

The Fraser Committee

Investigation of the Rev. Sun Myung Moon and the Unification Church

With the Washington Monument rally of Sept. 18, 1976, Father and the Unification Church burst upon the American scene as a force to be reckoned with. Washington, D.C. was startled at the 300,000 guests from all over the East Coast who crowded the Monument grounds, the spectacular fireworks display—the biggest ever shown in Washington—and Father's stirring speech in which he made clear the crucial role that America must play in God's providence.

To some in Washington, however, the rally, while putting Father more in the public eye, also made him more of a threat—and an opportunity. Leftist congressman, Donald Fraser, D-Minn., saw Father as a threat to his leftist assumptions about man and society, and this also provided an opportunity to make a name for himself by publicly castigating an “unpopular” figure and pandering to bigotry.

Thus began the notorious “Fraser probe” of Father and the Unification Church, under the cover of an investigation of Korean-American relations sparked by the “Korea-gate” scandal. Fraser's subcommittee on Korean-American relations spent hundreds of thousands of dollars of tax money probing the Unification Church, from August 1977 until October 1978 when the final report to Congress came out. But while Fraser was hoping to totally discredit the church and enhance his own election chances through the publicity of the probe, in the end Fraser himself was thoroughly defeated.

Col. Pak, testifying for the church, eloquently defended Father against the unfounded calumnies that Fraser made public. Point by point, he refuted Fraser's wild charges and proved the underlying bias and prejudice of the Fraser probe. In the final report to Congress, Fraser had to admit that Father was not an “agent” of the Korean Central Intelligence Agency after all, as he had originally alleged. And he was defeated for re-election in his home state shortly thereafter. Again, God emerged victorious in the face of government persecution.

Hal McKenzie

Sun Park's Paper Jigsaw Puzzle How It Began...

Bell

THE NEW YORK TIMES

Vol. 19

FORMER K.C.I.A. HEAD
SAYS PARK TONG SUN
WAS KOREAN AGENT

Jack Anderson and Les Whitten

Assassination Order Out on Korean

The assassination of Dr. Martin Luther King Jr. in Memphis, Tenn., on Sunday, April 4, 1968, was the result of a plot that was hatched in Seoul, S. Korea, in 1964, according to a former head of the Central Intelligence Agency's Korean desk.

Jack Anderson and Les Whitten reported in a column in The New York Times that the plot was hatched by a group of South Korean nationalists who were opposed to the U.S. policy of supporting the South Korean government.

The plot was hatched by a group of South Korean nationalists who were opposed to the U.S. policy of supporting the South Korean government. The group was led by a man named Park Tong Sun, who was a former head of the Central Intelligence Agency's Korean desk.

that a K.C.I.A. assassin order has been received from Seoul.

Meanwhile, King is in Memphis, Tenn., for the funeral of the slain Rev. James Ray. He is also a member of the National Association for the Advancement of Colored People (NAACP).

King, however, checks under his each time he drives and is surrounded by strangers near his school.

Footnote: We warned in our column of 1975, that Chile's secret police had things to track down...

Bell

THE NEW YORK TIMES, APRIL 19, 1968

Former K.C.I.A. Head Says Park Tong Sun Was a Korean Agent in U.S.

PROBES INTELLIGENCE CENTER'S TIES TO KOREAN GOVERNMENT DOORS OF CONGRESSION ARE BEING OPENED

HOW MANY ON THE COMMITTEE?

FORMER K.C.I.A. HEAD SAYS PARK TONG SUN WAS A KOREAN AGENT IN U.S.

Republican Ties To Korea Lobby Under Scrutiny

Park Tong Sun

Tor

House Korean Inquiry

By RICHARD HALLORAN

Attorney General, largely from members of Congress, for moving the House to operate the inquiry and to share information with the Federal Security Agency.

New York Times

NEW YORK TIMES, THURSDAY JUNE 20, 1977

House Korean Inquiry

RICHARD HALLORAN
Attorney General, largely from members of Congress, for moving the House to operate the inquiry and to share information with the Federal Security Agency.

on the Rise

House Korean Inquiry

in Capitol

Korean Agent in U.S.

THE WASHINGTON POST

Park's Paper Jigsaw Puzzle Solved

Two Reporters Spirit Away Fruits of Korean's Shredder

The scenario sounds bizarre, but it is real.

Yesterday after a subpoena was withdrawn, freelance reporters Lewis Perdue and Ken Cummins turned over to the House ethics committee several boxes of shredded documents from the Washington office of Tongson Park.

According to Perdue, the story started last fall when Robin Moore, author of "The French Connection" and saucy memoirs of the likes of "Happy Hooker" Naviera Hollander, came to Washington looking for a hook about abuses of power in the nation's capitol.

Moore hooked up with Perdue after unsuccessful attempts to buy the stories of Betty Jane Ackerman, the congressional worker who taped the lurid conversations of her affair with

Paris Reported to Have Curbed South Korean Lobbying After Agent Defected to U.S.

THE NEW YORK TIMES, MONDAY JUNE 20, 1977

WASHINGTON, June 20—The South Korean Embassy in Paris reported to have curbed the activities of its South Korean lobbyist after a defector from the agency reported to the U.S. House of Representatives.

More recently, fledgling lawyer Tongson Park, the weekly Korean Caucus issues five months of duty and reportedly was cited in a Central Intelligence Agency memorandum as a "person of interest" in the agency's investigation of Park's activities.

Mr. Park, whose group came to Park, was a well-known business leader in the West.

Former Navy Captain Is Reported Korean Lobbyist's Right-Hand Man

THE NEW YORK TIMES, TUESDAY JULY 5, 1977

WASHINGTON, July 4—In the unfolding scandal, subject indicates the width and depth of Mr. Park's contacts in Congress. It includes the names of Democratic and Republican leaders and those of

of papers that had my name on them at that time, and that it was possible he had approved whatever decision was made.

Mr. Timmons did not respond to telephone requests for an explanation of his work.

The Korean lobby is said to have begun in earnest in 1970, when plans were being made to withdraw 20,000 United States troops from South Korea. The purpose, according to persons who have seen intelligence reports on the matter, was to win friends in Congress and in Government in order to prevent further troop withdrawals and to increase military aid to the country.

Buying Investigation Now Examining Republican Role

THE NEW YORK TIMES, WEDNESDAY JUNE 8, 1977

Washington, June 8—A House investigation now examining the role of Republicans in the Korean lobby is said to have begun in earnest in 1970, when plans were being made to withdraw 20,000 United States troops from South Korea.

Republican of California and a Korean War veteran, Mr. Wiggins accepted a honorary degree from a Korean university and a five trip to Seoul to take part in ceremonies marking the 25th anniversary of the Korean War. But he has said he was offered "campaign contributions" by a Korean official in return for his services.

According to State Department officials, the same

Account Position

EBBYST LINKED TO CONGRESS

WASHINGTON, June 8

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Paper Jigsaw Puzzle Solved

Spirit Away Fruits of Korean's Shredder

Within this atmosphere the Fraser Investigations of Rev. Moon and the Unification Church began

Our Response



HISTORY AND PATTERN OF ABUSES OF THE FRASER INVESTIGATION

Congressman Fraser's Concern for Human Rights

The Subcommittee on International Organizations was created to observe and oversee international organizations such as the U.N., A.I.D., etc.¹ But Congressman Fraser's vision was greater than this, and therefore, he expanded the scope of the Subcommittee.

Congressman Fraser became a champion of human rights in selected countries around the world. Since 1973 the Congressman chaired investigations of human rights conditions in 24 countries. Nineteen of these countries had anti-Communist, semi-authoritarian governments who were allied with the U.S. Five of these countries had Communist governments opposed to the U.S.² Mr. Fraser had always tended to work for human rights, but almost exclusively regarding anti-Communist governments.

Since 1973, in addition to the current Korean investigation, the Fraser Subcommittee spent a total of 120 days investigating human rights violations in Chile, Indonesia, the Philippines, South Korea, Iran, Nicaragua, El Salvador, Guatemala, India, Uruguay, Paraguay, Namibia, Argentina, East Timor, Taiwan, Thailand, Western Sahara, Haiti, and Rhodesia—all are anti-Communist and allies of the West. In the same period he spent a total of 14½ days investigating the U.S.S.R., North Korea, Vietnam, Cuba and Cambodia.³ At least 8½ times more money and man hours were expended on investigating non-Communist nations over Communist nations. This conduct raises serious questions concerning Mr. Fraser's ideological objectivity.

