in currency from Tongsun Park.

At the same time the committee announced that it had decided, by a vote of 8 to 1, 1 member present not voting, to recommend to the House that Representative Wilson be reprimanded. The adoption of this report by the House shall constitute such a reprimand.

Accordingly, the committee recommends that the House adopt a resolution in the following form.

HOUSE RESOLUTION

Resolved, That the House of Representatives adopt the Report by the Committee on Standards of Official Conduct dated October 6, 1978, In the Matter of Representative Charles H. Wilson of California.

Statement Under Rule XI Clause 2(1)(3)(A) of the Rules of the House of Representatives

The committee made no special oversight findings on this resolution.

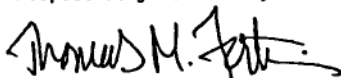
This report was approved by the Committee on Standards of Official Conduct on October 6, 1978 by a vote of 7 yeas, 0 nays, 1 Member present not voting.

The unusual nature of the cash gift from Tongsun Park and the prominence of Park's name in the media prior to the time Wilson answered the Committee questionnaire are more than clear and convincing evidence that Wilson intentionally failed to tell the Committee of the \$1,000 in cash he got from Tongsun Park. Wilson's repeated false stories to others about his contacts with Park make even more clear that his submission to the Committee was intentionally false.

CONCLUSION

The Committee should adopt both Findings of Fact set forth above.

Respectfully submitted,



Thomas M. Fortuin
Counsel

TMF:gcj

APPENDIX A

PROPOSED FINDINGS OF FACT
SUBMITTED BY THE SPECIAL
STAFF TO THE COMMITTEE

- A. Well, I can't recall anything else not in the newspaper story." (Tr. 109, 126, 138-139)

With respect to the obviously damaging testimony of John Pontius, Wilson's own Administrative Assistant, that Wilson told him he had never met Tongsun Park, Wilson first admitted that he told his staff he had not met Tongsun Park and then tried to deny it altogether:

- Q. Didn't you in fact tell several of your staff members that you had never met Mr. Park?

A. I very possibly did, yes.

* * *

- Q. And you don't recall telling any other staff members that you had never met Mr. Park?

A. No, I don't." (Tr. 110-111)

Wilson sought to avoid the damaging evidence concerning the FBI interview in a similar manner. He first sought to deny that he had been asked about Tongsun Park. In his sworn statement he stated:

"I frankly have no independent recollection of having been asked about Tongsun Park during the course of that interview. I have checked with my Administrative Assistant and Mr. Gould, who is here, who was staff director of my subcommittee of the Post Office Committee, both of whom were present during the interview. Neither of them has any recollection of any questions about my meeting with Tongsun Park or my response to it." (Tr. 159)

Then Wilson called George Gould, an employee of Mr. Wilson's Subcommittee on Postal Personnel and Management, as a witness. Gould also testified that he did not recall Congressman Wilson's being asked whether

APPENDIX A

HOUSE OF REPRESENTATIVES
COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

In the Matter of Congressman CHARLES H. WILSON of California

PROPOSED FINDINGS OF FACT
SUBMITTED BY THE SPECIAL
STAFF TO THE COMMITTEE

The Special Staff proposes that the Committee adopt the following findings as a result of the hearing held on September 14, 1978, with respect to Congressman Charles H. Wilson.

PROPOSED FINDINGS OF FACT

I. ON OR ABOUT JULY 28, 1977, CONGRESSMAN CHARLES H. WILSON MADE AND SUBMITTED TO THE COMMITTEE A FALSE WRITING, TO WIT, A LETTER SIGNED BY HIM STATING HE HAD NEITHER RECEIVED FROM NOR BEEN OFFERED "ANYTHING OF VALUE IN EXCESS OF \$100 BY" TONGSUN PARK.

II. AT THE TIME HE SUBMITTED THE SAID LETTER, CONGRESSMAN CHARLES H. WILSON KNEW THAT IN 1975 HE HAD BEEN OFFERED BY AND HAD ACCEPTED FROM TONGSUN PARK CURRENCY OF AN APPROXIMATE VALUE OF \$1,000.

DISCUSSION

PROPOSED FINDING NUMBER I

Congressman Wilson first met Tongsun Park on October 16, 1975; on an airplane flight from Taipei to Korea. (Tr. 77) Wilson was with

his fiance, Hyun Ju Chang, whom he was about to marry. On the plane, Wilson spoke only briefly with Tongsun Park:

"We had a brief chat during which I informed him that I was accompanied by my fiance and that I would meet her family in Korea. He congratulated us stating he was happy that I was marrying a lovely Korean lady and he hoped we would see one another in the future." (Exhibit W-3)

Upon arriving in Korea Wilson was warned to stay away from Tongsun Park. He testified:

"I had been advised when I got off the plane by a friend of mine, a long-time Korean friend, that I ought to stay away from him, because he was not in the good graces of the Korean Government." (Tr. 84)

Nonetheless, Wilson met with Park the following Wednesday while both were still in Korea. Wilson testified:

"Q. And thereafter, on Wednesday, October 22, 1975, he called you at the Chosun Hotel; correct?

A. A representative of his called me in my room at about 7:30 in the morning and asked if I would be able to come down to the hotel dining room and have breakfast with Mr. Park.

Q. And what happened there?

A. I went down and had breakfast with him.

Q. And who was present?

A. Mr. Park, an associate of his, and myself.

Q. And what transpired?

A. Just small talk, again. We had breakfast. As we were getting ready to break up, he gave me a small box and said this is a traditional Korean wedding gift, it is a pair of silver chopsticks, it is not

necessary for you to open it now. And then he reached in his pocket and pulled out an envelope filled with Korean currency, handed it to me, and he said, 'I have a thousand dollars here for you.'

I said, 'Well, I appreciate your generosity, but I have no use for this money, it is Korean, I am leaving today, and it is of no value to me, but I do appreciate your generosity.'" (Tr. 80-81)

Wilson even recalled the precise cost of the silver chopsticks.

He testified:

"A. We had quite a few sets of silver chopsticks.

Q. From Tongsun Park?

A. No, one set from him. It costs \$17." (Tr. 142)

Wilson kept the chopsticks but returned the money because it was Korean currency. Before Wilson left Korea, however, Park sent him some U. S. currency, which Wilson kept. Wilson described these events as follows:

"Q. And then it came about that you actually got some of the money from Mr. Park; is that correct?

A. Yes. I went back to my room, and packed my bags, and then came back to the lobby to check out of the hotel, and another associate, someone who was not with us at breakfast, approached me and said he was associated with Mr. Park, and he said, 'Mr. Park really wants you to have this for a wedding present.'

And I said, 'Well, it is not necessary.'

And he said, 'Well, Mr. Park wants you to have it.'

So I took it and went back up to the room. There were six \$100 bills in the envelope. And I didn't count the Korean currency, the rate of exchange,

about five hundred to one. And I handed it to my wife, the Korean currency, which is customary when she goes to visit her family in Korea, that her father gives her a large handful of Korean money, and she gives it back to him at the airport, whatever is left over, when she leaves Korea. And I said, 'When you see your father, your brother today at the airport, give him this along with whatever you are turning back.'" (Tr. 82-84)

When, on July 28, 1977, Wilson responded to the Committee questionnaire about contacts with Tongsun Park, however, he did not tell the Committee about the \$1,000 he had received from Park, and, in fact, stated he had never received nor even been offered anything of value in excess of \$100 by Tongsun Park. His July 28, 1977 response to the Committee's questionnaire reads as follows:

"Have you or any member of your family, or to your knowledge has any member of your official staff or any person with whom you are a business partner or co-venturer

- (a) been offered anything of value in excess of \$100 by,
- (b) received anything of value in excess of \$100 from,
- (c) attended a function (Other than at an Embassy or Official residence) given by, or
- (d) had any commercial business dealings with
 - (1) Tongsun Park
 - (2) Kim Dong Jo
 - (3) Hancho Kim
 - (4) Kim Sang Keun

Yes _____ No X " (Exhibit W-3)

This answer is plainly false, and the Committee should so find. Wilson does not deny that it is false but instead says he had simply forgotten getting the money when he answered the questionnaire.

PROPOSED FINDING NUMBER II

Wilson plainly knew his answer was false when he made it.

The receipt of the money from Park was unusual, as Wilson himself admitted. He told the Committee:

"I admit the wedding present was unusual. . . . The present was unusual because it came to me in cash; and although the amount was modest, it was one of the very few cash presents that Mrs. Wilson and I received at the time of our wedding. It was unusual because it came to me from Tongsun Park whom I had never met before that trip to Korea and never saw again afterward." (Tr. 69)

Wilson further characterized the gift as "unique" and "a very unusual gift." (Tr. 138, 140) He could recall receiving only one other gift of cash and that was not made directly to him. (Tr. 133-37)

Tongsun Park's name had been prominently mentioned in the media which, as Wilson admitted in his testimony before the Committee, focused on Park's handing out envelopes filled with cash:

"Q. The issue current at that time [the time of the Committee questionnaire] was money in envelopes. Is that not what people were talking about at that time?

A. Yes.

Q. And you knew Tongsun Park had been mentioned in that connection?

A. Yes. (Tr. 89-90)

Not only was Park's name associated with cash-filled envelopes in the public press, but also, Wilson himself had at least twice before answering the Committee questionnaire been asked about his contacts with Tongsun Park: first by Washington Post reporters in December, 1976 and later, eight days before he answered the questionnaire, by the FBI and an attorney with the Public Integrity Section of the Department of Justice. (Tr. 84-96, 111-12)

It is simply incredible that Wilson would not remember such an "unusual" gift of cash or, if he had momentarily forgotten it, that his memory was not refreshed by the prominence of Park's name in the media and by the two interviews he had in which his relationship to Park had come up. The facts surrounding Wilson's ultimate disclosure of the receipt of money from Park make it even more clear that Wilson did recall the payment from Park.

In July of 1977, when Wilson answered the Committee's questionnaire, Tongsun Park, as the Committee well recalls, was outside the territorial limits of the United States; few believed that his testimony would ever be obtained.

In November 1977, Wilson claims he was asked by Ambassador Sneider to intercede with President Park Chung Hee to assist in getting Tongsun Park to testify. Still his memory was not refreshed.

In the last days of 1977, however, and the early days of 1978, it became clear that Park's testimony would be obtained. On December 31, 1977, the papers carried the story that the Korean Government had agreed to let Mr. Tongsun Park testify in an agreement with the Department of Justice. (Exhibit W-8)

On January 13, 1978, the Los Angeles Times, which Mr. Wilson reads regularly, (Tr. 113) announced in banner headlines:

"PARK STARTS TALKING
'Lots of People, Sums of Money' Revealed to Probers
Lawmakers Reported on His List"

(Exhibit W-9)

The article also reported that Congressman Caputo, who had attended Park's testimony in Seoul, "would report his findings to the House Ethics Committee." (Exhibit W-9)

On January 14, 1978, the Los Angeles Times reported:

"But Park reportedly said also that dozens of other members of Congress had accepted amounts ranging from several hundred dollars to \$1,000 or \$2,000 apiece." (Exhibit W-10)

Five days later, on January 19, 1978, a Committee lawyer, Martha Talley, and a Committee investigator visited Wilson and delivered a letter from Leon Jaworski. That letter provided, in part:

"Dear Mr. Wilson:

In connection with the Korean Influence Investigation, the Committee on Standards of Official Conduct has directed that your testimony be taken."

* * *

At the deposition, the Committee also desires that the following be produced:

* * *

(3) Correspondence of any nature between you or your office and any Korean Government official, Tongsun Park or Hancho Kim between January 1, 1968 and this date" (Exhibit W-4)

Then, Wilson heard again that some incumbent Congressman had been implicated and that that evidence would be turned over to this Committee. Wilson testified:

- "Q. Shortly after Miss Talley visited you, did you see the headlines in the Washington Post on January 21, 1978, which indicated 'Korean Probers Claim Evidence,' then in big headlines, 'Incumbents Implicated'? Did you see that?
- A. I am sure I did.
- Q. Shortly thereafter, [Acting Deputy Attorney General] Civiletti gave a briefing to some Members of Congress. Were you present for that?
- A. Oh, no. I felt that was very improper, incidentally, for him to do that.
- Q. Do you recall learning that he had told the meeting that 'evidence on an additional 15 to 20 present and former Members of the House will be turned over to parallel House investigators for possible disciplinary proceedings?'
- A. I am sure I read it, because I have understandably been reading everything in connection with the Korean investigation." (Tr. 122-23)

It was only then, in fear that Park had implicated him and that the evidence would be turned over to this Committee, that on February 7, 1978, Wilson told the truth about getting the money from Tongsun Park.

Wilson's explanation for why he failed to tell the Committee about the \$1,000 he got from Tongsun Park in response to the questionnaire is wholly unpersuasive. In his February 7, 1978 letter Wilson sought to justify his previous false statement to the Committee on the sole grounds that at the time of filling out the Committee questionnaire he did not think wedding gifts were called for. He wrote:

At the time of answering your Committee inquiry, I was thinking in terms of gifts given for the purpose of influencing a member in his functions as a Congressman and not as a courtesy at the time of a wedding. (Exhibit W-5)

In fact, when Wilson was asked on one occasion about the wedding and on another about wedding gifts in particular he failed to tell about the \$1,000 gift from Park. Indeed, Wilson's numerous inconsistent stories about his relationship to Tongsun Park establish convincingly that his failure to correctly answer the Committee questionnaire was a pattern of conduct in which he repeatedly lied about his relationship to Tongsun Park.

Wilson told five different false stories to various persons concerning his contacts with Tongsun Park over the approximately one year period from December 1976 until January 1978 when the "Koreagate scandal" was being prominently reported in the media.

Wilson's first false story about his relationship to Tongsun Park came in an interview with reporters from the Washington Post on December 2, 1976. By Wilson's own sworn testimony, he told them about the silver chopsticks he received from Tongsun Park but did not tell

*/ There is also the matter of the mysterious ride to the airport which Congressman Wilson took in Tongsun Park's limousine. No one has been able to say how it is that Wilson got hold of Park's limousine: both Wilson and Pontius deny having made any arrangements for the limousine.

them about the cash he received at the very same time. His testimony with respect to the Washington Post interview was as follows:

Q. Let me focus your attention back to December of 1976.

Do you recall December 2, 1976, you were interviewed by Mr. Armstrong and McAllister of the Washington Post? Do you recall that?

A. How could I forget it?

* * *

Q. And did you tell them about getting some silver chopsticks from Mr. Park?

A. I did. I told you that today.

Q. And you told them that [that] gave you a set of eight chopsticks?

A. That is right.

A. But you did not tell them about the money offered at the same time you got the chopsticks?

A. No, I did not. (Tr. 94-96)

It is inconceivable that Wilson could recall the \$17 silver chopsticks and forget the \$1,000 worth of cash he received simultaneously. Wilson plainly lied to the Washington Post reporters because, given the publicity surrounding the "Koreagate scandal," he felt that admitting receipt of \$1,000 in cash from Park would be publicly damaging. He was plainly mad at the Washington Post reporters and felt it was none of their business just as, when he answered the Committee questionnaire, he was angry with the Committee.

With respect to why he did not tell the Washington Post reporters about the \$1,000, Wilson testified:

Mr. Caputo, even if I did have any memory of it at that time, it was none of the newspaper reporter's business whether I received it or didn't receive it. (Tr. 141)

With respect to the Committee, he testified:

I will be frank to say that the questionnaire surprised and annoyed me. (Tr. 55)

Wilson's pattern of false denials with respect to his contacts with Tongsun Park continued not only through his answer to the Committee questionnaire but also through his meeting with the FBI, and his meeting with Committee lawyer Martha Talley on January 19, 1978.

Eight months after the Washington Post interview, Wilson was interviewed by an FBI agent and an attorney from the Public Integrity Section of the Department of Justice, Craig Bradley. Bradley described Wilson's manner as "antagonistic." Once again the wedding in Korea was mentioned but Wilson did not tell Bradley even about the chopsticks; nor did he tell him about the meeting at the Chosun Hotel. Bradley, now a visiting law professor at the University of North Carolina Law School, testified as follows:

- A. I asked Mr. Wilson to describe his connections with Tongsun Park. I no longer recall what it was he indicated, but one had to do with his wedding. I then asked him if he had ever been offered or received anything of value by or from Tongsun Park, and he said he had not. He did not relate to me any meeting with Tongsun Park in the Chosun Hotel in Korea. I would have remembered that had he done so.
- Q. Was there any comments about any chopsticks or anything of that nature?

- A. He made the flat statement he never received nor had been offered anything. (Tr. 163)

The FBI Report (Exhibit W-13) confirms that the wedding was discussed but that Wilson still denied the Chosun Hotel breakfast and that he received anything of value from Tongsun Park:

"The marriage of a U. S. Congressman to a Korean woman generated a lot of publicity in ROK. It was during that 1975 visit that TONG SUN PARK introduced himself to WILSON. Sometime later WILSON attended a Wine Tasting Party given by the California Wine Producers Association at The George Town Club (TGTC) at which TONG SUN PARK was present. In 1976 WILSON and his wife were invited to a reception given by TONG SUN PARK which they declined due to a previous engagement. WILSON can recall no additional contacts with TONG SUN PARK. PARK never offered WILSON anything of value." (Emphasis added) (Exhibit W-13)

To his staff Wilson denied ever having met Tongsun Park. John Pontius, the Congressman's Administrative Assistant, testified unequivocally that even after Wilson had gotten the money in 1975 he denied at least twice even having met Tongsun Park. Pontius testified:

- A. This may be an isolated instance, but at one point in 1976, there were numerous society stories in the papers as to Tongsun Park entertaining locally, and Mr. Wilson said in passing he had not been invited to any of his receptions, and that he, in fact, had not met the gentleman.
- Q. He said he had not met Tongsun Park?
- A. That is correct.
- Q. How many times did he tell you that he had not met Tongsun Park, if you recall?
- A. Mr. Fortuin, I am not certain. I would say once or maybe twice, before the questionnaire, and what

he said at that time in terms of the papers, it was something said very lightly in passing as an aside. There was nothing which precipitated bringing it up.

Q. What is your best recollection as to when that conversation took place?

A. In 1976. (Tr. 16)

* * *

Q. Other than the incidents you have testified to, do you have any recollection of conversations with Mr. Wilson?

A. As to Tongsun Park prior to the receipt of the questionnaire, no; just those I mentioned. To summarize, there was a newspaper article about invitations, where he indicated he had not met this fella.

Q. Had not Mr. Wilson told you at one time that he had been told not to meet Tongsun Park?

A. Yes.

Q. When was that?

A. I am really not certain when it occurred.

Q. Tell us what was said?

* * *

A. Ambassador Hahn had told Mr. Wilson that he should not meet him. (Tr. 27-28)

Thus, even to his staff, Wilson sought to falsely minimize his contacts with Park. Then, on January 19, 1978, a Committee lawyer, Martha Talley, and an investigator delivered a letter from Leon Jaworski asking Mr. Wilson to produce any correspondence he had with, among others, Tongsun Park. Wilson told Martha Talley that he had met Park only once on an airplane en route to Korea. She testified:

"He reviewed the letter that we had brought from Mr. Jaworski, and he commented, just as he was looking over it, reading what the documents we were asking for, he commented that he was fairly certain he had no correspondence with Tongsun Park, because he had met him only once on an airplane flying to Seoul." (Emphasis added) (Tr. 44)

In fact, he gave Martha Talley the precise date of this meeting, October 16, 1975, (Tr. 45) making it clear that he had reviewed the events surrounding his marriage in Korea and that he had a precise recollection of those events even to the point of remembering the exact day, month and year of his alleged first meeting with Tongsun Park. It is preposterous to suppose that Wilson could remember the exact date of chance encounter but not \$1,000 in currency received just six days thereafter.

This evidence establishes a pattern of conduct in which Wilson falsely denied his contacts with Tongsun Park. Thus, prior to admitting the receipt of the money from Tongsun Park, Wilson told five false and different stories concerning his relationship to Tongsun Park. He told the Committee that he had not received anything of value from Park of over \$100 when, in fact, he received \$1,000 in cash. He told the Washington Post about the \$17 worth of silver chopsticks but did not tell them about the \$1,000 in cash he received at the very same time he received the cash. To his own trusted Administrative Assistant, he falsely claimed he had never met Tongsun Park. He told the FBI he received nothing of value from Tongsun Park, failing to mention the chopsticks or the cash. To the Committee's lawyer, Martha Talley, Wilson said that he had met Park only once, giving her the precise date of the meeting but

failing to tell her about the meeting a few days later at the Chosun Hotel, about the silver chopsticks he had mentioned to the Washington Post more than a year earlier, or about the \$1,000 in cash he got from Tongsun Park. Thus, Wilson was more candid with the Washington Post than he was with the FBI or Public Integrity Section of the Department of Justice or the Committee's lawyer.

Recognizing how damaging the evidence was of his inconsistent false statements to the Washington Post, the FBI and his own staff, Wilson adopted before the Committee the same strategy he had used to deal with the receipt of the money from Tongsun Park: except when he felt the Committee was in possession of clear evidence, he claimed a failure of recollection.

Thus, at first, thinking the staff had a tape recording of the interview, Wilson swore that he told the Washington Post about the silver chopsticks but not the cash (his unequivocal testimony on this portion of the Washington Post interview is set forth above).

When he found out that the staff had, in fact, not had access to the recording (Tr. 98), Wilson sought to claim a failure of recollection with respect to the interview:

"Q. At that time you knew that?

A. I don't know about this, Mr. Fortuin. I am not going to respond to any question that goes beyond the actual newspaper article. I cannot recall the complete conversation, I cannot recall the type of questions that were asked, I cannot recall my answers. And I really am reluctant to

respond to anything in connection with that interview unless I have a copy of the newspaper article here so I can refresh my memory of what the reporter did write about his interview with me.

* * *

Q. Do you recall any questions -- Do you now recall any questions being directed to you as to presents from Tongsun Park of any kind or character?

A. It is very likely questions were directed to me about any gifts that I may have received from Tongsun Park, as well as possibly other Korean people. I cannot recall vividly. I would be unable to recall anything in detail at this time. That was not printed in the paper and was just a general part of the interview.

* * *

Q. Did you have an interview with Washington Post reporters in early December 1976?

A. Yes, I did.

Q. Did you relate to them the gifts you got at your wedding?

A. No, I didn't.

Q. You told no Washington reporter that you received silver chopsticks from Tongsun Park at your wedding as a wedding gift?

A. I can't recall what I told them, Mr. Caputo. Again, we are getting into the same area that Mr. Fortuin asked me about. I am not able to comment about anything that was not in the newspaper article itself.

It has been too long ago. I cannot recall what was said in that interview. The only way I can recollect or recall anything to my mind would be if I saw the newspaper article itself.

Q. I am not asking for what is in the newspaper story, but what you --

- A. Well, I can't recall anything else not in the newspaper story." (Tr. 109, 126, 138-139)

With respect to the obviously damaging testimony of John Pontius, Wilson's own Administrative Assistant, that Wilson told him he had never met Tongsun Park, Wilson first admitted that he told his staff he had not met Tongsun Park and then tried to deny it altogether:

- Q. Didn't you in fact tell several of your staff members that you had never met Mr. Park?

- A. I very possibly did, yes.

* * *

- Q. And you don't recall telling any other staff members that you had never met Mr. Park?

- A. No, I don't." (Tr. 110-111)

Wilson sought to avoid the damaging evidence concerning the FBI interview in a similar manner. He first sought to deny that he had been asked about Tongsun Park. In his sworn statement he stated:

"I frankly have no independent recollection of having been asked about Tongsun Park during the course of that interview. I have checked with my Administrative Assistant and Mr. Gould, who is here, who was staff director of my subcommittee of the Post Office Committee, both of whom were present during the interview. Neither of them has any recollection of any questions about my meeting with Tongsun Park or my response to it." (Tr. 159)

Then Wilson called George Gould, an employee of Mr. Wilson's Subcommittee on Postal Personnel and Management, as a witness. Gould also testified that he did not recall Congressman Wilson's being asked whether

he received anything of value from Tongsun Park at the interview. (Tr. 149) The testimony of Bradley and the FBI Report dictated one week after the interview establish, however, that these questions were asked and that Wilson unequivocally denied having received anything of value from Tongsun Park. (Tr. 163, Exhibit W-13)

Wilson further sought to defend against the charge against him by making the absurd claim that in November 1977 he interceded with the President of Korea to urge him to return Park to this country so that Park could cooperate with this Committee. (Tr. 60-61) Of course, only Mr. Wilson and President Park know what was actually said at that meeting. (Tr. 117)

Wilson's claim that he was attempting to help the Committee's inquiry in November 1977 is, however, absurd in view of the fact that only days before, on October 31, 1977, Wilson had gone on the Floor of the House angrily denouncing the Committee's first set of hearings held in October 1977 and calling the Committee's witnesses "defectors and traitors of Korea." When confronted with this fact, Wilson at first claimed that he was referring to the Fraser Committee hearings. But the Congressional Record of October 31, 1977 makes it clear that he was referring to this Committee:

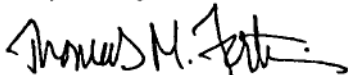
"I have not had the advantage of participating in the hearings chaired by the gentleman from Georgia (Mr. Flynt) but from what I saw on television of the hearings that were televised I saw a group of defectors and traitors of Korea who were testifying against their country so they could have the security of staying here in the great United States of America."

The unusual nature of the cash gift from Tongsun Park and the prominence of Park's name in the media prior to the time Wilson answered the Committee questionnaire are more than clear and convincing evidence that Wilson intentionally failed to tell the Committee of the \$1,000 in cash he got from Tongsun Park. Wilson's repeated false stories to others about his contacts with Park make even more clear that his submission to the Committee was intentionally false.

CONCLUSION

The Committee should adopt both Findings of Fact set forth above.

Respectfully submitted,



Thomas M. Fortuin
Counsel

TMF:gcj

APPENDIX B

RESPONDENT'S PROPOSED
FINDINGS OF FACT

APPENDIX B
Before the Committee
On
Standards of Official Conduct
Proceedings in Re: Hon. Charles H. Wilson, M.C.

PROPOSED FINDINGS OF RESPONDENT, HONORABLE CHARLES H. WILSON, M.C.

Congressman Charles H. Wilson, by his attorney, herewith submits his proposed findings in this proceeding in which the Congressman stands accused of having knowingly and willfully submitted a false statement to the Committee in violation of the Standards of Conduct of the House of Representatives and, apparently, Title 18 U.S.C. §1001.

The cardinal facts in this matter may be simply put. On July 28, 1977, Congressman Wilson submitted his response to the Committee's June 15, 1977 questionnaire issued as a part of its investigation of Korean influence. He neglected to report the fact that he had received a wedding present from Tongsun Park at the time of his marriage in Korea in October 1975. It is not claimed that acceptance of the wedding present was illegal or otherwise improper. Congressman Wilson reported the fact of the wedding present, and the circumstances surrounding its receipt, in a letter to the Committee dated February 7, 1978. This constituted the first information the Committee received as to the wedding present;

it occurred prior to any depositions of Congressman Wilson; and it occurred some months before Tongsun Park himself acknowledged that the present had been given.

On these undisputed facts, the issue for determination by the Committee is: whether the original omission of the fact of the wedding present from Congressman Wilson's response, although subsequently, voluntarily reported, constitutes the deliberate and willful submission of a false statement with respect to a fact material to this Committee's investigation of Korean influence?

Special staff counsel to the Committee asks the Committee to answer this question in the affirmative. Counsel does so on the extraordinarily narrow theory that Congressman Wilson's corrected statement of February 7, 1978 was not voluntary but was motivated out of fear, generated from press accounts, that the Committee otherwise knew or soon would find out about the gift in any event; and upon the theory, never expressly stated but strongly implied, that the wedding present was so unusual Congressman Wilson could not possibly have ever forgotten about it.

We respectfully but urgently submit that a finding that Congressman Wilson has violated the rules of the House of Representatives and a criminal statute by the deliberate and willful submission of a false statement cannot be sustained on special counsel's theory or the

(d) had any commercial dealings with

- (1) Tongsun Park
- (2) Kim Dong Jo
- (3) Hanchu Kim
- (4) Kim Sang Keun

3. Respondent admits that, by letter dated July 28, 1977 and delivered on or about such date, he submitted a response to the aforesaid questionnaire in which the response to the question set forth in paragraph 2 was "No."

4. Respondent asserts that, by letter dated February 7, 1978, addressed to the Chairman of this Committee and delivered to him on or about such date, a copy of which is annexed hereto and made a part hereof, the negative response to the above question was amended and amplified as more fully set forth in the annexed letter; and that Respondent took other and further acts, including intercession with the government of the Republic of Korea, in furtherance of this Committee's investigation.

5. Respondent denies each and every one of the allegations of the Statement of Alleged Violation which asserts or implies that Respondent's response to the above-referenced Committee questionnaire and/or his subsequent voluntary submission dated February 7, 1978, constitute or can be

facts now set forth in the public record in this case. There are four elements to the offense with which Congressman Wilson stands accused: there must be (i) a statement; (ii) which is false; and (iii) which relates to a material fact; and (iv) which was made deliberately and willfully. United States v. Lang, 528 F.2d 1280 (5th Cir. 1976). Of these elements, we submit and will show in these proposed findings that the presence of two are, at best, doubtful. There is doubt whether Congressman Wilson's original submission may properly be characterized as "false" although it is undeniably incomplete. There is much greater doubt whether the omission of the wedding present is a fact material to this Committee's investigation of improper influence. Above all, it is plain, as we will show in these findings, that the failure to report the wedding present was not deliberate or willful but was the result of sheer, innocent inadvertence. We therefore respectfully urge this Committee to dismiss the statement of alleged violation.

In support the following is stated:

1. At best, the third question of the June 15, 1977 questionnaire prepared by the then special counsel to the Committee must be characterized as cumbersome. It sought information with respect to (i) the Congressman, (ii) any member of his immediate family, (iii) any member

of his official staff, or (iv) any person with whom the Congressman is a business partner or co-venturer; it sought to elicit information with respect to four very different types of transactions, ranging from the casual -- attendance at "a function other than at an embassy or official residence" -- to the substantial -- "commercial business dealings." It sought all of this information with respect to five different Koreans. The questionnaire itself permitted only a simple yes or no response and added -- almost as an afterthought -- that if the answer to any of the multiple questions propounded is in the affirmative, the respondent should "furnish complete details" (Tr. 37; Exh. W-2).

2. As Congressman Wilson testified, under the format of the question "a lot of things got mixed together." (Tr. 56). As a result, he stated "I was confused by this structure." The confusion was compounded in Congressman Wilson's case because one subpart of the question called for information which Congressman Wilson clearly did remember and which he felt necessary to report to the Committee. He remembered having attended social functions at Suzi Park Thomson's. Concerned to report these facts accurately to the Committee under the cumbersome structure of the question, the Congressman "failed to pay attention to the other subparts." (Tr. 57-58). Inevitably, the necessity to report the fact of the wedding present which Congressman

Wilson and his wife had received three years earlier and which was not clearly in his mind was obscured by the cumbersome multi-part question with which he was confronted.

3. On cross-examination, staff counsel sought to insinuate that the Congressman's confusion is dissembling and that, if there were genuine confusion the Congressman should have contacted the Committee's staff as the questionnaire invited him to do. (Tr. 88). The Congressman acknowledged that he should have answered the questionnaire with greater care and should indeed have retained counsel sooner to assist him in more effectively parsing the multi-part question with which he was confronted (Tr. 75, Tr. 88-89). We may even concede that perhaps the Congressman should have contacted the Committee's special staff in view of his confusion. But, none of this alters the fact that the questionnaire was cumbersome and that the Congressman was justifiably confused by it.

4. We have grave doubts whether, as a matter of policy, this Committee should base a charge of submitting false statements on a question which is itself a trap for the innocent. Certainly, Congressman Wilson's answer to the question was not entirely responsive to all of its multiple subparts. But there is serious question whether the answer

was, in view of the structure of the question, legally false. As the Supreme Court has said in a somewhat related context, "It is not uncommon for the most earnest witnesses to give answers that are not entirely responsive. Sometimes the witness does not understand the question, or may in an excess of caution or apprehension read too much or too little into it." Bronston v. United States, 409 U.S. 358 (1973). This is why, in perjury cases, the courts will not sustain convictions unless the question is unmistakably incapable of confusing the witness and unless the answer is entirely false. Bronston, supra. It is highly debatable whether Congressman Wilson's answer although undeniably incomplete and therefore inaccurate, meets this standard of falsity. In any event, the record establishes that (i) the cumbersome structure of the question afforded justification for confusion and (ii) Congressman Wilson was genuinely confused. These facts must be taken into account by the Committee in determining whether his omission of the fact of the wedding present was deliberate and willful.

5. The Committee must also consider the materiality and importance of the omitted fact in assessing whether Congressman Wilson's action was deliberate and intended to deceive the Committee. Congressman Wilson did not regard the wedding present as illegal; he had no reason to believe that Tongsun Park was an agent of a foreign

government because he knew that Mr. Park "was not in the good graces of the government of Korea." (Tr. 144-145). It is manifest that the gift was in no way intended to influence Congressman Wilson's vote on pending legislation affecting Korea or otherwise. Indeed the Congressman expressly testified and the record will confirm that he was a supporter of United States aid to Korea "long before Tongsun Park was ever heard of." (Tr. 74). If Tongsun Park had a motive, other than simple generosity in making the present, it was to impress Congressman Wilson's father-in-law, a prominent Korean businessman and not to influence Congressman Wilson's views. (Tr. 132). Congressman Wilson has expressed regrets at having accepted the gift (Tr. 75) but that is a purely personal judgment which does not bear upon the propriety of the gift itself. In a word, the gift was neither illegal nor, in the circumstances, was its acceptance improper.

6. Thus, there was no "motive to falsify." Freidus v. U.S., 223 F.2d 598, 603 (D.C. Cir., 1956). It is equally the case that the fact omitted from Congressman Wilson's response to the questionnaire has only a tenuous relationship to the purposes of the Committee's investigation. Pursuant to House Resolution 252, the purpose of the investigation was to ascertain whether "members

of the House have been the object of efforts by certain foreign governments or persons and organizations acting on behalf of foreign governments... to influence the members official conduct by conferring things of value on them." So far as we are aware, it was not the purpose of the Committee to investigate or to expose any and all contacts, no matter how innocent or innocuous between members of Congress and persons such as Tongsun Park who might otherwise be engaged in nefarious activities. Whatever else Tongsun Park may have done, the wedding present he gave to Congressman and Mrs. Wilson was innocuous and its acceptance was neither illegal nor improper.

7. For precisely this reason, the failure to report the wedding present in Congressman Wilson's original response to the questionnaire does not constitute the omission of a material fact. It seems to be the position of special counsel that any misstatement or omission, no matter how trivial, can serve as the basis of a finding of violation and the imposition of sanctions. That ought not to be, we submit, this Committee's policy. Rather, only those statements which have "a natural tendency to influence or was capable of influencing the decision". Robles v. United States, 279 F.2d 401, 404 (9th Cir. 1960) are material. The fact of the wedding present is no more relevant to the purposes of the Committee's

investigation than was the fact, fully reported by Congressman Wilson, that he attended two or three social functions given by Suzi Park Thomson. The omission was immaterial because the omitted fact was simply incapable of influencing the Committee's investigation of Congressman Wilson's affairs. At the very least, the Committee must take into account the singular unimportance of the wedding present, and the absence of any motive to keep it from the Committee, in determining whether Congressman Wilson's original mistake was inadvertent. Freidus, supra.

8. Congressman Wilson squarely addressed the question of why the gift was forgotten at the time he responded to the original questionnaire. He forthrightly apologized to the Committee for having made the mistake. (Tr. 75). He explained that his response to the questionnaire had been prepared quickly and almost entirely from memory. (Tr. 57). He openly set forth the circumstances under which he received the present and which significantly contributed to his failure to remember it three years later. In acknowledging that the gift itself was somewhat unusual, Congressman Wilson pointed out that the entire circumstances surrounding his marriage to Mrs. Wilson "were highly unusual" (Tr. 70). The sudden decision to marry in Korea was a time of great excitement and happiness. There were, the Congressman stated, "many

parties, presents, expressions of goodwill and congratulations." (Tr. 70) As a result, the events of that five day period are "for the most part a blur. The present from Tongsun Park along with many others that we received, disappeared from my mind." (Tr. 71) In preparing the response to the questionnaire from memory, working perhaps more quickly than he should have, troubled by the structure of the question itself the Congressman explained that "there is simply no way that an isolated incident which had occurred three years earlier at an exciting and busy time of my life, involving a man whom I never saw again, would come to mind." (Tr. 74).