¹U.S. Congress, Rules of the Committee on International Relations, House of Representatives, adopted February 20, 1975, p. 5.

²"Human Rights Probe by Fraser," *The News World*, May 15, 1978.

³List of documents on international human rights, pp. v and vi of "Human Rights in Vietnam," Hearings: June 16, 21 and July 26, 1977, 95th Congress, 1st Session (Washington, Government Printing Office, 1977). Also see "Human Rights in Selected Countries and the U.S. Response," 95th Congress, 1st Session, July 25, 1977 (Washington Government Printing Office, 1977), p. vii.

THE NEW YORK TIMES, SUNDAY, APRIL 24, 1977

Republican Ties To Korea Lobby Under Scrutiny

By ANTHONY MARANO

WASHINGTON, June 2—Government investigations into the alleged influence of South Korean agents on Democratic National Bank say which in the past have focused on Democratic members of Congress, have begun to touch numerous Republicans, at least peripherally, in an effort to determine whether further investigations are warranted.

Although the critical investigation is still aimed most directly at a handful of present and former Democratic members of the House, they said, the widening Justice Department and Congressional inquiries have begun to touch numerous Republicans, at least peripherally, in an effort to determine whether further investigations are warranted.

FORMER K.C.I.A. HE SAYS PARK TONG SUN WAS KOREAN AGENT

LOBYIST LINKED TO CONGRESS

The Assertion Contradicts Denial by Seoul That Park Acted for the Government

By RICHARD MALLORAN

WASHINGTON, June 4—A former K.C.I.A. agent who says he acted as a spy for the South Korean government while in the employ of the Central Intelligence Agency, has accused Park Tong Sun, a prominent lobbyist and former member of Congress, of being a K.C.I.A. agent who acted as a spy for the South Korean government.

Structure and Organization

Our Response



Political Ambitions

Congressman Fraser also stood to gain politically from his investigations. Especially during 1977-78, he was preparing to run for one of two Senate seats in Minnesota. To give himself greater stature in Minnesota, Mr.



Fraser needed to become known beyond the perimeters of his own congressional district. Korea and Reverend Moon were ideal issues, because both were receiving media attention at the time. Thus, to achieve his ideological ends and immediate political goals, Congressman Fraser initiated the investigation of Korean-American relations and the work of Reverend Moon.

First Encounter

Informally, the investigation began in May of 1976. Congressman Fraser met with Neil Albert Salonen, President of the Unification Church of America and two other Church members. Mr. Salonen presented the Congressman with the official documents of the Unification Church, Freedom Leadership Foundation and International Cultural Foundation—organizations founded by Reverend Sun Myung Moon.

The purposes and goals of these organizations were explained to Mr. Fraser. Questions were asked by the Congressman and his staff, and answers were given by Mr. Salonen. All of this was conducted in a cordial manner over a period of several hours. At the conclusion of this meeting, Mr. Salonen and the other Church members were satisfied that the Congressman had heard them out. Mr.

Statement by Neil A. Salonen President, Unification Church of America

America was originally settled by people escaping religious and political persecution in Europe and elsewhere. Nevertheless, religious intolerance has been a consistently visible phenomena here, even among people with such a history.

Historically the problem seems to arise when new ideas or groups with different values are thrust into living together, but before any real understanding of the differences can take place. After a period of exposure, the worst and most irrational fears these groups have about each other prove unfounded, and real acceptance and respect begins.

This is the position the Unification Church finds itself in today. Fear and mistrust of our values, jealousy of our rapid growth and success have led to irrational charges of brainwashing, mind control, or our being the "agent of a foreign power." Organized groups of professional vigilantes actively strive to alienate members' parents and then charge huge fees to kidnap these members and attempt to force them to recant their religious views. The classical steps in evolution of prejudice—antilocution, avoidance, and discrimination and physical attack are already underway.

More recently, our opponents have raised the spectre of the Unification Church as an agent of an un-American power—the same accusation so frequently used to justify anti-semitism—in order to reinforce the image of the church as a bunch of deluded American young people under the influence of a sinister Oriental spellbinder.

It is in this setting that we have viewed the investigation by the House Subcommittee on International Organizations, chaired by Congressman Fraser, with considerable anxiety. In an effort to avoid unnecessary publicity and resulting damage to many innocent members and their families, several of us met with Congressman Fraser in his office on May 27, 1976. We expressed our concerns and our belief that our organization was not involved in anything relevant to the scope of his investigation. We further expressed our desire to cooperate fully and to minimize publicity, which would be damaging to our members, their families, and associates. We felt at that time that he understood.

In an extreme example of "bad faith" our next communication with the Subcommittee was an invitation to a highly publicized hearing—for me to appear together with three harsh critics of the church, at least two of whom are totally unqualified to be given a Congressional forum as an "expert." I respectfully declined.

Later that summer, under threat of subpoena, I agreed to give testimony in an executive session. In keeping with my continued concern to minimize publicity I have to this day honored our understanding that such testimony be held confidential.

The Subcommittee unfortunately has been either unable or unwilling to honor its obligations in that regard.

Apparently not content with my testimony, the Subcommittee has begun contacting numerous members of the Unification Church and threatening to subpoena them unless they agree to private, off-the-record talks. When asked by our attorneys to indicate what evidence they had to warrant such a broad investigation, they declined to give any satisfactory answer. At the

taxpayer's expense the Subcommittee is conducting a fishing expedition—probing people's personal lives, religious beliefs and private associations in an apparent attempt to dig up something it can use against Reverend Moon or the Unification Church. In the process, the Subcommittee would now make a prisoner of conscience of a religious believer simply for asserting his First Amendment rights.

We are not so naive that we cannot understand the Subcommittee's potential interest in any organization which has its roots in Korea, and has many Korean citizens in leadership roles. Therefore, we have asked them to simply *indicate*—privately to our attorney, or publicly if they so choose, what evidence they have that involves the Unification Church of America, or its members. To pursue the investigation without doing so is a classic example of attempting to establish guilt-by-association.

Mr. Fraser makes no end of talk about human rights of dissidents in South Korea or Iran, but when it comes to people with whom he disagrees, where is his respect for human rights? During the debates on the House Committee on Internal Security, Mr. Fraser condemned the very same McCarthyist tactics which his Subcommittee now seems to employ.

This new brand of McCarthyism is extremely dangerous to the United States. When Congress probes a citizen's private affairs on the basis of his religious affiliation, this bodes ill for others as well. What would prevent a pro-Arab congressman from questioning Jews about their religious, business or political activities because of their "ties" to Israeli government? Catholics because of their "ties" to the Vatican state?

Congressman Fraser would send a believer to prison because he refuses to discuss his religious associations. How is that different from what President Carter has denounced—or for that matter what Chairman Fraser himself has denounced—as a violation of human rights in the Soviet Union or Chile?

The Unification Church honors Korea as the Holy Land of our faith, not unlike the way Jews honor Israel. However, a Jew can love Israel and still disagree with Israel's policies toward the Palestinians. Thus, to say that Korea is our Holy Land is not to say that we approve of Korea's policies toward political dissidents, or anything else. Neither does our love for Korea supersede our loyalty to the United States. We teach that the ideals of America point the way toward the ultimate establishment of the Kingdom of Heaven on Earth. One great strength of this nation is her commitment to freedom for all. This is one reason why object to the Subcommittee's methods of investigation thus far. The inquiry has not been limited to possible illegal connections with the Korean government, but has insensitively probed the private lives of our members without due respect for their religious and civil liberties.

How Dan Fefferman or the other Unification Church members who are now being subpoenaed before the Subcommittee view the line at which their responsibilities to Congress end and their protected rights begin is a matter of personal conscience. Legal technicalities and the unprecedented nature of these questions may complicate the issue—but they do not complicate our moral position. Whatever each of them may decide, we deplore the situation which made such a decision necessary.

The Rising Tide

The Rising Tide, August 15, 1977

Abuses of Power by the Fraser Subcommittee

Bad Faith

On May 27, 1976, Unification Church President Neil A. Salonen met with Representative Fraser, the chairman of the subcommittee. At that time he volunteered all information relevant to the question before the subcommittee and offered to be available to answer any other questions that might arise. Concerned that this inquiry would be misinterpreted by the public as a Congressional investigation of the Unification Church and its religion, and that Church members would suffer embarrassment and discrimination as a result, Mr. Salonen sought to resolve the subcommittee questions quickly and quietly.

On May 27, 1976, Congressman Fraser responded with assurances that he would show respect for the privacy and religious freedom of Unification Church members, but less than a month later he "invited" Mr. Salonen to appear in a public hearing against unqualified and prejudiced "witnesses." Even without Mr. Salonen's participation, this format instigated a trial-by-media of the Unification Church, aggravated the existing religious intolerance toward Unification Church members, and made headlines for Congressman Fraser.

Unqualified Witnesses

Witnesses called by the subcommittee to testify in public session have been unqualified and irresponsible, and have made unfounded sensationalistic charges, using the subcommittee as a platform to play the media.

Robert Roland, who testified June 22, 1976 has no expertise in Unification Church affairs whatsoever, but has sought any forum possible to attack the Church because his wife joined the Church more than 10 years ago.

Chris Elkins who testified September 27 was an unstable Church member for several months, leaving and re-joining the Church on no less than four occasions. He held no posi-

tion of any stature in the Church, and his testimony is replete with falsehoods.

Allen Tate Wood and Jai Hyon Lee overstepped their areas of expertise to indulge in speculation, innuendo, and groundless allegations. The subcommittee let these smears pass unchallenged into the public record.

Press Leaks

The subcommittee has repeatedly leaked confidential information to the press in frequent violation of its own rules. *The New York Times* reporter Richard Halloran apparently obtained a copy of Unification Church President Neil A. Salonen's confidential testimony, given in executive session. Mr. Halloran quoted from this highly sensitive, private material in articles published by *The New York Times*.

An article published by the *Washington Star*, September 30, 1976, quoted subcommittee staff member Richard Manzy as its source for other leaked material from Mr. Salonen's confidential testimony.

Even less reputable publications, such as the U.S. Communist Party's *Daily World* have been privy to leaks of confidential information from "an aid to Representative Fraser."

Leaks to Church Opponents

On at least one occasion, portions of executive session testimony were shown to a private citizen who actively opposes the Unification Church.

Allen Tate Wood, making a media presentation against the Unification Church on radio station WOR in New York, referred to specific portions of Mr. Salonen's testimony before the subcommittee. He later admitted that he had been allowed to read portions of the testimony, even though he is a well-known opponent of the Unification Church.

Media Grandstanding

In repeated press releases, the subcommittee has referred to unspecified "evidence" of "operational ties" between

the Unification Church and the Korean government. Not one shred of this evidence has been shown to the Church or appeared in the press. No legitimate purpose can be served by feeding unsubstantiated allegations to the media, yet on May 2, April 4, and August 4, the subcommittee repeated its vague allegations in wildly reported statements and press releases. As a result the Unification Church has been unjustly maligned, and the chairman of the subcommittee has made headlines.

Use of Religious Affiliation As a Criteria for Inquiry

Members and former members of the Unification Church with no apparent relevance to the subcommittee's mandated area of concern have been contacted by subcommittee investigators and threatened with subpoena if they declined to cooperate. The subcommittee has refused to clarify its purpose in its pursuit of such individuals as Farley Jones, Sam Pell, Susan Bergman, Bob Sullivan. Therefore one can only conclude that the subcommittee is simply contacting members of the Unification Church indiscriminately.

Intimidation of Members' Parents

The father of one Church member was contacted by subcommittee "investigators" and ridiculed for approving of his child's membership. The conduct of the subcommittee staff in this and other instances had demonstrated that—far from being impartial investigators—staff members are actively working to damage the Unification Church.

Non-Pertinent and Unconstitutional Inquiries

In formal session, the subcommittee exceeded both its mandate from the House of Representatives and its authority under the Constitution in probing the personal and religious association of Dan Fefferman, director of the Unification Church in Chicago.

Our Response



Fraser had assured them that he would respect the Church and not infringe upon the rights or privacy of its members.

Three months later, however, Congressman Fraser invited Mr. Salonen to appear at a public hearing on the same day with three people all vehemently opposed to the Unification Church. Of course, Mr. Salonen refused to take part in such an unbalanced forum. Usually congressional committees have proponents and opponents of issues appear on different days. It was obvious that the hearing was arranged to put the Church and Mr. Salonen in a bad light before the media and general public.

A short time later, Mr. Salonen did appear before the Subcommittee in an executive session and answered all the questions asked of him. Mr. Salonen honored the Subcommittee by appearing of his own volition rather than under subpoena. However, this respect was not reciprocated. A few days later the Subcommittee broke its own rules and leaked selected portions of this confidential testimony to the press.⁴

This was only the beginning of the unfair and biased treatment that the members of the Unification Church were to experience as a result of Mr. Fraser's investigation.

Derwinski Speaks Out

To begin the formal investigation, Mr. Fraser had to receive permission from the full Committee on International Relations. Secondly, he had to receive approval from the Subcommittee on Accounts for his budget. Congressman Edward Derwinski, ranking minority member of the Subcommittee, reacted to the Chairman's proposal. On February 10, 1977, he wrote to Congressman Clement J. Zablocki, Chairman of the Committee on International Relations, concerning the work of Congressman Fraser:

Members of the Committee should fully understand that, in allocating \$365,500 for the Korean inquiry, we are paying a high price in terms of "opportunity costs." The Committee, and the House as a whole, now has \$365,500 less to spend on research and investigation into

Honorable Clement J. Zablocki
Chairman
Committee on International Relations
U.S. House of Representatives
Washington, D.C. 20515

Dear Clem:

As the minority Members of the International Organizations Subcommittee, we would like you to know of our concerns about the Committee's decision to grant our panel the authority to conduct a wide-ranging, unprecedented, 18-month probe of Korean-American relations.

Of paramount concern is the question of resources. As elected public officials, we must constantly ask ourselves: Have we intelligently matched resources with problems? Are the most compelling public matters receiving the attention they deserve? Astonishingly, as far as we can discern, this question has never been posed with respect to the Korean investigation.

Members of the Committee should fully understand that, in allocating \$365,500 for the Korean inquiry, we are paying a high price in terms of "opportunity costs." The Committee, and the House as a whole, now has \$365,500 less to spend on research and investigation into other problems in the international arena. For instance, could the above funds be more profitably invested in a rational, public evaluation of the military balance of forces in Central Europe, where important questions of war and peace hang in the balance? On another front, many believe our international nuclear energy control agencies are more likely to muffle rather than detect diversions of nuclear bomb material. Could not we benefit immeasurably from a thorough examination of a problem of such global import? These topics exemplify subjects that are commanding the attention of many knowledgeable American observers of the international scene who believe our national interests would be well served by a careful and public assessment of these issues.

In terms of human resources, there is no way of costing the time of Members will be asked to devote to the Korean investigation at the expense of other worthwhile subjects. The Committee staff, moreover, will be dedicating thirteen man-years of research to this project, or three times the man-years of research done by all research associates in all subcommittees in the past year. Is this expenditure of time, energy, and

⁴Part I of *Our Response*, "Subcommittee Violates Rules of U.S. Congress."

money truly justified by a redundant inquiry that will inevitably mimic — despite its sponsor's protestations to the contrary — concurrent investigations by the House Ethics Committee, the Justice Department and Securities Exchange Commission.

Although assurances have been given that this investigation will be conducted in an evenhanded and dispassionate manner, we must take exception to that contention, and call your attention to the proposed staffing arrangement for this special inquiry. Only one of the thirteen new positions is allotted to the minority. Such a ratio makes a mockery of any pretensions of objectivity. At the very least, the minority Members of this subcommittee should be supported by one fulltime consultant assisted by an investigator and researcher.