9. Above all, the Congressman pointed out that as soon as he remembered the present and realized the necessity, with the assistance of counsel, to report it to the Committee he did so, "voluntarily, freely." (Tr. 68) As the Courts have long recognized "willingness to correct a misstatement... is potent to negate a willful intent to swear falsely." Beckanstin v. United States, 232 F.2d 1, 4 (5th Cir. 1956).

10. The attack on this simple, straightforward narrative rests, by contrast, on innuendo and surmise. Much of the evidence adduced by special staff counsel to show that the mistake was willful and deliberate is non-probative; some is simply irrelevant; and the balance

affirmatively supports the conclusion that the mistake was indeed inadvertent and was corrected as soon as it came to Congressman Wilson's attention. The essential "facts" adduced by special staff counsel are these:

(a) Sinister significance is attached to the fact that it took slightly more than a month for Congressman Wilson to respond to the questionnaire after it was received. (Tr. 32-34) But, as Congressman Wilson himself explained, the delay in responding the questionnaire is nothing more than the result of his decision to see whether other members of Congress intended to reply to it. Although a number of members of Congress apparently did not ultimately respond, Congressman Wilson subsequently determined that he had a responsibility to cooperate with the Committee and he did so. (Tr. 57.) Mr. Pontius, testifying for the special staff, confirmed that the delay in responding the questionnaire was merely a function of Congressman Wilson's uncertainty as to whether it was necessary to respond at all. (Tr. 33). The delay in responding to the questionnaire is thus non-probative.

(b) Similarly, some significance is attached by special staff counsel to the fact that Congressman Wilson was taken to the airport, either in the Fall of 1975 or the Spring of 1976, in a limousine owned by Pacific Development Corporation. (Tr. 23-27). The apparent theory is that if Congressman Wilson received a favor --

no matter how innocent -- from a corporation owned by Tongsun Park he should have remembered the wholly unrelated wedding present in preparing his response to the Committee's questionnaire. The theory itself is specious. Moreover, although the exact facts as to the procurement of the limousine are extremely unclear, this much is certain: Congressman Wilson did not himself make the arrangements for the limousine nor did he instruct his staff to obtain it from Tongsun Park or Pacific Development Corporation (Tr. 35-36); and Tongsun Park, assuredly, was not in the car (Tr. 72). The evidence concerning the limousine is at best, non-probative and more aptly simply irrelevant. ^{*}/

(c) It is suggested that, as a matter of probabilities, Congressman Wilson should have been more likely to remember the wedding present than meeting Tongsun Park on the flight from Taipei to Seoul. This conjecture is based upon the fact that, one week before he responded to the questionnaire, Congressman Wilson was interviewed by an FBI Agent and an attorney from the Department of Justice and told them of his meeting Tongsun Park on the flight from Taipei to Korea in October 1975 but denied having

^{*}/ Special staff counsel itself seems to recognize that the dinner invitation to Tongsun Park from a "Congressman and Mrs. Wilson" is equally non-probative. As Congressman Wilson testified "that was not me" (Tr. 71). Special staff counsel did not pursue the matter.

received anything of value from Tongsun Park (Tr. 164; Exhibit W-13). Neither the FBI witness nor the report itself were, however, models of clarity. ^{*/} Most importantly, witness Bradley's account of Congressman Wilson's demeanor during the FBI interview entirely substantiates Congressman Wilson's testimony that he did not remember the wedding present when he was interviewed by the FBI and did not remember it a week later when he prepared the response to the questionnaire. (Tr. 60) Witness Bradley stated that Congressman Wilson answered questions about himself and his personal involvement with Suzi Park Thomson and Tongsun Park calmly; he became hostile only when asked for information about other members of Congress (Tr. 167). That is not the conduct of a man who has guilty knowledge and is seeking to protect himself! Further, as Congressman Wilson testified, there was a particular reason to remember the airplane from Taipei to Seoul: in addition to Tongsun Park, then Congressman Passman was also on the flight. In light of subsequent developments with respect to both of these men, it is entirely possible that the airplane

*/ The witness, a relatively young man, stated he had no recollection of when the interview with Congressman Wilson had taken place or of having reviewed the report prior to its filing; yet he claimed he would have remembered if Congressman Wilson had told him of meeting Tongsun Park at the Chosun Hotel in Seoul. (Tr. 163; Tr. 161; Tr. 165.) The report itself is flatly inaccurate: we are prepared to offer proof that the California Wine Tasters party at The Georgetown Club took place in 1971, not 1975, as asserted in the report, and, as Congressman Wilson testified, if Tongsun Park was at that 1971 party, Congressman Wilson did not see him (Tr. 60).

ride would stick in his mind when the meeting at the Chosun Hotel, which occurred five days later and under very different circumstances, did not. (Tr. 125). At most, the testimony concerning the FBI interview in July 1977 is non-probative; in fact, it tends to support the conclusion that the omission of the wedding present from Congressman Wilson's original response was genuinely inadvertent.

(d) Finally, special staff counsel tried to insinuate, through questioning, that Congressman Wilson had told a reporter for The Washington Post at least of the chopsticks he had received from Tongsun Park in conjunction with an interview which the Congressman gave to the Post in December 1976. (Tr. 94-98.) The apparent theory of this line of questioning was to establish that the meeting at the Chosun Hotel was still in Congressman Wilson's mind at least as late as December 1976. There is no basis in the record for determining exactly what was said in that December 1976 interview. If there is a record of the interview -- either in the form of reporters' notes, or a tape recording -- it was not offered into evidence. Neither did special staff counsel produce the reporters as a part of his direct case or for purposes of impeachment. Congressman Wilson has testified that he has an imperfect memory; and repeatedly stated that he had no independent

recollection of the interview. (Tr. 95-96). Yet special staff counsel, for whatever reason, declined to make available a copy of the article in order to refresh Congressman Wilson's recollection and did not offer the article itself in evidence. It may be doubted whether there was any discussion of wedding presents during the course of that interview. Certainly, the only direct testimony concerning the interview came from Mr. Gould, who was present during the interview and who had no recollection of any questions being asked about wedding presents or about Tongsun Park in particular. (Tr. 148).^{*/} The record concerning the December 1976 interview is, at best, inconclusive.

11. The claim that Congressman Wilson knowingly and willfully submitted a false statement to the Committee thus comes to rest ultimately on the naked proposition that the wedding present was so unusual that he could not have forgotten it and that, when he corrected the

^{*/} Our objection to special staff counsel's line of questioning was thus based both on legal and policy considerations. There was no foundation to the line of questions concerning the December 1976 interview because that interview was neither a part of special staff counsel's direct case or of Congressman Wilson's testimony. It is not the practice of the Courts to permit counsel, in the guise of questioning, to present evidence, because that "evidence" is beyond the reach of cross-examination (Tr. 98). Yet, that is exactly what special staff counsel did here. (Tr. 96) And, if facts are to be adduced on the basis of documents, such as newspaper accounts, reporters notes or tape recordings, those documents should be made a part of the record.

statement by his letter of February 7, 1978, he did so not because he had remembered the present but because he was fearful that the Committee already knew or would somehow find out about the present independently. The Congressman candidly acknowledged in his testimony that the wedding present was "unusual" (Tr. 69). It was unusual because it came in cash, was one of the few cash presents the Congressman has received either at the time of his marriage or otherwise (Tr. 130-31). And, the Congressman acknowledged, it was unusual because it came from a man whom Congressman Wilson "had never met before that trip to Korea and never saw again afterward. (Tr. 69). But, the insinuation that because the present was somewhat out of the ordinary it was impossible for Congressman Wilson to have forgotten it when he responded to the Committee's questionnaire in July 1977 is a non sequitur. The entire circumstances surrounding the wedding present were unusual; it is a perfectly human reaction to completely lose track of one isolated and not very significant incident during a "busy and exciting time of my life." (Tr. 74).

The present and the possibility that it might be forgotten must be viewed in context.

12. Equally without evidentiary foundation is the theory that Congressman Wilson submitted the February 7 letter not to voluntarily correct his own prior mistake but out of fear that the Committee would otherwise learn of the gift or already knew of it. The relevance of Ms. Talley's testimony concerning her meeting with Congressman Wilson on January 19 (Tr. 41-44) is by no means apparent except to establish the fact of a conversation between Congressman Wilson and the Speaker of the House several days earlier. But, that conversation with the speaker would be probative of the proposition that Congressman Wilson submitted the February 7 letter out of fear only if the Speaker had told the Congressman that he was suspected by the Committee; and this did not occur. (Tr. 121). Otherwise, the testimony as to Ms. Talley's interview with Congressman Wilson on January 19, 1978 is largely irrelevant. Congressman Wilson himself volunteered the observation that he had only met Tongsun Park once; and Ms. Talley did not ask whether he had received anything of value during the course of that

one meeting. (Tr. 44; Tr. 47) Special staff counsel's theory thus continues to rest on the accident of timing -- that the interview occurred on January 19 and Congressman Wilson corrected his original response to the questionnaire shortly thereafter. But, as Congressman Wilson himself explained, it was not until after that meeting with Ms. Talley that he remembered the present. (Tr. 63-64)

13. The press accounts (Exs. W-6 to W-11) which special staff counsel introduced to establish that Congressman Wilson's corrected statement of February 7 was motivated by fear are essentially without probative value. The accounts after January 19 are entirely irrelevant: on that date Congressman Wilson retained counsel and the decision was made to correct the response. (Tr. 123) Moreover, as Congressman Wilson testified, he was of course aware of the earlier accounts; "it was impossible not to be." (Tr. 67) But the press accounts showed Tongsun Park to be an exceptionally evasive witness, and staff counsel's own exhibits confirm this. In those circumstances "the calculated decision would have been for me to say nothing to the Committee and to take the chance...that Tongsun Park would say nothing either."^{*/} (Tr. 67) If they have any probative value,

^{*/} In fact, Tongsun Park did not acknowledge the wedding present until some months after it had already been reported to the Committee by Congressman Wilson.

the press accounts tend to confirm the conclusion that Congressman Wilson freely and voluntarily submitted the February 7 letter.

14. Finally, the theory that the corrected statement was submitted out of fear cannot be reconciled with the extraordinary step which Congressman Wilson took in November 1977, after the original response had been filed and before it was corrected. He affirmatively interceded with high governmental officials of the Republic of Korea to assist in the return of Tongsun Park for questioning by the full Committee. (Tr. 59-61)

15. It is undisputed that that on November 1977 trip Congressman Wilson, Congressman Daniel and Mr. Marshall met with the American Ambassador; that the American Ambassador requested Congressman Wilson to convey a message to the President of the Republic of Korea urging the return of Tongsun Park for questioning. (Tr. 61) Staff counsel seeks to cast doubt whether Congressman Wilson actually carried out that mission. Staff counsel refers to a speech made by Congressman Wilson on the floor of the House in which he castigated as "traitors" Korean governmental officials then appearing before the Committee. (Tr. 115) But that statement has been taken out of context. More importantly, counsel has omitted a crucial passage.

16. As a reading of the full speech will disclose, its essential thrust is that there is a difference between conventional pressure which Congressmen may receive from foreign governments seeking United States aid and illegal conduct and that it was therefore necessary to be "very cautious and not do anything to disrupt the friendship" with the Republic of Korea, of which Congressman Wilson had long been a supporter. At the same time, the Congressman explicitly stated "Of course, there is no defense for bribery, if bribery has taken place." (Congressional Record H. 11819, October 31, 1977.) We ask the Committee to take official notice of the entire text of Congressman Wilson's October 31 speech.^{*/} There is no inconsistency between Congressman Wilson's disdain for Korean officials whom he believed willing to trade information for asylum and his willingness to aid the Committee's efforts to ferret out improper conduct for which, he said "there is no defense." Congressman Wilson's testimony that he interceded with the Republic of Korea in November 1977 in aid of this Committee's investigation is entitled to full credit.

17. This action alone is compelling evidence that Congressman Wilson's omission of the wedding present from his original

^{*/} This incident serves to underscore the soundness of the legal policy which prohibits counsel from testifying and which requires that if documentary evidence is to be relied upon it be made available to the witness and placed in the record.

response was entirely inadvertent and innocent. He acted innocently in aid of the Committee's investigation because he had genuinely forgotten the present and because he was and is innocent of any attempt to withhold information from the Committee.

Conclusion

For these reasons, we respectfully submit that the statement of alleged violation issued against Congressman Wilson should be dismissed and that no further action be taken against him. Congressman Wilson's explanation of the circumstances surrounding his failure to remember the gift, his consequent failure to originally report it to the Committee, his free and voluntary correction of his own mistake, is probative, creditable, and indeed, compelling. There was a genuine oversight, freely corrected. The contention that the original omission was deliberate and that the correction was self-serving rests entirely upon innuendo, speculation and surmise which is wholly lacking in a factual foundation. This type of evidence cannot as a matter of law and should not as a matter of policy be permitted to

serve as the basis for recommendation of sanctions by this
Committee. Congressman Wilson should therefore be exonerated.

Respectfully submitted

CHARLES H. WILSON

By 
Ian D. Volner

Cohn and Marks
1920 L Street, N.W.
Washington, D.C. 20036

His Counsel

APPENDIX C

ANSWER TO STATEMENT OF
ALLEGED VIOLATION

APPENDIX C

THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

IN THE MATTER OF)	
)	
CONGRESSMAN CHARLES H. WILSON)	STATEMENT OF
)	ALLEGED VIOLATION

COMES NOW Charles H. Wilson ("Respondent"), pursuant to Rule 7 of this Committee's Rules of Procedure, and answers the above-referenced Statement of Alleged Violation issued by Resolution of this Committee adopted July 12, 1978, as follows:

1. Respondent admits that he is a member of the House of Representatives from the State of California.
2. Respondent admits that on or about June 15, 1977, he received a questionnaire issued by the then Special Counsel to this Committee containing the following question:

Since January 1, 1970:

Have you or any member of your immediate family, or to your knowledge has any member of your official staff or any person with whom you are a business partner or co-venturer

- (a) been offered anything of value in excess of \$100 by,
- (b) received anything of value in excess of \$100 from,
- (c) attended a function (other than at an Embassy or official residence) given by, or

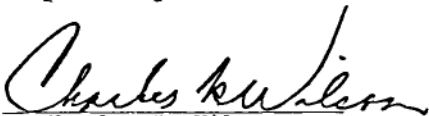
construed to constitute conduct in violation of Rule 1 of the Code of Official Conduct of the House of Representatives or in violation of the laws of the United States. Without limiting the generality of the foregoing, Respondent specifically denies that he knowingly and willfully made a false statement and a false writing in the letter dated July 28, 1977 and further specifically denies that, at the time of preparation and transmission of his letter of July 28, 1977, he then and there well knew that the above recited answer to the Committee's questionnaire was false.

6. Respondent affirmatively asserts that his conduct in conjunction with the Committee questionnaire does not reflect adversely upon the House of Representatives or violate Rule 1 of the Code of Official Conduct because, among other things, the letter of February 7, 1978 amplifying such response was submitted voluntarily and at Respondent's own volition; because such letter was submitted prior to the conduct of any proceedings by this Committee or its staff of matters to which the questionnaire was addressed; because Respondent took other and further acts, including intercession on behalf of the Committee with the government of the Republic of Korea, in furtherance of the Committee's investigation; and because Respondent has otherwise comported himself in a manner consistent with the purposes of House Resolution 252 and Rule 1 of the Code of Official Conduct.

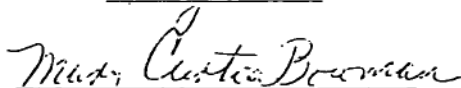
7. Respondent further affirmatively asserts that, because his July 28, 1977 letter is a negative response contained in an unsworn statement arising from an investigative proceeding, it does not, as a matter of law, constitute a violation of 18 USC 1001 or of Rule 1.

WHEREFORE, Respondent respectfully prays that this Committee be convened as provided in Rule 10 of the Committee's Rules; that a hearing in Executive Session be held on the matters addressed in the Statement of Alleged Violation; that REspondent be afforded an opportunity to be heard; and that, upon conclusion of such hearing, the Committee, by resolution or report, dismiss the above-referenced Statement of Alleged Violation as improvidently issued or, alternatively, exonerate Respondent from the unfounded and unfair charge made therein.

Respectfully submitted


 Charles H. Wilson

Sworn to before me this 4
 day of August, 1978.


 Notary Public

My Commission Expires: April 30 79

ARMED SERVICES
 SUBCOMMITTEE
 INTELLIGENCE AND MILITARY
 APPLICATION OF NUCLEAR ENERGY
 SEAPOWER AND STRATEGIC AND
 CRITICAL MATERIALS
 MILITARY INSTALLATIONS AND
 FACILITIES

OFFICE AND CIVIL SERVICE
 SUBCOMMITTEE
 CHAIRMAN, PORTAL PERSONNEL AND
 MODERNIZATION
 INVESTIGATIONS
 DETAIL OPERATIONS AND SERVICES
 CIVIL SERVICE

3101 DISTRICT, CALIFORNIA

Congress of the United States
 House of Representatives
 Washington, D.C. 20515

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D. ROBERT FORDIANI
 FIELD REPRESENTATIVE

7200 EAST CALIFORNIA BOULEVARD
 PARAMOUNT, MICHIGAN 48066
 PARAMOUNT, CALIFORNIA 90763
 TELEPHONE: 531-6866

February 7, 1978

Honorable John J. Flynt, Jr.
 Chairman, Committee on Standards
 of Official Conduct
 Room 2360
 Rayburn House Office Building

Dear Mr. Chairman:

On July 28, 1977 I replied to a letter of inquiry from Special Counsel to your Committee concerning having been offered or received anything of value in excess of \$100.00 from Korean Government officials or certain named individuals. I replied in the negative.

Subsequently I realized that I had failed to mention my wife and I were the recipients of certain wedding gifts given to us at the time of our wedding in Seoul, Korea on Saturday, October 18, 1975.

At the time of answering your Committee inquiry, I was thinking in terms of gifts given for the purpose of influencing a member in his functions as a Congressman and not as a courtesy at the time of a wedding.

My then fiance Hyun Ju Chang, a U. S. citizen, but a native of Korea, and I traveled to Korea from Taipei on October 16, 1975. During the course of the flight I was introduced to Tongsun Park. We had a brief chat during which I informed him that I was accompanied by my fiance and that I would meet her family in Korea. He congratulated us stating he was happy that I was marrying a lovely Korean lady and he hoped we would see one another in the future.

Upon arrival at Seoul we were met by U. S. Embassy personnel, members of my fiance's family and a Korean-American friend of ours, Ki Su Shin. While waiting for the transfer of my baggage to my hotel I was chatting with my friend Mr. Shin who stated that he noticed Tongsun Park get off the plane. I stated that I had been introduced

to Tongsun Park on the flight to Seoul and Mr. Shin stated that he understood that Tongsun Park was not viewed with favor by the Korean Government.

With the aid of U.S. Embassy personnel Hyun Ju Chang and I were married in a civil ceremony at Seoul City Hall on Friday, October 17, 1975 and a religious ceremony on Saturday, October 18, 1975 at the U. S. Army Base in Seoul.

I had many meetings with Korean Government officials over the next few days and my wife and I were guests at several luncheons, dinners, and receptions given by her family, the U.S. Ambassador and Korean officials to celebrate our wedding.

I had a meeting with the Prime Minister who presented us with a calligraphy that he had made himself in honor of our wedding and at a dinner given by the Director of the KCIA he presented us with a painting that he had made in honor of our wedding. There is no way to determine the value of these personalized wedding gifts.

On our last day in Korea (Wed., Oct. 22) Tongsun Park called me at the Chosun Hotel where we were staying and asked me to join him at the Hotel for breakfast.

During the breakfast meeting he again congratulated me on my marriage and expressed his pleasure that my wife was Korean. He stated he wished to give us a wedding present and presented me a small box containing two chopsticks and an envelope which contained Korean currency. I thanked him but returned the envelope to him stating something to the effect that we were departing Korea and would be unable to use the currency. I thanked him for his generous gesture. I do not know the amount of the Korean currency.

We parted and I returned to the room to prepare to check out of the hotel. Later when I returned to the lobby to complete the check out from the hotel I was approached by a Korean, whom I did not know, who said he was an associate of Tongsun Park who handed me an envelope and said Tongsun Park wanted me to receive it as a wedding gift.

I returned to my room, opened the envelope and found \$600.00 in U.S. currency and some Korean currency.

I suggested to my wife that she might want to leave the Korean money with some member of her family which she did.

The meetings outlined above are the only times I have ever met Tongsun Park.

Very truly yours,

Charles H. Wilson

APPENDIX D

RESPONSE OF SPECIAL STAFF TO
THE ANSWER OF CHARLES H. WILSON

APPENDIX D

THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

In the Matter of
CHARLES H. WILSON

RESPONSE OF SPECIAL STAFF TO
THE ANSWER OF CHARLES H. WILSON

The Special Staff to the Committee submits this memorandum pursuant to Rule 7(2) of the Committee Rules in response to the answer of Congressman Charles H. Wilson to the Statement of Alleged Violation (the "Statement") served on him.

First, Mr. Wilson argues that his letter of February 7, 1978, in which he admitted for the first time the receipt of money from Tongsun Park "was submitted voluntarily and at [his] own volition" and "because such letter was submitted prior to the conduct of any proceedings by this Committee or staff of matters to which this questionnaire was addressed." The latter point is erroneous in that the staff had conducted countless depositions during the period of July 28, 1977 through February 7, 1978 attempting to learn which Congressmen had been the beneficiaries of Park's largess.

In any event the Statement alleges that Congressman Wilson deliberately withheld information when he answered the

questionnaire and it is plainly unethical for a Congressman to lie to a Committee of Congress even if he later admits that he lied. Moreover, the staff will urge at the hearing that the timing of Wilson's letter of February 7, 1978, makes it clear that he recanted only because he feared at the time that the falsity of his statement had become manifest to the Committee. Wilson had been informed on January 19, 1978 that he was the subject of the Committee's inquiry and at that time was requested to produce correspondence with Tongsun Park. Newspaper accounts at that time made it clear that Park was supplying the names of Congressmen to whom he had given money in his testimony in Korea, and Congressman Wilson, no doubt, feared that Park had implicated him.

Second, Wilson argues that the July 28, 1978 letter could not provide the basis for a violation of Title 18, United States Code, Section 1001 because "it is a negative response contained in an unsworn statement arising from an investigative proceeding." Section 1001 of Title 18 prohibits anyone from making "any false, fictitious or fraudulent statement or representation" or using "any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry" in any matter "within the jurisdiction of any Department or Agency of the United States." This provision has been held to be applicable to false statements made to the Congress. United States v. Bramblett, 348 U.S. 503 (1955). Moreover, such statements need

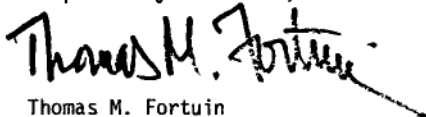
not be under oath. Adler v. United States, 380 F.2d 917, 922 (2d Cir.), cert. denied, 389 U.S. 1006 (1967). */

For the most part, Congressman Wilson simply denies that his response, dated July 28, 1977, to the Committee questionnaire was knowingly false. This claim and indeed his other claims merely raise a factual issue which can only be resolved at a hearing before the Committee. In fact that is all that Congressman Wilson requests. **/

Conclusion

The Committee should proceed with the hearing requested by Congressman Wilson pursuant to the Committee rules.

Respectfully submitted,



Thomas M. Fortuin
Counsel

*/ While we are aware that some courts have concluded in the context of criminal investigations that an "exculpatory 'no'" in an oral unsworn response to oral questioning by criminal investigators does not constitute a "statement" within the meaning of Section 1001, see, e.g., United States v. Bedore, 455 F.2d 1109 (9th Cir. 1972); Paterno v. United States, 311 F.2d 298 (5th Cir. 1962); United States v. Erlichman, 379 F.Supp. 291 (D.D.C. 1974); United States v. Stark, 131 F.Supp. 190 (D. Md. 1955), those cases have no applicability here where the false statement was contained in a written document signed by the Congressman and was supplied in response to a written questionnaire.

**/ Congressman Wilson, however, requests that this hearing be held in executive session. The staff opposes this request for the reasons set forth in its response to a similar request made by Congressman Edward R. Roybal.

APPENDIX E

TRANSCRIPT OF HEARINGS

PROCEEDINGS RE: REPRESENTATIVE CHARLES H. WILSON

THURSDAY, SEPTEMBER 14, 1978

HOUSE OF REPRESENTATIVES,
COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT,
Washington, D.C.

The committee met, pursuant to recess, at 2:20 p.m., in room H-140, the Capitol, Hon. John J. Flynt, Jr. (chairman of the committee) presiding.

Present: Representatives Flynt, Spence, Quillen, Bennett, Preyer, Fenwick, and Caputo.

Also present: John M. Swanner, staff director; Martha Talley, committee counsel; Jeffrey Harris, Thomas M. Fortuin, and John W. Nields, Jr., professional staff members.

Mr. FLYNT. The committee will come to order. The staff director will call the roll.

Mr. SWANNER. Mr. Flynt.

Mr. FLYNT. Here.

Mr. SWANNER. Mr. Spence.

Mr. SPENCE. Here.

Mr. SWANNER. Mr. Teague.

[No response.]

Mr. SWANNER. Mr. Quillen.

Mr. QUILLEN. Here.

Mr. SWANNER. Mr. Bennett.

Mr. BENNETT. Here.

Mr. SWANNER. Mr. Quie.

[No response.]

Mr. SWANNER. Mr. Hamilton.

[No response.]

Mr. SWANNER. Mr. Cochran.

[No response.]

Mr. SWANNER. Mr. Preyer.

Mr. PREYER. Here.

Mr. SWANNER. Mrs. Fenwick.

Mrs. FENWICK. Here.

Mr. SWANNER. Mr. Flowers.

[No response.]

Mr. SWANNER. Mr. Caputo.

Mr. CAPUTO. Here.

Mr. SWANNER. Seven present; five absent, not voting.

Mr. FLYNT. A quorum is present.

At this time, it is the duty of the Chair to make a statement of the committee's authority to hold hearings and to state the purpose and scope of this hearing.

This investigative hearing is held pursuant to House Rule X 4.(e)(1)(B), which provides that the Committee on Standards of Official Conduct shall:

* * * investigate, subject to subparagraph (2) of this paragraph, any alleged violation, by a Member, officer, or employee of the House, of the Code of Official Conduct or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities, and, after notice and hearing, to recommend to the House by resolution or otherwise, such action as the committee may deem appropriate in the circumstances;

Additionally, House Resolution 252, 95th Congress, 1st session, mandates, in section 3, that this committee:

* * * after appropriate notice and hearing, shall report to the House of Representatives its recommendations as to such action, if any, that the committee deems appropriate by the House of Representatives as a result of any alleged violation of the Code of Official Conduct or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities.

The scope and purpose of this hearing is to resolve the allegations contained in the statement of alleged violation with regard to Charles H. Wilson.

The object of this hearing shall be to ascertain the truth.

The statement of alleged violation has been served, and do you insist that the statement be read, or do you waive the reading?

Mr. VOLNER. We will waive the reading.

Mr. FLYNT. The respondent and counsel waive the reading of the alleged violation, and without objection the statement of alleged violation will be included in the record at this point.

Reading of the response of the special staff to the answer of Mr. Wilson is waived by the staff and by the committee and without objection is to be inserted at this point.

[The information is set forth as Appendix D, hereof.]

Mr. FLYNT. Mr. Volner, have you been supplied a copy of the supplemental rules of procedure?

Mr. VOLNER. I have, Mr. Chairman.

Mr. FLYNT. I just wanted to make sure the record shows that you have.

The committee counsel, Mr. Niels, or his assistant, Mr. Fortuin, will now under the rules make an opening statement, if either one so desires.

Mr. FORTUIN. If it please the committee, the evidence in this case will show on July 28, 1978, the respondent, Congressman Charles Wilson, of California, responded to a questionnaire which had been sent out by the committee in which the committee asked whether or not, among other things, he had received anything of value over \$100 from Tongsun Park.

The evidence will show he indicated he did not. He signed the questionnaire and forwarded it to the committee.

There is no dispute that statement was false. In fact, at the time of his wedding in Korea in 1975, Mr. Wilson received approximately \$600 in American money as well as Korean currency from Tongsun Park.

The staff submits the evidence will further establish Mr. Wilson knew the answer was false when he made it and he intended to deceive the committee.

The evidence will show he kept the questionnaire for 7 weeks.

At this time, as the committee well recalls, Tongsun Park was outside the territorial limits of the United States; few believed he would ever be a witness before this committee. There seemed little likelihood his truthful testimony would be obtained.

In the last days of 1977, however, and the early days of 1978, all that changed.

On December 31, 1977, the papers carried the story the Korean Government had agreed to let Mr. Tongsun Park testify in an agreement with the Department of Justice.

On January 13 and 14, 1978, the papers indicated Park had begun testifying in Korea to the Department of Justice. All this time, Mr. Wilson was silent with respect to the questionnaire response he submitted to the committee.

Five days later a lawyer and investigator visited Mr. Wilson with a letter over the signature of the special counsel, Leon Jaworski, and requested information as to contacts Mr. Wilson had had with Tongsun Park.

Thus, in short order, Mr. Wilson learned Mr. Park was testifying in Korea and the committee was conducting an investigation.

The press carried numerous stories of the testimony being given in Seoul. That was in early February of 1978. It was against this background on February 7, 1978, that Mr. Wilson sent in a letter to the committee in which he admitted for the first time having received a large sum of cash—large at least by my standards of receiving currency—in the sum of \$600 from Tongsun Park. He claimed at the time he answered the questionnaire he was thinking of gifts to a Member for the purpose of influencing his functions and not as currency given as a present for a wedding.

Then he indicated he had been interviewed by an FBI member and an attorney for the Department of Justice and he admitted meeting him, but not the fact that he had received anything from Tongsun Park.

This chronology makes it clear Mr. Wilson admitted receiving money from Tongsun Park only when the falsity of Mr. Wilson's questionnaire would become manifest. In fact, Mr. Park did not tell of the payment, but Mr. Wilson did not know that, because these were secret meetings. The impression was that Park had told all.

That is the outline of the evidence I will present in arguing these facts after the conclusion of the presentation of evidence. Thank you.

Mr. FLYNT. Mr. Volner, do you wish to make an opening statement at this time?

Let the record show Representative Charles H. Wilson is present and is represented by his counsel, Mr. Ian D. Volner.

Mr. VOLNER. The baseline facts in this proceeding are not very much in dispute, although counsel has set them forth at some length. We freely admit and the Congressman has admitted from the beginning that his original statement was at least incomplete insofar as he failed to report the receipt of the wedding present from Tongsun Park.

In February 1978, that omission was corrected voluntarily and freely by the Congressman of his own free will and volition; and as staff counsel belatedly acknowledged, long before that information had been supplied to the committee by Tongsun Park.

The question then is very simple: Did Congressman Wilson deliberately and willfully fail to report the information to the committee? Did he try to suppress that information? Did he try to withhold it from the committee? Is there any evidence to support that impression?

Your counsel has said that is a matter of circumstantial evidence, but there is a difference between circumstantial evidence and speculation and guesswork.

You will hear testimony from Congressman Wilson that he genuinely forgot the wedding present at the time he was interviewed by the FBI and at the time he responded to the questionnaire. You will hear, having filed the questionnaire, he took the unusual step of interceding with the Government of Korea to procure the return of Tongsun Park from Korea so this committee could have his testimony. That is not the action of a guilty man trying to suppress knowledge from the committee.

You will hear from Congressman Wilson, that when he discovered his mistake, he promptly disclosed it to the committee long before Tongsun Park ever came forward.

Under these circumstances, we submit if this committee finds Congressman Wilson should be sanctioned or reprimanded, the committee will not only have done an injustice but you will do your own committee a disservice, making it impossible for future Members of this House to correct mistakes they may have made.

We believe and can clearly show the Congressman's action was sheer inadvertence; that it was corrected as soon as possible. For this he should be commended for his candor in coming forward and reporting his own mistake to the committee.

Mr. FLYNT. Mr. Fortuin, call your first witness.

Mr. FORTUIN. The staff calls John Pontius.

Mr. FLYNT. Do you solemnly swear that the testimony you will give before this committee in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PONTIUS. I do.

TESTIMONY OF JOHN PONTIUS

Mr. FLYNT. Are you represented by counsel?

Mr. PONTIUS. Yes, I am.

Mr. FLYNT. Will you identify him?

Mr. PONTIUS. Charles Schulze.

Mr. SCHULZE. My name is Charles Schulze, 1010 Vermont Avenue, Washington, D.C.

Mr. FLYNT. You are attending this hearing in company with Mr. Pontius as his counsel?

Mr. SCHULZE. Yes.

Mr. FORTUIN. By whom are you employed?

Mr. PONTIUS. Charles H. Wilson of California.

Mr. FORTUIN. What is your position with Mr. Wilson?

Mr. PONTIUS. That of administrative assistant.

Mr. FORTUIN. How long have you been so employed?

Mr. PONTIUS. I have been employed with Congressman Charles Wilson since February 23, 1971.

Mr. FORTUIN. Do you recall a time, Mr. Pontius, when a questionnaire from this committee was received in the offices of Mr. Wilson which dealt with his contacts with Koreans and the Korean Government?

Mr. PONTIUS. Yes, I do.

Mr. FORTUIN. Prior to that time did you have any discussion with Mr. Wilson or were you present at any discussion in which the name Tongsun Park came up with Mr. Wilson at which Mr. Wilson was also present?

Mr. PONTIUS. This may be an isolated instance, but at one point in 1976, there were numerous society stories in the papers as to Tongsun Park entertaining locally, and Mr. Wilson said in passing he had not been invited to any of his receptions and that he, in fact, had not met the gentleman.

Mr. FORTUIN. He said he had not met Tongsun Park?

Mr. PONTIUS. That is correct.

Mr. FORTUIN. How many times did he tell you that he had not met Tongsun Park, if you recall?

Mr. PONTIUS. Mr. Fortuin, I am not certain. I would say once or maybe twice, before the questionnaire, and what he said at that time in terms of the papers, it was something said very lightly in passing as an aside. There was nothing which precipitated bringing it up.

Mr. FORTUIN. What is your best recollection as to when that conversation took place?

Mr. PONTIUS. In 1976.

Mr. FORTUIN. Did you have any other conversation with Mr. Wilson or in Mr. Wilson's presence relating to Tongsun Park prior to the time your office received the questionnaire?

Mr. PONTIUS. There were two communications from Mr. Spencer Robbins concerning the use of a limousine and an invitation, but those were the only times Mr. Park's name came up.

Mr. FORTUIN. When was the first time that you spoke to Mr. Robbins?

Mr. PONTIUS. It is hard to recall the time. It was possibly in the fall of 1975, before Congressman Wilson went on a trip before his marriage to his present wife, possibly the spring of 1976.

Mr. FORTUIN. That is Capt. Spencer Robbins, an employee of Tongsun Park?

Mr. PONTIUS. I spoke to Spencer Robbins; yes.

Mr. FORTUIN. Did you call him, or did he call you?

Mr. PONTIUS. I called him.

Mr. FORTUIN. How was it that you came to call Mr. Robbins?

Mr. PONTIUS. For some reason, I had a slip of paper on my desk which had Mr. Spencer or Mr. Spencer Robbins and a phone number on it.

Mr. FORTUIN. Do you know who gave you that piece of paper?

Mr. PONTIUS. I am not completely certain who gave it. In one of my depositions I mentioned if it was before Mr. Wilson went to Korea it possibly could have been the gentleman who escorted him on the trip.

Mr. FORTUIN. Who was that?

Mr. PONTIUS. Minister Hu, minister of China—Taiwan Embassy.

Mr. FORTUIN. Do you recall what he told you when he gave you that slip of paper?

Mr. PONTIUS. No; I do not really recall. It was just to call Mr. Spencer Robbins.

Mr. FORTUIN. Did you call Mr. Robbins?

Mr. PONTIUS. I did.

Mr. FORTUIN. Did you discuss this with Mr. Wilson before doing so?

Mr. PONTIUS. No; I do not believe I talked to Mr. Wilson.

Mr. FORTUIN. What did you say when you spoke to Mr. Robbins on this first occasion?

Mr. PONTIUS. I introduced myself, and it was a very brief conversation, and it was either that conversation or a second conversation about an invitation. The two may have occurred at the same time, but the subject of the use of a limousine came up.

Mr. FORTUIN. Tell us first about the conversation. Who was inviting whom?

Mr. PONTIUS. The invitation was being initiated by Mr. Park for Mr. and Mrs. Wilson to attend a breakfast between the three of them, a breakfast or a dinner.

Mr. FORTUIN. When you say Mrs. Wilson, are you referring to the second Mrs. Wilson?

Mr. PONTIUS. That is correct.

Mr. FORTUIN. Were they, Mr. and Mrs. Wilson, at that time or had they yet to be married?

Mr. PONTIUS. I cannot recall. If it was fall of 1975, they had yet to be married. If it was spring of 1976, they were in fact married.

Mr. FORTUIN. In any event, the trip they were about to go on was to be paid for by whom, that Mr. and Mrs. Wilson were to go on—

Mr. VOLNER. Mr. Chairman, I am going to object to that question. The scope of that is whether the Congressman knowingly, deliberately then and there well knew if his answer was false.

This question is as to his travel arrangements. He may have been going to California. Even if he were going to Korea, it is beyond the scope of this hearing.

Mr. FORTUIN. It is when he first had contact with Tongsun Park. The only way to get at that is it is a matter of setting you a chronology so we have every contact of Mr. Wilson with Mr. Park. There are several trips, and if I do not identify it, the record will be unclear as to which trip we are talking about.

Mr. VOLNER. The witness has already testified as to the date of this invitation.

Mr. FLYNT. What would be the relevance of the answer to the question that you just asked?

Mr. FORTUIN. It would fix the trip as only one possible trip, the October 1975 trip. If counsel stipulates that is the trip we are talking about, I will withdraw.

Mr. VOLNER. I will not specifically stipulate, but he may ask the witness the best of his recollection at the time the limousine was arranged for. The witness has said, if it was in the fall of 1975, it was before he was married, and if it was in the spring of 1976, it

was after he was married. I will stipulate to that. But where the trip was to, I have a great deal of objection to that.

Mr. FORTUIN. The answer will identify which trip it was and will resolve the ambiguity the counsel is objecting to.

Mr. VOLNER. I do not object to the ambiguity.

Mr. FORTUIN. Mr. Witness, where do you believe Mr. Wilson was going on this occasion, on the occasion you spoke to Mr. Robbins?

Mr. PONTIUS. I spoke to Mr. Robbins on either one or two occasions. The subject matter of the limousine and the invitation could have been the same call or a different call. The invitation would have occurred probably in the spring of 1976 or the fall of 1975.

Mr. FORTUIN. How about the discussion with respect to the limousine?

Mr. PONTIUS. It could have occurred at either of those times as well.

Mr. FORTUIN. You said you got the card with respect to Spencer Robbins from Mr. Hu at the Embassy?

Mr. PONTIUS. Yes.

Mr. FORTUIN. Does that help you establish where Mr. Wilson was going on the trip for which he needed the limousine?

Mr. PONTIUS. I am just really not certain.

Mr. FORTUIN. That does not help you?

Mr. PONTIUS. No.

Mr. FORTUIN. And you have no idea why Mr. Hu, of the Chinese Embassy, why he asked you to call Mr. Robbins?

Mr. PONTIUS. I mentioned earlier, of the people who possibly gave me a piece of paper, it could have been Mr. Hu, and Mr. Wilson did go to Korea a couple of weeks after I saw Mr. Hu. There was one time about the limousine or invitation Mr. Wilson said he was unavailable. I do not know if he was going to his district or on a trip.

Mr. FORTUIN. So you have no idea which trip it was in which you had this discussion about a limousine. You do not have any idea which that was?

The trip in which Mr. Hu accompanied Mr. Wilson occurred when?

Mr. PONTIUS. That is precise. It occurred probably late September, early October 1975.

Mr. FORTUIN. That is the trip on which the Congressman ultimately got married?

Mr. PONTIUS. That is correct.

Mr. FORTUIN. But you do not know if that is the trip when Mr. Hu gave you the card with respect to Mr. Robbins?

I thought you testified earlier you believed you got the slip of paper from the person who was going to accompany Mr. Wilson on the trip.

Mr. PONTIUS. Yes.

Mr. FORTUIN. That would be Mr. Hu?

Mr. PONTIUS. Yes.

Mr. FORTUIN. Mr. Hu accompanied Mr. Wilson on the trip in October 1975?

Mr. PONTIUS. That is right.

Mr. FORTUIN. So you got the note with respect to Spencer Robbins in October of 1975?

Mr. PONTIUS. Yes.

Mr. FORTUIN. Then you did call Spencer Robbins?

Mr. PONTIUS. I did.

Mr. FORTUIN. Tell us as best you recall the conversation you had with Mr. Spencer Robbins.

Mr. PONTIUS. I called the number not knowing who Mr. Spencer Robbins was. The girl put me on hold and there was music in the background while I was on hold.

Mr. Robbins answered the phone and I said I was John Pontius of Congressman Wilson's office. The whole call only lasted a minute or two, but at some point during the call, the matter of a limousine came up.

Mr. FORTUIN. Who brought up the idea of a limousine?

Mr. PONTIUS. I cannot specifically recall if he brought it up or I brought it up. But he knew what I was talking about, because the limousine was subsequently arranged.

Mr. FORTUIN. Did you ask Mr. Robbins for a limousine or did he offer it to you?

Mr. PONTIUS. My recollection is uncertain, honestly uncertain.

Mr. FORTUIN. What did you tell Mr. Robbins with respect to the limousine?

Mr. PONTIUS. I said it is possible Mr. Wilson could use a limousine.

Mr. FORTUIN. Did you tell him to deliver it at a certain time or place?

Mr. PONTIUS. No, I did not.

Mr. FORTUIN. Did you tell him you would get back to him and tell the time and place?

Mr. PONTIUS. As I recall, I did.

Mr. FORTUIN. How did you leave it with Mr. Robbins?

Mr. PONTIUS. As I recollect, I left it with Mr. Robbins, there was a limousine available for Congressman Wilson, but we did not tie down where the Congressman lived or what time he wanted to get the limousine.

Mr. FORTUIN. Did you then have communication with anybody else in the office about the limousine?

Mr. PONTIUS. I do not know if I mentioned it to Congressman Wilson, but he would be the only person.

Mr. FORTUIN. You had to mention it to someone so they could call the limousine and tell it where to go, did you not?

Mr. PONTIUS. For some reason, the whole incident is rather unusual, because I was caught in the middle of a series of fact situations: Order a limousine; ascertain the time and place—it seems to me Mr. Robbins knew more about it than I did. I was not even certain at the time that the limousine was ever used. There was just that one call—

Mr. FORTUIN. You later became certain that the limousine was used?

Mr. PONTIUS. Yes.

Mr. FORTUIN. You had a conversation with Mr. Wilson and he told you he had used Park's limousine?

Mr. PONTIUS. That is correct.

Mr. FORTUIN. Other than the incidents you have testified to, do you have any recollection of conversations with Mr. Wilson?

Mr. PONTIUS. As to Tongsun Park prior to the receipt of the questionnaire, no; just those I mentioned. To summarize, there was a newspaper article about invitations, where he indicated he had not met this fellow.

Mr. FORTUIN. Had not Mr. Wilson told you at one time that he had been told not to meet Tongsun Park?

Mr. PONTIUS. Yes.

Mr. FORTUIN. When was that?

Mr. PONTIUS. I am really not certain when it occurred.

Mr. FORTUIN. Tell us what was said.

Mr. PONTIUS. As I said in my deposition, I believe—and incidentally, I have not received a copy of my deposition.

Mr. FORTUIN. I did give you the opportunity to read them yesterday.

Mr. PONTIUS. You gave me the first opportunity to quickly review them. I was never given an indication before Monday or Tuesday that the committee was thinking of using me, and those depositions go back to May.

Ambassador Hahn had told Mr. Wilson that he should not meet him.

Mr. FORTUIN. I told you I would meet with you, I would be there at any hour of the day or night to review those transcripts; is that not correct?

Mr. PONTIUS. Yes. You also said that my counsel would have to request permission of the committee and the committee probably could not get a quorum, so the question was moot.

Mr. FORTUIN. I told you if you desired a copy, to keep within House rules, the committee would have to consider the request. But in any event, I would make it available to you. Is that correct?

Mr. PONTIUS. Correct.

Mr. FORTUIN. Tell us further as to the instance in which he was told not to meet Tongsun Park.

Mr. PONTIUS. There was no further conversation. He just mentioned that Tongsun Park—it was not necessary to know Tongsun Park or to meet with Tongsun Park.

Mr. FORTUIN. He had been told not to meet him; is that correct?

Mr. PONTIUS. Yes.

Mr. FORTUIN. Who told him?

Mr. PONTIUS. Ambassador Hahn.

Mr. FORTUIN. I take it, Mr. Pontius, you have told us of every conversation you recall in which Mr. Wilson was present prior to the receipt of the committee questionnaire.

Mr. PONTIUS. Yes, I believe so.

Mr. FORTUIN. After the committee questionnaire arrived, you had other discussions with Mr. Wilson as to how he should respond to the questionnaire?

Mr. PONTIUS. That is correct.

Mr. FORTUIN. How many such conversations were there, as best you recall?

Mr. PONTIUS. I would imagine a few, particularly the day it came in.

Mr. FORTUIN. The day it came in? What was said the day it came in?

Mr. PONTIUS. We received the questionnaire and also a letter from Mr. Lacovara stating all Members of Congress were respectfully asked to state if they had any communications with any member of the Government of Korea; and they were also asked about office accounts. When the letter came in, the personal secretary gave it to me and I gave it to the Congressman. The Congressman then asked, were all Members asked to send in the questionnaire? Why do they use January 1970, rather than any other date, and questions of that sort, and whether it was necessary to respond or not.

Mr. FORTUIN. Thereafter, did you have subsequent conversations with the Congressman in his answering of the questionnaire?

Mr. PONTIUS. No; he just set the questionnaire aside for a period of time until the day came to answer it. When that time came, he answered it very quickly and promptly.

Mr. FORTUIN. Did you go over the questionnaire with Mr. Wilson, Mr. Pontius?

Mr. PONTIUS. What do you mean? Did I go over it?

Mr. FORTUIN. Did you go over it with him as to what his responses would be?

Mr. PONTIUS. Really, not in that much depth. The Congressman is a very intelligent individual and he had received a copy of a questionnaire in which they have asked the Congressman himself to answer. He asked me only to provide him—to verify the dates of various trips he had taken and in a previous letter to the committee, we had mentioned trips of 1975 and 1976 which you asked us to verify. The Congressman said there may be a trip earlier and there was a 1971 trip. We actually took the questionnaire and filled in where applicable.

When he was ready to answer the questionnaire he dictated it and a couple of sentences which are at the bottom of the questionnaire.

Mr. FORTUIN. Did he express any hesitancy to you about answering the questionnaire?

Mr. PONTIUS. Hesitancy in what sense, counsel?

Mr. FORTUIN. That he did not think he should respond to it too quickly.

Mr. PONTIUS. No; not in that respect, just in the sense of well, I guess all my other colleagues are beginning to answer it, and I think it is time for me to answer, and he dictated a few minutes later.

Mr. FORTUIN. Did you have any conversation about who he knew, the people listed on the questionnaire, about which ones Congressman Wilson knew and which he did not know?

Mr. PONTIUS. The only individual I believe was, as I recall him saying something about, was Suzi Park Thomson. He mentioned he had seen her or had been invited to a reception or dinner party at her house.

Mr. FORTUIN. What did you say?

Mr. PONTIUS. I said Suzi Park Thomson—I guess at the time she was the former Speaker's personal assistant and it would not be unusual for people in the Congress to know Suzi Park Thomson.

Mr. FORTUIN. How many times was the questionnaire response redrafted, Mr. Pontius?

Mr. PONTIUS. I have not really been asked that before. I would have to check my files. But the questionnaire came in, because the meat of the questions were very confusing. If you answered the yes to any of the above, this whole long list of people and incidents, the press could possibly say—if Mr. Wilson answered yes to had you met Suzi Park Thomson, they could say, yes, he had met A, B, C, and D. So all we did was take the questionnaire and clip it to a piece of paper with his closing remarks. I remember him dictating it; I wrote it out in longhand, and I gave it to his personal secretary who typed it up, and she in turn typed in the 1971 trip. So it possibly could have been one draft, maybe two, if there was a typing thing.

Mr. FORTUIN. But you took time to make sure the answers were unambiguous; is that right?

Mr. PONTIUS. I do not know if anybody is taking the time to make certain answers were unambiguous, but we took time to make sure Suzi Park Thomson was in a certain part of the response.

Mr. FORTUIN. Because she was the only person the Congressman had a positive reply for?

Mr. PONTIUS. I only took the names—

Mr. FORTUIN. The answers were no except Suzi Park Thomson; is that correct?

Mr. PONTIUS. Yes.

Mr. FORTUIN. No further questions of this witness, Mr. Chairman.

Mr. FLYNT. Mr. Volner.

Mr. VOLNER. Mr. Pontius, as to the limousine episode, you have no recollection as to whether that trip was in the fall of 1975 or spring of 1976?

Mr. PONTIUS. That is correct.

Mr. VOLNER. Did Congressman Wilson instruct you to call Pacific Development Corp. to get a limousine for the trip?

Mr. PONTIUS. No, counsel. It is my recollection he did not know what Pacific Development Corp. Inc., was.

Mr. VOLNER. Was there any time prior to February 1978 when Congressman Wilson told you that he had met Tongsun Park?

Mr. PONTIUS. Would you repeat your question? Was there any time before January or February 1978 that he had said he had actually met Tongsun Park?

Mr. VOLNER. Correct.

Mr. PONTIUS. The answer is no, there was no time.

Mr. VOLNER. Did you ever see Tongsun Park in the office?

Mr. PONTIUS. No.

Mr. VOLNER. Did you ever see Congressman Wilson in any other place with Tongsun Park?

Mr. PONTIUS. No.

Mr. VOLNER. No further questions, Mr. Chairman. Thank you.

Mr. FLYNT. Redirect.

Mr. FORTUIN. Nothing further, Mr. Chairman.

Mr. FLYNT. You may step down, Mr. Pontius.

Call your next witness.

Mr. FORTUIN. I would like to offer some documents.

Counsel and I have reached a stipulation that the letter from Philip Lacovara and the questionnaire marked as exhibits W-2 and W-1 for identification were received by Mr. Wilson, and Mr. Wilson responded to the above-mentioned letter and questionnaire by a letter signed by him dated July 28, 1970, which has been marked as exhibit W-3 for identification. And the stipulation continues that W-3 for identification was received at the committee offices on or shortly after July 28, 1977. I would offer those exhibits at this time, W-1, W-2, and W-3.

Mr. FLYNT. Any objection.

Mr. VOLNER. No objection.

Mr. FLYNT. Without objection they will be received as marked. (See exhibits.)

Mr. FORTUIN. Mr. Chairman, at this time I would also like to offer certain public-record material consisting of newspaper articles, from December 31, 1977, through mid-January, prior to January 19, 1978, which have to do with the testimony of Tongsun Park in Seoul, Korea—these articles are from the New York Times, the Washington Post, and the Los Angeles Times—to establish what was going on in the public record at this time with respect to Mr. Park's testimony.

Mr. FLYNT. Do you have a stipulation on that?

Mr. FORTUIN. I do not at this time. We just got them all together. They are marked as exhibits W-6, W-7, W-8, W-9, W-10, and W-11.

Mr. VOLNER. Mr. Chairman, I have some reservations about the relevance of this testimony. But I will not object to its introduction, for what it is worth.

Mr. FLYNT. If there is no objection, they will be received.

[Whereupon, committee hearing exhibits Nos. W-6 through W-11, inclusive, were received in evidence.] [See exhibits.]

Mr. FLYNT. However, the Chair is going to state in order to have any probative value, I think you would have to establish that Mr. Wilson has seen them.

Mr. FORTUIN. Well, I hope to review these with Mr. Wilson at the time when I have his testimony. But I do think what is going on in the public domain certainly in a city like this is relevant to a hearing like this. In any event, counsel has no objection, Mr. Chairman.

Mr. VOLNER. I do suggest that it does not have probative value, because it has not been linked to the Congressman. It has not been linked to anything which is at issue in this proceeding. I will wait for cross-examination.

Mr. FORTUIN. I do not think the Congressman will deny he reads the Los Angeles Times. That is his home district.

Mr. FLYNT. Without objection it will be received.

Mr. FORTUIN. Special staff calls as its next witness Martha Talley.

Mr. FLYNT. Ms. Talley, will you take the stand please, ma'am.

Will you raise your right hand. Do you solemnly swear that the testimony you will give before this committee in the matter now under consideration will be the truth, the whole truth and nothing but the truth, so help you God?

Ms. TALLEY. I do.

Mr. FLYNT. You may be seated.

TESTIMONY OF MARTHA TALLEY, PROFESSIONAL STAFF MEMBER, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

Mr. FLYNT. You are Martha Talley?

Ms. TALLEY. That is correct.

Mr. FLYNT. Are you employed by this committee?

Ms. TALLEY. Yes, sir, I am.

Mr. FORTUIN. What is your position with the committee?

Ms. TALLEY. I am an attorney. I am on the special staff investigating the Korean influence matter pursuant to House Resolution 252.

Mr. FORTUIN. Did there come a time when you had a conversation with Congressman Charles Wilson?

Ms. TALLEY. I have had a number of conversations with Congressman Wilson.

Mr. FORTUIN. Focusing your attention now on the first such conversation, when did that occur?

Ms. TALLEY. I believe the first conversation I had with Congressman Wilson was in his office, on January 19, 1978.

Mr. FORTUIN. Who was present?

Ms. TALLEY. Congressman Wilson, his administrative assistant, John Pontius, myself, and a committee investigator, Harold Gossett.

Mr. FORTUIN. Did you bring with you any documents on that occasion that you gave to Mr. Wilson?

Ms. TALLEY. Yes, I brought with me a letter signed by then Special Counsel Leon Jaworski.

Mr. FORTUIN. Let me show you form letter marked W-4, and ask you if that is a blank form letter of the type of letter that you delivered.

Ms. TALLEY. Yes; it is.

Mr. FORTUIN. And was the letter that you actually delivered filled out, I take it?

Ms. TALLEY. Yes; it had Congressman Wilson's name on it. All the blanks were filled in.

Mr. FORTUIN. And that letter requests, does it not, among other things, correspondence of Mr. Wilson with Tongsun Park; is that correct?

Ms. TALLEY. That is correct.

Mr. FORTUIN. Now, the form I notice is blank. What period of time was requested, if you can recall?

Ms. TALLEY. I believe it went back to 1967.

Mr. FORTUIN. Incidentally, the reason we are using a blank letter is that the committee copy is still with the Jaworski firm. Is that correct?

Ms. TALLEY. That is correct.

Mr. FORTUIN. Now, will you tell us what was said on this occasion with respect to the letter, W-4, and what was said with respect to other matters when you spoke to Mr. Wilson on January 19?

Ms. TALLEY. As I recall, we came into the office, introductions were made. I had spoken to Mr. Pontius previously on the telephone I think in setting up the interview. Mr. Wilson commented

that he was frankly surprised to hear from us, or request for this appointment, because he had shortly before been informed by the Speaker, Mr. O'Neill, that he was not under investigation by the committee. He reviewed the letter that we had brought from Mr. Jaworski, and he commented, just as he was looking over it, reading what documents we were asking for, he commented that he was fairly certain he had no correspondence with Tongsun Park, because he had met him only once on an airplane flying to Seoul. From the conversation it seemed that it was an accidental meeting, and they had a casual conversation.

He went on to say that he had written one letter that he recalled to President Park of Korea, commending the work of Ambassador Hahn, I think that was when Ambassador Hahn was leaving the United States. He asked about the format of the proceeding. He asked—he was sort of wondering aloud whether he should have counsel. He asked about the format. We explained the deposition—we explained there would be a single Congressman present, we gave him the general outline of the kinds of questions we would be asking. He mentioned that—both he and Mr. Pontius mentioned they were concerned about—concerned that the investigation would proceed expeditiously.

He mentioned he had a primary election in June, and we indicated that we also were interested in having the investigation go quickly.

Mr. FORTUIN. Did Mr. Wilson mention to you the date of the meeting that he had with Tongsun Park on the airplane?

Ms. TALLEY. According to the memorandum that I wrote at the time, he did, yes.

Mr. FORTUIN. And do you have an independent recollection of the date?

Ms. TALLEY. I don't have an independent recollection of the date.

Mr. FORTUIN. Did you make a memo of that at the time of your conversation?

Ms. TALLEY. Yes; I made a memorandum the same day.

Mr. FORTUIN. Let me just show you a copy of your memorandum. Is that a copy of your memorandum?

Ms. TALLEY. That is the original of the memorandum.

Mr. FORTUIN. Does that contain the date of the meeting Mr. Wilson told you about with Tongsun Park?

Ms. TALLEY. Yes; it does.

Mr. FORTUIN. What is the date?

Ms. TALLEY. October 16, 1975.

Mr. FORTUIN. Mr. Chairman, I have no further questions.

Mr. VOLNER. I have a few questions, Mr. Chairman.

Mr. FLYNT. Mr. Volner.

Mr. VOLNER. You put into your memorandum Congressman Wilson said not only he had no correspondence with Tongsun Park, but he only met him once on October 16, 1975, on a flight from Taipei to Seoul. Did you ask Congressman Wilson whether he ever received anything of value from Tongsun Park?

Ms. TALLEY. I don't believe I asked him any such question.

Mr. VOLNER. Did you ask him whether he ever met Tongsun Park again?

Ms. TALLEY. No, I didn't.

Mr. VOLNER. So you simply noted that information and went on?

Ms. TALLEY. That is right.

Mr. VOLNER. I have no further questions, Mr. Chairman.

Mr. FORTUIN. Nothing further, Mr. Chairman.

Mr. FLYNT. You may step down, Ms. Talley.

Mr. FORTUIN. Mr. Chairman, we have an additional stipulation. Incidentally, I would offer exhibit W-4, which is the Jaworski letter.

Mr. FLYNT. Any objection?

Mr. VOLNER. I don't know whether I have objection. I would like to see it. I think we might be able to do better, because I have a copy of the letter received by Mr. Wilson.

Mr. FORTUIN. If we could substitute that, we would be happy to do that.

Mr. VOLNER. I would like to see that one.

Mr. FORTUIN. Certainly.

Mr. VOLNER. I am sorry, Mr. Chairman. I do have one further question from Ms. Talley.

Mr. FLYNT. Do you have any objection?

Mr. FORTUIN. No objection.

Mr. FLYNT. Ms. Talley, would you resume the stand.

Mr. VOLNER. Ms. Talley, were you subsequently supplied copies of correspondence of any nature between Congressman Wilson, Korean governmental officials, Tongsun Park, Hancho Kim, between January 1, 1968, and the date of this letter by Congressman Wilson or by me?

Ms. TALLEY. Yes, I was. But the correspondence did not include letters from Tongsun Park, as I recall.

Mr. VOLNER. You have answered my question, thank you.

Mr. FLYNT. Mr. Fortuin, do you have any questions?

Mr. FORTUIN. No questions.

Mr. VOLNER. I think you might do better to offer the real letter in evidence.

Mr. FORTUIN. I would prefer to do that. With that understanding, I would offer as Exhibit W-4 the original version of the Jaworski letter that was referred to in Ms. Talley's testimony.

Mr. FLYNT. I understand it is a copy.

Mr. VOLNER. It is a Xerox copy.

Mr. FORTUIN. That is fine.

Mr. FLYNT. Without objection it is entered in the record. [Whereupon, Committee hearing exhibit No. W-4 was received in evidence.] (See exhibits.)

Mr. FORTUIN. Mr. Chairman, we have a further stipulation that on or about February 7, 1978, Congressman Wilson caused to be delivered to the committee a letter dated February 7, 1978, and bearing his signature, which is exhibit W-5. And I would offer that at this time. I would dispense with reading these exhibits, because I believe the committee has been furnished copies of them.

Mr. FLYNT. Do you have any objection?

Mr. VOLNER. No objection.

Mr. FLYNT. Without objection, it is received and made a part of the record.

[Whereupon, committee hearing exhibit No. W-5 was received in evidence.] (See exhibits.)

Mr. FORTUEN. Mr. Chairman, special staff has no further evidence to offer at this time with respect to the statement of alleged violation filed against Mr. Wilson.

Mr. FLYNT. Mr. Volner.

Mr. VOLNER. Mr. Chairman, we hate to impose upon the committee but Congressman Wilson has a prepared statement which he would like to read.

Mr. FLYNT. Mr. Wilson, would you please rise and let me administer the oath. Do you solemnly swear that the testimony you will give before this committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WILSON. I do.

Mr. FLYNT. You are Representative Charles H. Wilson.

Mr. WILSON. That is correct.

Mr. FLYNT. A Representative from the 25th District of the State of California?

Mr. WILSON. Thirty-first District.

Mr. FLYNT. Thirty-first District, excuse me. Thirty-first District of California.

Do you wish to make a statement to the committee rather than to have questions posed to you by your counsel at this time?

Mr. WILSON. Mr. Chairman, I am reluctant to give you the same statement I did in executive session. Yet since this has been opened up, I feel in fairness to myself I should—

Mr. FLYNT. Yes.

Mr. WILSON. It is as difficult for me to do it, Mr. Chairman, as it may be for you to hear it a second time. But I would like to do that.

Mr. FLYNT. Well, I think it is necessary both for you and the committee that it be read into the record.

Mr. WILSON. Thank you.

TESTIMONY OF HON. CHARLES H. WILSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. WILSON. Mr. Chairman, members of the committee.

I welcome the opportunity to appear before you today and to be afforded the chance to squarely address the serious charge which has been made against me.

For 24 years I have served the people of California, first in the California Legislature and then in this House of Representatives. This is the first time that I have ever been accused of misconduct by my colleagues. For that reason, I regard the allegation as a matter of the utmost importance. And I am deeply appreciative of this opportunity to demonstrate my innocence.

As I understand it, the charge against me is that I knowingly and willfully submitted a false statement to this committee. This is based upon the fact that, in my original response to this committee's questionnaire of June 15, 1977, I failed to report the wedding present which Mrs. Wilson and I received from Tongsun Park on the occasion of our wedding in Seoul, Korea, in October 1975. I freely admit that, in my original response to this committee's questionnaire, I did neglect to report the fact of the wedding present. But I subsequently discovered my mistake; and I voluntarily

corrected it. I am accused of having lied even though I told the truth.

I solemnly and earnestly swear to you that I did not knowingly, deliberately, or willfully supply this committee with false information. The mistake I made was an innocent one. I know of only one way to demonstrate this. That is to set forth, as clearly and carefully as I can, the facts. These facts will show that my mistake was a genuine good faith error.

Let me start with the circumstances surrounding the preparation of my response to the committee's questionnaire. As you will recall, the questionnaire was issued by the committee's then Special Council on June 15, 1977. I will be frank to say that the questionnaire surprised and annoyed me. I felt that the questionnaire was arbitrary and confusing. It was not clear to me whether the information sought related to my official capacity or my personal life. Moreover, some questions had a number of subparts. As a result, a lot of things got mixed together. In particular, question 3—the question which I am charged with having deliberately falsified my answer to—dealt with me, my immediate family and my staff; it asked for information of four different types of dealings; and it then set forth a list of five different Korean names. But only a "yes" or "no" answer was called for. Thus, any answer would seemingly apply to myself, my staff or my family, all the different transactions covered and all five of the different persons named. I was confused by this structure.

I remember complaining to my Administrative Assistant, Mr. John Pontius, about the confusion caused by the questionnaire and I believe that Mr. Pontius confirmed this in his deposition. So, when the questionnaire first came in, I did nothing about it.

Toward the end of July 1977—in other words, about a month after I had received it—I decided that I should answer the questionnaire. I understand that some Members never did respond to the questionnaire. But I knew that many of my colleagues were attempting to do so and I concluded that it was my duty to respond to the questions—confusing though they were—as best I could. I prepared my answer almost entirely from memory. I made a list of the trips which I had taken to Korea in order to respond to question 1. As it turned out, I made a mistake in the compilation of that list, as well as in my response of question 3. I corrected this omission concerning my trips to Korea in a letter dated February 21, 1978.

Question 3 presented a separate problem for me because of its structure which, as I have said, seemed to mix a number of different transactions and people, but called for only one answer. I remembered clearly attending two or three social functions at Suzi Park Thomson's home. Of the remaining four names, two—Hancho Kim and Kim Sang Keun—were totally unknown to me. As to the last two names, Tongsun Park and Kim Dung Jo: I knew who they were, but I had never attended any social function given by them.

Because of the complex layout of question 3, I was concerned about how to report to the committee that I had attended social functions given by Suzi Park Thomson but not with the other persons. As a result, I failed to pay attention to the other subparts of the question which, among other things, asked whether I had

ever been offered or received anything in excess of \$100 from any of the five people. As I recall, my secretary typed up my response on my instructions. When the completed response came to me, I glanced at it to satisfy myself that the facts concerning my attendance at social functions given by Suzi Park Thomson were clearly and separately reported. I signed it and sent it on to the committee.

About a week before I prepared my response to the questionnaire, I was also interviewed by an FBI agent and an attorney from the Department of Justice. As I recall it, the interview dealt primarily with the activities of former Congressman Hanna. I frankly have no independent recollection of having been asked about Tongsun Park during the course of that interview. I have checked with my Administrative Assistant and Mr. Gould, who is here, who was staff director of my subcommittee of the Post Office committee, both of whom were present during the interview. Neither of them has any recollection of any questions about my meeting with Tongsun Park or my response to it. However, apparently during the course of that interview, I mentioned that I had met Tongsun Park on the flight from Taiwan to Korea in 1975. If there was any such mention, it was fleeting. It came up in the context of an interview which covered a number of other wholly unrelated subjects and passed from my mind, as well as the other persons present, as quickly as it occurred. The FBI report of that interview is not factually correct in several respects. For example, the California wine-testing party at the George Town Club was before I went to Korea in 1975, not after; and if Tongsun Park was at that California Wine Producers function, I surely never saw him. I simply did not remember the wedding present when I was interviewed by the FBI any more than I remembered it a week later, when I prepared the response to the committee's questionnaire.

I had no further occasion to look at or think about my response to the questionnaire until late January 1978. Indeed, so far was the questionnaire from my mind during 1977 that an event occurred in the fall of 1977 which, as much as anything else, demonstrates that my omission of the wedding present from my original response was innocent. I interceded on behalf of your committee with the President of Korea to enable this committee to take testimony from Tongsun Park.

In November of 1977, I was in Korea on an official trip for the Armed Services Committee. At that time, our Ambassador was in the process of his negotiations to try to get Tongsun Park to come to the United States to testify before this committee. He was encountering difficulties. Knowing of my good relationship with President Park and that I intended to pay a courtesy call upon the President, he asked me to convey to President Park the importance of cooperating in every way with this committee's investigation. I told Ambassador Snyder that I would be happy to deliver this message. Congressman Dan Daniel was with me on that trip and was present at the time the request for my intercession was made. My counsel has supplied you with an affidavit from him confirming these facts, as well as an affidavit from Mr. Ralph Marshall, a staff member of the Armed Services Committee.

As I promised, when I met with President Park I did indeed urge him to do everything possible to enable Tongsun Park to return for questioning by the committee.

I want to emphasize that I took this step after my original response to the questionnaire had been put on file and before I had corrected it.

As elected officials, we all become students of human nature. I ask you to ask yourselves whether I would have interceded with the President of Korea if I knew in November of 1977 that the answer which I had already filed with this committee was false and, if I wanted to keep that fact a secret. Why would I attempt to expedite Tongsun Park's return for questioning by the committee if I wanted to keep the present a secret? Tongsun Park was, after all, virtually the only other person who could possibly testify to the fact of the wedding present. The fact is that I did not remember the wedding present at the time that I completed the questionnaire; or did I recall it in November 1977. I never intended the present to be kept a secret; and I carried out Ambassador Snyder's request because I was, and am, innocent.

That was in the late fall of 1977. As I have said, I did not remember about the wedding present until the end of January 1978. Not more than 2 weeks later, I corrected my response to the original questionnaire.

At the end of January 1978, I was visited by Ms. Martha Talley of your staff and an investigator. They wanted certain materials from my files and to schedule a deposition for the taking of my testimony. I asked about the scope of, and procedures concerning, the deposition. I believe I also asked whether it was appropriate to have counsel. I had never been deposed before and was unfamiliar with what this involved. Of course, I agreed to supply the materials from my files requested by your staff and I have done so. As a matter of fact, I think in one of my depositions there was a statement made by Ms. Talley that I probably submitted as much if not more material than any other Member of Congress.

Immediately after the meeting with Ms. Talley, I was in my office with my administrative assistant reflecting on the visit from your staff. I remembered that I was puzzled by the visit because, I said, I had no useful information to supply to the committee, having had no dealings with any of the people who seemed to be involved. And, then, I remembered the breakfast I had had with Tongsun Park 3 years earlier, and the wedding present given to us after that breakfast. As I recall it, I said to John something to the effect "I have mentioned in the past that I have not met Tongsun Park, but I have." The conversation with my administrative assistant did not go further; he indicated he did not want to discuss it with me and I respected his wishes.

At that point I decided to retain counsel to advise me. Counsel and I met shortly thereafter. One of the first things we did was to look at my response to the committee's questionnaire. We then realized—for the first time—that I had not only failed to report my social contact with Mr. Park, but the wedding present, as well. We agreed that it was necessary to inform the committee of the fact of the wedding present as soon as possible. We concluded that this

should be done by letter; and I did so in my letter of February 7, 1978, a copy of which you have.

It has been suggested that if I had not reported it, this committee never would have learned of the omission in my original response to the questionnaire. Whether that is true or not, it is certainly the case that the first information the committee received concerning the wedding present came from me. The first time that my response to that multipart question 3 was known to be incomplete was when I corrected it.

I know this to be so based on this committee's own records. We have recently been supplied with extracts from the depositions of Tongsun Park taken in executive session. They show that Mr. Park was deposed in executive session on March 1, 1978, and again on March 6, 1978, nearly a month after I delivered my letter correcting my original response. On both of those occasions Tongsun Park continued to deny that he had given Mrs. Wilson and me a wedding present.

On both of those occasions your staff repeatedly pressed him as to whether there had been any wedding presents to any Members of Congress and to me in particular. Your staff knew—because I told them in my letter of February 7—that there had been a wedding present to me. But Tongsun Park continued to deny it; and he did not get around to acknowledging the fact of the present until his public hearing in April. This was 2 full months after I had reported the present to the committee. I share with many Americans the view that Mr. Park had been less than a candid and straightforward witness.

It really does not matter to me whether Mr. Park would have ultimately come forward. My decision was not in any way based upon whether or not Tongsun Park had told the committee—or would tell the committee—about the wedding present. Considerations whether the committee knew or could otherwise find out about the wedding present simply did not enter into my decision to submit the letter of February 7.

Your staff contends that the "timing" of my letter proves that I corrected the omission because I was afraid that the fact of the wedding present had already "become manifest to the committee." I vigorously denounce this entirely unsubstantiated attempt to impugn my motives for the submission of the February 7 letter.

If I had believed that the present, in your staff words, "had become manifest," then there would have been absolutely no logic to my filing the letter. It simply would have been too late.

Your staff suggests that I was motivated out of fear based upon press accounts of Tongsun Park's testimony; they suggest that I was concerned that Park might tell the committee and that I wanted to beat him to the punch. Of course, I was aware of the press accounts; it was impossible not to be. But those press accounts also made plain that Tongsun Park was an extraordinarily evasive witness. Your staff implies that I am not only dishonest, but foolish. Precisely because it was nearly 6 months after the original response, and because Tongsun Park's evasions were becoming well known, if I had wanted to keep the present a secret, the calculated decision would have been for me to say nothing to the committee and to take the chance—which would have been

pretty good incidentally—that Tongsun Park would say nothing either. But I did not do this. I did not do so because neither the press accounts about Tongsun Park nor the imminence of my own deposition entered into my decision to rectify the omission.

That decision was, rather, based upon the fact that I have always been open—even too outspoken—in my dealings with my colleagues. The course to me was clear: I had forgotten the breakfast and wedding present at the time I originally responded to the questionnaire; I remembered them in January; it was my duty to correct the questionnaire and I did so as promptly as possible. I do not regret that action. I am only surprised that I now stand charged with having been less than honest with this committee when I myself voluntarily, freely came forward.

This is the first time that these facts have been heard. Not once in the depositions by your staff was I asked to explain how the wedding present slipped my mind at the time that I prepared the original response. Not once was I asked or permitted to discuss the confusion which the multipart question itself caused and which significantly contributed to the omission. Certainly, there is nothing in the records or in my narration which can be pointed to by anybody as a basis for saying, "This proves that, in the words of the complaint, 'he then and there well knew' that the statement was false." Instead, I have a feeling that the entire charge against me rests upon the single proposition that the wedding present was so unusual that I could not possibly have forgotten about it when I came to answer the question.