We might also consider the impact this duplicative probe will have on existing Congressional committees and subcommittees. We are thinking in particular of the office space problems an inquiry of this magnitude will create. The proliferation of select committees in recent years has been so great that long-standing committees are finding it impossible to satisfy the space needs of their own staff. Given these circumstances, Congress would be well advised to require from the proponents of any special inquiry a space impact statement that would be treated as an important and integral part of their overall justification for an investigation

As we indicated when we recently debated the wisdom of this probe, we shall abide by the full Committee's wishes on this matter and be as objective and hardworking as possible in discharging the subcommittee's mandate. We felt obliged to make, however, the above points in our capacities as minority Members of the International Organizations Subcommittee.

Sincerely,
Edward J. Derwinski
Member of Congress
William F. Goodling
Member of Congress

EJD-WFG:nls
cc: Honorable William S. Broomfield
Honorable Frank Thompson, Jr.
Honorable William L. Dickson

other problems in the international arena. For instance, could the above funds be more profitably invested in a rational public evaluation of the military balance of forces in Central Europe, where important questions of war and peace hang in the balance?...

The Committee staff, moreover, will be dedicating thirteen man years of research to this project, or three times the man years of research done by all research associates in all subcommittees in the past year. (Emphasis added)



Is this expenditure of time, energy, and money truly justified by a redundant inquiry that will inevitably mimic—despite its sponsor's protestations to the contrary—concurrent investigations by the House Ethics Committee, the Justice Department and the Securities Exchange Commission.⁵

On March 2, 1977, Mr. Derwinski presented a statement to the Subcommittee on Accounts, House Administration Committee, which raised other serious points.

This unusual request for a wide-ranging, freewheeling probe of Korean-American relations calls for our Subcommittee to depart markedly from our normal business and sponsor an inquest that gives every indication of becoming a witch-hunt far from practical relevance to the activities of an International Relations Subcommittee...

...Furthermore, as I noted earlier, it can be argued that Mr. Fraser has already made his point, and that any additional effort will be either counterproductive to our interests, or at

⁵Rep. E. Derwinski to Rep. C. Zablocki, February 10, 1977.

A Biased Investigation

Our Response



best of marginal value. Nevertheless, if you conclude that he must persist in an inquiry driven by an obsession, why not limit the time frame and ask him to perform the task with his current staff and within the parameters of his normal budget, or at least one not calling for so many people with the resulting costs...⁶

Bias in Staff Hiring

Congressman Derwinski's concern for a fair and unbiased investigation was voiced again on the issue of balance in hiring staff for the investigation. In his February 10 letter to Chairman Zablocki, he wrote:

...Although assurances have been given that this investigation will be conducted in an evenhanded and dispassionate manner, we must take exception to that contention, and call your attention to the proposed staffing arrangement for this special inquiry. Only one of the thirteen new positions is allocated to the minority. Such a ratio makes a mockery of any pretension of objectivity. At the very least the minority should be supported by one full-time consultant assisted by an investigator and a researcher.⁷

The minority (Republicans) were in the end only to receive one staff member for the investigation. Because of this it was impossible for them to be in more than one place at one time. The majority investigators (Fraser's handpicked people) were able to steer and sway the tone and direction of the investigation in whatever way the Chairman desired. It was discovered by Walter Riley, a Washington reporter, that "cronism" was being practiced by the Subcommittee staff.

According to the same April 4 documents, at least three members of the Subcommittee staff had previously worked on commissions or committees with the deputy staff director, Michael J. Hershman... Since the "report" states applicants were first rec-

STATEMENT OF HONORABLE EDWARD J. DERWINSKI
BEFORE SUBCOMMITTEE ON ACCOUNTS
HOUSE ADMINISTRATION COMMITTEE, MARCH 2, 1977

Mr. Chairman,

As ranking minority member of the International Organizations Subcommittee, I want to thank you and the other members of the Subcommittee on Accounts for the opportunity to express my opinion of the budget resolution now before you. "This unusual request for a wide-ranging, free-wheeling probe of Korean-American relations calls for our Subcommittee to depart markedly from its normal business and sponsor an inquest that gives every indication of becoming a witch-hunt far from practical relevance to the activities of an International Relations Subcommittee."

It is my understanding that concurrent investigations will be carried out by the House Ethics Committee, the Justice Department, and the Securities and Exchange Committee, and I expect appropriate interest in this subject by the Senate subcommittees. I have no objection to our Subcommittee continuing its review of U.S.-Korean relations as we have done over the past four years, but this substantial staff increase with resultant costs is unnecessary.

Mr. Fraser claims this investigation will help us "identify and correct sources of discord" between Korea and the United States. This sounds good, but let's think about it for a moment. Have we not already identified the source of the discord? After all, the spotlight has been on these matters now for quite a while. In terms of diminishing or correcting the reported abuses, most of which remain unsubstantiated, is it not reasonable to argue that what has been unearthed to date has already made the point, both with the Koreans and others?

In pondering the wisdom of this inquiry, one must also evaluate its foreign policy implications. Why are we picking on South Korea over the other countries we have similar relations with? Is singling out one of our few solid Asian allies really called for, especially when it could provoke a series of deeply destabilizing events affecting both the security of our remaining troops in South Korea and the stability of the Far East generally?

⁶Statement of Rep. Derwinski before Subcommittee on Accounts, House Administration Committee, March 2, 1977.

⁷Derwinski letter.



As I indicated when we recently debated the wisdom of this probe within the International Relations committee, I believe Mr. Fraser's intentions are high-minded. The purity and genuineness of one's intentions, however, is never, by itself, enough. As moral philosopher's never tire of reminding us, moral intentions cannot be divorced from their consequences. Furthermore, as I noted earlier, it can be argued that Fraser has already made his point, and that any additional effort will be counterproductive to our interests, or at least of marginal value. Nevertheless, if you conclude that we must persist in an inquiry driven by an obsession, why not limit the time frame and ask him to perform the task with his current staff and within the parameters of his normal operating budget, or at least one not calling for so many people with the resulting cost.

However, if you do decide to augment the present staff, I trust you will be sensitive to the needs of the minority. Although assurances have been given that this investigation will be handled in an evenhanded and dispassionate manner, I call your attention to the lopsided staffing arrangement proposed for this special inquiry. Only one of the thirteen new positions is slotted for the minority. Such a ratio makes a mockery of any pretensions of objectivity. In keeping with common practice, 1/3 of whatever staff is decided upon should be working for the minority.

As I indicated earlier, our Subcommittee has had an ongoing interest in U.S.-Korean relations. As ranking minority member, I am pleased to cooperate with Mr. Fraser, subject to whatever legitimate differences of opinion exist between us. However, there are many other subjects within the legitimate jurisdiction of our Subcommittee, and I wish to give them equally legitimate attention, and whenever possible, utilize existing committee staff.

commended by the staff director, Robert B. Boettcher, to Deputy Hershman for interview, obviously the question arises, how did Hershman's former associates get recommended in the first place? No one will answer!

Casual conversations with the majority of the Subcommittee staff members revealed only two of those interviewed had an open mind and unbiased view toward South Korea.⁸

Congressman Flynt's Warning

Despite the protestations of Mr. Derwinski and others, Congressman Fraser was given the time and the money to begin his investigation. Initially, he was given 18 months and \$300,000.⁹ Before he would finish the investigation a total of \$685,000 would be expended on the investigation.

The investigation of Korean-American relations began officially on February 3, 1977. As we shall see, the probe exhibited strong political bias against both Reverend Moon and South Korea from its beginning. In this context, it is interesting to note remarks made by the Honorable John J. Flynt, Chairman of the House Committee on Standards of Official Conduct ("Ethics Committee"). Upon opening his hearings on "Koreagate" on October 19, 1977, he issued the following warning. Quoting Supreme Court Justice Robert H. Jackson, Mr. Flynt warned against the person who would:

pick people that he thinks he should get, rather than pick cases that need to be prosecuted. With the law books filled with a great assortment of crimes a prosecutor stands a fair chance of finding at least a technical violation of some act on the part of almost anyone... In such a case, it is not a question of discovering the commission of a crime and then looking for the man who committed it. It is a question of picking the man and then searching the law books, or putting investigators to work, to pin some offense on him... the real crime becomes that of being unpopular with the

⁸"Cronyism Surfaces in House Probe Unit," *Dateline Washington*, 1978.

⁹Committee Resolution, "Instructing the Subcommittee on International Organizations to inquire into certain matters respecting relations between the U.S. and the Republic of Korea," 95th Congress, 1st Session, February 2, 1977.

governing group, being attached to the wrong political views.¹⁰

It appears that Congressman Fraser did not read these words before he began his investigation, because he immediately did the very thing that Congressman Flynt and Justice Jackson warned against. He picked the country, he picked the man and then began searching the law books and sending out investigators to pin out the offenses.

False Standards

In Subcommittee terminology, allegations, rumors and innuendos were substituted for proof of guilt. Opponents of Korea and the Unification Church were accepted as expert witnesses, despite questionable credentials, while anyone pro-South Korea or a member of the Church became highly suspect.

The investigation began based on the concept "you are guilty until proven innocent," the concept of "picking the person you want to get," together with the misleading terminology of the Subcommittee. On April 4, 1977, Congressman Fraser made this statement:

We have evidence that American followers of Reverend Moon are taught to accord extraordinary reverence to South Korea, have been assigned to lobby in Congress for South Korean interests, have been assigned to work in election campaigns for candidates favored by Reverend Moon, and have been given briefing at the headquarters of the KCIA in Seoul.¹¹

This was among the list of other allegations for which the Congressman said he had evidence. He continually baited the press with this kind of innuendo but never produced any incriminating facts to back up his claim. At the conclusion of the investigation, however, Mr. Fraser had to admit that the Unification Church and Reverend Moon were not agents of influence for the Korean Government.

Biased Investigators

To prove his allegations, Mr. Fraser sent his investigators out to gather facts. This was the beginning of repeated heavy-handed attempts to prove the Chairman's allegations. Throughout the investigation, the rights of Unification Church members were

¹⁰U.S. Congress, House, Committee on Standards of Official Conduct, Korean Influence Investigation, 95th Congress, 1st Session, Part I, Hearings of October 19, 20 and 21, 1977 (Washington, Government Printing Office, 1977), Rep. John J. Flynt, opening statement, p. 6.

¹¹Statement by the Subcommittee on International Organizations Investigation of Korean-American Relations, April 4, 1977.

STAFFING THE INVESTIGATION

The Subcommittee has received resumes from 174 persons. 80 applicants have been interviewed for 13 positions. Applicants were interviewed first by the Staff Director, then by the Deputy Staff Director if recommended by the Staff Director. The Director and Deputy determined through consultations which applicants were then checked; persons acquainted with applicants, but not listed as references, were also contacted. In some cases a third interview was held, conducted jointly by the Director and Deputy. Applications still under consideration were discussed with the Subcommittee Chairman who made decisions to hire, pending concurrences by a majority of the Subcommittee members. The staff is designed to be compact, tightly organized, and highly professional, in the belief that effectiveness can be ensured through a small number of hardworking, dedicated individuals cooperating in a team effort.

Personnel and Job Descriptions

Staff Director - Supervises the entire staff, carries out instructions of the Chairman and the subcommittee; serves as principal point of contact between the subcommittee and the staff; handles contacts with the press.

Robert B. Boettcher - age 36; Staff Consultant, Subcommittee on International Organizations since 1971; Foreign Service Officer, Department of State, 1966-71, with service in Japan, Vietnam and Washington; MS, Georgetown University; BA, Auburn University.

Deputy Staff Director - Assists the staff director in overall supervision of the staff; functions as chief investigator with direct supervision over the work of the investigators subject to the approval of the staff director; handles contacts with the press (jointly with staff director)

Michael J. Hershman - age 31; formerly Chief Investigator, Federal Election Commission; investigative experience with

National Wiretap Commission (chief investigator), Senate Watergate Committee, New York City and State investigations of police and judicial corruption; US Army counterintelligence agent in Germany; degree in criminal justice, City University of New York.

Minority Consultant - Monitor and represent minority interests; serves as principal point of contact with the ranking minority members and other minority members of the subcommittee; fully integrated with the staff of the investigation under the supervision of the staff director.
(Position unfilled)

Investigators - Collect and analyze data; conduct interviews in Washington, throughout the United States and in foreign countries; write case reports; seek, recommend and prepare witnesses for hearings (Preferably, have qualifications in two or more of the following: professional investigative work, international relations, the legal profession, accounting, Congressional staff work, and Korea).

Howard T. Anderson - age 30: formerly New Jersey Deputy Attorney General (Special Prosecutions, Division of Criminal Justice); law degree from Harvard University; Ab in government from Dartmouth College.

Edward T. Baker - age 34; worked in Korea six years as Peace Corps Volunteer, teacher, and Fulbright research scholar; speaks Korean and Japanese; Phd candidate in Korean studies, Harvard University law degree from Yale University.

Gordon L. Freedman - age 25; investigator for Senate Watergate Committee and House Subcommittee on Manpower and Civil Service; degree in communications theory from Michigan State University.

Martin J. Lewin - age 27; GAO Office of General Counsel; Special Projects Unit, Interstate Commerce Commission; law degree from University of Pennsylvania; accounting degree from Wharton School, University of Pennsylvania.

violated. Members and former members were indiscriminately contacted by the investigators and threatened with subpoena if they declined to cooperate. One Church member's father reported that he was contacted by the Subcommittee and ridiculed for supporting his daughter's membership in the Church.¹² The Subcommittee also went to anti-Unification Church groups and worked hand in hand with them in an attempt to discredit the Church and Reverend Moon and gain publicity for the investigation. The "unbiased and fair" investigators even attended a reception in honor of Mrs. Daphne Greene, a "deprogramming" advocate and one of the chief opponents of the Unification Church.¹³ The Church protested these intrusions, biases and heavy-handed tactics, but to no avail, for they were to continue on to the very end of the investigation.

¹²This information was obtained from confidential conversation between the authors and a Unification Church member.

¹³"Cocktails and Moon Talk," *Washington Post*, May 17, 1978.

Fred J. Rayano - age 41; formerly Assistant Chief Investigator, Federal Election Commission; sixteen years experience as investigator, including New York City Police Department, New York State Special Prosecutor's Office (as only NYC police official selected to investigate NYC police corruption); four years as patrolman, NYC police; candidate for degree in criminal justice, City University of New York.

Research Coordinator - Research and analyze data as assigned by Staff Director; maintain a central data bank; provide information relevant to the investigation by regular reading of books, periodicals, reports and other publications; write reports; supervise the research work of research assistants.

William Garvelink - age 27; volunteer staff member, office of Rep. Donald M. Fraser; history instructor at University of Minnesota and University of North Carolina; PhD in international relations from University of North Carolina.

Research Assistants - Conduct research; write reports, draft correspondence; typing and filing.

Stephen M. Blush - age 28; professional research experience at Boston College and Educational Testing Service; MA in sociology from Boston College; AB in social anthropology from University of California.

Sue Slotnick - age 22; researcher-writer for SANE (author of published study on US relations with South Korea); degree in international relations from University of Michigan.

Administrative Officer - Responsible for payroll, travel arrangements, bookkeeping, payment of accounts, security of sensitive and classified materials; serves as secretary to staff director and deputy staff director; supervises the secretarial work of research assistants.

Beverley C. Lumpkin - age 28; administrative assistant to Chief Investigator, Federal Election Commission; experience as legal and executive secretary in Washington and Richmond, Va.



CRONYISM SURFACES IN HOUSE PROBE UNIT

By
Walter Riley

"What a can of worms you're going to stir up there!"

A Capitol Hill source exclaimed after being informed this column was investigating the staffing of the House Subcommittee on International Organizations. The subcommittee chairman is Rep. Donald M. Fraser (DFL-Minn).

The prophecy became reality when subcommittee deputy staff director Michael J. Hershman attacked this column's credibility. It brought to mind the smear tactics of the McCarthy era. The subcommittee methods of operation are not dissimilar to those of the late Senator Joe McCarthy's committee.

There is one change, however. A well remembered question used to be: "Are you now or have you ever been a member of the Communist Party?" Today, the only difference is: "Are you now or have you ever been a member of Rev. Moon's Unification Church?"