I admit the wedding present was unusual. In my own deposition I testified to that. The facts surrounding my wedding and the present to my wife and me are set forth in my letter of February 7 which you have before you. The present was unusual because it came to me in cash; and although the amount was modest, it was one of the very few cash presents that Mrs. Wilson and I received at the time of our wedding. It was unusual because it came to me from Tongsun Park, whom I had never met before that trip to Korea and never saw again afterward.

But it does not follow, because the present was somewhat out of the ordinary, that it should be indelibly printed on my mind when, 3 years later, I came to respond to the committee's questionnaire.

In the first place, the entire circumstances surrounding my marriage to Mrs. Wilson were highly unusual. As you know, Mrs. Wilson is a U.S. citizen who was born in Korea. Her family lives there. I met her in early 1975, about a year after the death of my first wife. We went to Korea in October 1975, for the sole purpose of my meeting her family. We were to be married here in November. Because of her family's wishes, we were married not once, but twice while we were in Korea. We were then married again here on our return. The Korean trip was a time of great excitement and of happiness. It was particularly a time of delight to the people of Korea because I was the first, and may well be the only, elected American official who is married to a Korean woman. There were many parties, presents, expressions of good will and congratulations.

Certain details of that trip stand out in my mind with startling clarity: We had hamburgers and champagne for our wedding lun-

cheon on October 17 which the Embassy so graciously arranged for us on such short notice. But, the events of that 5-day period are, for the most part, a blur. The present from Tongsun Park, along with many others that we received, disappeared from my mind.

Second, I literally never saw Tongsun Park nor had any dealings with him again after that Korean trip in October 1975. I am aware, from the materials which the committee has given us, of a dinner invitation apparently made by a "Congressman Wilson and Mrs. Wilson" to Tongsun Park in August 1976. The invitation is referred to in a telex from one of Park's employees to Park. All I can say is that was not me. At that time, my wife and I were still living in the apartment which I had before we were married. We entertained no one other than immediate family until we moved into our house later that year. As you know, there are several Congressmen Wilson. And even Tongsun Park's employee admitted that he did not know which of the Congressmen Wilson was referred to in his own telex.

I am also aware of the matter of the limousine. I remember going to the airport in a limousine for an early morning flight in the spring of 1976. I remember, in the afternoon before the trip, remarking to my staff that I would like to have a ride because I don't like to drive in the early morning traffic. That night I had a call from my office advising me that a car would come for me. I have some recollection of having been told that the limousine belonged to Pacific Development Corp. or Tongsun Park.

But I most assuredly did not make the arrangements for that limousine. I haven't the slightest idea how it came about. And, based upon the materials which the committee has given us, it is plain that neither my staff nor Tongsun Park's employee has a clear recollection of the circumstances surrounding it.

This much I can say with certainty: If it was Tongsun Park's limousine, he certainly was not in it. I absolutely never saw him or spoke with him or had any contact with him after October 1975.

I am sorry that I did not reject Tongsun Park's offer of a wedding present the second time as I did when it was first offered to me. I bitterly resent the insinuation in his public testimony that I solicited the present. That is simply untrue. The fact is that I unthinkingly accepted the present and spent the \$600. Because I never saw him again, Tongsun Park and his wedding present slipped from my memory shortly after we returned from our wedding trip.

I admit that I have an imperfect memory. Unfortunately, we did not make a list of presents received or send thank you notes after our wedding. As I have said, I found the questions confusing. As a wedding present, the gift was to me and my wife. Even if I had records, I would not have been sure that the questionnaire intended to reach my personal life or dealt only with official matters, like campaign contributions.

I was having difficulty figuring out how to report the social functions which I attended at Suzi Park Thomson's but not at the other named Koreans. I did not focus on the other parts of the question which dealt with receiving things of value. Even if I had, there is simply no way that an isolated incident which had occurred 3 years earlier at an exciting and busy time of my life,

involving a man whom I never saw again, would come to mind. Indeed, I cannot explain even now what suddenly caused me to remember the present in January of this year when I reported it to you.

There are certain things which may relate to my appearance today, for which I have no apology. I was a champion of our support and aid—military and economic—to Korea long years before Tongsun Park was ever heard of; and I will continue to urge that support for as long as that policy seems to me to be needed. I also have no apology for my marriage to a lovely woman who happens to be Korean; I would make that wedding trip again today. I also have no regrets for my decision to rectify the omission, which has caused me more difficulty and anguish than the incident would seem to warrant.

At the same time, I recognize that I have made several mistakes in connection with this matter. I should have refused the present the second time as I did when it was first offered. I should have answered the questionnaire more promptly and with greater care. I made an error. I wish I had remembered and corrected my response sooner than I did.

But these things are not a basis for the issuance of a statement of alleged violation. They most certainly are not grounds for reprimand or sanction.

I am not a lawyer and I am not interested in legalisms as to the jurisdiction of this committee or the significance of my exculpatory negative response to the question of the original questionnaire. I leave those matters to my lawyer. What is ultimately at stake here is the integrity of my 24 years of service as an elected official and my relationship with my colleagues.

And, on that central issue, I swear to you that I did not knowingly and willfully submit a false statement; I did not, when I originally answered, "then and there well know" that my answer was incomplete, much less false; I did not deliberately suppress information and I did not ever intend to deceive or mislead the committee. My oversight was genuinely innocent. I corrected it as soon as I became aware of it. I hope and trust that these facts, which are absolute truth, will convince you of this and that the statement of alleged violation will be dismissed.

Thank you, Mr. Chairman.

Mr. FLYNT. Thank you, Mr. Wilson.

Mr. Volner, do you wish to ask any questions before I recognize Mr. Fortuin?

Mr. VOLNER. I may have some after.

Mr. FLYNT. Mr. Fortuin, you may cross examine.

Mr. FORTUIN. Mr. Wilson, let's first review the contacts that you had with Tongsun Park. When did you first meet Mr. Park?

Mr. WILSON. As I stated in my deposition, I met him for the first time on the airplane from Taipei to Seoul on October 16, 1975.

Mr. FORTUIN. Had you seen him prior to that at any public function?

Mr. WILSON. No. He may have been at some public function, but I never saw him. I would—the answer is "No."

Mr. FORTUIN. I thought you said—how about this California Wine Producers Association at the George Town Club; didn't you see him there?

Mr. WILSON. No; I didn't see him there. I did not say I saw him there when the FBI interviewed me.

Mr. FORTUIN. But he was present?

Mr. WILSON. I don't know whether he was present or not. I didn't see him.

Mr. FORTUIN. But didn't you tell the FBI that he was present?

Mr. WILSON. No; I didn't.

Mr. FORTUIN. I take it, Mr. Wilson, you have seen the official FBI report of the interview with you; correct?

Mr. WILSON. Yes; I have.

Mr. FORTUIN. And your statement in it is false?

Mr. WILSON. My statement is what?

Mr. FORTUIN. Let me show it to you so we know what we are talking about.

Mr. WILSON. The statement is false; yes.

Mr. FORTUIN. So the FBI agent wasn't correct here?

Mr. WILSON. He was not correct. He has the time wrong also. He says that I mentioned the wine-tasting party happened after I came back, and after we were married. It would be very easy to verify when that wine-tasting party was.

Mr. FORTUIN. But—

Mr. WILSON. It was before, 1973.

Mr. FORTUIN. There was a wine-tasting party but Tongsun Park was not present; is that correct?

Mr. WILSON. Not to my knowledge.

Mr. FORTUIN. And the statement in the FBI report is not so?

Mr. WILSON. They misunderstood apparently some statement that I made. I think the way this came up, they asked me if I had ever been to the George Town Club, and I said on two occasions. And one was a wine-tasting party that was given by the California Wine Dealers Association, or something like that, and the second one was just a private cocktail party prior to a Black Caucus dinner, where the hosts of the table were having their table guests get together before going over to the dinner.

Mr. FORTUIN. Now, then you did meet him on the airplane. How long did you talk to him on the airplane?

Mr. WILSON. Very shortly. I went into the restroom, and he came down and introduced himself to Mrs.—to my fiancee at the time, the future Mrs. Wilson. And when I came out, he was back in his seat, and his associate with him came down to me and said Mr. Park would like to meet me, and I went back and visited with him for a few moments, and then came back to my seat.

Mr. FORTUIN. Was there anything about that meeting that made it stand out particularly in your mind?

Mr. WILSON. No; only that that was the first time I had ever met him. I had heard so much about him. I never met him before. I was surprised to see him on the same plane I was on.

Mr. FORTUIN. And that was a relatively brief meeting with nothing particularly important that transpired; is that correct?

Mr. WILSON. That is correct.

Mr. FORTUIN. And that was on October 16, 1975?

Mr. WILSON. Correct.

Mr. FORTUIN. And thereafter, on Wednesday, October 22, 1975, he called you at the Chosan Hotel; correct?

Mr. WILSON. A representative of his called me in my room at about 7:30 in the morning and asked if I would be able to come down to the hotel dining room and have breakfast with Mr. Park.

Mr. FORTUIN. And what happened there?

Mr. WILSON. I went down and had breakfast with him.

Mr. FORTUIN. And who was present?

Mr. WILSON. Mr. Park, an associate of his, and myself.

Mr. FORTUIN. And what transpired?

Mr. WILSON. Just small talk, again. We had breakfast. As we were getting ready to break up, he gave me a small box and said this is a traditional Korean wedding gift, it is a pair of silver chopsticks, it is not necessary for you to open it now. And then he reached in his pocket and pulled out an envelope filled with Korean currency, handed it to me, and he said: "I have \$1,000 here for you."

I said: "Well, I appreciate your generosity, but I have no use for this money, it is Korean, I am leaving today, and it is of no value to me, but I do appreciate your generosity."

Mr. FORTUIN. Now I take it at this time Mr. Park didn't know you other than the two meetings you told us about; is that correct?

Mr. WILSON. He had no reason to know me.

Mr. FORTUIN. And he didn't know your wife; is that correct?

Mr. WILSON. He knew of her family.

Mr. FORTUIN. Did you find it unusual for somebody to be offering you an envelope full of money, someone you personally never met, other than casually on the plane?

Mr. WILSON. No, no. My son married a little Italian young lady of Italian parentage and background, and I was standing in the receiving line at the reception afterward, and her mother was there with a big bag, and I never saw so many envelopes handed to her by people that we had never seen before in my life. And I can tell you that was—they got a lot more than I did.

Mr. FORTUIN. OK. Then I take it you returned the envelope to Mr. Park; correct?

Mr. WILSON. That is correct.

Mr. FORTUIN. And did you thank him for it?

Mr. WILSON. Well, I thanked him for his generosity, but returned the envelope to him.

Mr. FORTUIN. And then it came about that you actually got some of the money from Mr. Park; is that correct?

Mr. WILSON. Yes. I went back to my room, and packed my bags, and then came back to the lobby to check out of the hotel, and another associate, someone who was not with us at breakfast, approached me and said he was associated with Mr. Park, and he said, "Mr. Park really wants you to have this for a wedding present."

And I said, "Well, it is not necessary."

And he said, "Well, Mr. Park wants you to have it."

So I took it and went back up to the room. There were six \$100 bills in the envelope. And I didn't count the Korean currency, the

rate of exchange, about 500 to 1. And I handed it to my wife, the Korean currency, which is customary when she goes to visit her family in Korea, that her father gives her a large handful of Korean money, and she gives it back to him at the airport, whatever is left over, when she leaves Korea. And I said, "When you see your father, your brother, today at the airport, give him this along with whatever you are turning back."

Mr. FORTUIN. So as between the two meetings that you had with Mr. Park, certainly the second one was longer; is that correct?

Mr. WILSON. Well, it was the length of a breakfast, yes.

Mr. FORTUIN. And it was more eventful in that he offered you a wedding present of some silver chopsticks; correct?

Mr. WILSON. Well, I don't know that it was more eventful, Mr. Fortuin. I was surprised to get the call. But at that time you must recall that Mr. Park was still a very well, highly respected person here in Washington. There had been no allegations made against anybody. People were still anxious to be invited to his parties. And I didn't consider this anything particularly improper. I had been advised when I got off the plane by a friend of mine, a long-time Korean friend, that I ought to stay away from him, because he was not in the good graces of the Korean Government.

Mr. FLYNT. Mr. Fortuin, would you suspend just a minute? I am not trying to hurry you. I am just inquiring how long you think the cross-examination will take. Because we do have a vote.

Mr. FORTUIN. I would think about 20, 25 minutes, Mr. Chairman.

Mr. FLYNT. There is a vote in progress on the floor of the House. I suggest that we retire from the hearing room, and proceed to the floor of the House to cast our votes. I respectfully request all members to return promptly.

The committee will stand in recess until we vote.

[Recess.]

Mr. FLYNT. Seven members are present. The committee will come to order.

At this time, Mr. Fortuin, you may continue.

Mr. FORTUIN. I think the pending question was——

Mr. FLYNT. I do not think there was a pending question. A question had been answered and I think I asked you to suspend.

Mr. FORTUIN. I think you told us the meeting at which Tongsun Park offered you the money did not have any greater impression in your mind than the occasion when you ran into him on the airplane.

Mr. WILSON. That is correct.

Mr. FORTUIN. You had been told after you landed in Korea to stay away from Mr. Park?

Mr. WILSON. I was advised there would be no point in having anything to do with him because he was not in the good graces of the government, the Korean friend that met me along with Mrs. Wilson's family and some American Embassy people. They thought we may have been traveling together because they saw him come off the plane behind us. He was just trying to caution me.

Mr. FORTUIN. But notwithstanding the caution, you had breakfast with him?

Mr. WILSON. Yes.

Mr. FORTUIN. And you got money from him?

Mr. WILSON. That is correct.

Mr. FORTUIN. But that event was no greater in your mind than meeting him on the airplane?

Mr. WILSON. Right.

Mr. FORTUIN. Let us talk about the committee questionnaire. You testified you found it confusing.

Mr. WILSON. I certainly did.

Mr. FORTUIN. So you retyped it and rearranged the questionnaire so it would not be confusing; is that correct?

Mr. WILSON. Well, instead of filling out the questionnaire itself, I took each question in order and then responded to it in that manner rather than using the questionnaire as it was presented.

Mr. FORTUIN. Incidentally, the questionnaire provided at the bottom if you would prefer to discuss your answers directly, please telephone the committee offices to arrange for members of the staff to meet with you.

Did you ever call the offices and tell them you felt it confusing and ask for a face-to-face meeting as to the questionnaire?

Mr. WILSON. No. I think probably one of the biggest mistakes I made in this whole thing was when the questionnaire came, as it did to every Member of Congress, I should have talked to counsel then. I was not aware then of section 1001. I was not aware of the type of penalties that can come to someone by making a wrong answer to a governmental agency or a committee in Congress. I was completely ignorant of this type of thing. The only advice I can ever give to anyone in the future is to hire a lawyer.

Mr. FORTUIN. Are you telling me when you filled out the questionnaire you did not think there was anything wrong in making a false statement?

Mr. WILSON. No, no. I did not think I was making a false statement. I said that in my statement, and I have said it over and over again.

Mr. FORTUIN. So the lawyer could not have been of any help to you.

Mr. WILSON. Well, the lawyer might have asked me more questions and told me to take more time than I did. I tried to do this too quickly and it was based purely on memory.

Mr. FORTUIN. It took you 7 weeks—

Mr. WILSON. No; it took me 1 day. It took me 7 weeks to decide whether I would reply or not.

Mr. FORTUIN. You had Mr. Pontius assist you?

Mr. WILSON. Yes.

Mr. FORTUIN. And you tried to rearrange it to make it clear?

Mr. WILSON. Yes.

Mr. FORTUIN. What the committee was trying to get at was whether you had received any money—

Mr. WILSON. It involved bribery of an American Congressman by the Korean Government. I had no reason to think that I was involved in any way whatever either by bribery or Government officials.

Mr. FORTUIN. The issue current at that time was money in envelopes. Is that not what people were talking about at that time?

Mr. WILSON. Yes.

Mr. FORTUIN. And you knew Tongsun Park had been mentioned in that connection?

Mr. WILSON. Yes.

Mr. FORTUIN. But it was that question you answered falsely—

Mr. VOLNER. I object.

Mr. FLYNT. Mr. Fortuin, the Chair is going to advise you to use the word "inaccurate" rather than "false."

Mr. FORTUIN. I did not mean to characterize it—it goes more to intent.

Mr. VOLNER. I object to your characterization.

Mr. FORTUIN. When you said in response to the question:

Have you or any member of your immediate family, or to your knowledge has any member of your official staff or any person with whom you are a business partner or coventurer

(a) Been offered anything of value in excess of \$100 by,

(b) Received anything of value in excess of \$100 from,

(c) Attended a function (other than at an Embassy or official residence) given by, or

(d) Had any commercial business dealings with—

(i) Tongsun Park,

(ii) Kim Dong Jo,

(iii) Suzi Park Thomson,

(iv) Hancho Kim, or

(v) Kim Sang Keun

You answered no. That was not so.

Mr. WILSON. It was an inaccurate statement; an error that I made at the time. My memory was foggy at the time.

Mr. FORTUIN. And that question is not particularly confusing, is it, the way you have it set forth here?

Mr. VOLNER. I object to that question as calling for a legal conclusion.

Mr. WILSON. It was confusing to me.

Mr. FORTUIN. Question No. 3, the way it was retyped, you felt it was confusing?

Mr. WILSON. No; I felt I had responded to it in the best manner possible.

Mr. FORTUIN. So that is not confusing, what you have here, No. 3.

Mr. WILSON. Let me review the way I have it.

No; I think that is stated reasonably, and I attempted to answer it in as reasonable a manner as I could.

Mr. FORTUIN. You say in your statement, because of the complex layout of the question, number 3, I was concerned as to how to report to the committee that I had attended social functions given by Suzi Park Thomson, but not by other persons. As a result I failed to pay attention to other subparts of the question which asked among other things if I had been offered or received anything in excess of \$100 by five people.

Mr. FORTUIN. You cannot have thought the committee was more interested in parties Suzi Park Thomson was sponsoring.

Mr. WILSON. Why did you have her on the questionnaire if you were not concerned about it?

Mr. FORTUIN. And you thought that was more important than the receipt of cash from Tongsun Park?

Mr. WILSON. She was in the paper more than anybody else. I wanted to separate that because as I said before if I had said yes, it

could have applied to any one of those people, and there was only one occasion that I recall where I attended any social function with any of them, and that was Suzi Park Thomson, at her apartment.

Mr. FORTUIN. And you wanted to make it clear that your yes answer referred to a completely innocent contact?

Mr. WILSON. I answered that question, Mr. Fortuin, to the best of my ability. I did not know if she was innocent, guilty or what she was, and I do not know yet.

Mr. FORTUIN. But you wanted to report in your yes answer the only contact with her that you had had was a contact that was completely innocent?

Mr. WILSON. I do not know what is in your mind, whether you would think it was innocent or not. You are reading things into my mind, and I am having difficulty in knowing what you have in your mind.

Mr. FORTUIN. I will move along if you have difficulty with that.

Before the questionnaire arrived, in fact the question of wedding gifts that you would receive had been a subject matter of concern to you and a matter of question quite some time before the committee questionnaire arrived, was it not, Mr. Wilson?

Mr. WILSON. No; I cannot recall wedding presents we had received was a matter of concern. As I mentioned, we received quite a few wedding presents, and unfortunately, Mrs. Wilson did not keep a record of who we got them from, and we never acknowledged any of them. So it was not of any concern to me at all at the time.

Mr. FORTUIN. Let me focus your attention back to December of 1976.

Do you recall December 2, 1976, you were interviewed by Mr. Armstrong and McAllister of the Washington Post? Do you recall that?

Mr. WILSON. How could I forget it?

Mr. FORTUIN. They had a tape recorder present?

Mr. WILSON. Yes.

Mr. FORTUIN. At that time they asked you about wedding gifts, did they not?

Mr. WILSON. They possibly did. I do not have the article in front of me.

Mr. FORTUIN. Do you recall telling them you received no cash gifts, or other negotiables, from anyone, whether Korean or not?

Mr. WILSON. I may have. I was not thinking at all of any of the wedding gifts we received.

Mr. FORTUIN. You did tell them that you had met Tongsun Park when you were in Korea; is that correct?

Mr. WILSON. I may have. Again, I do not have the story in front of me, and I am not going to answer any direct question as to what was in that story or what I told them, unless I have it in front of me.

Mr. FORTUIN. I am just asking for your best recollection. Do you not recall telling them about going to the girls' school Mr. Park sponsored?

Mr. WILSON. I may have done that. I do not recall it.

Mr. FORTUIN. And you did tell them about getting some silver chopsticks from Mr. Park?

Mr. WILSON. I did. I told you that today.

Mr. FORTUIN. And you told them that that gave you a set of eight chopsticks?

Mr. WILSON. That is right.

Mr. FORTUIN. But you did not tell them about the money offered at the same time you got the chopsticks?

Mr. WILSON. No; I did not.

Mr. FORTUIN. You also told them Tongsun Park never gave you money of any kind, did you not?

Mr. WILSON. I do not recall. Again, you are asking me some things that I cannot recall, and if you want to give me a copy of the newspaper article—

Mr. FORTUIN. It is not all in the newspaper article.

Mr. WILSON. Then how do we know what you are talking about?

Mr. VOLNER. I assumed, because I assumed counsel was reading from the article. It now appears counsel is developing his whole line of questioning from I do not know what.

At this point, I cannot in all fairness let the question go on any further at least until the article is made available to us.

I do not know what is in the article.

Mr. WILSON. He is talking about the tape recording.

Mr. VOLNER. I not only object to questions apparently not based on any document, but based upon materials counsel has declined to provide us in the face of our discovery request.

My request was all encompassing for everything pertaining to the wedding presents and others.

I do not know what counsel is depending on for this question. If it is the newspaper article, we ought to see it; if it is other evidence, we ought to recess and be allowed to be made aware of it.

Mr. QUILLEN. In the discovery request, I thought the request would be granted. I want to ascertain if that is the case.

Mr. FLYNT. Have you had access to a tape recording?

Mr. FORTUIN. I cannot answer that question, Mr. Chairman. I will happily answer it to the committee in executive session.

Mr. FLYNT. The Chair directs you to answer.

Mr. FORTUIN. The answer is I have not.

Mr. FLYNT. Do you have it?

Mr. FORTUIN. The answer is I have no access to it.

Mr. FLYNT. Have you had access to the contents of it?

Mr. FORTUIN. I have been informed orally of what I believe to be the substance of the conversation.

Mr. FLYNT. Did you know that at the time the request for discovery was served upon you?

Mr. VOLNER. Do I understand these questions are based on hearsay information submitted to counsel?

Mr. FLYNT. I think if you want to proceed further along this line of questioning, you will have to bring the person in.

Sustain the objection.

Mr. NIELDS. Mr. Chairman, I request a ruling by a majority of the members of the committee.

A lawyer may ask a witness any question he has a good-faith basis to ask. Mr. Fortuin has a good-faith basis to ask the questions of Mr. Wilson.

I appeal your ruling to the committee.

Mr. FLYNT. I think a request for an appeal has to come from a member of the committee.

Mr. CAPUTO. I will request it.

Mr. QUILLEN. Before the question is put, let me say this, that I think this is most unusual. I am not an attorney, but under the ground rules of the committee, I thought the discovery information requested would be granted, and I think that certainly it should have been, or it should not be part of the questioning by counsel.

Therefore, I want to say that I am going to support the chairman in his ruling and urge the other members of the committee to do likewise.

Mr. BENNETT [presiding]. Will the reporter read back the ruling? What is the resolution you are submitting?

Mr. CAPUTO. I prefer to make my own motion.

Mr. BENNETT. I would prefer that you did.

Mr. CAPUTO. I understand the counsel objected to a certain line of questioning. The chairman sustained the objection. I would like to appeal the ruling of the chairman for making that objection.

Mr. BENNETT. What is the objection?

Mr. VOLNER. My objection, Mr. Chairman, is that if there has been a failure of discovery here, then I object to the whole line of questioning. If counsel is asking questions based upon a document, that document should be put before the witness. If questions are being asked on other forms of evidence, that evidence should be put before the witness. If counsel is proceeding from a line and just asking questions, then it should be made clear that he is extrapolating in the area. I do not care if counsel is in good faith or not.

Mr. BENNETT. I think we understand the motion now.

Mr. CAPUTO. May I be heard on my motion?

Is it the position of the counsel that when it becomes my turn to ask questions, I will not be able to ask questions as to documents or other sources of evidence that you have not seen?

Mr. VOLNER. That is my position, yes, sir.

Mr. BENNETT. We will not find it easy to have a real thorough discussion. I doubt if it is debatable. I sought to get definitely what it was.

Mr. CAPUTO. I would like unanimous consent to explain my view on this motion.

Mr. BENNETT. All right. I have no objection.

Mr. CAPUTO. It seems a preposterous position by counsel that Members of Congress cannot ask questions of witnesses—

Mr. BENNETT. Suppose you restate your motion, if you are going to construe your motion.

Mr. CAPUTO. Let me make a coherent statement without interruptions.

Second, it seems to me it is somewhat futile to seek this motion at this stage when I will ask the same question later on.

Third, in the history of this committee we have asked repeatedly questions of witnesses without the source of the Government information leading to the question.

Fourth, it seems reasonable for the witness to answer the questions as to what he told people from time to time—that is probative of the state of his knowledge from the time he got the gift to the

time he stated he did not get it; at what point in time did his memory fade?

Mr. BENNETT. We are prepared to vote. The motion was to override the chairman's ruling.

All those in favor of overriding the position of the Chair let it be known by raising your right hand.

All those who wish to sustain the position of the Chair?

Four and four.

I have a little difficulty in using the attorney for the prosecution, which I assume you practically are, as my adviser because I do not feel at ease with that. Have we other counsel in the committee?

Mr. FLYNT. Staff director.

Mr. QUILLEN. Mr. Chairman, under the rules of the House a tied vote does not pass.

Mr. BENNETT. I have been advised by the staff director under the rules of the House it is not overruled.

Mr. NIELDS. Mr. Chairman, may I be heard?

Mr. BENNETT. Yes.

Mr. NIELDS. I would like to have an opportunity to be heard on the issue of whether the ruling of the Chair should be sustained or overridden.

Mr. BENNETT. We have already voted.

Mr. NIELDS. I request to be heard.

Mr. BENNETT. You are too late.

Mr. NIELDS. So you will not permit explanation—

Mr. BENNETT. I indicated we were cutting off discussion.

Mr. NIELDS. I request a re-vote after having an opportunity to be heard.

Mr. BENNETT. I understand as a matter of fact the parliamentary rules of the House state it is not debatable, anyway. I let Mr. Caputo raise the question because it is not a debatable question and because we are used to letting Mr. Caputo raise nondebatable questions.

According to the rules of the House—

Mr. NIELDS. Congressman—

Mr. QUILLEN. I would assume this committee is running this investigation. If we are not, I move we adjourn.

Mr. BENNETT. It has been a long time since I have practiced law, and I may have well been wrong as to proper things, but I could have a heart of gold as to what is fair and proper.

The thing I took offense to personally, not on a legal basis, was the implication in the lawyer's language that he was referring to a paper and it was a newspaper account, and it developed later on it is a conversation you had with somebody who had heard a tape recorder.

Mr. FORTUIN. I was asking Mr. Wilson about the conversation he had with the reporters which resulted—

Mr. BENNETT. But you are basing questions on the theory that there is something which exists that you know about which has application to you because some person told you what they had left on the tape recorder.

I think that is remote in evidence to bring before any court of law or pseudo court of law, and I think your question is, therefore, not proper. I am not sure what the rule of Wigmore cites, but I

have a feeling that is not the way in which evidence should be submitted, and if you submitted your questions in another manner, we could make progress.

If you merely ask the witness whether he, in fact, had a conversation with somebody, he could say yes, no, but to lead him into believing what is supposed to have been a newspaper account is not, is not fair. So, as far as I am concerned, and I now turn the chair back over to the real care of the committee.

As far as I am concerned if you would proceed by merely asking the witness as a matter of fact did you have a conversation with somebody, that would be proper. But to base it on a newspaper account, as we thought you were doing, then to discover you were doing it on the basis of a tape recording which you yourself have never heard, is distressing to me.

Mrs. FENWICK. Will the gentleman yield?

Mr. VOLNER. I have no objection, but my objection was based on the same.

Mrs. FENWICK. If the counsel is not allowed, surely a Member of Congress can speak. I do believe, at least I understood clearly, there does exist some tape recording, but that there was a conversation, and the person who had the conversation reported that conversation to Mr. Fortuin. Surely Mr. Fortuin has a right, as I would think any member of this committee has, to question any witness, Ms. Tally, or anybody else who comes before us, as to the veracity of that conversation and the facts reported in that conversation. Otherwise—

Mr. BENNETT. Nobody ever said they would not. I said they could. It was the way in which he asked the question. He led the witness to feel that he was relying on a newspaper account. He did not ask direct questions as to whether or not Mr. Wilson had in fact had a conversation with the person and said these things. He had a perfect right to ask that. What was wrong with his questions was that he implied by the way he asked the questions that it was based upon some information coming from a newspaper account.

Mrs. FENWICK. Then we will proceed on that basis.

Mr. FORTUIN. That is what I intended to do, Mr. Bennett.

Mr. BENNETT. Unfortunately, you didn't.

I yield the Chair back to Mr. Flynt. I am just doing that out of sheer feeling of gut fairness. And I have no Wigmore's rules to cite.

Mr. FLYNT. Thank you, Mr. Bennett.

You may proceed, Mr. Fortuin.

Mr. FORTUIN. Mr. Chairman, let me get the ruling clear, because I do not want to inadvertently contravene the ruling. As I understand Mr. Bennett's last statement, I may ask questions about the conversation and that is all.

Mr. BENNETT. You can ask Mr. Wilson if he had a conversation with a particular person and if in that conversation he said *x*, *y* and *z*.

Mr. FORTUIN. That is fine. Is that the chairman's understanding?

Mr. FLYNT. I think the gentleman from Florida stated the situation precisely.

Mr. FORTUIN. All right.

So that, Mr. Wilson, there was no question in December 1976 that you knew Tongsun Park and had met with him; is that correct?

Mr. WILSON. Well, yes, I don't think I have kept any secret of the fact that I met him on the plane.

Mr. FORTUIN. And that you received some silver chopsticks from him at that time?

Mr. WILSON. Yes.

Mr. FORTUIN. At that time you knew that?

Mr. WILSON. I don't know about this, Mr. Fortuin. I am not going to respond to any question that goes beyond the actual newspaper article. I cannot recall the complete conversation, I cannot recall the type of questions that were asked, I cannot recall my answers. And I really am reluctant to respond to anything in connection with that interview unless I have a copy of the newspaper article here so I can refresh my memory of what the reporter did write about his interview with me.

Mr. FORTUIN. Well; let me ask you this question. You have told us there was never any question in your mind that you met Park on the airplane. Mr. Pontius testified this morning that you told him on a couple of occasions that you never even met Mr. Park. How did that come about?

Mr. WILSON. Well; I can't recall Mr. Pontius' testimony. He was very confused about several things. I don't recall that I ever discussed Tongsun Park with him.

Mr. FORTUIN. Didn't you, in fact, tell several of your staff members that you had never met Mr. Park?

Mr. WILSON. I very possibly did, yes.

Mr. FORTUIN. But that wasn't so? You had met him?

Mr. WILSON. Well, what time frame are you talking about? I said all the way along the line that I met him on the plane.

Mr. FORTUIN. I am talking about the period prior to the questionnaire. Didn't you tell your staff members prior to the questionnaire you never met him?

Mr. WILSON. I don't recall what I told any staff members prior to that time.

Mr. FORTUIN. You heard Mr. Pontius' testimony. You told him you were warned not to meet Mr. Park and you didn't?

Mr. WILSON. Mr. Pontius said I was warned not to meet him by Ambassador Hahm, and that is incorrect. The only person who ever suggested I should not have any dealings with him was Mr. Jay Shin Ryu, a friend of mine who is a businessman in Korea.

Mr. FORTUIN. And you don't recall telling any other staff members that you had never met Mr. Park?

Mr. WILSON. No; I don't. I had no occasion to tell any other staff members, because none of them—they do their work, and their work has nothing to do with my social affairs. Or with any of the relationships I have.

Mr. FORTUIN. Then there came a time when you were interviewed by the FBI. Do you recall that?

Mr. WILSON. Yes; I have a copy of their—

Mr. FORTUIN. That is correct. And when you met with them—well, let me go back a moment.

Mr. WILSON. Which incidentally was misquoted from earlier today, too.

Mr. FORTUIN. In your letter you said at the time of your answering your committee inquiry "I was thinking in terms of gifts given for the purpose of influencing a member in his functions as a Congressman, and not as a courtesy at the time of a wedding." Now, when you spoke to the FBI you did speak about the wedding; is that correct?

Mr. WILSON. Well; let me see what they say I said.

Mr. FORTUIN. I am asking for your best recollection.

Mr. VOLNER. Would you indulge us for a moment, so we can get—

Mr. FORTUIN. I am just asking you to recall, Mr. Wilson, whatever you can recall. If your recollection is not good, I accept that.

Mr. WILSON. There are errors in this FBI statement. I am sure they are honest errors. Because they were just keeping notes and didn't have a reporter with them. Now, what is the question?

Mr. FORTUIN. The question is, you mentioned to them that you had met Park when you visited Korea in connection with your marriage; is that correct?

Mr. WILSON. Yes; I did mention that to them.

Mr. FORTUIN. And you also told them that Park had never offered you anything of value; is that correct?

Mr. WILSON. Yes.

Mr. FORTUIN. Now I want to go to the period of late 1977 and early 1978. Towards—let me ask you this question. Do you on a regular basis read the Los Angeles Times?

Mr. WILSON. Fairly regularly, yes.

Mr. FORTUIN. How about the Washington Post?

Mr. WILSON. Yes.

Mr. FORTUIN. So that in late 1977 you became aware that Tongsun Park had agreed to testify in Korea; is that correct?

Mr. WILSON. Yes; in fact, I indicated in my statement, I helped to try and get him to talk and tried to get him over here for the committee.

Mr. FORTUIN. Well—

Mr. WILSON. In November of 1977.

Mr. FORTUIN. Well; let me ask you about that, Mr. Wilson. Maybe I will come back to this.

You say in your answer that you were interceding with the Government of the Republic of Korea on behalf of this committee; is that correct?

Mr. WILSON. The committee did not contact me and ask me to do it. The Ambassador, the American Ambassador in Korea asked me if I would mind discussing the matter with President Park and impress upon him to the best of my ability the importance of having Mr. Tongsun Park come back and testify in the United States as well as the testimony he was to give there.

Mr. FORTUIN. And you told us this morning that you did that; is that correct?

Mr. WILSON. That is correct.

Mr. FORTUIN. Because you wanted to help out the committee's inquiry; is that correct?

Mr. WILSON. I was anxious to help them in any way I could.

Mr. FORTUIN. In fact, when the committee held hearings in October, you characterized the witnesses as defectors and traitors of Korea; didn't you?

Mr. WILSON. What committee are you talking about?

Mr. FORTUIN. This committee.

Mr. WILSON. No. That was—I don't think this committee—October of when?

Mr. FORTUIN. 1977. We had hearings October of 1977, early October, and in late October. You characterized the witnesses, the Korean witnesses as defectors and traitors, didn't you?

Mr. WILSON. I was making reference to the witnesses appearing before Mr. Fraser's committee, I believe.

Mr. FORTUIN. Let me read to you, Mr. Wilson, from the Congressional Record of October 31, 1977. This is Charles H. Wilson of California:

I have not had the advantage of participating in the hearings chaired by the gentleman from Georgia (Mr. Flynt) but from what I saw on television of the hearings that were televised I saw a group of defectors and traitors of Korea who were testifying against their country so they could have the security of staying here in the great United States of America.

Mr. WILSON. That is what my feelings are and were at that time, yes.

Mr. FORTUIN. So notwithstanding these feelings in October it was shortly thereafter that you went out unsolicited to help out the committee's inquiry with Tongsun Park?

Mr. WILSON. That is right. I see no inconsistency. At that time I believe you had several Korean witnesses—perhaps that was the time Mr. Hanna was being interviewed or questioned. And as I recall, all of them were defectors, and people who were taking advantage of the committee to try and prove they would be of value to the United States. I think they were traitors and defectors.