Mr. Hershman accused the writer of being a member of Rev. Moon's Unification church and being on the Moon church payroll. (The writer considers himself a good Catholic, however, Monsignor Foley of St. Bernadette's may not always agree with him. Further, this writer certifies he is **not** now nor has he ever been on the Moon payroll.)

It seems Mr. Hershman was disturbed about previous columns of this writer which exposed another side to the anti-South Korea story. The columns were well documented from the subcommittee's own records as well as other House of Representatives' records. The columns questioned the motivations, sincerity and political affiliations of "liberal" Congressman Donald Fraser (DFL-Minn).

During an angry tirade, Mr. Hershman threatened the writer with a subpoena and said he was going to instruct every member of his staff not to talk to this columnist and to hang up on

any telephone calls. These instructions are now in effect.

Despite Mr. Hershman's threats and news embargo, this column was able to ferret out the questionable \$2,000 subcommittee consultant contracts given to anti-South Korea witnesses and Mr. Fraser's own confusing office payroll transactions that have been reported in earlier columns.

A Committee on International Relations' document entitled "Staffing the Investigation," dated April 4, 1977, contains some very revealing information as to how the Fraser Subcommittee on International Organizations was staffed for the so-called "full and complete" investigation of Korean-American relations. One "Report" stated:

"The subcommittee has received resumes from 174 persons. Eighty-nine applicants have been interviewed for 13 positions. Applicants were interviewed first by the staff director, then by the deputy staff director if recommended by the staff director. The director and deputy determined through consultations which applications to consider further.

"References listed by applicants were then checked; persons acquainted with applicants, but not listed as references, were also contacted. In some cases a third interview was held, conducted jointly by the director and deputy. Applications still under consideration were discussed with the subcommittee chairman (Fraser) who made decisions to hire, pending concurrence by a majority of the subcommittee members."

The first set of questions Congressman Fraser, his office staff subcommittee staff refused to answer:

"How did you interview 89 persons twice and some three times, check references, find acquaintances not listed by applicants, in only 17 working days from March 9, 1977 when the House of Representatives approved

Resolution 319 until April 4, 1977, the date of release of the 11 page report How did you select the 11 hired of those 13 important positions? Who did the investigating, the director and deputy? What kind of security checks were conducted? By whom?

The second set of questions dealt with the personal relationships between Chairman Fraser, subcommittee staff director and/or deputy with any of the eleven hired. Did you know any of the eleven previously? Have you ever worked for any organization with any of the eleven without knowing them?"

Again, Fraser, his office staff and the subcommittee staff refused to answer.

According to the same April 4 documents, at least three members of the subcommittee staff had previously worked on commissions or committees with the deputy staff director, Michael J. Hershman. They are Gordon L. Freedman from the Senate Watergate Committee, Fred J. Rayano of the Federal Election Commission and Beverley C. Lumkin also of the Federal Election Commission.

Since the "report" stated applicants were first recommended by the staff director, Robert B. Boettcher, to Deputy Hershman for interview, obviously the question arises, how did Hershman's former associates get recommended in the first place? No one will answer!

Casual conversations with the majority of the subcommittee staff members revealed only two of those interviewed had an open mind and unbiased view toward South Korea.

When Chairman Fraser and the clear majority of his own hand-picked subcommittee staff are openly prejudiced against South Korea, how can taxpayers expect a fair and honest "full and complete" investigation of Korean-American relations?

Our Response



General Kim Hyung Wook Testifies

The first public witness called before the Subcommittee was Kim Hyung Wook, General, and former director of the Korean Central Intelligence Agency. General Kim was one of the key witnesses brought forward to testify before the Subcommittee. He had defected from Korea and had come to the United States to live. He was given a great deal of respect by the Subcommittee. However, his testimony regarding members of the Unification Church only confirmed the Church's contention that any relationship to the Korean government has always been aboveboard and proper.

Based on the testimony of what the Subcommittee termed one of its key witnesses, it appears that Reverend Moon not only had no relationship with the Korean government as late as 1973; he, in fact, was not even well-known in circles of influence. This statement for obvious reasons was not circulated by Fraser's staff, which was later to release false information to the press that the Unification Church had been founded and organized by the Director of the KCIA.¹⁵

Next, we refer to the same testimony regarding Mr. Bo Hi Pak, Special Assistant to Reverend Moon and President of the Korean Cultural and Freedom Foundation.

To anyone reading his testimony, it becomes quite clear that the only relationship Mr. Pak had with the KCIA was completely legitimate and aboveboard. Of course, this testimony as well was not publicized by the Fraser staff.

Being a defector from the Korean government and an outspoken critic of its policies Gen. Kim had no reason to protect Reverend Moon or Mr. Pak if they were government agents. Gen.

¹⁴U.S. Congress, House, Subcommittee on International Organizations, Committee on International Relations, Investigation of Korean-American Relations, Part I, 95th Congress, 1st Session, Hearings of June 22, 1977 (Washington, Government Printing Office 1977), p.27.

¹⁵"Moon Church Founded by Korean CIA Chief as Political Tool, Panel Says," *The Washington Star*, March 16, 1978.

¹⁶U.S. Congress, House, Subcommittee on International Organizations, Committee on International Relations, 95th Congress, 1st Session, Part I, Hearings of June 22, 1977, pp. 27-29.

General Kim Hyung Wook Testifies

Mr. Derwinski: In your statement you had a brief reference to the Unification Church and the Reverend Sun Myung Moon. I would like to ask a few questions on that general topic. First, General, I am looking specifically at your statement on page 17, the English text where you state, "We knew that Reverend Moon was isolated from Korean intellectual circles." Could you in any way elaborate or clarify that statement?

General Kim: Briefly speaking, even as Director of the KCIA I was not aware of his name. Even at the time when I left Korea in April, 1973, even at that time I was not aware of the name of Sun Myung Moon. Only upon my arrival in the United States I heard of his name...¹⁴

Mr. Derwinski: In what capacity or in what fashion?

General Kim: There is a choral group called the "Little Angels." Mr. Pak told me that he had problems in obtaining passports for the members of the troupe to tour in the United States, because of the difficulty in clearing their personnel; and he told me that the members of this group consisted of orphans. In Korea, children of parents who have either been members of the Communist Party or its affiliates are prohibited legally from going abroad; and therefore, since these members are orphans their identities cannot be cleared easily by the police. The two gentlemen who came to see me told me that the performance of this group would enhance national prestige overseas and it was a great undertaking. So I helped them with the procedures of the clearance and helped them to go abroad. Once this was done, they did not encounter any further problems of a similar nature for the trips overseas...

Mr. Derwinski: Just one or two questions to clarify. General, why did Mr. Pak Bo Hi and his associates come to you, rather than to the information officials at the time they needed support for their radio (projects)?

General Kim: Because anti-Communist propaganda activities came under my jurisdiction, of the KCIA, and, of course, I was in a position of influence...

Mr. Derwinski: Now again, I have to go back to Mr. Pak Bo Hi. Was he at the time he was stationed in the Embassy as military attache, required in any way to report to the KCIA?

General Kim: No. He belonged to the Joint Chiefs of the Armed Forces.

Mr. Derwinski: But in that position, is it expected and/or required that a man in such a position give whatever cooperation is expected by the KCIA?

General Kim: The military attache came under the jurisdiction of the National Defense Ministry.¹⁶

False Information Propagated by the Press

that the Unification Church had been founded
and organized by the Director of the KCIA

“The Rev. Sun Myung Moon’s Unification Church was founded by a director of the Korean Central Intelligence Agency, Kim Chong Pil, as a political tool in 1961, according to intelligence reports released by a House investigating subcommittee

The first mention of the Unification Church, which has denied any connection with the Korean government, came in a United States Central Intelligence Agency report dated Feb. 26, 1963, stating from an undisclosed source that, “Kim Chong Pil organized the Unification Church while he was director of the ROK (Republic of Korea) Central Intelligence Agency, and has been using the church, which has a membership of 27,000, as a political tool.”

On the Unification Church, an intelligence report said: “Members of the church are actively engaged in increasing membership in farming villages. The church apparently has considerable money, because it pays influential people in the villages a substantial sum for joining the church.”