Mr. FORTUIN. Did you take any State Department personnel along with you when you visited with President Chung Park Hee?

Mr. WILSON. No; Ambassador Snyder purposely felt it would be better to go there alone. If a State Department person had been with me on that occasion, he said, it would appear too much as if it was a State Department request I was making. I wanted to make the request on my own.

Mr. FORTUIN. So the only persons present were you and President Park Chung Hee?

Mr. WILSON. Yes, and his assistant, who was an interpreter.

Mr. FORTUIN. Now let me go back to the time when you learned that Tongsun Park was testifying, and that would be about the end of 1977; is that correct? The last day I believe it was announced. Maybe I can refresh your recollection.

Mr. WILSON. Well, didn't he testify in Korea in January? And then he came here in March and April, I believe.

Mr. FORTUIN. That is correct. Maybe I can just show you some of these articles that will refresh your recollection.

Mr. WILSON. I saw all the newspaper articles that were in anything but in the New York Times. I am sure I saw the articles that were in the Los Angeles Times and the Washington Post and the Washington Star.

Mr. FLYNT. The committee will suspend while the members repair to the floor of the House to record their votes.

[Recess.]

Mr. FLYNT. The committee will come to order and resume the hearing.

With the approval of the committee, the Chair will entertain a motion which must be made in open session with a quorum present.

I will recognize Mr. Spence.

Mr. SPENCE. Mr. Chairman, I move that pursuant to House Rule XI 2.(g)(1), the committee upon the adjournment of this hearing resolve itself into executive session for the purpose of hearing from Representative Edward J. Patten.

Mr. FLYNT. This is a motion which must be made in open session with a quorum being present. The committee is in open session and a quorum is present. Further, a vote must be taken by a rollcall vote.

As many as favor the motion when their names are called will vote aye; those opposed, no.

The staff director will call the roll.

Mr. SWANNER. Mr. Flynt.

Mr. FLYNT. Aye.

Mr. SWANNER. Mr. Spence.

Mr. SPENCE. Aye.

Mr. SWANNER. Mr. Teague.

[No response.]

Mr. SWANNER. Mr. Quillen.

Mr. QUILLEN. Aye.

Mr. SWANNER. Mr. Bennett.

Mr. BENNETT. Aye.

Mr. SWANNER. Mr. Quie.

[No response.]

Mr. SWANNER. Mr. Hamilton.

[No response.]

Mr. SWANNER. Mr. Cochran.

[No response.]

Mr. SWANNER. Mr. Preyer.

Mr. PREYER. Aye.

Mr. SWANNER. Mrs. Fenwick.

Mrs. FENWICK. Aye.

Mr. SWANNER. Mr. Flowers.

[No response.]

Mr. SWANNER. Mr. Caputo.

Mr. CAPUTO. Aye.

Mr. SWANNER. Seven members aye, five absent, not voting.

Mr. FLYNT. On this motion by rollcall vote, the ayes seven, the nays are none. The motion is agreed to, and upon the adjournment of this hearing, the committee will go into executive session.

Mr. Fortuin.

Mr. FORTUIN. Mr. Wilson, I am sorry I did not get the name of the friend who told you that Tongsun Park was not in favor with the government.

Mr. WILSON. Kyu Shu.

Mr. FORTUIN. Has he ever had any dealings with the Korean Government?

Mr. WILSON. No; he is a private businessman.

Mr. FORTUIN. You were visited by Miss Talley and Mr. Gossett. They requested, among other things, correspondence.

Mr. WILSON. The letter from Mr. Jaworski asked for all communications from Korean officials, not just Tongsun Park.

Mr. FORTUIN. You told Miss Talley that the Speaker had told you that you had been cleared in the inquiry?

Mr. WILSON. Well, I do not know exactly how I said it. The day before I had a meeting with the Speaker in connection with some legislation. At the end of the meeting, he felt pretty jovial, and he said, "Charlie, one thing I am happy to be able to tell you is that neither you nor I are under investigation as to this Korean thing."

Then, the next thing, Miss Talley and Mr. Gossett dropped in on me, and it was upsetting.

Mr. FORTUIN. You have read Mr. O'Neill's sworn testimony in which he denies saying that?

Mr. WILSON. Yes. He and I have an honest difference of opinion, I think, in what the conversation was. He told you what he recollected, and I told Miss Talley what I recollected. I am sure there is no real conflict.

Mr. FORTUIN. Shortly after Miss Talley visited you, did you see the headlines in the Washington Post on January 21, 1978, which indicated "Korea Probers Claim Evidence," then in big headlines, "Incumbents Implicated?" Did you see that?

Mr. WILSON. I am sure I did.

Mr. FORTUIN. Shortly thereafter, Mr. Civiletti gave a briefing to some Members of Congress. Were you present for that?

Mr. WILSON. Oh, no. I felt that was very improper, incidentally, for him to do that.

Mr. FORTUIN. Do you recall learning that he had told the meeting that evidence on an additional 15 to 20 present and former Members of the House will be turned over to parallel House investigators for possible disciplinary proceedings?

Mr. WILSON. I am sure I read it, because I have understandably been reading everything in connection with the Korean investigation.

Mr. FORTUIN. Then you learned, probably February 1, 1978, or in that period, you learned that Park had agreed to testify in closed session before the committee?

Mr. WILSON. I am sure I read it; yes.

Mr. FORTUIN. All that came before you sent the committee your letter of February 7?

Mr. WILSON. Yes—the February 1 date, I might say, I retained counsel the day—the 19th of January. We had our discussion because it was then that I recalled that there were some wedding gifts that I had neglected to mention in the original questionnaire, and the decision to send a letter was made prior to February 1. It did not get prepared and sent to you until February 7. Mr. Volner verified or, correct me if I am wrong, he was out of town for some time on other cases and was not able to immediately prepare the letter. I can honestly tell you that our decision is not related to anything stated in the papers February 1 or at any time.

Mr. FORTUIN. When you responded to the committee questionnaire, you had no idea what the committee knew from Tongsun Park, did you?

Mr. WILSON. No.

Mr. FORTUIN. I did not mean to say the questionnaire. When you wrote the letter in February 1978, you had no idea what Tongsun Park had told the committee?

Mr. WILSON. No, I did not.

Mr. FORTUIN. You did know from press accounts Mr. Caputo had been in Seoul during the questioning of Mr. Park?

Mr. WILSON. Yes, sir.

Mr. FORTUIN. Mr. Chairman, if I may confer a moment, I think I am just about finished.

[Brief recess as counsel confer.]

Mr. FORTUIN. I have no further questions of this witness.

Mr. FLYNT. Mr. Volner, have you any questions?

Mr. VOLNER. I have one or two questions, Mr. Chairman, and I have one further witness to call, as well, a very brief witness.

Congressman Wilson, you have been asked by counsel several questions which are inclined to suggest you would remember the breakfast meeting better than the airplane ride. Is there anything about the airplane ride that particularly sticks in your mind?

Mr. WILSON. Well, there was a couple in the first-class section—there were only 12 first-class seats, 3 rows, a gentleman, chairman of the board of the Sunkist company in California, and his wife, who I had known from previous occasions. They were staying at the Chosen hotel, where we were staying, and they also came to the wedding reception Saturday night, October 18. Also, Congressman Passman was on the plane. I recall the trip probably as much as some of the later events because of the people who were on the plane in the small section.

Mr. VOLNER. When you had breakfast with Tongsun Park, you had not previously met Park except on that airplane, is that right?

Mr. WILSON. No.

Mr. VOLNER. Do you know his associate's name?

Mr. WILSON. No; I do not. There was a young man traveling with him, and I did not get his name or I do not recall it.

Mr. VOLNER. Now, you were asked a series of questions about an interview you gave to the Washington Post, I believe it was.

Do you recall any questions—do you now recall any questions being directed to you as to presents from Tongsun Park of any kind or character?

Mr. WILSON. It is very likely questions were directed to me about any gifts that I may have received from Tongsun Park, as well as possibly other Korean people. I cannot recall vividly. I would be unable to recall anything in detail at this time. That was not printed in the paper and was just a general part of the interview itself.

Mr. VOLNER. When counsel asked you about that article in the Washington Post, you said, "How could I help it?" Why was that?

Mr. WILSON. It was a horrible story. I never should have given the interview.

Mr. VOLNER. You were asked questions as to certain witnesses who appeared before the committee. Was Tongsun Park at that time testifying before this committee, do you know?

Mr. WILSON. At what time?

Mr. VOLNER. You were asked a question about a statement you put in the Congressional Record—

Mr. WILSON. Oh, that was in October 1977; he did not testify before the committee until March 1978, I believe.

Mr. VOLNER. So the persons referred to in your statement did not include Tongsun Park?

Mr. WILSON. No.

Mr. VOLNER. As far as you know, Tongsun Park was still back in Korea, playing hide-and-seek?

Mr. WILSON. Yes.

Mr. VOLNER. I have no further questions.

Mr. FLYNT. Mr. Bennett.

Mr. BENNETT. No questions.

Mr. FLYNT. Mr. Spence.

Mr. SPENCE. No questions.

Mr. FLYNT. Mr. Hamilton.

Mr. HAMILTON. No questions.

Mr. FLYNT. Mrs. Fenwick.

Mrs. FENWICK. What was the date of this interview? I am afraid I must have missed it.

Mr. WILSON. I am glad you did. It seems to me it was in early November or December 1976.

Mrs. FENWICK. This confrontation as to the newspaper story?

Mr. WILSON. Yes.

Mrs. FENWICK. Where were you going in 1976 on the trip where you took the limousine?

Mr. WILSON. Out to my district. As I recall it, I was going to my district in March or April 1976. This was after Mrs. Wilson and I were married. That is my memory of the limousine incident.

Mrs. FENWICK. All right. Thank you.

Thank you, Mr. Chairman.

Mr. FLYNT. Judge Preyer.

Mr. PREYER. No questions, Mr. Chairman.

Mr. FLYNT. Mr. Caputo.

Mr. CAPUTO. Your testimony is that you received \$600 in American currency, plus an unidentified amount of Korean currency, from Tongsun Park on—

Mr. WILSON. October 22.

Mr. CAPUTO. Can you identify the approximate amount of Korean currency at the second installment?

Mr. WILSON. When he first offered me the envelope in the dining room, he said, "I have \$1,000 for you," so I assume it was in the neighborhood of \$1,000, if that was an accurate amount that he mentioned.

Mr. CAPUTO. Had you ever received an amount of cash like that from anyone before?

Mr. WILSON. Oh, I have received cash gifts in the past. It is the only wedding present such as that, that I have received. I might say there were gifts from time to time—we were remarried in Washington on November 22; I had a few friends who knew we did

not need anything in a material way of gifts, and they knew there would be a large expense in connection with the reception, and we did go to Trader Vic's restaurant, and there were several people who made direct contact with the restaurant and paid amounts toward that. There was one \$500 contribution, I believe, by a party at that time.

Mr. CAPUTO. I had difficulty in hearing. Somebody gave you \$500 in cash?

Mr. WILSON. It was made to Trader Vic's restaurant.

Mr. CAPUTO. Do you know his name?

Mr. WILSON. Donald Page.

Mr. CAPUTO. Did you report that as income?

Mr. WILSON. No, no. It was a gift. It went against expenses of the reception. That was his wedding gift.

Mr. CAPUTO. Did you ever receive cash on another occasion from—

Mr. WILSON. From what?

Mr. CAPUTO [continuing]. From any person in excess of \$500.

Mr. WILSON. I cannot recall, Mr. Caputo. It is possible. I am 61 years old. I have lived a long life, and I may have received personal gifts.

Mr. CAPUTO. But there were not several \$500 or more cash gifts to you, cash?

Mr. WILSON. No.

Mr. CAPUTO. There have only been two, in your entire life?

Mr. WILSON. I do not know that there were only two, but I cannot recall how many or what the circumstances were or anything of that sort.

Mr. CAPUTO. You do not find it unusual to get more than \$500 in cash from an individual?

Mr. WILSON. Yes; I would say it is unusual.

Mr. CAPUTO. How well do you know Mr. Don Page?

Mr. WILSON. Well, at the time of the wedding, I knew him quite well. I have not had any contact—

Mr. CAPUTO. In November of 1975, you had known him for several years?

Mr. WILSON. About a year prior to that time.

Mr. CAPUTO. Is it not even more unusual to get \$1,000 from someone you do not know?

Mr. WILSON. I do not think so. I did not connect—you are talking about Mr. Park's gift?

Mr. CAPUTO. I am talking about anyone who you do not know.

Mr. WILSON. Well, the only one in question is the gift by Mr. Tongsun Park. I did not consider that too unusual, and I did not consider it as anything to try to influence me or anything of the sort. Mrs. Wilson's father is a very important businessman in Korea. At that time, he was preparing to put up a large building, a zinc refinery, and there must have been a half dozen people who contacted me during my stay there to find out if I could put in a good word for them, and if they could be considered for the contract work. I suspect Mr. Park was as much involved in trying to impress me for that purpose as anything else.

Mr. CAPUTO. At the time you received the money you felt he was trying to impress you?

Mr. WILSON. No; not exactly, because of his reputation in addition to that. But I tried to figure out why all of a sudden when I had been neglected as to all his parties and never been invited—

Mr. CAPUTO. Tell me how you remember the \$500 gift from Mr. Page and not the \$1,000 gift from Mr. Park?

Mr. WILSON. I have been trying to recall since this—there were other gifts in Korea that we also reported at the time we amended our questionnaire. I do not really consider—there is really no reason why I should not have reported this. I am not ashamed of receiving it. It was not illegal.

Mr. CAPUTO. You seem to remember well the \$500 gift from Mr. Page, or was that a recent recollection?

Mr. WILSON. No. I had no reason to remember that.

Mr. CAPUTO. At the time you filed your questionnaire in 1977, would you have remembered the \$500 from Page?

Mr. WILSON. Well, it would depend upon—I do not know whether I would have or not. I really do not.

Mr. CAPUTO. Yet you have only received two large cash gifts, ever.

Mr. WILSON. No; I am not going to say that I have only received two, ever. I cannot respond to you in connection with that, Mr. Caputo.

Mr. CAPUTO. I have some more questions, Mr. Chairman. Do you want to break now?

Mr. FLYNT. The committee will suspend while members cast their votes. The Chair requests all members to return promptly.

[Recess.]

Mr. FLYNT. The committee will come to order.

Let the record show that seven members are present.

Mr. Caputo?

Mr. CAPUTO. I think I find myself questioning your reaction to receiving \$1,000 from a stranger. I just want to, now that we have had a moment to reflect, be sure that you did not receive large amounts of cash from anybody else to your memory today, other than Mr. Page—

Mr. WILSON. You mean throughout my life?

Mr. CAPUTO. No; since you have been a Member of Congress. I don't care about prior to that.

Mr. WILSON. Well, not that I can recall.

Mr. CAPUTO. Can you tell us what Mr. Page's occupation is? He is an employee of Trader Vic's?

Mr. WILSON. Oh, no, no, no. He is an employee of the Northrop Corp.

Mr. CAPUTO. Northrop?

Mr. WILSON. Yes.

Mr. CAPUTO. What does he do for them, do you know?

Mr. WILSON. I don't know what his title is. He was back here doing some Government relations work for them at the time.

Mr. CAPUTO. Does that mean lobbying?

Mr. WILSON. Yes; I guess so. He was contacting California representatives and their staffs at the time.

Mr. CAPUTO. Do you know if he gave \$500 in cash to any other Member of Congress?

Mr. WILSON. I don't really know whether this was cash or how it was handled. He handled it directly with Trader Vic's. He either used a credit card, or he gave them cash, or he gave them a check.

Mr. CAPUTO. Gave who?

Mr. WILSON. Trader Vic's Restaurant.

Mr. CAPUTO. In other words, you had a line of credit there worth \$500?

Mr. WILSON. No; I didn't. That is where we held our Washington wedding and had a large reception there.

Mr. CAPUTO. Let me back up. I understood you to say earlier that you received \$500 in cash from Mr. Page.

Mr. WILSON. I am not sure how it was handled, but it was a \$500 wedding gift, that was other than a dish or something like that. It was equivalent to money.

Mr. CAPUTO. Well, either it was cash or it wasn't.

Mr. WILSON. I didn't see it.

Mr. CAPUTO. Maybe I am confused. My memory of your testimony only a few minutes ago was that Mr. Page gave you U.S. currency worth \$500.

Mr. WILSON. No; I didn't intend to imply that, Mr. Caputo.

Mr. CAPUTO. I am sorry.

Mr. WILSON. What he gave I became aware of, but he gave it directly to Trader Vic's. I never saw the money.

Mr. CAPUTO. There is only one person that you can remember that gave you a large amount of cash since you have become a Member of Congress?

Mr. WILSON. As a personal gift, there possibly—

Mr. CAPUTO. Any kind of gift.

Mr. WILSON [continuing]. Is more than one, but I cannot recollect or recall now.

Mr. CAPUTO. So that to your memory at this time the \$1,000 that you got through Mr. Park's agent, from Mr. Park, is unique.

Mr. WILSON. Yes; I said that in my statement, page 11.

Mr. CAPUTO. And yet you didn't remember it?

Mr. WILSON. That is right.

Mr. CAPUTO. Until—

Mr. WILSON. I didn't remember that, or several other wedding gifts that I received.

Mr. CAPUTO. Did you have an interview with Washington Post reporters in early December 1976?

Mr. WILSON. Yes; I did.

Mr. CAPUTO. Did you relate to them the gifts you got at your wedding?

Mr. WILSON. No; I didn't.

Mr. CAPUTO. You told no Washington reporter that you received silver chopsticks from Tongsun Park at your wedding as a wedding gift?

Mr. WILSON. I can't recall what I told them, Mr. Caputo. Again, we are getting into the same area that Mr. Fortuin asked me about. I am not able to comment about anything that was not in the newspaper article itself.

It has been too long ago. I cannot recall what was said in that interview. The only way I can recollect or recall anything to my mind would be if I saw the newspaper article itself.

Mr. CAPUTO. I am not asking for what is in the newspaper story, but what you——

Mr. WILSON. Well, I can't recall anything else not in the newspaper story.

Mr. CAPUTO. Let me try to refresh your recollection.

Did you explain that you received a plaque at your wedding, as a wedding gift?

Mr. WILSON. No; I didn't get a plaque at my wedding. I indicated that it was not unusual in Korea for people to give you gifts at weddings or any other time, for visiting dignitaries.

I indicated the type of gifts that you might receive. Plaques are quite common.

Mr. CAPUTO. But you had no——

Mr. WILSON. I received no plaque as a wedding gift.

Mr. CAPUTO. We are talking about a point in time about 14 months after your wedding.

Mr. WILSON. Yes.

Mr. CAPUTO. Early December 1976. You were asked what you got for your wedding in Korea, and at that point——

Mr. WILSON. I don't know that I was asked directly what all I received because I couldn't have read what I received, and I didn't remember.

Mr. CAPUTO. What I am building to is the condition of your memory 14 months after you received \$1,000 in cash from a stranger. You couldn't remember 14 months after that, that you had received that \$1,000?

Mr. WILSON. I indicated it was a very unusual gift, Mr. Caputo, and I honestly did not recall anything about gifts at the time I completed my questionnaire.

Mr. CAPUTO. My question was not at the time you completed your questionnaire, but in December of 1976 you could not recall, only 14 months after the fact.

Mr. WILSON. The questionnaire I think is what we are talking about, isn't it?

Mr. CAPUTO. I am trying to learn the validity of your claim that you did not remember. I am trying to find the point in time where it escaped your memory. Obviously the day you received it you must have read it. Obviously at some point in time it slipped from your memory.

I am trying to find when that was. Now——

Mr. WILSON. I couldn't tell you when it slipped from my memory.

Mr. CAPUTO. I am not asking that question directly. In December of 1976 you had no memory of receiving \$1,000 in U.S. currency 14 months earlier. Is that your testimony?

Mr. WILSON. Mr. Caputo, even if I did have any memory of it at that time, it was none of the newspaper reporter's business whether I received it or didn't receive it.

Mr. CAPUTO. I think that is right. Did you remember at that time that Tongsun Park gave you silver chopsticks?

Mr. WILSON. We had quite a few sets of silver chopsticks.

Mr. CAPUTO. From Tongsun Park?

Mr. WILSON. No; one set from him. It costs \$17.

Mr. CAPUTO. Let me ask this. Did you make any—when a stranger gave you \$1,000, did you make any effort to learn who that stranger was and why he might be making a gift of that kind?

Mr. WILSON. Well; I knew who the stranger was, Mr. Caputo. I had two or three things that came into my mind as to why he might have done it. I suspect that he was in the habit of doing that, for one thing.

I indicated that he may have had a motive to do it because of the potential business he might get from my wife's father. I didn't think it was unusual, just because of the man's reputation, and even though he was a stranger to me.

Mr. CAPUTO. So you didn't make any attempt to discover the true nature and purpose of the gift?

Mr. WILSON. The purpose of it was a wedding present.

Mr. CAPUTO. OK. If I may, I would like to read into the record for purposes of establishing the gravity of this incident, and hence the likelihood that it ought to have been read by a Member of Congress, a section from our Manual of Offenses that we adopted as a committee earlier.

Mr. FLYNT. The committee will take notice of its own documents.

Mr. CAPUTO. I won't be permitted to read this out loud?

Mr. FLYNT. You can if you want to.

Mr. Caputo [reading]:

Even if a Member of Congress did not have actual knowledge of a donor's ties to the Korean Government, for example, or did not actually know of any corrupt motivation underlying the gift offer, the Member should still be subject to at least some sanction if the circumstances place that Member on notice that the gift was tendered in an attempt by a foreign government to influence his present or future actions and he took no action or insufficient action to attempt to discover the true nature and purpose of the gift; that is, if all the circumstances should have alerted a responsible Member concerned about both the letter and spirit of the law to hesitate and inquire before acting, the failure of a Member to learn the truth should not be an excuse.

Mr. WILSON. Mr. Caputo, may I say that in the first place I had no reason to think that he was an agent of a foreign government. I had been advised that he was not in the good graces of the Government of Korea. I never felt that he was an agent for the Korean Government.

I just felt that he was a businessman. I think that is all he was. I don't think there has been any evidence to prove otherwise.

Mr. CAPUTO. Thank you.

Mr. FLYNT. Any other questions?

Mr. Volner?

Mr. VOLNER. I have one or two questions, if I might.

Mr. FLYNT. All right.

Mr. VOLNER. And then I would like to call our last witness. Congressman Wilson, have you ever voted against aid to Korea?

Mr. WILSON. No; not even during these difficult times.

Mr. VOLNER. When you went to Korea in October 1975, to be married, would you say it is fair to characterize your position with respect to Korean aid as a matter of public record?

Mr. WILSON. It certainly should have been.

Mr. VOLNER. Did you at any time ever feel that the wedding present was illegal?

Mr. WILSON. Absolutely not.

Mr. VOLNER. I have no further questions.

Mr. FLYNT. Mr. Fortuin?

Mr. FORTUIN. Nothing further.

Mr. FLYNT. Do you want to call another witness?

Mr. VOLNER. I have one more witness.

I call George Gould, please.

Mr. FLYNT. Would you please raise your right hand. Do you solemnly swear that the testimony you will give before this committee in the matter now under consideration will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. GOULD. I do.

Mr. FLYNT. You may be seated.

You are Mr. George Gould?

Mr. GOULD. Yes, sir.

TESTIMONY OF GEORGE GOULD, HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE

Mr. VOLNER. Mr. Gould, would you state by whom you are employed?

Mr. GOULD. House Post Office and Civil Service Committee, Subcommittee on Postal Personnel and Management.

Mr. VOLNER. Who is the chairman of that subcommittee?

Mr. GOULD. Charles Wilson.

Mr. VOLNER. Mr. Gould, were you present in Congressman Wilson's office when he was interviewed by two reporters from the Washington Post?

Mr. GOULD. Yes, sir.

Mr. VOLNER. Do you have any recollection of that interview?

Mr. GOULD. Some. It has been a while.

Mr. VOLNER. Do you recall generally what was discussed?

Mr. GOULD. Yes; generally what the thrust, supposed thrust was; yes.

Mr. VOLNER. Were you asked or was Congressman Wilson asked about gifts of any kind or characteristic?

Mr. GOULD. Yes, sir.

Mr. VOLNER. Specifically, was he asked about wedding presents, to the best of your recollection?

Mr. GOULD. Not to my recollection.

Mr. VOLNER. What was the subject, what were the sorts of responses as you recall them to the questions about gifts?

Mr. GOULD. Basically, the reporters wanted to know, in my particular instance it was involving a committee trip, if we had received gifts from representatives of a foreign government.

Mr. VOLNER. And what was the response to that question?

Mr. GOULD. The response was we received what we characterized as mementos, plaques, maybe a small key to the city, some type of remembrance, maybe a small stamp album.

Mr. FORTUIN. I am sorry, can I have that again. I just didn't quite get it.

[The reporter read the answer.]

Mr. VOLNER. Do you have any recollection of Congressman Wilson saying he had received a set of silver chopsticks from Tongsun Park at the time of that interview?

Mr. GOULD. No, sir.

Mr. VOLNER. Do you recall whether he was asked by the reporter whether he received cash or anything else from Tongsun Park?

Mr. GOULD. I don't remember any such conversation.

Mr. VOLNER. Now, you were also present when the FBI came to visit Congressman Wilson and the attorney from the Department of Justice on or about July 20, 1977?

Mr. GOULD. I was at the interview.

Mr. VOLNER. Do you recall Congressman Wilson being asked whether he had met Tongsun Park?

Mr. GOULD. No; I do not.

Mr. VOLNER. Do you recall Congressman Wilson being asked whether he received anything of value from Tongsun Park?

Mr. GOULD. No; I do not.

Mr. VOLNER. Do you recall his answers to those questions, assuming that they were asked?

Mr. GOULD. I don't remember the questions. I don't remember that being discussed.

Mr. VOLNER. Do you have any recollection of that interview at all?

Mr. GOULD. Yes; I do. They asked him questions, the newspaper reporters, on the committee trips did we receive anything of value from officials of foreign governments.

Mr. VOLNER. Did they ask about anything else that you can recall?

Mr. GOULD. The purpose of the trips, people we met, the business of the trip, why we were there, who paid for it.

Mr. VOLNER. Do you recall any questions being asked about former Congressman Hanna?

Mr. GOULD. I think he asked if Mr. Wilson knew Mr. Hanna.

Mr. VOLNER. I have no further questions, Mr. Chairman.

Mr. FLYNT. Mr. Fortuin?

Mr. FORTUIN. Let me just ask you about the interview with the FBI. You are saying you don't recall any conversation with respect to the receipt of anything from Tongsun Park?

Mr. GOULD. No, sir, I do not.

Mr. FORTUIN. You don't recall any conversation? There could have been one.

Mr. GOULD. I answered your question. I do not recall any conversation.

Mr. FORTUIN. Would you recall it if there were such a conversation?

Mr. GOULD. Would I recall it if there were such a conversation? I don't know if I would recall it, since I don't recall it.

Mr. FORTUIN. OK. How about Mr. Wilson's marriage to a Korean woman and his marriage in Korea. Was there any discussion of that?

Mr. GOULD. There was at one of the interviews, and I will be frank with you, I cannot remember which interview it was.

Mr. FORTUIN. How about the FBI interview? Do you know if that was discussed there?

Mr. GOULD. Again, I cannot remember if it was that interview or the one with the reporters.

Mr. FORTUIN. When was the first time that you learned about the wedding gift, Mr. Gould?

Mr. GOULD. After it was publicized.

Mr. FORTUIN. I have nothing further, Mr. Chairman.

Mr. FLYNT. Mr. Volner?

Mr. VOLNER. Just one or two questions.

Mr. Gould, did you ever see Congressman Wilson with Tongsun Park at any place at any time?

Mr. GOULD. With Tongsun Park?

Mr. VOLNER. Yes.

Mr. GOULD. No, sir.

Mr. VOLNER. Did you and Mr. Wilson ever discuss Tongsun Park prior to the July 19—prior to July 1977?

Mr. GOULD. I don't remember a specific occasion, but since he was in the newspapers I have to assume that I did—it was something that was rather well discussed.

Mr. VOLNER. Did he ever say to you that he did or did not know Tongsun Park?

Mr. GOULD. No, I don't remember him making any comment either positive or negative.

Mr. VOLNER. I have no further questions.

Mr. FLYNT. Any member of the committee have questions?

Mrs. FENWICK. I have a question.

Mr. FLYNT. You do?

Mrs. FENWICK. If I may, Mr. Chairman.

Mr. FLYNT. Mrs. Fenwick is recognized.

Mrs. FENWICK. I think you said that the question was raised as to who had paid for that trip. What was the answer to that question?

Mr. GOULD. The committee paid for the trip.

Mrs. FENWICK. The postal committee?

Mr. GOULD. House Post Office and Civil Service Committee.

Mrs. FENWICK. Thank you.

Mr. CAPUTO. I have trouble hearing from back here.

Mr. GOULD. I am sorry.

Mr. CAPUTO. Your testimony is that you have no memory of what those reporters asked in October?

Mr. GOULD. My answer to his question.

Mr. CAPUTO. You don't remember what the reporters asked or you don't remember the answers to the questions?

Mr. GOULD. I don't remember what he asked me about.

Mr. CAPUTO. Let me start from the beginning. Do you recall meeting with reporters in December?

Mr. GOULD. Yes; I do.

Mr. CAPUTO. 1975? 1976?

Mr. GOULD. I think 1976. I think the Congressman is right.

Mr. CAPUTO. Do you recall any questions that those reporters asked?

Mr. GOULD. Yes, as I said, I did.

Mr. CAPUTO. What questions did they ask you?

Mr. GOULD. Well, as I indicated earlier, I remember them asking about the purpose of the trip, who we met with—

Mr. CAPUTO. I didn't hear you earlier.

Mr. GOULD. Who we met with, the purpose of the trip, how expenses were paid for the trip, results of the trip, was anything

done after the trip, were there hearings, was there a report, was it publicly known.

Mr. CAPUTO. And you stated that the reporters did not ask questions about what kind of gifts did he receive for his wedding.

Mr. GOULD. In that interview they asked about gifts that were received from officials of the government.

Mr. CAPUTO. Try to answer my question. My question is your testimony—

Mr. GOULD. I am sorry, I can't hear either, sir.

Mr. CAPUTO. Your testimony is not that you don't remember, but that you do remember specifically that the reporters never asked at that interview about wedding gifts.

Mr. GOULD. I do not remember them asking about wedding gifts.

Mr. CAPUTO. So, your testimony is not that you have a memory of that questioning and at no time did the reporters ask such a question. Your testimony is rather different. It is that you don't remember whether or not—

Mr. BENNETT. Mr. Caputo, would you like to have another 5 minutes? I have to go to the floor.

Mr. CAPUTO. I am almost done. You may go ahead. I don't mind.

Mr. FLYNT. The committee will recess.

[Brief recess.]

Mr. FLYNT. The committee will come to order.

The gentleman from New York.

Mr. CAPUTO. Mr. Wilson, I understood you to say—Mr. Gould, I understood you to say that this trip to Korea was paid for by the committee.

Mr. GOULD. That is correct.

Mr. NIELDS. Mr. Chairman, the respondent is not here.

Mr. VOLNER. I assume he has gone to vote. Since he is not on the stand, we may proceed. I will waive his presence for the purpose of this questioning.

Mr. FLYNT. All right.

Mr. CAPUTO. You mean you waive his right to be present?

Mr. VOLNER. Right.

Mr. CAPUTO. The trip to Korea was paid for by the committee.

Mr. GOULD. Yes, sir.

Mr. CAPUTO. Can you help me to understand why, in the respondent's prepared statement, which is unlabeled, it reads at page 12, "We went to Korea in October 1975 for the sole purpose of meeting her family," meaning his new wife's family. Is that a legitimate use of—

Mr. GOULD. We are talking about two different trips. The reporters initially discussed a trip that was taken in April of 1976 to Korea, during the spring recess. That is the one that they discussed during that meeting, to my recollection.

Mr. CAPUTO. Well, they knew he didn't get married until October, so how could they possibly have asked about his wedding gifts on a trip he didn't get married on?

Mr. GOULD. All I can do is tell you what I remember as a participant in that meeting, and that is what I remember him discussing, was that trip.

Mr. CAPUTO. I don't think you were at the right meeting.

Mr. GOULD. Possibly. Maybe I missed the right meeting.

Mr. VOLNER. Mr. Caputo, if I may be permitted, Congressman Wilson was married on a trip in October 1975. There was a subsequent trip in April 1976. There was an interview by the Washington Post reporters in December of 1976 which, according to the witness, made reference to the April 1976 trip.

Mr. CAPUTO. I don't believe so. I think there was a Washington Post interview about perhaps, in addition to an April trip, the previous year's trip, the 12-month earlier trip, in which the Congressman got married. I think they specifically asked about wedding gifts. Now, you didn't hear—

Mr. GOULD. I don't remember.

Mr. CAPUTO. I just want to verify for the record that your memory is incomplete. You are not saying: I remember all the questions that were asked and at no time did they ask a question about wedding gifts.

Mr. GOULD. I say my memory is not perfect.

Mr. CAPUTO. You are saying you don't know whether or not they asked about wedding gifts?

Mr. GOULD. That is right.

Mr. CAPUTO. They might have.

Mr. GOULD. That is correct.

Mr. CAPUTO. And you are not even sure whether they were asking about an April trip or an October trip?

Mr. GOULD. I know they asked about the April trip because I participated in it.

Mr. CAPUTO. At no time did they ask about an October 1975, trip?

Mr. GOULD. They talked in generalizations concerning trips. They didn't specifically lay it out. They didn't give us time frames. They talked about trips in general to Korea, meeting government officials in Korea in general.

Mr. CAPUTO. I understand you work for a subcommittee.

Mr. GOULD. That is right.

Mr. CAPUTO. You are not on the Congressman's personal staff?

Mr. GOULD. That is correct.

Mr. CAPUTO. So; if he were going to talk about personal gifts he got, personal relationships he had with Tongsun Park, that probably would have been a conversation he had with his personal staff, is that right?

Mr. GOULD. Probably.

Mr. CAPUTO. OK. I am finished.

Mr. FLYNT. Mr. Volner?

Mr. VOLNER. I have no further questions.

Mr. FLYNT. Any other questions?

Mr. Fortuin?

Mr. FORTUIN. I have no further questions of this witness.

Mr. CAPUTO. One more question, sir. Who paid for the October 1975 trip?

Mr. GOULD. I don't know, sir.

Mr. FLYNT. Do you have anything else?

Mr. VOLNER. No, sir.

Mr. FLYNT. Do you have anything else?

Mr. FORTUIN. A brief rebuttal witness, Mr. Chairman, here from North Carolina.

Mr. BENNETT. You have another witness?

Mr. FORTUIN. One brief witness.

Mr. FLYNT. All right, call him.

Mr. FORTUIN. Call Craig Bradley.

Mr. FLYNT. The hearing will come to order.

Mr. FORTUIN, call your next witness.

Mr. FORTUIN. Craig Bradley.

Mr. FLYNT. Please raise your right hand.

Do you swear that the testimony that you will give in this matter before this committee will be the truth, the whole truth the nothing but the truth, so help you God?

Mr. BRADLEY. I do.

Mr. FLYNT. Your name is Craig Bradley?

Mr. BRADLEY. Yes.

Mr. FORTUIN. What is your occupation?

Mr. BRADLEY. Visiting professor of law, University of North Carolina, Chapel Hill.

Mr. FORTUIN. In July of 1977, how were you employed?

Mr. BRADLEY. Senior trial attorney, integrity section of the Justice Department, investigating the so-called Koreagate scandal.

Mr. FORTUIN. In the course of your duties, did you have occasion to visit Congressman Charles Wilson?

Mr. BRADLEY. Yes.

Mr. FORTUIN. Do you recall the date?

Mr. BRADLEY. Not of my independent recollection now, no.

Mr. FORTUIN. Let me show you an exhibit which we have pre-marked W-13 for identification, and ask if this refreshes your recollection as to the date of that meeting.

Mr. BRADLEY. Yes; this is the memorandum of that meeting prepared by the FBI agent who came with me. It indicates the meeting was on July 20, of 1977.

Mr. FORTUIN. Did you review that exhibit for accuracy shortly after it was prepared by the FBI?

Mr. BRADLEY. It was my practice to do so, whenever I went on an interview with an FBI agent, to review the agent's notes, since I did not prepare the interview. I do not recall whether or not I specifically reviewed this one, but I am sure I did.

Mr. FORTUIN. Who else was present when you interviewed Mr. Wilson?

Mr. BRADLEY. Two of his staff and an agent of the FBI.

Mr. FORTUIN. Did you have any questions as to the subject matter of Tongsun Park?

Mr. BRADLEY. Yes; I asked Mr. Wilson to describe to me his contacts with Tongsun Park.

Mr. FORTUIN. Tell us what was said.

Mr. BRADLEY. Well, I can either tell you what I recall directly or what I recall buttressed by what I read here which, to my recollection, is correct.

Mr. FORTUIN. Tell us what you recall. Then we will ask you about the document.

Mr. BRADLEY. I asked Mr. Wilson to describe his connections with Tongsun Park. I no longer recall what it was he indicated, but one had to do with his wedding. I then asked him if he had ever been offered or received anything of value by or from Tongsun Park,

and he said he had not. He did not relate to me any meeting with Tongsun Park in the Chosen Hotel in Korea. I would have remembered that had he done so.

Mr. FORTUIN. Were there any comments about any chopsticks or anything of that nature?

Mr. BRADLEY. He made the flat statement he never received nor had been offered anything.

Mr. FORTUIN. As I understand it, it is your testimony that exhibit W-13 is accurate and reflects your recollection of that meeting with Mr. Wilson.

Mr. BRADLEY. The interview took, I would guess, between 15 and 20 minutes, perhaps even longer. This is only a 2-page document, so it obviously does not reflect everything that happened. However, everything it reflects is accurate.

Mr. FORTUIN. On that basis, I would offer W-13 into evidence, Mr. Chairman.

Mr. VOLNER. No objection.

Mr. FLYNT. So ordered.

[Whereupon, Committee Hearing Exhibit No. W-13 was received in evidence.] (See exhibits.)

Mr. FORTUIN. Did you ask Mr. Wilson as to whether any other Member of Congress had received anything of value from Mr. Park or any other member of the Korean Government?

Mr. BRADLEY. Yes, I remember that, because at that point, Mr. Wilson got very angry with me and essentially indicated he would throw me out of the office or terminate the interview if I was going to ask questions like that. I was surprised at that response. Since he had coolly denied receiving anything himself, why he should react as to the question about other Congressmen? At the time I was particularly interested in Mr. Hanna.

Mr. FORTUIN. I have no further questions.

Mr. FLYNT. Mr. Volner?

Mr. VOLNER. Yes. This interview took place approximately a year ago?

Mr. BRADLEY. Yes.

Mr. VOLNER. But you have no specific recollection of reviewing that report before it was filed?

Mr. BRADLEY. Other than—

Mr. VOLNER. I believe you testified it was your practice.

Mr. BRADLEY. Yes.

Mr. VOLNER. So you assume you reviewed this one before it was filed, but you do not specifically recall it was reviewed?

Mr. BRADLEY. I assumed it was accurate—

Mr. VOLNER. That is not my question. Do you specifically recall seeing this report before it was filed?

Mr. BRADLEY. No.

Mr. VOLNER. Does the report accurately reflect the order in which things were taken up?

Mr. BRADLEY. The FBI tries to group things into paragraph. For instance, if I asked things about Suzi Park Thomson at the beginning of the interview and asked other questions at the end, the agent would have put everything into one paragraph. So it does not generally reflect the chronology.

Mr. VOLNER. You have seen the document.

Mr. BRADLEY. Yes, I have it right here.

Mr. VOLNER. In transcribing the notes, why would the FBI start the report with the last subject interviewed? It struck me as not being logical.

Mr. BRADLEY. I do not know what that has to do with anything, but it does not strike me as logical.

Now, if you ask if the FBI typically does things logically, I would say, probably not, but I am no expert on how the FBI typically operates.

Mr. VOLNER. Do you know if the subject of Congressman Hanna came first, followed by Congressman Wilson's visit—

Mr. BRADLEY. I believe the entree I used in interviewing Mr. Wilson was to put him at ease in hopes he would be less defensive in answering questions. Instead of saying, "I am here to inquire about you," I think I eased into the interview by indicating I was primarily interested in Hanna, not Wilson.

Mr. VOLNER. Congressman Wilson got hostile, I believe was your phrase, when you asked about possible payments to other Congressmen.

Mr. BRADLEY. Yes.

Mr. VOLNER. But he did not at all become upset when you asked him questions about himself?

Mr. BRADLEY. He was somewhat antagonistic throughout the interview, but he did not become upset at that question. That is correct.

Mr. VOLNER. When you conducted the interview with Congressman Wilson in July of 1977, did you have any knowledge of any wedding present by Tongsun Park or anybody else to Congressman Wilson?

Mr. BRADLEY. No.

Mr. VOLNER. I have no further questions.

Mr. FORTUIN. Nothing further, Mr. Chairman.

Mr. FLYNT. Any member of the committee have any questions of Mr. Bradley?

Mr. Fortuin, any other witnesses?

Mr. FORTUIN. Staff rests.

Mr. QUILLEN. Mr. Chairman, one question, if I may, and it is really not a direct question, but I would like to have a response.

In your opinion, did Mr. Wilson's attitude to you reflect just what you intended to get over to this committee? Do you think his answers to the questions about himself to you reflected his credibility?

Mr. BRADLEY. I am not sure I understand you.

Mr. QUILLEN. You said he was not upset, but somewhat antagonistic throughout the interview.

Mr. BRADLEY. Are you asking if I believe Mr. Wilson?

Mr. QUILLEN. Are you trying to leave the impression he did not answer the questions correctly, or do you have a doubt?

Mr. BRADLEY. Absolutely, since Tongsun Park later told us that he had given Mr. Wilson money and Mr. Wilson denied it.

Mr. QUILLEN. About attitudes, Mr. Chairman, I would say it would be very difficult to determine the truthfulness, because here we get very heated at times, and I think in the end, we say in a

creditable way what we think or mean, but I do not think by inference you could even infer that, really.

Mr. BRADLEY. I really did not come to any conclusion of Mr. Wilson's credibility on the basis of his attitude.

Mr. QUILLEN. That is what I asked you.

Mr. BRADLEY. I simply took note of what he said and later on I collected evidence which contradicted it.

Mr. QUILLEN. Why, then, would you bring that point out to the committee?

Mr. BRADLEY. Which point? As to what his attitude was?

Mr. QUILLEN. Yes.

Mr. BRADLEY. I brought it out in response to the question, and now I do not remember what the question was, so I am at a loss as to my motives, but in any event, it impressed me. It aroused my suspicions that Mr. Wilson should have gotten upset by what seems to me a more innocuous question from his point of view than the question had he taken any money. I recall going back to the office and discussing with my superior what appears to be a highly suspect response on his part.

Mr. VOLNER. With respect to which question?

Mr. BRADLEY. With respect to whether he had knowledge of any other Congressman receiving money.

Mr. QUILLEN. I have no further questions, Mr. Chairman.

Mr. FLYNT. Any other questions?

Mr. VOLNER. No questions, Mr. Chairman.

Mr. FLYNT. Any further witnesses?

Mr. FORTUIN. Nothing further.

Mr. VOLNER. I have no further witnesses.

Mr. FLYNT. Do you have anything further to present at this time?

Let me read from the supplemental rules of procedure, page 2, paragraph No. 2:

At the conclusion of the taking of all testimony and the receiving of all evidence with regard to each above named respondent, the chairman shall fix a date certain to hear closing oral argument from the staff and the respondent and to conduct deliberations thereon.

Counsel from both sides having agreed on the date of September 27, that date, September 27, 1978, is set as a date certain to hear closing oral argument and to conduct deliberations thereon.

Is that agreeable to staff?

Mr. FORTUIN. Yes.

Mr. VOLNER. Yes.

Mr. FLYNT. I am informed the staff and Mr. Volner have also agreed they shall file with the committee written proposed findings of fact on September 22; is that correct, Mr. Volner?

Mr. VOLNER. Yes, it is, Mr. Chairman.

Mr. FLYNT. Then September 22 is the date set for the filing of proposing findings of fact with support for each proposed finding.

Is there anything further to come before the committee in the matter of Representative Charles Wilson? If not, this meeting is adjourned, and the committee will go into executive session.

[Whereupon, at 6:20 p.m., the committee proceeded in executive session.]

APPENDIX F

TRANSCRIPT OF ARGUMENTS

WEDNESDAY, SEPTEMBER 27, 1978

HOUSE OF REPRESENTATIVES,
COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT,
Washington, D.C.

The committee met at 3:53 p.m. in room 2226, Rayburn House Office Building, Hon. John J. Flynt (chairman of the committee) presiding

Present: Representatives Flynt, Bennett, Hamilton, Flowers, Spence, Quillen, Quie, Cochran, Fenwick, and Caputo.

Also present: John M. Swanner, staff director; John W. Nields, chief counsel; Thomas M. Fortuin, professional staff member, and Ian D. Volner, counsel for Hon. Charles H. Wilson.

The CHAIRMAN. The Chair now will proceed to hear oral arguments in the matter of the statement of alleged violations regarding Representative Charles H. Wilson of California.

Let the record show that Mr. Fortuin and Mr. Nields are present, counsel for the committee, and that Mr. Ian D. Volner is present as counsel for Mr. Wilson.

Let the record further show that 10 members of the committee are present.

Will Mr. Wilson be present?

Mr. VOLNER. No, Mr. Chairman.

The CHAIRMAN. Do you waive his presence?

Mr. VOLNER. Yes.

The CHAIRMAN. The Chair will announce that both sides having introduced evidence, the customary rules and practices will be followed, that is, that staff counsel will open and close. Counsel for respondent will have an equal amount of time in between the opening and closing arguments of the staff.

Is 30 minutes to each side sufficient or do you suggest a lesser amount or greater amount? I ask that of counsel for both sides.

Mr. FORTUIN. That is about right.

Mr. VOLNER. Mr. Chairman, I hope I would not use the full amount of time, but I would like it.

The CHAIRMAN. All right.

Under the rules and practices, the committee counsel will be recognized for 30 minutes to use such time as he desires, reserving the balance of the 30 minutes allotted for conclusion.

I assume Mr. Fortuin will open for the staff?

Mr. FORTUIN. That is right, Mr. Chairman.

The CHAIRMAN. Mr. Fortuin is recognized for 30 minutes.

Mr. FORTUIN. If it please the committee, the evidence in this case establishes clearly and convincingly that the respondent, Charles H. Wilson of California, submitted a false statement to the committee when, in response to the committee questionnaire, he said that he never received anything of value more than \$100 from Tongsun Park.

In fact, the evidence established that he received \$1,000 in cash from Mr. Park in the summer of 1975. The evidence further establishes clearly and convincingly that Mr. Wilson knew that his answer to the committee was false when he submitted it.

Let's first look at what happened in Korea in the summer of 1975 when Mr. Wilson took the money from Tongsun Park. I think these facts alone and Mr. Wilson's clear recollection of what happened in Korea establish that Mr. Wilson could not and did not forget about getting money from Tongsun Park.

When I review these with you, I would ask you to think that if this had happened to you, if you had gotten this money from Tongsun Park under these circumstances, if this is something that you would forget about.

Congressman Wilson first met Tongsun Park on October 16, 1975, on an airplane flight from Taipei to Korea. Mr. Wilson was with his then fiancée whom he was about to marry in Korea.

On the plane Mr. Wilson spoke only briefly with Tongsun Park. Here is Mr. Wilson's recollection of what was said:

We had a brief chat. I informed him I was accompanied by my fiancée and I would meet her family in Korea. He congratulated us, stating he was happy I was marrying a lovely Korean lady and he hoped we would see each other in the future.

When Mr. Wilson got to Korea he was warned to stay away from Tongsun Park. Notwithstanding that warning, Mr. Wilson met with Park the following Wednesday in Korea. On October 22, 1975, Park's assistant called him at the hotel. Mr. Wilson told us in the testimony that the call was at 7:30 in the morning. Today he recalls the precise hour of the day when he was called, but when he answered the questionnaire, he didn't remember anything about it.

Park's assistant called him to the dining room to have breakfast with Tongsun Park. He went down and had breakfast with Park and his associates. Here is how he described the breakfast:

As we were getting ready to break up, he—referring to Mr. Park—gave me a small box and said, "this is a traditional Korean wedding gift, a pair of silver chopsticks. It is not necessary for you to open it now." Then he—referring to Park—reached into his pocket and pulled out an envelope filled with Korean currency, handed it to me and said, "I have \$1,000 for you." I said—again Mr. Wilson talking—well, I appreciate your generosity but I have no use for this money, it is Korean. I am leaving today and it is of no value to me, but I do appreciate your generosity.

Wilson even recalled that the silver chopsticks he got from Tongsun Park were worth \$17. He tells us today that he can remember they were worth \$17 but he could not remember in the summer of 1977 that on precisely the same occasion he got \$1,000 in cash.

Mr. Wilson kept the \$17 worth of chopsticks but he returned the money because it was Korean currency. But before he left Korea, Park sent some U.S. currency to Mr. Wilson and Mr. Wilson kept this.

Again, here is Mr. Wilson's description of those events:

I went back to my room and packed my bags and then came back to the lobby to check out of the hotel and another associate, someone who was not with us at the breakfast, approached me and said he was associated with Mr. Park and he said, "Mr. Park really wants you to have this wedding present," and I said—this is Mr. Wilson speaking—"well, it is not necessary." And he said, "well, Mr. Park wants you to have it." So I took it and went up to the room. There were six \$100 bills.

Notice that today Mr. Wilson can recall for you the precise denomination of the bills in the envelope, but in the summer of 1977 he didn't remember anything about it. Again, Mr. Wilson told you, "I didn't count the Korean currency, I handed it to my wife."

Then he continued in the course of his testimony and told you how his wife turned the money, \$400, over to her father and brother when he left at the airport.

I say to you that that is an unusual transaction; the receipt of cash from Tongsun Park is an unusual transaction. Mr. Wilson admits that it is an unusual transaction. Here is what he told the committee:

I admit the wedding present was unusual. The present was unusual because it came to me in cash, and although the amount was modest, it was one of the very few cash presents that Mrs. Wilson and I received at the time of our wedding. It was unusual because it came to me from Tongsun Park, whom I had never met before that trip to Korea and never saw again afterwards.

Wilson in other testimony characterized the gift as unique and on one occasion as a very unusual gift.

In response to Mr. Caputo's questions, he could recall receiving one other cash gift and that was not made directly to him. It was made to Trader Vic's on his behalf.

I think that those facts alone establish to you that the man had to remember this transaction in the summer of 1977, but there is more to that. Not only was this the type of gift you could not forget, but it came from Tongsun Park. For months prior to the time that the committee sent out its questionnaire, the media had been filed with stories of Park's payments to Members of Congress. In fact, the media were talking about precisely the type of transaction that Mr. Wilson had with Tongsum Park, handing out cash in envelopes. That is what the investigation was about.

This was not lost on Mr. Wilson. I asked him. I said, "The issue current at that time," referring to the time when he filled out the questionnaire, "was money in envelopes. Is that not what people were talking about at the time?" He answered, "yes."

Question, "And you knew Tongsun Park had been mentioned in that connection?"

His answer was yes.

I say to you that the prominence of the stories of Park handing out cash-filled envelopes is important because it shows that at the time in that climate it was inconceivable that even if Mr. Wilson had forgotten about this transaction, his memory would have been refreshed by all the newspaper accounts.

Second, it shows, that at the time Mr. Wilson felt that it would be embarrassing to admit a cash gift from Tongsun Park.

Now, not only was Tongsun Park prominent in the media, but Wilson, himself, prior to answering the committee questionnaire, had been interviewed on two separate occasions concerning his contacts with Tongsun Park. The first of these occurred in December of 1976 when he was interviewed by the Washington Post, and 8 days before he answered the questionnaire he was interviewed by an agent of the FBI and an attorney from the public integrity section of the Department of Justice.

I say to you with all this prominence in the media, with these interviews, it is inconceivable that Mr. Wilson would not recall this

unusual gift of \$1,000 in cash in Korea. When you put it altogether, it comes to this: the receipt of \$1,000 in cash from someone you don't know is unusual. If you could forget about a pile of cash from somebody else, you could not forget about a pile of cash from Tongsun Park, given his prominence in the media.

I suggest to you, third, that if Mr. Wilson had admitted that in the summer of 1977, it would have been embarrassing and that is why he didn't do it.

Finally, I suggest to you that Wilson knew that his own contacts with Park were being questioned at the time by both the newspapers and the FBI, and under the circumstances he could not have forgotten about a stack of \$100 bills.

Nonetheless, when on July 28, 1977, he responded to this committee's questionnaire about Tongsun Park, he didn't tell the committee about the \$1,000. In fact, he stated that he had never received and he had never been offered anything of value more than \$100 from Tongsun Park.

Now you have not only the evidence of the transaction itself, but the facts and the circumstances under which Mr. Wilson ultimately disclosed that gift make it plain that he knew at the time that he submitted the questionnaire that it was false.

In the summer of 1977, Mr. Wilson believed that he could submit a false statement to the committee with impunity because Tongsun Park simply was not around to implicate him. With time, however, that all changed.

As the committee recalls, on December 31, 1977, the papers carried the story that the Korean Government would let Tongsun Park testify. On January 13, 1978, and we are now about 3 weeks before the time that Mr. Wilson actually disclosed the gift, the Los Angeles Times, which Mr. Wilson admitted he reads regularly, carried a banner headline and this is contained in exhibit W-9 which you have. The banner headline says, "Park starts talking, lots of people, sums of money, revealed to probers. Lawmakers reported on his list."

The articles reported that Mr. Caputo, who had been in Korea for the testimony, said, "He would report his findings to the House Ethics Committee."

On January 14, the next day, the Los Angeles Times reported:

But Park reportedly said also that dozens of other Members of Congress had accepted amounts ranging from several hundred to \$1,000 or \$2,000 apiece.

So, on January 14, Mr. Wilson learns: (1) That Park is talking about gifts to sitting lawmakers, that is himself; (2) he is talking about gifts of \$1,000 to \$2,000. That is precisely what he received; and (3) that Mr. Caputo, who heard it all, is going to tell this committee about what he learned.

Then, 5 days later, Mr. Wilson is visited by Martha Talley, a committee lawyer and investigator, and he is told two things: One, the committee wants to take his testimony under oath, and, two, the committee wants among other things all of his correspondence with Tongsun Park.

I suggest to you that it was then that Mr. Wilson realized that Park—or felt or feared—that Park had revealed the \$1,000 gift to him, that the committee was about to investigate him for it, and he

then had to tell the truth. It was then about a week later on February 7, 1978, that he finally did tell the truth about his contacts with Tongsun Park

I suggest to you that these facts establish that Mr. Wilson did not and could not forget about the \$1,000 that he got from Tongsun Park.

Before I continue, I want to speak very briefly to, I think three issues that have been raised by the defense that I think are wholly frivolous and I will not spend much time with them.

One, Mr Volner claims that the response to the questionnaire was not necessarily false, that it was merely misleading or something of that sort. I don't know what can be more false than to say that you were never offered or you never received anything more than \$1,000 when in fact you took \$1,000 in currency. It seems to me that is unequivocal.

Second, they say that Mr. Wilson's false statement is not material to the committee's inquiry—

The CHAIRMAN. Excuse me one second. Did you mean more than \$100 when you just said more than \$1,000?

Mr. FORTUIN. I did, Mr. Chairman, I am sorry.

Second, they say that Mr. Wilson's false statement to the committee was not material to the committee's inquiry. I simply don't know how that can be. The House Resolution provides or directs the committee to conduct a full and complete inquiry and investigation to determine whether Members of the House of Representatives, their immediate families or their associates, accepted anything of value directly or indirectly from the Government of the Republic of Korea or representatives thereof.

I simply don't know how anything could be more material than the committee seeking to determine whether Mr. Wilson received something of value from Tongsun Park.

The third thing they say I think is wholly frivolous is that the questionnaire was ambiguous. It seems to me you would not even have to read the committee questionnaire in the summer of 1977 to know the thing the committee was interested in was whether you got money from Tongsun Park, but if you do read it, you will see, first of all, Mr. Wilson rearranged the questionnaire so that it would be completely clear, and if you read his answer, you will see the question is absolutely unambiguous. It asked him whether he got or was offered anything of value more than \$100.

So the idea that this was somehow confusing frankly strikes me as wholly frivolous.

Now I should think that the unusual nature of the transaction along with the prominence of Park's name in the media and all these other things that I have mentioned should establish beyond a doubt that Mr. Wilson knew that his response to the committee questionnaire was false. But there is more.

I want to reviw with you now the different stories that Mr. Wilson told other people about his contacts with Tongsun Park. I want to do that for two reasons.

The first is that you will recall that when Mr. Wilson first told the truth about his relationship with Tongsun Park, he gave one reason why he had not set forth the gift in response to the commit-

tee questionnaire. That was because he said he was not thinking about wedding gifts. Here is what he said:

At the time of answering your committee questionnaire, I was thinking in terms of gifts given for the purpose of influencing a Member in his function as a Congressman and not as a courtesy at the time of a wedding.

In fact, when Mr. Wilson was asked on one occasion about the wedding and on another occasion about wedding gifts in particular, he failed to tell about the \$1,000 he received from Tongsun Park.

There is a second reason why I want to go into these stories because I am going to tell you about four false stories that Mr. Wilson told about his relationship with Tongsun Park. These false stories establish beyond a doubt that he felt that linking himself to Park would be extremely damaging to him.

The stories also establish that Mr. Wilson's false answer to the committee questionnaire was not an inadvertent incident but was rather a part of a pattern of activity in which the Congressman repeatedly falsified and repeatedly sought to minimize his contacts with Tongsun Park. You will see that each of these different stories is false, each of them is different, but they all have this in common: They all falsely underplay Mr. Wilson's contacts with Tongsun Park. Here is what happened.

Mr. Wilson's first false story about his relationship to Tongsun Park came in an interview with reporters from the Washington Post on December 2, 1976. Mr. Wilson's sworn testimony, he told the Washington Post about the silver chopsticks he received from Tongsun Park but he did not tell them about the cash that he received simultaneously.

Here is Mr. Wilson's testimony before this committee:

Question. Let me focus your attention back to December of 1976. Do you recall December 2, 1976, you were interviewed by Mr. Armstrong and Mr. McAllister of the Washington Post. Do you recall that?

Answer. How could I forget it.

Then deleting a little down to page 96:

Question. Did you tell them about getting silver chopsticks from Mr. Park?

Answer. I did. I told you that today.

Question. And you told them that, that he gave you a set of eight chopsticks?

Answer. That is right.

Question. But you did not tell them about the money offered at the same time you got the chopsticks?

Answer. No, I did not.

That is Mr. Wilson's testimony about what happened at the interview with the Washington Post.

I say to you it is inconceivable that Mr. Wilson could have remembered \$17 worth of chopsticks and forgotten \$1,000 worth of cash that he received on the same occasion.

Now what does this show? Obviously, Mr. Wilson was under no obligation to tell the truth to the Washington Post. But this incident, I suggest to you, shows that even when wedding gifts were specifically brought up, Mr. Wilson was denying the receipt of the \$1,000. He plainly remembered the gift at the Chosen Hotel and he lied because he thought it was embarrassing. The chopsticks were not embarrassing so he told about them. He told a half truth.

This is important because it is the beginning of the pattern in which Mr. Wilson sought to deny having gotten anything from

Tongsun Park. Eight months after the interview with the Washington Post, Mr. Wilson was interviewed by an agent of the FBI and an attorney from the public integrity section of the Department of Justice.

Once, again, the wedding in Korea was mentioned but Wilson did not tell the agent or the attorney even about the chopsticks, not did he tell them about the meeting at the Chosen Hotel.

Is this a convenient time to break, Mr. Chairman?

The CHAIRMAN. That is not a vote. You have consumed 19 minutes. That is a notice quorum.

Mr. Fortuin. I will conclude shortly.

When Mr. Wilson spoke to the FBI agents, a Mr. Bradley, he did not tell him about the chopsticks or the meeting at the Chosen Hotel. Here is Mr. Bradley's testimony, who is a visiting professor at the University of North Carolina.

I asked Mr. Wilson to describe his connections with Tongsun Park. I no longer recall what he indicated, but one had to do with his wedding. I asked him if he had ever been offered or received anything of value by or from Tongsun Park and he said he had not. He did not relate to me any meetings with Tongsun Park in the Chosen Hotel in Korea. He would have remembered had he done so.

Question. Were there any comments about any chopsticks or anything of that nature?

Answer. He made the flat statement he never received nor had been offered anything.

Thus, Mr. Wilson did not tell the FBI about the chopsticks or the meeting at the Chosen Hotel and he did have an obligation to tell them the truth. Even though he did mention to them meeting Park at the time of the wedding, he did not tell them about the \$1,000 wedding gift.

When he said to the committee he did not mention the wedding gift because he was not thinking about it, I suggest to you that is also false because when the FBI inquired specifically about the area of the wedding, Mr. Wilson did not mention the \$1,000. That is two false stories.

The third false story Mr. Wilson told was to his staff. Even after he had met Park twice, he had gotten \$1,000 and some chopsticks from him, Mr. Wilson told his staff he had never met the man. Here is the testimony of Mr. Pontius who, as you will recall, was Mr. Wilson's administrative assistant. This may be an isolated instance, but in one point in 1976 there were numerous society stories in the papers as to Tongsun Park entertaining locally and Mr. Wilson said in passing he had not been invited to any of his receptions and that he had in fact not met the gentlemen.

Question. He said he had not met Tongsun Park?

Answer. That is correct.

Question. How many times did he tell you that he had not met Tongsun Park, if you recall?

Answer. Mr. Fortuin, I am not certain. I would say once or maybe twice before the questionnaire.

We asked him the date and he said that was in 1976. He testified to that again on pages 27 and 28. Mr. Pontius testified unequivocally that Mr. Wilson had told him that he never met Tongsun Park. Thus, even to his own staff he was falsely minimizing his contacts with Tongsun Park.

Then on January 9, 1978, Martha Talley went to see him with an investigator and what did he tell Martha Talley? He told her, I only met Tongsun Park once and he gave her the precise date of that meeting. He said it was October 16, 1975, making it clear that he had reviewed the events surrounding his marriage, that he had a precise recollection of those events even to the point of remembering the exact day, month, and year of the first meeting with Tongsun Park.

It is ridiculous to suppose he could remember the exact date of the chance encounter, but could not recall \$1,000 in currency he received just 6 days later.

The evidence establishes a pattern of conduct in which Wilson falsely denied his contact with Tongsun Park. He told the committee he had received nothing over \$1,000 and in fact he got \$1,000. He told the Washington Post about the silver chopsticks, but not about the \$1,000 in cash he got at the same time. He told his administrative assistant he had never met Tongsun Park and told the FBI he received nothing from Tongsun Park, and he told Mrs. Talley that he had met Tongsun Park, giving the precise date of the meeting, but telling her nothing about the Chosen Hotel Meeting, but nothing about the money and chopsticks he had received.

Now, while it is unnecessary for us to show any motive in this case, let me suggest to you one reason quite frankly why Mr. Wilson told these stories was he felt it would be embarrassing to him and Korea if he admitted he got cash from Tongsun Park.

Another reason, he felt it was nobody's business, he was angry with the Washington Post, the Department of Justice, and the committee's questionnaire.

Mr. Bradley testified when he spoke with Mr. Wilson he was antagonistic. "He told Mr Caputo, even if I did have a memory at that time, it was none of the newspaper reporters' business whether I received it or I didn't receive it."

He said with respect to the committee questionnaire, quoting Mr. Wilson, "I will be frank to say that the questionnaire surprised and annoyed me."

You may find Mr. Wilson's conduct in this case was nothing more than an angry defiance of his lawful obligation to tell the truth.

Now, recognizing how damaging the evidence was of these various and consistent false statements, Mr. Wilson adopted before this committee the same strategy he used before to deal with the receipt of money from Tongsun Park. Except when the committee had clear evidence, he claimed he did not remember anything.

With respect to what he told his staff, he testified both ways. First he told them he didn't know Tongsun Park and then he said he did.

Question. Didn't you in fact tell several of your staff members that you never met Mr. Park?

Answer. I very possibly did; yes.

Next page:

And you don't recall telling any other staff members that you never met Mr. Park?

Answer. No; I don't.

He goes on to say it was none of their business, we would not talk about it. That is on page 11.

With respect to the FBI, he sought to deny it altogether, said he didn't remember it. You will remember in his sworn statement Mr. Wilson said, "I frankly have no independent recollection of having been asked about Tongsun Park in the course of that interview."

You will remember Mr. Gould's testimony. Mr. Gould said he didn't remember him being asked about the gifts from Tongsun Park.

Then you have the testimony of Mr. Bradley and the FBI report which is exhibit W-13 which shows unequivocally that the wedding was discussed and that Mr. Wilson told the FBI and Mr. Bradley that he had no additional contacts with Tongsun Park and Park never offered him anything of value.

Finally, I think what happened before the committee, before your very eyes, is precisely what happened with the committee questionnaire. You will recall when we asked Mr. Wilson about the Washington Post interview, when he thought that we had a tape recording of that interview, he testified unequivocally that he told them about the chopsticks, but not about the cash.

I just read that testimony. It was not equivocal. He testified to it clearly and unequivocally. Then when he learned we didn't have a tape recording, then he backed off and said he didn't remember anything.

Mr. Caputo asked him and he said:

I can't remember what I told them, Mr. Caputo. Again, we are getting into the same area Mr. Fortuin asked about. I am not able to comment about anything not in the newspaper article itself. It has been too long. I cannot recall what was said in the interview. The only way I can recollect anything would be if I saw the newspaper article itself.

Mr. Caputo asked him:

I am not asking what was in the newspaper story, but what you answered. Well, I can't recall anything else not in the newspaper story.

What does this show? It shows that Mr. Wilson up to and including the time of this hearing admitted only what he thought the committee knew. As to everything else, he said "I don't recall."

At 3 p.m. he remembered the chopsticks with the Washington Post. At 5 p.m. he doesn't. The only difference is that at 3 he thought we had the tape and at 5 he didn't.

In February of 1978 he admits he got cash from Park. In July 1977, he says he didn't. The only difference was in 1978 he thought we had the evidence and in 1977 he thought we didn't.

I suggest to you that all this evidence suggests unequivocally that Mr. Wilson knew that the answer he submitted to the committee was false and he knew that when he submitted it to us.

The CHAIRMAN. Mr. Fortuin, you have consumed 28 minutes. You have 2 minutes remaining.

Mr. Volner, you are recognized for 30 minutes.

Mr. VOLNER. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, this is despite all the rhetoric, a very simple and uncomplicated test.

The CHAIRMAN. Mr. Volner, would you suspend 1 minute? I think it would be probably best if the members who desire to

answer a live quorum do so rather than to break the continuity of your argument.

Mr. VOLNER. I am at the pleasure of the committee.

The CHAIRMAN. The committee will stand in recess. The live quorum will be followed by an aye and nay vote. Members will please return as soon as they have voted if a vote is called for.

The committee stands in recess.

[A brief recess was taken.]

The CHAIRMAN. The committee will come to order.

Oral argument will be resumed.

Mr. Volner, you are recognized for 30 minutes.

ORAL ARGUMENT OF IAN VOLNER ON BEHALF OF CONGRESSMAN CHARLES WILSON

Mr. VOLNER. When you strip this case of all the rhetoric, we submit it is a very simple one.

We further submit that to punish Congressman Wilson for having made a false statement when he voluntarily and freely came forward and corrected that statement would be an injustice. It would also, I believe, do a serious disservice to the important purposes of this committee.

The case is a simple one because there is no claim here nor can there be one that Congressman Wilson violated the conflict of interest or other rules of the House.

There is no charge of improper influence, of pocketing campaign contributions or illegal payments of any kind.

The wedding present was perfectly lawful and in the circumstances of his wedding was perfectly proper.

The issue then is a very narrow procedural one: Whether Congressman Wilson's failure to originally report the wedding present he and his wife admittedly received from Tongsun Park, even though that present was later disclosed, nevertheless constitutes the deliberate and willful submission of a false statement, with respect to a material fact.

The cardinal facts themselves are not seriously in dispute. In October 1975, Congressman and Mrs. Wilson were married in Korea. They received a cash present amounting to \$600 American money and \$400 Korean money from Tongsun Park.

That was legal and proper.

Three years later, in July 1977, Congressman Wilson failed to report that present in his response to the committee's questioning.

In November 1977, 4 months after that, while the response was still on file and while it still had not been corrected, Congressman Wilson, at the request of the Ambassador, interceded with the Government of the Republic of Korea to urge the return of Tongsun Park to the United States for questioning by this committee.

In January 1978, Congressman Wilson remembered that he had received the wedding present. He immediately contacted counsel to find out what he should do about it. He filed a corrected statement as promptly as possible thereafter. Even so, it was more than 2 months later before Tongsun Park himself got around to acknowledging the fact of that wedding present and I submit to you that if Congressman Wilson had not told you about it, it is doubtful that you would know to this day.

So the case boils down to a very simple pattern.

Congressman Wilson freely and voluntarily corrected a statement he made with respect to a present, the acceptance of which was perfectly absolutely legal. He is, nevertheless, charged with having deliberately made a material misstatement.

As a legal matter, the elements of the defense are not terribly complicated either. That there was a false statement, and we will concede for the purposes of this proceeding that there was, it must be false. We have great difficulty as to the falsity of the statement. It must be with respect to a material fact which we also have great difficulty with, and it must have been made knowingly and willfully.

When you apply these four elements to the facts of this case, it becomes clear that Congressman Wilson is entirely innocent of any wrongdoing.

Staff suggests that the question, question 3, to this questionnaire, was absolutely lucid, that no man could possibly have been confused by it and I mean no disrespect to your staff when I assert that the multipart question 3 can only be characterized as a blunderbuss. There are at least 60 possible answers to that question and this assumes that you have a single Congressman and a one-man staff, no business enterprises, and nobody else in his family. The more you add to any one of those components, the more possible answers you get to that question.

The question calls for information with respect to three different groups of people.

The Congressman—four different groups of people. The Congressman, his staff, his immediate family and business partners. It involves four very different types of transactions ranging from social contacts to business dealings and then it sets forth five different people, one of whom was Tongsun Park.

Maybe that is why we have lawyers. If I had seen that question, certainly in a courtroom context I would have objected to it. In the context of the questionnaire, I would have examined it much more thoroughly than someone who is not a lawyer, as Congressman Wilson is not, would be inclined to do.

I submit to you that kind of question is a trap for the innocent. Unfortunately, the unwary tend to be innocent. The innocent man, feeling he has nothing to fear, answers the question. It is the guilty man who sits down and kicks the question about and devises an answer which comes as close to the truth as he can possibly get without disclosing that which he wants to hide.

Congressman Wilson answered that question relating to Tongsun Park with a flat no. He did so because he had nothing to hide. He did not attempt to evade the question.

As I said, we do not before this panel contend or engage indisputably as to what the legal significance of that question, whether it is legally false or not, but I do think that this committee must consider that this was not as outright and blatant attempt to lie to you.

This was not an attempt to withhold information in response to a direct and clear question which was unmistakable.

I think you have to consider that in assessing the validity of your counsel's claim, that Congressman Wilson coolly and with malice aforethought sat down and did not record the wedding present.

The other thing you have to consider is the question of motive. We have suggested that the wedding present, because it was lawful, was not material to this committee's investigation. It certainly was not an important fact to this committee's investigation.

Congressman Wilson, incidentally, did report the fact of his attendance at social functions given by Suzi Park Thomson and no action was taken with respect to those.

The wedding present is no more material than were those casual social contacts.

The purpose of the committee's investigation was to uncover wrongdoing, influence peddling, conflicts of interest and improper, that is unlawful conduct.

Congressman Wilson has testified that he regrets that he accepted the present. That is a personal comment. It is not a legal conclusion. There was nothing improper or illegal about the present.

It follows that there was no reason, no purpose, no conceivable reason to hide it.

Your staff suggests that Congressman Wilson wanted to hide it because he was embarrassed. I put it to you, gentlemen, and Mrs. Fenwick, that people don't hide things in this sort of arena merely because they are embarrassing.

They hide for one or two reasons: Because the admission is, itself, criminal, as may have been involved in the situation this morning, or because there is some economic incentive to hiding things. People don't hide things merely because they might be embarrassing if they become public, and in this situation there was no reason to believe it ever would become public because the committee said it would conduct the investigation in the utmost secrecy.

Moreover, if Congressman Wilson was embarrassed by the wedding present, why did he tell you he had gone to two or three social functions at Suzi Park Thomson's?

I suggest embarrassment is not a motive to hide and there is nothing like that here.

We turn then to the question of the evidence of intent. We recognize this is a disciplinary, not a criminal proceeding, and the standards of proof beyond a reasonable doubt which would be applicable in a criminal case do not apply here, but if justice is to be done and if the committee's effectiveness is to be preserved, there must be some real hard concrete evidence, some fact upon which a finding of violations is based.