FOLLOWERS OF MOON in the United States became controversial for their lobbying in the early 1970s, allegedly in favor of South Korea, and for their efforts, reportedly at the direction of Seoul, to prevent the impeachment of President Nixon.

The reports further said that the Korean Cultural and Freedom Foundation, founded in 1955, was a forerunner to a Unification Church branch in the United States.

The subcommittee released many other documents tracing the founding and expansion of the foundation—which eventually claimed former Presidents Harry S. Truman and Dwight D. Eisenhower as honorary chairmen—into a KCIA front for fund-raising and lobbying efforts.”

Our Response



Kim was director of the KCIA from 1963 until 1969 and if there was any secret or other relationship between Reverend Moon, his associates and the government, Gen. Kim would have been one of the first to know. His testimony makes it clear that he knew of no such relationship.

Mr. Dan Fefferman Subpoenaed

The summer of 1977 passed with the Subcommittee mostly involved in behind the scenes investigations. In August, 1977, Mr. Dan G. Fefferman was subpoenaed to testify before the Subcommittee. He appeared only after asserting that he protested the heavy-handed and biased ways of the investigation. Mr. Fefferman was Secretary-General of the Freedom Leadership Foundation from December, 1973 until December, 1976. (The FLF is a tax-exempt educational organization dedicated to developing the standards of leadership necessary to advance the cause of freedom in the struggle against Communism.) Mr. Fefferman gave testimony and answered all questions that related to Mr. Fraser's stated purpose for subpoenaing him, which was supposedly to determine the validity of allegations that organizations associated with Reverend Moon were connected with the Korean government.¹⁷ In areas of personal association, beyond the question of Korean-American relations, however, Mr. Fefferman would answer no questions. The questioning went on for two days after which Mr. Fraser threatened that Mr. Fefferman be charged with contempt of Congress for refusing to answer questions regarding his association with American citizens who had no known connection to Korea.

This flagrant misuse of power to intimidate Mr. Fefferman did not produce the desired effect. He stood on the grounds of freedom of association guaranteed in the First Amendment. Legally, Mr. Fraser had overstepped his bounds. As the Supreme Court states in *Watkins v. United States*:

The mere summoning of a witness and compelling him to testify against his will about his beliefs, expressions or associations is a measure of governmental interference and when those forced revelations concern matters that are unortho-

Statement By Dan G. Fefferman Former FLF Secretary-General

My Name is Dan Graydon Fefferman. I am twenty-eight years old, and have been a member of the Unification Church for eight years. I come from a culturally Jewish, religiously agnostic family. However, when I was 19 years old I had a personal experience with Jesus Christ. This began a series of life-changing events that culminated a year and a half later when I was invited to hear the teaching of the Reverend Sun Myung Moon, which I believe is an important new message from God for all mankind.

After joining the Church I moved into a center with other Church members and spent two years witnessing and teaching the Divine Principle while concluding my undergraduate studies in political science at the University of California at Berkeley. After graduating, I joined the staff of the Freedom Leadership Foundation, a non-profit educational organization working to advance the cause of freedom in the struggle against totalitarian Communism. Later, in 1974, I served as executive director of the National Prayer and Fast Committee, a nationwide religious crusade for prayer and repentance during the Watergate crisis. I am currently serving as the director of the Unification Church center in Chicago.

About three weeks ago, I received a subpoena from the House Subcommittee of International Organizations chaired by Congressman Don Fraser. The subcommittee is investigating the relationship between Korea and the United States.

On two separate occasions, Mr. Fraser's subcommittee required me to leave my work in Chicago and give lengthy testimony in Washington, D.C. My testimony lasted more than five hours. I attempted to be cooperative in explaining anything I knew about relationships between myself, the organizations with which I am associated, and the Korean government. However, Mr. Fraser persisted in asking questions about the internal business of my church and my personal and religious associations. I believed these questions to be an invasion of the privacy of myself and my associates. After consulting with counsel, my decision was to refuse to answer these questions.

I felt very strongly that the questions pressed by the Subcommittee constitute a government invasion of my religious and associational liberties. Because I believe so strongly that the State should not conduct inquisitions into any person's religious beliefs and associations, I was bound by my conscience and by principle to decline to answer. I did so to protect my own freedom, to protect the freedom of other members of the Unification Church, and ultimately to protect the freedom of all religious believers in our country.

I do not believe this is contempt of Congress. It is a conscientious stand for the freedoms granted by the Constitution of the United States. It is unfortunate indeed that the Subcommittee feels so threatened by my exercise of my First Amendment rights that it now seeks to jail me as a prisoner of conscience. (I would like here to point out that my decision is entirely my own. I do what I do because I believe it is right, not because the Unification Church has told me to do so.)

Also, according to the *Washington Post* and *New York Post*, the chairman of the Subcommittee told the press that I refused to answer questions about links between the Korean CIA and the organizations with which I am associated. As I indicated before, this allegation is absolutely untrue. I answered every question which had anything to do with connections between myself, the organizations to which I belong, and the Korea government. The questions I refused to answer had nothing at all to do with any "Korean connection." I challenged the Subcommittee chairman to demonstrate the pertinency of his questions. However, his response did not, in my view, supply any justification for an imposition on my First Amendment rights. I trust that the full House Committee on International Relations will not uphold the subcommittee's recommendation that I be cited for contempt.

The subcommittee's legitimate interest in the KCIA does not give it carte blanche to probe every aspect of the life of every member of the Unification Church. The subcommittee's action in seeking a contempt citation against me is easily comparable to the abuses of the late Senator Joseph McCarthy.

Regardless of the outcome—even if I have to go to jail—I have no regrets. My refusal to cooperate with the subcommittee's inquisition is a matter of conscience and principle—not based on anything I have to hide. I stand not on the Fifth, but on the First Amendment.



dox, unpopular, or even hateful to the general public, the reaction in the life of the witness may be disastrous.¹⁸

It is important to note that Mr. Fefferman did not claim that the First Amendment provided him with an excuse to shield him from giving testimony of any kind. What he did claim, however, is that when an investigation intrudes into the constitutionally protected areas as basic as these, the body conducting the inquiry must show an overriding and compelling need for the testimony. Mr. Fraser failed to show this need, and, after first stating the contrary to the news media, did not pursue the contempt charge.

Mr. Bo Hi Pak Fights Back

January began a new session of Congress, and each committee and subcommittee chairman submitted a budget for approval. Congressman Fraser requested and received \$385,000 additional dollars for the investigation of Korean-American relations conducted through October 31, 1978.

To put this event into perspective, 1978 was an election year, and the cloud of "Koreagate" was still hanging over the Congress. Members of Congress wanted the scandal cleared up and no one desired to hinder the investigation in the face of the upcoming election. Thus, Congressman Fraser had little problem in securing a total of \$685,000 for his investigation, despite a parallel investigation by the House Ethics Committee.

The investigation began in earnest as the new year opened. On March 22, 1978, Mr. Bo Hi Pak was called to testify. By this time Mr. Fraser's design

¹⁷U.S. Congress, House, Subcommittee on International Organizations, Committee on International Relations, Investigation of Korean-American Relations, Part 2, 95th Congress, 1st Session, Hearings of July 28 and August 3, 1977, p. 1.

¹⁸Supreme Court, *Watkins v. U.S.*, 354 U.S. 178, 197 (1958).



to discredit and somehow implicate the Unification Church with the Korean scandal was obvious. Mr. Pak, realizing this, did not go to the hearings like a lamb to the slaughter.

Mr. Pak appeared before the Subcommittee on four separate occasions, March 22, April 11, April 20, and June 20. The hearings were more than just question and answer sessions; they were structured to have the greatest media impact so that the Chairman could get headlines and place himself more visibly into the public arena.



The Showdown

Col. Pak Courageously Refutes



The Fraser Allegations



Our Response



Who Founded the Unification Church?

On March 5, 1978 Mr. Fraser had released to the press a document alleging that Jong Pil Kim, Director of the KCIA in 1961, founded the Unification Church.¹⁹ Mr. Fraser's "hard evidence" (using Subcommittee terminology) was an unevaluated and tentative report on file with the CIA. As Mr. Pak pointed out, the Church was actually founded by Reverend Moon in 1954. Mr. Pak himself joined in 1957, and by 1958 and 1959 the Church had sent missionaries to Japan and the United States, respectively.²⁰

Mr. Fraser had \$685,000 and 13 investigators with which to discover these facts. Either he and his staff were incompetent, or they were so hungry for headlines that they intentionally distorted the facts to get publicity.