There was a sharp and clear difference in my mind at least between evidence, real facts, and the kind of conjectural conspiratorial view of the world upon which your staff has placed its claims and urged its conviction.

I will spare you a detailed recitation of the record. I had originally intended not to deal with what I regard as the distortions of counsel's presentation. There is one point I will come to in a moment which I cannot leave unanswered, but when you get down

to it, your staff's case comes down to an incredibly narrow proposition.

They say the present was so unusual that no person could ever possibly have forgotten it and they say that the corrected statement of February 7th was bad timing and therefore was not voluntary. They say it was motivated by fear, if you will, a blatant attack of free-floating anxiety that the committee either knew or would soon find out about the present.

There is certainly no credible evidence in this record to support either of those contentions.

At page 6 of your staff's brief, they say, "It is simply incredible that Wilson would not remember such an unusual gift as cash."

Congressman Wilson did indeed testify that the wedding present was unusual. But the circumstances in which he got that present were, to say the least, highly unusual. He was on his way to Korea to meet his fiancée's family. He married her not once, but twice, in a time of great excitement, in great celebration, and the present slipped from his mind. He never saw Tongsun Park again. It is a perfectly normal reaction, I submit to you, for a man to lose track of an isolated and unimportant event in his life. Your staff suggests, and they are right, that there are certain events in a man's life which are truly unforgettable.

I suggest to you that this was not such an event. The wedding present must be viewed in the context in which it was given and in that context it is clear that it was not only forgettable, but soon forgotten.

Your staff goes on to assert "It is preposterous to suppose that Congressman Wilson—" I am quoting them:

That Congressman Wilson could remember meeting Tongsun Park on the airplane on the way to Seoul, but to completely forget the event which took place 5 days later, the breakfast after which he received the wedding present.

Staff ignores the fact there were things in that airplane ride which would make it somewhat less forgettable. In particular, in addition to Tongsun Park, Congressman Passman was on that plane, and in the light of subsequent developments, which are all well known to all of us, it is the type of incident which, when you pick up the newspaper, you are inclined to say to yourself, "My Lord, I was on an airplane with those two characters. I wonder what was going on at the same time."

The wedding 6 days later occurred under a different set of circumstances and the present in conjunction with that wedding could readily be forgotten and was readily forgotten.

The only thing which is interesting about Congressman Wilson's admission to the FBI that he had met Tongsun Park on an airplane ride from Taipei to Seoul is the FBI agent's description of Congressman Wilson's demeanor. What the FBI agent said is, "He answered the questions about himself calmly. He became extremely upset when he was asked to inform on other members."

I put it to you that that is not the conduct of a man with guilty knowledge who is trying to hide it. If he was trying to hide knowledge, he would have been anxious to talk about other members and not about himself. The best that can be said about the FBI report is that it proves Congressman Wilson did not remember the present

when he was questioned by FBI and a week later, when he responded to the questionnaire.

Your staff assumes that Congressman Wilson told the Washington Post that he received the silver chopsticks from Tongsun Park. That is not what this record says and I am astounded the argument was made.

Let me read the passage from page 96.

"And did you tell them about getting some silver chopsticks from Mr. Park?"

That is Mr. Fortuin's question.

"I did."

That refers to the fact that he had gotten silver chopsticks from Mr. Park and the next sentence proves it: "I told you that today.

What did he tell you today? He didn't tell you on that day in that hearing that he had been interviewed by the Washington Post and had told them about the chopsticks. He told you that he had received silver chopsticks from Tongsun Park.

When he was asked more directly what he told the Washington Post, he said, "Truthfully, I don't know."

Frankly, I don't think that Congressman Wilson ever mentioned Tongsun Park to the Washington Post or the chopsticks. If he had, the Post would have printed it and then your counsel would have produced either the article or the notes or the tape recording which presumably took place. This sort of attempt to entrap a congressman I submit to you has no place in a proceeding, the object of which is to get at the truth.

Equally frankly, I have to tell you that I don't think it matters very much what Congressman Wilson told the Washington Post. If he had told the Post about meeting Tongsun Park in Korea, there was even less reason to hide it from you. The information was already public. Whatever Congressman Wilson told the Post, it was clear that he had forgotten that and the wedding present when he answered the questionnaires.

There is finally the claim that Congressman Wilson had an attack of free-floating anxiety in Mid-January, 1978, motivated by press accounts as to what Tongsun Park was or was not doing or might or might not do.

Half of those press accounts which are in his record are entirely irrelevant. The reason for that is that Congressman Wilson testified, and I will confirm it, that he contacted me on January 19, 1978, so that all of the press accounts after that date simply had no—could not have any conceivable impact upon his decision to correct the statement.

The other half are relative only to your counsel's theory of timing, that the timing of the corrective statement was bad.

I don't believe, members of the committee, that you can base a decision on the accident of timing. Does it really make a difference in terms of Congressman Wilson's intent to deceive you whether he remembered the present and corrected the statement one day after he submitted his response, 2 months after he submitted his response, 4 or 6 months?

The point is, he submitted the statement voluntarily; he did it before you knew anything about the wedding present from anybody else; he did it before he was deposed. This is not the type of

situation which you may encounter from time to time in which a witness comes forward with just as much as he thinks you may have to respond to it.

This is a situation in which he carefully and fully set forth in the letter all of the circumstances surrounding the acceptance of that present.

That story has not been challenged by your counsel and it cannot be.

Incidentally, the reason for the 3-week delay between January 19 and February 7 was precisely that. Your counsel suggests that Congressman Wilson on the stand had extraordinary grasp of the details of that incident. That was because between January 19 and February 7 he and I went through everything we possibly could so that when we did submit the statement it was the truth, the whole truth and nothing but the truth and that is indeed the case.

The only other thing that your counsel invokes is the classic avoidance dodge of prior inconsistent statements. He says incorrectly he told the Post one thing; that he told his staff another; that he told the FBI and Martha Talley the same thing.

Well, the first observation I have to make is, we seem to be developing a new rule of law around here that it is improper for Congressmen to be less than candid with the press. If that is the case, then I suggest Congress has to adjourn sine die because we are all guilty of this charge.

The second thing I have to observe is what is important is what he told you and he told you the truth. He told you the absolute truth; he told you before you knew from anybody else and he told you freely and voluntarily.

The inconsistent statements, if they were inconsistent, to staff, are just absolutely irrelevant to the charge which has been made here.

Now, against this sort of speculation and conspiracy and invective, really, there are facts which affirmatively support the proposition that Congressman Wilson is indeed, as we claim, entirely innocent. His narrative is simple and straightforward. He apologized to you for having made the mistake. He explained he answered the question entirely from memory, that he did it too quickly; that perhaps he should have retained counsel and perhaps indeed he should have consulted with the committee staff.

There is nothing complex about that. That is a man who has made a mistake and recognizes it. He pointed out in his testimony that he voluntarily came forward and corrected it and in the language of the court that patently negates any intention to deceive.

Second, he voluntarily interceded with the Government of the Republic of Korea to urge the return of Tongsun Park, the only other person who could testify about that wedding present.

I put it to you that this is simply not the conduct of a man who is trying to keep information from this committee.

Your staff says that that statement is absurd. They base their contention on a highly selective and I think grossly unfair reading of a speech which Congressman Wilson made a month before he went to Korea in November of 1977.

He did indeed in that speech, as your staff read into the record, characterize certain of the witnesses before this committee, Korean officials, as traitors, but he also went on to say: "Of course, there is no defense to bribery if there has been bribery."

We know, because the record is uncontested on it, that Congressman Wilson was asked by the ambassador to convey a message to the President of the Republic of Korea. We know because the record is uncontested that he agreed to do so.

I submit to you it is insulting to suggest that he didn't carry out that mission, particularly when he had said, "There is no defense to bribery if there has been bribery."

He was perfectly willing to help this committee ferret out bribery. He did not particularly care apparently for people who were willing to trade information for asylum in this country.

Third, as I said, there is, after all, nothing to hide. The Congressman himself regards the acceptance of the present as an error in judgment, but it is not the type of error in judgment for which sanctions ought to be imposed.

As I said, this is not a case where the story came out piecemeal. It came out once and it came from the one man other than Tong-sun Park who could tell you about it, and the Congressman told you about it first.

Then the case against Congressman Wilson is entirely devoid of any evidence which establishes that he deliberately and willfully omitted the wedding present from his original response.

The charge rests upon the premise that because Congressman Wilson has been a longtime champion of aid to Korea, because he has visited Korea fairly often, because the wedding present was somewhat out of order and because his wife is of Korean birth, he could not possibly have forgotten it.

That kind of argument by your staff, I submit to you, is called "Forget the facts; in your heart you know he is guilty."

Thomas Moore once said that only God can know what is in the heart or mind of man.

I don't believe you will or should find Congressman Wilson guilty of the charge based upon guesswork and speculation as to what was in his heart and mind when he sat down on July 28, 1977, to answer that questionnaire.

I don't believe for a minute that you are going to base a finding of violation on irrelevancies such as what was in the newspapers at the time, or the fact that he is a supporter of aid to Korea, or that his wife, a lovely woman, is of Korean birth.

If you do base a final violation on the kind of flimsy record you have here, you would have severely hampered, if not entirely destroyed, this committee's ability to function in the future. You depend upon the free flow of voluntary information from the other members. Otherwise you can't work.

If you make a finding of violation on the record here, you will have created what will become known as the rule in Wilson's case. You are damned if you voluntarily come forward; you are damned if you don't and the committee subsequently finds out by some other means. If that becomes the rule, the functioning of the committee will be at an end.

You should be concerned to make sure that there is clear and convincing, overpowering proof before you find a man guilty when in these circumstances he has voluntarily and freely come forward with the response.

For these reasons, as I said at the outset, it is not a complicated case. It comes down to three facts: He did indeed fail to respond accurately. He corrected his statement. What more is it that you could want out of him?

Even if you believed, despite the fact that his action was deliberate, you should acquit him because he expunged the mistake when he submitted the corrected statement.

More properly, I submit you should find there was no violation whatever because the mistake was entirely innocent and was corrected voluntarily, freely and promptly once it became known.

Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Volner, you consumed 22 minutes.

Mr. VOLNER. I will waive the balance of my time, Mr. Chairman.

The CHAIRMAN. Mr. Fortuin, you have two minutes remaining. You are recognized for that 2 minutes.

Mr. FORTUIN. Thank you, Mr. Chairman.

I don't think I will need more than that.

The committee should be clear that the evidence with respect to Mr. Wilson's interview with the Washington Post was precisely as I set it forth and it was clear that what he was testifying to there was what he told the Washington Post and that is on page 96 of the transcript, quoted in our memorandum. It is clear that what he is talking about is what he told the Washington Post.

Question. And you did tell them about getting some silver chopsticks from Mr. Park?

Answer. I did. I told you that today.

Question. And you told them that that gave you a set of eight chopsticks?

Answer. That is right.

Question. But you did not tell them about the money offered at the same time you got the chopsticks?

Answer. No, I did not.

I think Mr. Volner's reading is contrary to the record. There are some other things he said. I think we have answered them in our papers. We have answered them before. The idea that in November of 1977 Mr. Wilson went to President Park and tried to help us get Tongsun Park is ridiculous.

Days before he characterized the witnesses at the October hearings as "defectors and traitors," he said they were trading information in order to get asylum in this country. That is precisely what Park was doing; he was trading the information he had so he could get an indictment dismissed, so he could get immunity, so he could come back to the United States, so Mr. Volner would have you believe Mr. Wilson, in October 1977, is calling all the witnesses traitors and defectors and then he goes to the President of Korea and makes exactly that kind of deal for Mr. Park.

I say that is absurd and I say that testimony is fraudulent.

I think I have used up my time. I think our papers contain the answers to a few other things that Mr. Volner covered that I didn't have a chance to respond to.

Thank you.

The CHAIRMAN. All Time has expired.

Is there any further written statement counsel desires to submit?
Is there anything which should properly come before the committee at this time?

Mr. FORTUIN. I have nothing, Mr. Chairman.

Mr. VOLNER. I have nothing, Mr. Chairman.

The CHAIRMAN. Mr. Spence is recognized to make a motion.

Mr. SPENCE. Mr. Chairman, I move we go into executive session.

The CHAIRMAN. This is a motion which under the rules of the House must be made in open session. We are in open session. It must be made with a quorum present. We have a quorum.

This vote must be, under the rules of the House, taken by recorded or rollcall vote.

The staff director will call the roll. When your name is called, those who favor the motion will vote aye. Those opposed, vote no.

The staff director will call the roll.

Mr. SWANNER. Mr. Flynt.

The CHAIRMAN. Aye.

Mr. SWANNER. Mr. Spence.

Mr. SPENCE. Aye.

Mr. SWANNER. Mr. Teague. [No response.]

Mr. Quillen.

Mr. QUILLEN. Aye.

Mr. SWANNER. Mr. Bennett. [No response]

Mr. Quie.

Mr. QUIE. Aye.

Mr. SWANNER. Mr. Hamilton.

Mr. HAMILTON. Aye.

Mr. SWANNER. Mr. Cochran.

Mr. COCHRAN. Aye.

Mr. SWANNER. Mr. Preyer. [No response.]

Mrs. Fenwick.

Mrs. FENWICK. Aye.

Mr. SWANNER. Mr. Flowers. [No response.]

Mr. Caputo. [No response.]

Mr. Chairman, the yeas are seven, the nays are none.

The CHAIRMAN. The motion is agreed to and the committee will go into executive session immediately upon reconvening after the vote, which is now in progress.

[Whereupon, at 5:50 p.m., the committee proceeded in executive session.]

APPENDIX G

TRANSCRIPT OF DECISION

WEDNESDAY, SEPTEMBER 27, 1978

HOUSE OF REPRESENTATIVES,
COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT,
Washington, D.C.

The committee met, pursuant to other business, at 6:52 p.m. in room 226, Rayburn House Office Building, Hon. John J. Flynt, (chairman of the committee) presiding.

Present: Representatives Flynt, Bennett, Hamilton, Spence and Fenwick.

Also present: John M. Swanner, staff director; John W. Nields, Jr., chief counsel; Thomas M. Fortuin, professional staff member, and Ian D. Volner, counsel to Hon. Charles H. Wilson.

The CHAIRMAN. Mr. Volner, do you waive the presence of Mr. Wilson, both now and in the public hearing?

Mr. VOLNER. Yes, Mr. Chairman,

The CHAIRMAN. The committee is now prepared to inform counsel before informing the public of the action of the committee.

The committee sustained the statement of alleged violation with and amendment.

Now do you have the statement of alleged violation?

Mr. VOLNER. No; I don't, Mr. Chairman.

The CHAIRMAN. Would you like one?

Mr. VOLNER. Yes, I would.

The CHAIRMAN. The staff director will read it.

Mr. SWANNER. The amended statement reads as follows:

On or about July 28, 1977, Charles H. Wilson, the respondent, who at all times relevant to this Statement of Alleged Violations was a Member of the House of Representatives from the State of California, did conduct himself in a manner which did not reflect creditably on the House of Representatives, in violation of Rule 1 of the Code of Official Conduct of the House of Representatives, in that the respondent, Charles H. Wilson, did before the Committee on Standards of Official Conduct knowingly make a false statement in writing; to wit. . . .

The CHAIRMAN. Do you have any questions?

Mr. VOLNER. What is the recommended action?

The CHAIRMAN. The recommendation is that upon the adoption of this report, Mr. Wilson be reprimanded, and that upon the adoption of the report that the reprimand be considered as administered.

Now, I will go one step further. The language relating to the violation of section 1001, title 18, is stricken. The word "willfully" is stricken. The words "false statement and false writing" are condensed to read "did make a false statement in writing."

Mr. VOLNER. May I ask one question? I don't know whether it is appropriate, Mr. Chairman, but may I know the vote?

The CHAIRMAN. The vote was unanimous. The amendment was agreed to first—excuse me, it was not unanimous. There were eight in the affirmative, one in the negative and one abstaining. Ten members were present. I beg your pardon.

The amendment was agreed to by unanimous consent.

Are there any other questions?

Mr. VOLNER. No, sir.

The CHAIRMAN. Mr. Fortuin?

Mr. FORTUIN. No questions.

The CHAIRMAN. Mr. Nields?

Mr. NIELDS. I have no question, Mr. Chairman. I trust that the hearing on Bonnie Robinson—

The CHAIRMAN. The committee has been advised that we will meet tomorrow morning at 10 a.m. on that case.

Mr. BENNETT. I want to say that the attorneys did a good job.

The CHAIRMAN. Yes, I want to invite them in if there is anybody out there.

The committee in closed session, having voted to come into public session, the committee is in public session. There are five members of the committee present. At the time when all action were taken, there were 10 members present.

The Chair would like to read rule I of the Committee Rules:

Scope and Authority. These rules govern the procedures to be followed by the Committee on Standards of Official Conduct and are adopted under the authority of Rule XII.(a) of the Rules of the House of Representatives, 95th Congress.

The Chair will further read rule 10(d) which reads as follows:

This relates to investigative hearing procedures:

The investigative hearing shall consist of two phases, unless the committee determines that a single phase is more appropriate. The first phase shall be for the purpose of obtaining probative evidence upon which the committee can base its findings and conclusions.

That phase was completed last week.

The second phase shall be for the purpose of making recommendations for action. Evidence offered solely as a reflection of the respondent's character or which tends to mitigate the charges against the respondent shall be received only during the second phase.

The second phase provided for in rule 10(d) was completed today.

The Chair will now read rule 13 of the Committee Rules;

Findings, Conclusions and Recommendations. After completion of the investigative hearings, the committee, by the affirmative vote of a majority of its members, shall adopt an appropriate resolution, report, or recommendation, which shall be made public and furnished to the complainant, if any, "—there is no complainant in this case—" unless a majority of the members of the committee determines that there is good cause not to do so.

In accordance with the wording and the intent of rule 13, the Chair announces that it has completed action on the statement of alleged violation in the matter of Congressman Charles H. Wilson, and before voting on whether or not to sustain the statement of alleged violation, by unanimous consent an amendment to the statement of alleged violation was agreed to.

The statement of alleged violation as amended will now be read in its entirety by the staff director.

Mr. SWANNER [reading:]

On or about July 28, 1977, Charles H. Wilson, the respondent, who at all times relevant to this statement of alleged violations was a Member of the House of Representatives from the State of California, did conduct himself in a manner which did not reflect creditably on the House of Representatives, in violation of rule 1 of the Code of Official Conduct of the House of Representatives, in that the

respondent, Charles H. Wilson, did before the Committee on Standards of Official Conduct knowingly make a false statement in writing; to wit. . . .

In a letter to the Honorable John J. Flynt, Jr., Chairman of the Committee on Standards of Official Conduct, dated July 28, 1977, the respondent, Charles H. Wilson, did respond "no" to the following question contained in the questionnaire issued by the committee:

Since January 1, 1970, have you or any member of your immediate family or to your knowledge has any member of your official staff or any person with whom you are a business partner or coventurer (a) been offered anything of value in excess of \$100 by (b) received anything of value in excess of \$100 from (c) attended a function (other than an Embassy or official residence) given by, or (d) had any commercial dealings with (1) Tongsun Park, (2) Kim Dong Jo, (3) Hanchu Kim (4) Kim San Kwon?

In the first case, No. 1, Tongsun Park is underlined and the emphasis is added in parenthesis when he then and there knew on October 22, 1977, he was offered a sum of money by Tongsun Park in Korean currency in value of in excess of \$100; on that same date, he received from Tongsun Park the sum of \$600 in U.S. currency with a sum of money in U.S. currency when he then and there knew his answer was false. (Rule XLIII Clause I, Rules of the House of Representatives.)

The CHAIRMAN. The vote on the amendment to the statement of alleged violation was done by unanimous consent of the committee without a vote.

On the vote to sustain the statement of alleged violation as amended, the ayes were eight, the nays were one, and one member was present but abstained from voting out of a total of ten members present.

On a subsequent motion, the committee voted to recommend to the House that the respondent be reprimanded and that upon the adoption of this report by the House, that the reprimand be considered as administered.

On this motion the ayes were eight, the nays were one, and one member was present but abstained from voting. At the time of that vote also there were 10 members of the committee present.

Are there any questions by counsel for respondent?

Mr. VOLNER. No questions.

The CHAIRMAN. Are there any questions by committee counsel?

Mr. FORTUIN. No questions, Mr. Chairman.

The CHAIRMAN. Is there anything relating to this case that either the counsel for respondent or counsel for committee wishes to properly bring before the committee at this time?

Mr. VOLNER. We have nothing further, Mr. Chairman.

Mr. FORTUIN. The staff has nothing further, Mr. Chairman.

The CHAIRMAN. Accordingly, subject to correction of typographical errors in the transcript, this proceeding is closed and the committee stands adjourned until 10 tomorrow morning in room 2212 for the consideration of a matter unrelated to this matter.

[Whereupon, at 7:04 p.m. the committee was adjourned, to reconvene at 10 a.m., Thursday, September 28, 1978.]

APPENDIX H

EXHIBITS

COMMITTEE HEARING EXHIBIT No. W-1

COMMITTEE ON STANDARDS OF OFFICIAL CONDUCTResponse of Rep. _____

Since January 1, 1970:

1. Have you or to your knowledge has a member of your official staff, visited the Republic of Korea while you were a Member of Congress?

Yes _____ No _____

2. Have you or any member of your immediate family (spouse, parent, sibling, or child), or to your knowledge has any member of your official staff or any person with whom you are a business partner or co-venturer been offered anything of value in excess of \$100 by, or received anything of value in excess of \$100 from:

- (a) Any person known by you to have been a representative of the Government of the Republic of Korea at the time of the offer or receipt, or
 (b) Any person now suspected by you to have been a representative of or affiliated with the Government of the Republic of Korea at that time?

Yes _____ No _____

33-865 0148

Official: Strip head
 folios: 0148, 0150,
 0152, 0155, 0156, 0159,
 0160, 0163, 0164, 0165
 0168, 0170, 0171

**COMMITTEE HEARING
 EXHIBIT NO. W-1**

3. Have you or any member of your immediate family, or to your knowledge has any member of your official staff or any person with whom you are a business partner or co-venturer

(a) been offered anything of value in excess of \$100 by,

(b) received anything of value in excess of \$100 from,

(c) attended a function (other than at an Embassy or official residence) given by, or

(d) had any commercial business dealings with

(i) Tongsun Park,

(ii) Kim Dong Jo,

(iii) Suzi Park Thomson,

(iv) Hancho Kim, or

(v) Kim Sang Keun

Yes _____ No _____

If your answer to any of these questions is yes, please furnish complete details.

Signature

Date

(If you would prefer to discuss your answers to these questions directly, rather than complete this questionnaire, please telephone the Committee's offices (225-7984) to arrange for members of the special staff to meet with you.)

COMMITTEE HEARING EXHIBIT NO. W-2

NINETY-FIFTH CONGRESS

JOHN J. FLYNN, JR., GA., CHAIRMAN
 OLUF E. YEARMS, TEX.
 CHARLES E. BOWRETT, FLA.
 LEE H. HAMILTON, IND.
 YERGENSON FREYER, N.C.
 HALTER FLOWERS, ALA.

FLOYD D. SPENCE, S.C.
 JAMES H. DILLON, TENN.
 ALBERT H. QUAY, N.Y.
 THOMAS COCHRAN, MISS.
 HULLBERT FERRISS, N.J.
 BRUCE F. CAPUTO, N.Y.

KOREAN INFLUENCE INVESTIGATION PURSUANT TO H. RES. 252

U.S. House of Representatives

COMMITTEE ON STANDARDS OF
OFFICIAL CONDUCT

Washington, D.C. 20515

PHILIP A. LACHARRE
SPECIAL COUNSEL

SPECIAL STAFF

JOHN W. HELDRE, JR.
 CHIEF COUNSEL
 ANDREW C. YANTARLOW
 CHIEF INVESTIGATOR

Dear Congressman:

House Resolution 252 directs this Committee to perform several distinct but related responsibilities. One is to ascertain whether Members of the House have violated the standards of legitimate conduct in their dealings with representatives of the Government of the Republic of Korea or with Korean nationals. That phase of our investigation is being pursued actively through a variety of means and channels.

In addition, the Committee is given the responsibility to assess the allegations that Members of the House have been "the object of efforts" by the Government of the Republic of Korea to influence Congressional action by conferring things of value on them, their immediate families, or their business and political associates. This function is coupled with a directive to report to the House the Committee's conclusions about the adequacy of existing laws and standards "to protect the House of Representatives against the exertion of improper influence by or on behalf of foreign governments."

In order to discharge our responsibilities the Committee must attempt to ascertain the existence -- or non-existence -- of a concerted pattern of efforts by the Korean Government or its alleged agents to influence the House. As the alleged "objects" of Korean "efforts" Members and former Members of Congress are uniquely situated to furnish this Committee with information about the existence or non-existence of such efforts. Only with collective, comprehensive information can the Committee gauge the nature and scope of those efforts, if any, and fulfill its responsibilities under House Resolution 252.

Accordingly, in order to assist this Committee in gathering information necessary in discharging our responsibilities under House Resolution 252, and in order to channel the investigation so that it may more quickly be concluded, we are asking each person who is or was a Member of Congress during the past seven years to fill out the enclosed brief, confidential questionnaire. We request that you take a few minutes to

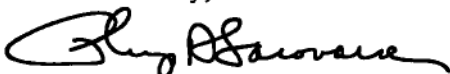
33-865 6150 COMMITTEE HEARING
 EXHIBIT NO. W-2

do so and return the completed questionnaire within fourteen days of the receipt of this letter. If you would prefer to discuss these questions directly, instead of completing the questionnaire, members of the Committee's special staff will be available to meet with you.

We emphasize that it is important for the Committee to receive a prompt reply to these questions, even if the answers are negative. We also emphasize that affirmative answers would not imply any misconduct. The Committee is simply attempting to gather facts which will assist us in this inquiry; and we will not be able to responsibly account to the House or to the public without surveying Members (and former Members) of the House on some basic questions.

In accordance with rule XI 2.(e)(2) of the Rules of the House, the information you furnish is confidential and is not available to anyone outside this Committee, except pursuant to an affirmative vote by this Committee.

Sincerely,



Philip A. Lacovara
Special Counsel

COMMITTEE HEARING EXHIBIT No. W-3

COMMITTEE
ARMED SERVICES

SUBCOMMITTEE
INTELLIGENCE AND MILITARY
APPLICATION OF NUCLEAR ENERGY
SEAPOWER AND STRATEGIC AND
CRITICAL MATERIALS
MILITARY INSTALLATIONS AND
FACILITIES

POST OFFICE AND CIVIL SERVICE

SUBCOMMITTEE
CHAIRMAN, POSTAL PERSONNEL AND
MODERNIZATION
INVESTIGATIONS
POSTAL OPERATIONS AND SERVICES
CIVIL SERVICE

CHARLES H. WILSON
21st DISTRICT, CALIFORNIA

Congress of the United States
House of Representatives
Washington, D.C. 20515

July 28, 1977

WASHINGTON OFFICE:
2409 RAYBURN OFFICE BUILDING
TELEPHONE: 235-6423
JOHN S. PONTIUS
ADMINISTRATIVE ASSISTANT

DISTRICT OFFICE:
15000 AVIATION BOULEVARD
ROOM 2W30
LAWHALL, CALIFORNIA 90281
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G. ROBERT FORDHAM
FIELD REPRESENTATIVE
7200 EASY CROFTON BOULEVARD
PARAMOUNT, MAIN POST OFFICE
PARAMOUNT, CALIFORNIA 90763
TELEPHONE: 531-6644

Honorable John J. Flynt, Jr.
Chairman, Committee on Standards
of Official Conduct
Room 2360
Rayburn House Office Building

Dear Mr. Chairman:

This correspondence is in response to letters I have received from Mr. Philip Lacovara dated June 15, 1977. The following is in response to the questionnaire:

Since January 1, 1970:

1. Have you or to your knowledge has a member of your official staff visited the Republic of Korea while you were a Member of Congress?

Yes X No

January 10-11, 1971. Congressmen Charles H. Wilson, Dan Daniel and William G. Bray. Mr. Jim Shumate, Counsel, House Armed Services Committee accompanied the Congressmen on this official House Armed Services Committee trip.

August 16-18, 1975. Mr. John Pontius, Administrative Assistant.

October 16-22, 1975. Congressman and Mrs. Charles H. Wilson.

April 16-22, 1976. Congressman and Mrs. Charles H. Wilson, Mr. and Mrs. George Gould. (Mr. Gould is Staff Director of Postal Facilities, Mail and Labor Management Subcommittee of the Committee on Post Office and Civil Service), and Mr. Bob Williams with the Federal Times. Since this was an official House Post Office and Civil Service trip, I sent you on May 26, 1977, a copy of the report which was filed with the Chairman of the Committee.

COMMITTEE HEARING
EXHIBIT NO. W/3

September 30-October 7, 1976, Congressman and Mrs. Charles H. Wilson, and Mr. John Pontius, Administrative Assistant. The Department of Defense Escort Officer was Lieutenant Colonel Thomas Conti. Since this was an official House Armed Services Committee trip, I previously sent you a copy of the report which was filed with the Chairman of the Committee.

2. Have you or any member of your immediate family (spouse, parent, sibling, or child), or to your knowledge has any member of your official staff or any person with whom you are a business partner or co-venturer been offered anything of value in excess of \$100 by, or received anything of value in excess of \$100 from:

(a) any person known by you to have been a representative of the Government of the Republic of Korea at the time of the offer or receipt, or

(b) any person now suspected by you to have been a representative of or affiliated with the Government of the Republic of Korea at that time?

Yes No

3. Have you or any member of your immediate family, or to your knowledge has any member of your official staff or any person with whom you are a business partner or co-venturer

(a) been offered anything of value in excess of \$100 by,

(b) received anything of value in excess of \$100 from,

(c) attended a function (other than at an Embassy or official residence) given by, or

(d) had any commercial business dealings with

(1) Tongsun Park

(2) Kim Dong Jo

(3) Hancho Kim

(4) Kim Sang Keun

Yes No

4. Have you or any member of your immediate family, or to your knowledge has any member of your official staff or any person with whom you are a business partner or co-venturer

(a) been offered anything of value in excess of \$100 by,

(b) received anything of value in excess of \$100 from,

(c) had any commercial business dealings with

(1) Suzi Park Thomason

Yes No X

(d) attended a function (other than at an Embassy or official residence) given by, or

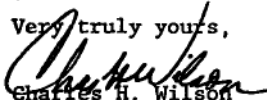
(1) Suzi Park Thomason

Yes X No

On two occasions, I attended functions given by Suzi Park Thomson. Korea was not discussed in any way whatsoever, nor were any Koreans present. The first occasion was approximately in 1971. I can't recall the precise date of the second function. I believe it was sometime in 1972 or 1973. To the best of my recollection, only six people attended: Suzi Thomson, myself and my former wife, Mrs. Betty Wilson, who is now deceased, a couple from New York and their son.

I am unable to furnish any documents or copies thereof of receipts or deposits of any funds of any office account, as defined in your letter of June 15th. At no time did I have a permanent office account. I am unable to furnish records or copies of fundraisers held in my behalf to defray the costs of my newsletters or any other office expenses. While records are unavailable, I can certify or swear under oath there was never any contribution or check given by a Korean for any fundraiser conducted for my "communications" account.

Very truly yours,


Charles H. Wilson

CHW:bt

COMMITTEE HEARING EXHIBIT No. W-4

NINETY-FIFTH CONGRESS

JOHN J. FLYNT, JR. GA. CHAIRMAN
OLIN E. YEAGLE, TEX.
CHARLES E. BENTLEY, FLA.
LEE H. HAMILTON, IND.
RICHARDSON PRELUE, N.C.
WALTER FLORES, ALA.FLYNN D. SPENCE, S.C.
JAMES H. GUILLEN, TENN.
ALBERT W. GALE, MINN.
THOM COCHRAN, MISS.
MILLENCEY FENWICK, N.J.
BRUCE F. CANTO, N.Y.

KOREAN INFLUENCE INVESTIGATION PURSUANT TO H. RES. 252

U.S. House of Representatives

COMMITTEE ON STANDARDS OF
OFFICIAL CONDUCT

Washington, D.C. 20515

January 16, 1978

LEON JAWORSKI
SPECIAL COUNSEL
PETER A. WHITE
DEPUTY SPECIAL COUNSEL
SPECIAL STAFF
JOHN W. HIELDS JR.
CHIEF COUNSEL

HAND DELIVERED

The Honorable Charles H. Wilson
U.S. House of Representatives
2409 Rayburn House Office Building
Washington, D.C. 20515

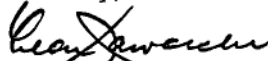
Dear Mr. Wilson:

In connection with the Korean Influence Investigation, the Committee on Standards of Official Conduct has directed that your testimony be taken. We desire that a mutually convenient date be arranged between you and attorneys for my staff.

At the deposition, the Committee also desires that the following be produced:

- (1) All appointment diaries for the years 1968 through the present;
- (2) All telephone logs or messages from January 1, 1968 through the present;
- (3) Correspondence of any nature between you or your office and any Korean Government official, Tongsun Park or Hancho Kim between January 1, 1968 and this date;
- (4) Any record of campaign contributions made from 1968 to this date.

Sincerely,


Leon Jaworski
Special Counsel

LJ/srp

COMMITTEE HEARING EXHIBIT NO. W-5

ARMED SERVICES

SUBCOMMITTEES

INTELLIGENCE AND MILITARY
APPLICATION OF NUCLEAR ENERGY
SEAPOWER AND STRATEGIC AND
CRITICAL MATERIALS
MILITARY INSTALLATIONS AND
FACILITIES

POST OFFICE AND CIVIL SERVICE

SUBCOMMITTEES

CHAIRMAN, POSTAL PERSONNEL AND
MODERNIZATION
INVESTIGATIONS
POSTAL OPERATIONS AND SERVICES
CIVIL SERVICE

31ST DISTRICT, CALIFORNIA

Congress of the United States
House of Representatives
Washington, D.C. 20515

February 7, 1978

31ST DISTRICT OFFICE BUILDING

TELEPHONE 223-8433

JOHN S. PORTIUS

ADMINISTRATIVE ASSISTANT

DISTRICT OFFICE:

15000 AVENUE BOULEVARD

ROOM 2450

LAWDALE, CALIFORNIA 90251

TELEPHONE 534-6698

G. ROBERT FORDIANI

FIELD REPRESENTATIVE

7200 EAST COMPTON BOULEVARD

PARAMOUNT, MISSISSIPPI OFFICE

PARAMOUNT, CALIFORNIA 90723

TELEPHONE 531-6664

Honorable John J. Flynt, Jr.
Chairman, Committee on Standards
of Official Conduct
Room 2360
Rayburn House Office Building

Dear Mr. Chairman:

On July 28, 1977 I replied to a letter of inquiry from Special Counsel to your Committee concerning having been offered or received anything of value in excess of \$100.00 from Korean Government officials or certain named individuals. I replied in the negative.

Subsequently I realized that I had failed to mention my wife and I were the recipients of certain wedding gifts given to us at the time of our wedding in Seoul, Korea on Saturday, October 18, 1975.

At the time of answering your Committee inquiry, I was thinking in terms of gifts given for the purpose of influencing a member in his functions as a Congressman and not as a courtesy at the time of a wedding.

My then fiance Hyun Ju Chang, a U. S. citizen, but a native of Korea, and I traveled to Korea from Taipei on October 16, 1975. During the course of the flight I was introduced to Tongsun Park. We had a brief chat during which I informed him that I was accompanied by my fiance and that I would meet her family in Korea. He congratulated us stating he was happy that I was marrying a lovely Korean lady and he hoped we would see one another in the future.

Upon arrival at Seoul we were met by U. S. Embassy personnel, members of my fiance's family and a Korean-American friend of ours, Ki Su Shin. While waiting for the transfer of my baggage to my hotel I was chatting with my friend Mr. Shin who stated that he noticed Tongsun Park get off the plane. I stated that I had been introduced

to Tongsun Park on the flight to Seoul and Mr. Shin stated that he understood that Tongsun Park was not viewed with favor by the Korean Government.

With the aid of U.S. Embassy personnel Hyun Ju Chang and I were married in a civil ceremony at Seoul City Hall on Friday, October 17, 1975 and a religious ceremony on Saturday, October 18, 1975 at the U. S. Army Base in Seoul.

I had many meetings with Korean Government officials over the next few days and my wife and I were guests at several luncheons, dinners, and receptions given by her family, the U.S. Ambassador and Korean officials to celebrate our wedding.

I had a meeting with the Prime Minister who presented us with a calligraphy that he had made himself in honor of our wedding and at a dinner given by the Director of the KCIA he presented us with a painting that he had made in honor of our wedding. There is no way to determine the value of these personalized wedding gifts.

On our last day in Korea (Wed., Oct. 22) Tongsun Park called me at the Chosun Hotel where we were staying and asked me to join him at the Hotel for breakfast.

During the breakfast meeting he again congratulated me on my marriage and expressed his pleasure that my wife was Korean. He stated he wished to give us a wedding present and presented me a small box containing two chopsticks and an envelope which contained Korean currency. I thanked him but returned the envelope to him stating something to the effect that we were departing Korea and would be unable to use the currency. I thanked him for his generous gesture. I do not know the amount of the Korean currency.

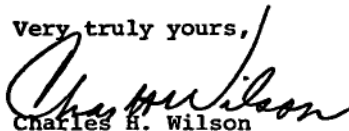
We parted and I returned to the room to prepare to check out of the hotel. Later when I returned to the lobby to complete the check out from the hotel I was approached by a Korean, whom I did not know, who said he was an associate of Tongsun Park who handed me an envelope and said Tongsun Park wanted me to receive it as a wedding gift.

I returned to my room, opened the envelope and found \$600.00 in U.S. currency and some Korean currency.

I suggested to my wife that she might want to leave the Korean money with some member of her family which she did.

The meetings outlined above are the only times I have ever met Tongsun Park.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Charles H. Wilson". The signature is written in dark ink and is positioned above the printed name.

Charles H. Wilson

Seoul to Let Tongsun Park Testify

By NICHOLAS M. HORROCK

Special to The New York Times

12/31/77

WASHINGTON, Dec. 30—The South Korean Government has agreed to permit Tongsun Park to return to the United States to testify at bribery and conspiracy trials resulting from the investigation of alleged influence peddling in Congress, the Department of Justice announced today.

The department issued a three-page statement on "cooperation" between Korea and the United States that provides that Mr. Park will be interviewed by United States officials in Seoul under

oath in January, and if he later testifies "truthfully" at trials here will be given full immunity for past criminal acts.

The department also agreed to dismiss all charges against him if he is a truthful witness.

The agreement made no provision for Mr. Park to testify before Congressional committees that are investigating charges that the Korean Government bribed American legislators.

Immediate criticism of the agreement came from Leon Jaworski, the special counsel for the House ethics committee, who in a prepared statement called it "inadequate and unacceptable."

However, Victor Kramer, the special counsel for the Senate ethics committee, issued a statement that termed the agreement a "vital first step."

The Justice Department's statement, issued at a formal briefing for American and Korean newsmen held in the department's Great Hall late today, gave the following details:

SA formal "mutual prosecution assistance agreement" to solidify the points of today's "understandings" will be signed in Seoul before Mr. Park is questioned.

SA second meeting in Seoul will permit the signing of a formal agreement be-

Continued on Page 37, Column 1

SEOUL TO LET PARK TESTIFY AT TRIALS

Continued From Page 1

tween the Justice Department and Mr. Park to formalize his commitment to truthful testimony and the department's promise to drop all charges and grant him immunity.

Mr. Park will be questioned under oath by American and Korean officials in sessions held in "normal office hours." He may be subjected to a polygraph, or lie detector, test at the same time. Questions will be in English and translated into Korean.

The Korean Government will subsequently permit him to travel to the United States to testify at trials resulting from the investigation. A former Korean official, Honcho Kim, and Richard T. Harbo, until 1974 a Representative in Congress from California, are under indictment on charges, including bribery and conspiracy.

The United States Department of Justice will seek dismissal by the court of the pending indictment against Mr. Tongsun Park promptly upon the completion of his truthful testimony at the last United States court proceeding and will provide him with full immunity from any past criminal act," the announcement said.

Benjamin R. Civiletti, the Assistant Attorney General in charge of the criminal division, said at the briefing that the immunity would extend to such things as charges of tax evasion.

The agreement said that Mr. Park would "assume no obligation to appear before Congressional committees" and that he would be admitted to the United States for the "specific purpose and limited periods necessary for testifying at court trials."

Negotiations on Summonses

But Mr. Civiletti said that nothing in the agreement was designed to discourage Congressional subpoenas and that the department would do nothing to "bridge, impede or prohibit" the committees from seeking Mr. Park as a witness. However, he said that he hoped summonses for Mr. Park to testify on Capitol Hill would be a matter of "negotiation" so they would not be "counterproductive" to the criminal prosecution.

Mr. Civiletti said that delays in issuing the statement in the last 48 hours did not stem from a dispute over language that would have committed the Carter Administration to trying to keep Congressional investigators from Mr. Park. However, either responsible Administration source said that that was an issue. The Koreans, he said, wanted the agreement to include language that the Justice Department would discourage Congressional subpoenas.

It was on the issue of Congressional testimony that Mr. Jaworski focused his stiff attack.

"Instead of evidencing cooperation on the part of South Korea," his statement said, "this agreement is another example of South Korea's failure to cooperate with Congress."

"Under the agreement, Tongsun Park to testify in the United States only, with respect to those limited matters, which he dares admit in his deposition is done under the watchful eye of the South Korean Government, and then only if such admissions result in indictments."

COMMITTEE HEARING EXHIBIT No. W-7

Park to Testify at U.S. Criminal Trials

By Bill Richards
and Charles R. Babcock
Washington Post Staff Writers

The Justice Department said last night that after eight weeks of intense negotiations, South Korean businessman Tongsun Park has agreed to come to the United States to testify at criminal trials, under full immunity, about his alleged influence buying among U.S. congressmen.

The announcement of the terms of Park's return drew an angry response from the special counsel of the House ethics committee, which is looking into alleged Korean influence-buying efforts. House special counsel Leon Jaworski criticized the deal with Park as "inadequate and unacceptable."

Justice Department officials have said, however, that Park's testimony could get the Korean scandal investigation moving from its current, stalled position and lead to additional indictments of U.S. congressmen. Justice officials refused yesterday to speculate on which congressmen could be affected.

Assistant Attorney General Beja-

min R. Civiletti said at a news conference that Park would first be interrogated in Seoul starting Friday by a team of officials from the Justice Department and the FBI. Civiletti said later that he also has invited representatives of the ethics committees to be present as observers during the two weeks of planned interrogation in South Korea.

Park could be returned to the United States for testimony at the criminal trials of Hanecho C. Kim and former Rep. Richard T. Hanna (D-Calif.) within eight to 10 weeks, Civiletti said. Kim and Hanna are the only two persons besides Park to be indicted so far in the influence-buying scandal.

Kim, a naturalized U.S. citizen, allegedly received \$600,000 from the Korean Central Intelligence Agency to pay and entertain U.S. officials; Hanna was indicted on 40 counts of bribery, conspiracy, mail fraud and failure to register as a foreign agent in connection with his alleged part in

See KOREANS, A6, Col. 1



TONGSUN PARK

... granted full immunity

To Testify at U.S. Trials

KOREANS, From A1

helping bribe officials to take favorable actions toward South Korea.

Park who has a 36-count indictment against him, was promised under the terms of the Justice Department agreement to have the charges dropped once he has completed his testimony in any trials stemming from the Korean probe. Civiletti said that under the terms of the agreement, Park would also be provided with full immunity from any other criminal charges.

The pact leaves Park open to civil suits here, however, including possible income tax charges and any actions that might arise out of a probe by the Securities and Exchange Commission into Korean influence-buying attempts.

The Justice Department made available yesterday the joint statement regarding the agreement between South Korea and the United States on Park's case. In addition, senior department officials said a more detailed memorandum of understanding will be signed by Park once the investigation team arrives in Seoul, and a third "mutual prosecution assistance agreement" also was drawn up, setting forth the terms between South Korea and the United States in more detail. Neither of the later two agreements was released.

Park's attorney, William G. Hundley, said last night he was satisfied with the agreement. "Obviously I would prefer that the congressional committees would wait [to question Park] until the matters with the Justice Department are resolved," Hundley said.

In Seoul, Park issued a statement saying "... I intend to cooperate in the investigations and, if required, I will also go to the United States to testify." Park said he hopes his cooperation will help create a "momentum" to resolve "these issues in a clear and satisfactory manner."

In announcing the agreement, Civiletti said: "We are confident we now have a practical solution to this matter."

In the past, however, Civiletti has noted that even with Park's testimony against Kim and Hanna, additional backup evidence will be needed. "We'll need strong corroborating evidence of a pattern of events," he said after yesterday's news conference.

Jaworski and senior staff members of the House Committee on Standards of Official Conduct, also known as the ethics committee, charged yesterday that the Justice agreement falls short on two counts. The agreement, according to Jaworski, only requires Park to testify here on admissions he may make during his position in Seoul under what Jaworski called "the watchful eye of the Korean government."

Senior Justice Department officials strongly denied Jaworski's assertions. "They said Park could be asked any questions relating to his contacts with present or former U.S. officials or similar contacts by other Korean officials. The agreement, they said, does not limit additional questioning of Park in the United States after his deposition in Seoul.

Jaworski and Peter A. White, deputy special counsel to the House committee, said the agreement also removes the pressure from the South Korean government to make available other South Koreans who may have had a part in alleged influence-buying here. Two of those mentioned by Jaworski and White are former South Korean Ambassador Kim Dong Jo and Yang Du Hoon, former KCIA station chief in the United States. Both men have been implicated in previous congressional testimony with providing money and gifts to congressmen.

White said yesterday that the House committee intends to subpoena Park for testimony as soon as he returns to the United States even though Justice officials may request them to accept transcripts of Park's deposition instead.

The Senate ethics committee, which is also investigating alleged Korean payoffs, issued a statement calling the agreement "far from ideal." However, the committee's special counsel, Victor Kramer, said the pact with Park was "a vital first step" and a positive development in the investigation.

One problem House and Senate ethics committee staff members raised yesterday was whether the agreement would prevent Park from whisking in and out of the United States for his trial appearances without stopping for testimony before Congress.

The joint agreement released by the Justice Department, yesterday only states that Park must remain in the United States for court trials. "Under the arrangements it is expected that he would return to the Republic of Korea promptly after his testimony at each trial," the agreement states.

Civiletti said a last-minute holdup in the announcement—which had been scheduled for Thursday—was due to Justice Department insistence that Park sign a commitment that he would be bound by the memorandum of understanding drawn up during the negotiations.

Park and his attorneys raised and then re-raised objections on several crucial terms of the agreement, Civiletti said. For example, he said Park had disagreed with Justice and State Department negotiators in Seoul over how often he could be required to return here for testimony. The agreement states that Park will be available as often as required for trial testimony.

Park also objected to the Justice Department requirement that he be questioned with a lie detector. Civiletti said the polygraph was necessary to ensure that Park's testimony is accurate, and the requirement was kept in the agreement.

The agreement ends eight weeks of delicate diplomatic negotiation on an issue that threatened to impair relations between the two countries.

It also promises to give new life to the stalled Justice Department investigation. The year-and-a-half-old criminal inquiry has focused on the activities of Park and Kim and has been bogged down without Park's testimony.

Only one past member of Congress, Hanna, has been indicted so far. But Justice officials have said privately that they believe a half-dozen indictments of former or current members of Congress are possible if Park's truthful testimony is obtained.

The Justice Department investigation is known to have looked closely at Park's relationship with former Reps. Cornelius Gallagher (D-N.J.), Otto E. Passman (D-La.) Edwin Edwards (D-La.) and William E. Marshall (R-Ohio).

The criminal indictments and recent congressional hearings have documented earlier press reports about Park's alleged activities as an agent for the South Korean government. According to the congressional testimony, the South Korean government arranged for Park to receive millions of dollars in commissions on the sale of U.S. rice to Korea over the past several years.

Park was known in Washington during that time as a flamboyant entertainer whose lavish parties attracted the likes of then Vice President Ford and current House Speaker Thomas P. (Tip) O'Neill Jr. (D-Mass.).

About 20 members of Congress have acknowledged receiving legal campaign contributions from Park over the years. It has been alleged that Park also gave secret cash payments to some members.

Park left the United States for London in the fall of 1978 after The Washington Post began reporting details of a Korean influence-buying campaign. He returned to Korea last August, shortly before he was secretly indicted by a federal grand jury here.

The Carter administration has been negotiating for his return ever since. The Korean government consistently

has denied any connection with Park or that it could force him to return to the United States. But in October, Korean officials agreed to meet with a team of Justice Department prosecutors, led by Civiletti.

Those talks broke down, however, and there was an immediate backlash in Congress, which threatened to result in a cutoff of U.S. aid to Korea.

Since then, the administration has signalled the Koreans increasingly strong signals about the danger the Park case presented to continued friendly relations between the two countries.



By Larry Morris—The Washington Post

Civiletti: Even with Park's testimony "we'll need strong corroborating evidence."

COMMITTEE HEARING
EXHIBIT NO. 10-3

COMMITTEE HEARING EXHIBIT NO. W-8

S. Korea to Let
Park Testify at
Trials in U.S.Figure in Bribery Case
to Be Given Immunity;
Ethics Panel AngeredBY ROBERT L. JACKSON
Times Staff Writer

WASHINGTON—The United States and South Korea agreed Friday on a plan for Korean businessman-lobbyist Tongpan Park to testify in court against American politicians he may have bribed or favored with gifts.

Under terms of the plan announced in Washington and Seoul, Park would be granted immunity from bribery and other charges if he provided evidence against past or present U.S. officials in the Korean influence-buying case.

But the agreement, which climaxed months of negotiations between U.S. and South Korean authorities, was immediately attacked by leaders of the House Ethics Committee, who said it precluded congressional testimony by Park.

Rep. John J. Flynn Jr. (D-Ga.), committee chairman, called the agreement "a facade." Flynn denounced the agreement "because it excludes congressional access to Mr. Park and enables South Korea to control his testimony."

Former Watergate prosecutor Leon Jaworski, the committee's special counsel, called the agreement "a mere token of cooperation." He said the committee would subpoena Park if he returned to the United States later next year.

Aside from leaving Park's cooperation with congressional investigation in doubt, the agreement raised doubts that the truth of Park's testimony could be guaranteed.

The three-page joint statement specified that Park would first be questioned under oath in Seoul by U.S. prosecutors.

However, representatives of the South Korean Ministry of Justice would participate in these private sessions, a circumstance that one U.S. Justice Department official said weeks ago could have a "chilling effect" on Park.

Park, 42, was indicted here last August on 36 counts of bribery, conspiracy, fraud and failing to register as a foreign agent. The indictment said that he had secretly acted as an agent of the Korean Central Intelligence Agency.

When asked about the presence of South Korean representatives at the Seoul interrogation, Benjamin R. Civiletti, who heads the U.S. Justice Department's criminal division, said Friday that this was a "practical arrangement" for questioning Park.

Civiletti said that charges in Park's indictment—which would be dropped if he cooperated—resulted from sessions he allegedly had taken on behalf of the Korean CIA.

Civiletti said that he did not believe Park would be concerned any longer about discussing these allegations in the presence of Korean representatives.

Civiletti said that he and Paul

TESTIMONY BY PARK

Continued from First Page

would depart for Seoul in about a week to begin "full and direct" questioning of Park as provided by the agreement.

In an effort to assure Park's truthfulness, the agreement states U.S. prosecutors may use a lie detector, if they wish. In addition, the United States reserves the right to prosecute Park later for any alleged perjury he might commit during these sessions or in later court testimony.

However, because the Justice Department could not jail Park in Seoul if he proved to be an uncooperative witness, Park would be under no compulsion to volunteer facts about which he was not specifically asked.

In addition, any eventual perjury prosecution of Park would be impractical because such cases take months to develop and Park could remain beyond the reach of U.S. authorities if such a case were started.

Civiletti told reporters he was hopeful that Park's testimony in Seoul would lead to further indictments in the United States.

"But this will depend upon what we learn from Mr. Park," he said.

To obtain further indictments, a transcript of Park's question-and-answer sessions in Seoul would be presented to a federal grand jury in Washington that is continuing to pursue the case, Civiletti said.

The agreement specifies that Park would return to the United States later for a limited period to testify at criminal trials but not before congressional committees.

Civiletti said, however, that a transcript of Park's testimony in Seoul would be given to the House and Senate Ethics committees. Park's indictment last August accused him of having given illegal political contributions or other gifts to at least 24 present or former members of Congress.

Aside from Park, only two other persons have been indicted in the slow-moving Korean investigation. They are Hancho Kim, a another Korean-born Washington businessman, and former Rep. Richard T. Hanna (D-Calif.).

Civiletti said that Congress, as an equal branch of the U.S. government, "has full rights, powers and authorities to do what it deems appropriate in this case." But he said the department would ask congressional committees not to subpoena Park if he returned to testify at criminal trials here.

When asked if he had expressed that desire to Jaworski, Civiletti said: "We had a discussion about not subpoenaing Mr. Park, and he (Jaworski) indicated he had no inclination to honor that request."

Civiletti said the agreement with the Seoul government evidenced "a very constructive attitude by the Republic of Korea," which has no extradition treaty with the United States.

The joint agreement was signed in Seoul by South Korean Foreign Minister Park Tong Jin and U.S. Ambassador Richard L. Sneider.

COMMITTEE HEARING
EXHIBIT NO. W-8

CLOSING N.Y. STOCKS

Los Angeles Times

LATE FINAL

VOL. XCVII SIX PARTS—PART ONE 120 PAGES FRIDAY, JANUARY 13, 1978 LATE ★ FINAL DAILY 15¢

Park Starts Talking

'Lot of People, Sums of Money' Revealed to Probers

LATE NEWS

Stocks Off Again

NEW YORK—Stock prices showed some minor gains today in a quiet session. The Dow Jones average of 30 industrial shares closed at 2,442 1/2.

Humphrey Has Relapse

WASHINGTON (AP)—Robert H. Humphrey is in critical condition at his home in Warner, Minn., his Senate office spokesman said today.

2 Tractors Fatally Shot

Two out-of-state tractors drove onto a 2 1/2-mile-long highway today in a head-on collision, killing two men.

Seattle Slur Has the Flu

WASHINGTON (AP)—Sen. Dan Rostenkowski is recovering from a slight fever and poor appetite, was scratched today from his debut as a 4-year-old in Monday's Baltimore hearings.

State Jobless List Up

WASHINGTON (AP)—The number of unemployed persons registered to nearly 700,000 in California last month and the state's unemployment rate edged upward to 7.5%.

Final Churchill Gesture

LONDON—The eyes of Winston Churchill were said to remain tight to two patients with badly damaged eyes, a London hospital said today.

WHISTLE-PAST GRAVEYARDS

Tips for Friday the 13th: Don't Press Your Luck

WASHINGTON (AP)—It was a bad day for unfortunates and misanthropes.

LAW FIRM SUES ALIOTO FOR FEES

SEATTLE (AP)—A law firm says it is suing former Gov. John A. Alito over \$100,000 in legal fees.

FEATURE INDEX

- ASTRONAUT PROGRAM... ROSALYNN FAILS... MITCHELL WILL HAVE SURGERY... ROY ROGERS TO HAVE SURGERY... MAN SEIZED AS HE AIMS GUN AT INDIRA GANDHI... HAMPREY HAS RELAPSE... STOCKS OFF AGAIN... 2 TRACTORS FATALLY SHOT... SEATTLE SLUR HAS THE FLU... STATE JOBLESS LIST UP... FINAL CHURCHILL GESTURE... WHISTLE-PAST GRAVEYARDS... TIPS FOR FRIDAY THE 13TH: DON'T PRESS YOUR LUCK... LAW FIRM SUES ALIOTO FOR FEES... FEATURE INDEX

Man Seized as He Aims Gun at Indira Gandhi

NEW DELHI, India (AP)—A man possessed a loaded gun in former Prime Minister Indira Gandhi today but was disarmed and did not shoot, police said.

Man Seized as He Aims Gun at Indira Gandhi

Washington said a man identified as an Afghan, Latif Khan, 36, moved through a heavy crowd and placed the muzzle of an M-16 assault rifle at the neck of a man carrying the Indian prime minister's body guard.

Man Seized as He Aims Gun at Indira Gandhi

The man hit the glass and I shouted, "Is a terrorist?" J. K. Jain, of the Congress Party, said he saw the man aim his gun at Indira Gandhi.

Man Seized as He Aims Gun at Indira Gandhi

She was snatched away today by a policeman and taken to a police station. She was held for 48 hours, making her detention the longest in the country.

Man Seized as He Aims Gun at Indira Gandhi

She said the hearings were unproductive, and she was not obliged to testify. The newspaper columnist ordered a complaint filed before a city magistrate, but it had not been filed by this evening.

Man Seized as He Aims Gun at Indira Gandhi

She said she would report the incident to the police. She said she would report the incident to the police. She said she would report the incident to the police.

Lawmakers Reported on His List

SEATTLE (AP)—Sen. Dan Rostenkowski today gave U.S. investigators a list of names of individuals and senators linked to the Korean gas scandal, a program he attacked the opening congressional hearing.

Lawmakers Reported on His List

Roy Rogers to Have Surgery. The spokesman said Rogers, 86, likely will undergo surgery to remove the tumor, which is reportedly 1 1/2 inches in diameter.

Lawmakers Reported on His List

He said he would report the incident to the police. He said he would report the incident to the police. He said he would report the incident to the police.

Lawmakers Reported on His List

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Lawmakers Reported on His List

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CAPITOL IDEA—Francisco and Michael Remington, House Judiciary Committee staffers, sit on one of the benches in Washington today.

Rosalynn Fails Best-Dressed List

NEW YORK (AP)—Rosalynn Carter's name was missing today from the annual list of best-dressed women.

Rosalynn Fails Best-Dressed List

She said she would report the incident to the police. She said she would report the incident to the police. She said she would report the incident to the police.

Rosalynn Fails Best-Dressed List

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Rosalynn Fails Best-Dressed List

She said she would report the incident to the police. She said she would report the incident to the police. She said she would report the incident to the police.

MITCHELL WILL HAVE SURGERY

WASHINGTON (AP)—Former Alaska Gov. Frank Miller today said he would have surgery to remove a tumor.

MITCHELL WILL HAVE SURGERY

He said he would report the incident to the police. He said he would report the incident to the police. He said he would report the incident to the police.

MITCHELL WILL HAVE SURGERY

He said he would report the incident to the police. He said he would report the incident to the police. He said he would report the incident to the police.

MITCHELL WILL HAVE SURGERY

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COMMITTEE HEARING EXHIBIT No. W-10

Park Tells of Paying 5 Ex-Congressmen

Names Passman, Hanna, Gallagher, Minshall and Edwards in First Testimony

LRT
V/4/78
BY ROBERT L. JACKSON

Times Staff Writer

SEOUL—Tongsun Park told U.S. prosecutors in his first sworn testimony here Friday that he had disbursed hundreds of thousands of dollars over a five-year period to influence American politicians.

Sources present at the Korean businessman's closed-door interrogation said he had named five former congressmen as having received the bulk of his payments. But Park reportedly said also that dozens of other members of Congress had accepted amounts ranging from several hundred dollars to \$1,000 or \$2,000 apiece.

As Park's testimony opened in a Korean government conference room downtown, sources said the 42-year-old rice broker had identified former Reps. Richard T. Hanna (D-Calif.), Cornelius E. Gallagher (D-N.J.) and Otto E. Passman (D-La.) as having received more than \$100,000 apiece in a series of cash payments. Passman's total, the largest of any politician on Park's list, approached \$200,000, according to Park's story.

Park reportedly testified that he had paid former Rep. William Minshall (R-Ohio) approximately \$60,000 in addition to a cash gift of \$20,000 that Minshall was to give to the 1972 reelection campaign of former President Richard M. Nixon.

Former Rep. Edwin W. Edwards (D-La.), now governor of Louisiana, was given \$10,000 and his wife \$10,000, Park reportedly told prosecutors.

Hanna has acknowledged that he had a close business and personal relationship with Park, saying he earned \$60,000 to \$70,000 in joint business ventures with the Korean. But he has denied that he received bribes.

Gallagher, Passman and Minshall have acknowledged that they knew Park but have denied receiving any improper payments. Edwards and his wife have said that they received a total of \$20,000 as campaign contributions.

In his testimony Friday, Park—

who is the central figure in the Korean influence-buying investigation in Washington—did not characterize his alleged payments as improper or illegal, sources said. Rather, he contended that the payments were a sign of his close friendship with many congressmen.

Park was indicted last August on 36 counts of bribery, conspiracy, racketeering and mail fraud. Hanna, who also was indicted, was charged with one count of conspiracy, two counts of bribery, one count of accepting an illegal gratuity, 35 counts of mail fraud and one count of failing to register as a foreign agent.

U.S. prosecutors asked Park, in his first day of testimony, to give them an overall picture of his political payments, most of which were never reported by his recipients, sources said.

Park was told that he would be pressed for exhaustive details in subsequent sessions, and no precise total of Park payments was arrived at Friday. However, key sources said that the total would clearly range from \$500,000 to \$1 million.

Park distributed most of his money from 1970 through 1974, with the 1972 election year marking his heaviest payments, according to his account.

He was not questioned Friday about any relationships he might have had with U.S. senators. That subject was put off for another session today or Monday, the sources said.

Demonstrating their concern about Park's credibility as a later witness at criminal trials, U.S. prosecutors arranged for FBI agent Frank Connolly to give Park a lie-detector test in another room at the close of Friday's session. It was understood that the results had not yet been reported to prosecutors.

Park reportedly was fatigued at the conclusion of six hours of intensive but courteous questioning by Justice Department prosecutor Paul Michel and Benjamin R. Civiletti, chief of the

Please Turn to Page 7, Col. 1



DISCLOSURES—Rep. Bruce F. Caputo (R-N.Y.), a member of House Ethics Committee, talks with newsmen about disclosures made to investigators by South Korea's Tongsun Park.

AP Wirephoto

TESTIMONY OF PARK

Continued from First Page

department's criminal division.

Under terms of a written agreement, Park is to be given immunity from U.S. prosecution if he provides valuable evidence against American politicians who accepted his largesse.

Although the Justice Department's indictment charges that Park was a secret agent for the South Korean government, prosecutors reportedly did not press him on that point Friday. A confidential agreement signed by the department and Park, in fact, is designed to restrict questioning in this area, apparently to avoid embarrassing the Seoul government.

However, sources said Park implied to investigators Friday that he had been acting on his own as a private rice broker—and as a South Korean patriot—in dispensing the huge sums of money.

He testified that most of his recipients or their aides had actively solicited the money from him and that he had been glad to provide it to further his own interests and those of his nation.

Park drew his political payments from more than \$8 million in commissions he earned on the sale of surplus U.S. rice to South Korea, he reportedly said.

Park generally did not disclose at his first session what various congressmen had done, or been asked to

do, on his behalf, the sources said. But he reportedly testified that Passman, on occasion, had intervened with the U.S. Department of Agriculture whenever problems arose concerning Park's work as a rice broker.

Park testified, according to the sources, that he had withdrawn funds to pay Passman from one or more bank accounts Park maintained in Bermuda.

Park reportedly testified that he had cultivated Minshall as a ranking Republican on the House Armed Services Committee who was close to former Defense Secretary Melvin R. Laird. But Park said he had never given anything to Laird, the sources related.

One source said that Park characterized almost every political figure in Washington as his friend. Of a present congressional leader, Park remarked "He loved me like a brother," one source reported. When asked how often he had seen that congressman, Park was said to have replied, "oh, about twice a year."

Civiletti refused to comment on Park's first day of testimony. Rep. Bruce F. Caputo (R-N.Y.), a member of the House Ethics Committee who observed the questioning, told reporters:

"Any American who sat in that room could only feel one thing—disgrace at the conduct of high-level American officials."

SATURDAY MORNING, JANUARY 14, 1978



SESSION IN SEOUL—South Korea's Tongsun Park, right, follows his attorney, William Hun-

dley, center, and Dep. Atty. Gen. Benjamin Civiletti after questioning on payoff scandal.

AP Wirephoto

WP 1/14/78

Park Tells of Gifts; Indictments Seen

By Charles R. Babcock
Washington Post Staff Writer

Accused South Korean agent Tong-sun Park has told Justice Department prosecutors in Seoul that he gave members of Congress "hundreds of thousands" of dollars over the years, an observer at his interrogation said yesterday.

The Justice Department official heading the American team implied, in a separate phone interview from Seoul, that Park's testimony could lead to a "handful" of further indictments in the Korean influence-buying investigation.

These were the highlights from the first day's private session with the wealthy Washington rice dealer who is trading his testimony for the dismissal of a 36-count felony indictment against him.

In telephone interviews from Seoul, Benjamin R. Civiletti, the assistant attorney general heading the Justice Department team, and Rep. Bruce F. Caputo (R-N.Y.) both expressed satisfaction with Park's candor in the five-hour "survey" of questions covering all the members of Congress alleged to have had dealings with Park.

Caputo said Park had acknowledged giving something of value to about half of the dozens of House and Senate members he was questioned about. This ranged from "trivial gifts to staggering amounts of money," he said, with the totals amounting to "hundreds of thousands of dollars."

The Los Angeles Times reported that Park named five former congressmen, including Rep. Richard T. Hanna (D-Calif.), as having received the bulk of his political payments, citing sources present at the closed interrogation in Seoul.

He reportedly said that dozens of other members of Congress had accepted amounts ranging from several hundred dollars to \$1,000 or \$2,000 a piece.

As Park's testimony opened in a Korean government conference room downtown, sources said the 42-year-old rice broker identified former Reps. Hanna, Cornelius E. Gallagher

See KOREANS, A2, Col. 1

Tongsun Park Tells U.S. Prosecutors Of Payouts; More Indictments Seen

KOREANS, From A1

(D-N.J.) and Otto E. Passman (D-La.) as having received more than \$100,000 apiece in a series of cash payments. Passman's total, the largest of any politician on Park's list, approached \$200,000, according to Park's story.

members of Congress. But when asked that, he said, "We think we have made some good progress. He has given us material information that comports with our evidence in a handful of matters."

So far, only Hanna has been indicted in connection with the Korean lobbying campaign on Capitol Hill.

Knowledgeable Justice Department officials have said privately that they thought they might get as many as half a dozen additional indictments with Park's testimony.

Caputo emphasized that while he was pleased with Park's first-day testimony, he still did not think the Korean government was cooperating fully with his committee's investigation.

Leon Jaworski, special counsel to the House Committee on Standards of Official Conduct, has vocally criticized the Justice Department's arrangement for obtaining Park's testimony, making it clear he wanted access to Korean diplomats as well.

"As long as Leon Jaworski says that the Korean government is not cooperating to the extent it should, there will be trouble in Congress," Caputo said.

He added that he was concerned that U.S. Ambassador to Korea Richard L. Sneider was not supporting the congressional requests. "He just thinks it is unrealistic to think the South Koreans will allow their former ambassadors to be questioned," Caputo said.

If necessary, Caputo said, he will again sponsor legislation to cut off U.S. economic aid to South Korea. A similar amendment he sponsored last fall was narrowly defeated. He said the committee was especially interested in talking to former Ambassadors Kim Dong Jo and Hahn Pyong-choon and former Korean Central Intelligence Agency Director Lee Hy Rak.

The House committee is convinced that Park was just one of a series of Korean agents who made payouts to members of Congress. In testimony before the committee last fall, former Ambassador Kim was identified as having delivered an envelope stuffed with \$100 bills to a Kansas House member who later returned the money.

Caputo and Civiletti agreed that Park did not appear to be inhibited by the presence of Korean officials during the questioning.

Civiletti noted that the American team insisted on having the room arranged so that Park sat across the table from the U.S. prosecutors, with FBI agents seated behind them. "He would have to turn sharply to look at the Korean prosecutors," he said.

Park's responses to an initial lie detector check on his testimony were also satisfactory, Civiletti added.

Asked about Jaworski's continued criticism of the Justice Department's bargain for Park's testimony, Civiletti repeated that the agreement did not prohibit the House from subpoenaing Park when he returned to the United States for trials.

He added that he plans to make the full text of the agreements public when he returns to the United States next week, and he said that the Justice Department will be able to question Park further on new issues when he comes back for trials.

CLEANERS
R Sts., N.W.
hirt laundry
1 DAY CLEANING
Closing Saturday
EXTRA CHARGE

A 19"
Diagonal
1978
DCA

COMMITTEE HEARING EXHIBIT No. W-12



Associated Press

Assistant Attorney General Benjamin R. Civiletti, left, is followed by South Korean businessman Tongsun Park, right, and Park's attorney, William Hundley, as they leave the Seoul prosecutor's office after questioning.

Wilson visited the office in the early 1970's on congressional business and three times since 1973. None of Wilson's travel expenses were paid by a foreign government. Although his 1973 trip was in connection with Wilson's work as a lawyer, was paid by the Department of Public Welfare. Wilson's work as a lawyer was not related to Wilson's work as a U.S. Congressman to a Korean woman generated a lot of publicity in ROK. It was during that 1975 visit that TONG SUN PARK introduced himself to WILSON. Sometime later WILSON attended a Wine Tasting Party given by the California Wine Producers Association at the George Town Club (GTC) at which TONG SUN PARK was present. In 1976 WILSON and his wife were invited to a reception given by TONG SUN PARK which they declined due to a previous engagement. WILSON can recall no additional contacts with TONG SUN PARK. PARK never offered WILSON anything of value.

1/20/77 - Washington, D.C. WFO 28-1336
SA GEORGE E. OAKS/dw

COMMITTEE HEARING EXHIBIT No. W-13

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 7/29/77

Congressman CHARLES H. WILSON (D) California, was interviewed by Department of Justice attorney CRAIG BRADLEY in the presence of Administrative Assistant JOHN POWRIUS and House Committee on Post Office and Civil Service staff employee GEORGE R. COMED. WILSON stated in substance as follows:

WILSON does not recall that former Congressman RICHARD HANNA ever made any effort to influence WILSON's views or conduct regarding U.S. policy toward the Republic of Korea (ROK). No one has furnished WILSON with material to be used in speeches, statements, letters or articles to be issued in WILSON's name.

WILSON knew who SUZI PARK THOMSON is from her many years on Capitol Hill. WILSON, some relatives and friends attended a sit down dinner at PARK's apartment, between 1970 and 1972. He believes about six persons were present. During the same time period, he attended a cocktail party at her apartment. There were no Koreans present on either occasion. WILSON has not been introduced to or met any other Korean through THOMSON.

WILSON visited ROK twice in the early 1970's on congressional business and three times since 1975. None of WILSON's travel expenses were paid by a foreign government although his 1975 trip to ROK in connection with WILSON's marriage to a Korean, was paid by the Pacific Cultural Foundation.

The marriage of a U.S. Congressman to a Korean woman generated a lot of publicity in ROK. It was during that 1975 visit that TONG SUN PARK introduced himself to WILSON. Sometime later WILSON attended a Wine Tasting Party given by the California Wine Producers Association at The George Town Club (TGTC) at which TONG SUN PARK was present. In 1976 WILSON and his wife were invited to a reception given by TONG SUN PARK which they declined due to a previous engagement. WILSON can recall no additional contacts with TONG SUN PARK. PARK never offered WILSON anything of value.

Interviewed on 7/20/77 at Washington, D.C. File # WFO 58-1536

SA GEORGE E. OAKS/dlw

Date dictated 7/27/77

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; and its contents are not to be distributed outside your agency.

89

EXHIBIT 3

In early 1976, WILSON and Congressman JOHN MURPHY sponsored a reception at Trader Vic's for a delegation of visiting ROK National Assemblymen which included a friend of the father of WILSON's wife.

WILSON recounted that in his more recent trips to ROK he had private conversations with each President PARK Chung-Hee and Korean Central Intelligence Agency (KCIA) Director SHIN Jik-Soo. WILSON was taken to his appointment with the KCIA Director by a U.S. Embassy driver who waited outside. The translator was provided by SHIN. Although the news accounts of Korean bribery and the U.S. investigation of the allegations were well known at that time, WILSON denied that the subject was mentioned in his meeting with the KCIA Director. The activities of the Fraiser Committee concerned the Koreans. WILSON assured them that FRAISER's attitude was not shared by the majority of the U.S. Congressmen. Beyond that, there was no mention of individual U.S. Congressmen or other officials in WILSON's meetings with ROK officials.

WILSON said that he did not receive nor was he offered payments, contributions or gifts of value by Koreans or persons who might have been acting as Agents of the ROK Government.

WILSON inquired of BRADLEY as to whether the Korean-American Economic Foundation is or should be registered as a foreign agent. BRADLEY stated the organization was unknown to him. WILSON was unable to provide an address for the foundation.