As one might expect, Mr. Fraser's "revelations" indeed generated instant headlines. The *Washington Star* reported on its front page "Moon Church founded by KCIA Chief as Political Tool, House Panel Says."²¹ The same story was carried by *The New York Times* news service throughout the country and eventually became banner headlines in Japan.

The Church protested adamantly, but despite evidence that the Subcommittee knew its information was in error,²² at the time they refused to do anything whatsoever to correct the record. Thus, an unfounded rumor came to bear the stamp of the U.S. Congress, at the expense of the Unification Church and to the glory of Congressman Donald M. Fraser.

The Sex Cult Rumor

On April 11, Mr. Pak again testified. This time he responded to an even more vicious attack, not only against the Unification Church, but

¹⁹U.S. Congress, House, Subcommittee on International Organizations, Committee on International Relations, Investigation of Korean-American Relations, Supplement to Part 4, 95th Congress, 2nd Session, Hearings of March 15, 16, 21 and 22, 1978, p. 458.

²⁰Frederick Sontag, *Sun Myung Moon and the Unification Church*, Abingdon Press, Nashville, Tennessee, 1977, pp. 79-80.

²¹"Moon's Church Founded by Korean CIA Chief as Political Tool, Panel Says," *The Washington Star*, March 16, 1978.

²²Fraser final report, p. 354.

Chicago Tribune

March 27, 1978

against Mr. Pak's own moral character. On March 27, 1978, a headline in the *Chicago Tribune* stated "Moon Church Traced from Sex Cult."²³ It read:

Once-secret government files released by a House Subcommittee traced the so-called "Moonie" Church from its origins as a small-time Korean sex cult to a worldwide organization operated by the Korean Central Intelligence Agency...

Diplomatic cables said that the Church patriarch, the Reverend Sun Myung Moon headed a Korean cult that "interprets the Bible in sexual terms..." The author of the cable quoted Thomas Chung, president of the Korean Students' Association in Washington, as saying: "Colonel Pak was in trouble because he had attempted to initiate into his Church (i.e. to have sexual relations with) the wife of a visiting ROK (Korean Government) official (either the Minister of National Defense or the Chief of Staff)."

Mr. Pak responded:

Mr. Chairman, when I read this article my mind and body were consumed with anger. What would happen to your reputation if someone published such lies about you? You lose everything when you lose your honor.

I never claimed to be a perfect individual, without fault or error. I am subject to honest mistakes and misjudgments, just like everyone else. But there is one subject on which my conscience is absolutely clear. I have always lived in direct accordance with my moral principles.

After I read this article in the *Chicago Tribune*, I called Dr. Thomas Chung in Seoul, Korea. He was absolutely shocked by this report. He told me he never said such slanderous lies to anyone, let alone a U.S. intelligence agent. He said the report was absolutely unfounded and malicious and he had no reason to say such things. He gave me his telephone number. Why don't you place a call to Dr. Chung right now, in the public eye and let them wit-

Moon church traced from sex cult

By James Coates
Chicago Tribune Press Service

WASHINGTON—Once-secret government files released by a House subcommittee trace the so-called "Moonie" church from its origins as a small-time Korean sex cult to a worldwide organization operated by the Korean Central Intelligence Agency.

The documents—soon to be the subject of public hearings—indicate the Unification [Moonie] Church was used by the Korean government as part of a lobbying effort in the U.S. Congress.

Diplomatic cables said that the church patriarch, the Rev. Sun Myung Moon, headed a Korean cult that "interprets the Bible in sexual terms." The KCIA decided to use Moon in a scheme that grew to include other Koreans bribing congressmen, the documents said.

A U.S. CENTRAL Intelligence Agency report, marked "unevaluated" and written in February, 1963, said that Lt. Col. Bo Hi Pak of the Korean army was working to expand the church into Washington under the direction of Kim Chong-p'il, the director of the KCIA.

A cable sent to Washington from the American Embassy in Seoul on Aug. 26, 1966, describes an initiation ceremony for the church involving sexual relations. The cable said the church refers to such initiation as "baptizing."

The author of the cable quoted Thomas Chung, president of the Korean Students' Association in Washington, as saying: "Colonel Pak was in trouble because he had attempted to initiate into his church [i.e. to have sexual relations with] the wife of a visiting ROK [Korean government] official [either the minister of national defense or the chief of staff]."

THE CABLE continued: "According to Chung, the matter had been hushed up, but only with difficulty, and Pak had nearly lost his job because of it."

That cable also quotes another intelligence source: "He said that the church interprets the Bible in sexual terms and

maintains that religious experience is interrelated with sex. MUN Son-myong [sic], leader of the church, was once arrested because of the sexual practices of the organization."

Spokesmen for Moon have acknowledged that the religious leader was arrested but maintained he was cleared of the charges.

The 1963 CIA document explained that the Korean intelligence agency planned to open a branch of the Unification Church [also called Tong Il] in Washington with Bo Hi Pak as the real leader.

PAK WAS to organize the church in America, the CIA report said, through an organization called the Korean Cultural and Freedom Foundation. The authors of the CIA in-house reports said their sources disclosed in 1963 that the KCIA chief, Kim Chong-p'il, was using the church to advance his own political moves in Korea. The KCIA director was a ringleader in the coup that installed Park Chung Hee as President.

Summaries of other top-secret U.S. intelligence reports released by Rep. Donald Fraser [D-Minn.] indicate that in 1970 President Park Chung Hee launched a plan to use the Unification Church as part of the Korean effort to stop the U.S. from pulling troops out of the country.

One summary said that President Park planned to use Bo Hi Pak to operate lobbying efforts through the church while the millionaire socialite, Tongsun Park, focused his efforts on entertaining members of Congress and passing out gifts.

IN THE FINAL months of the Nixon administration, the Unification Church held vigils outside the White House to oppose impeachment moves. Other Moonies walked the halls of Capitol Hill and urged congressmen to support Nixon and foreign aid for Korea.

Most church members are young unmarried adults who live in dormitories and devote their time to fund-raising

and other church-related activities in exchange for food, clothing, and shelter. Church members and investigators who have infiltrated the church in recent years say that the Moonies live by a strict moral code that forbids sexual activity outside marriage.

However, the State Department reports—based on investigations of the Unification Church in the 1960s—paint a different picture.

At the time of the alleged effort to "baptize" a top official's wife, Pak was assistant military attache at the Korean Embassy in Washington.

Pak has told the House Subcommittee on U.S. Korean Relations that he left the embassy in 1964 to become affiliated with the Korean Cultural and Freedom Foundation. He is now president of the foundation and acts as interpreter for Moon.

DURING A lengthy and emotional speech before the House subcommittee Pak branded as false all charges about his ties with the KCIA. He accused the House and the U.S. press of persecuting members of the Unification faith and trying to "crucify" Moon.

Pak ridiculed assertions that the Moon religion is actually a foreign affairs arm of the Korean intelligence agency.

"This subcommittee, in the powerful name of the U.S. Congress, gave unqualified authenticity to a so-called intelligence report, which is trash, total lies, distorted, and vicious in nature," Pak said.

He said that the Moon church is no more political than Catholic, Protestant, or Jewish congregations in the U.S.

Those churches, Pak said, actively and lawfully champion political causes as the Unification Church does.

Pak was not questioned about the alleged sexual practices. Fraser announced he will return Pak to the witness stand April 11 for more testimony. Copyrighted 1978, Chicago Tribune. Used with permission.

²³"Moon's Church Traced from Sex Cult," *Chicago Tribune*, March 27, 1978.

ness the truth from the 'horse's mouth'?²⁴

Allegations such as the above are nothing short of malicious. Once again, however, Mr. Fraser refused to show even a hint of good faith and stubbornly refused to apologize to Mr. Pak or to correct the record on the so-called "origins" of the Unification Church.

Releasing this scurrilous information to the press in itself was a violation of Subcommittee guidelines which state:

If the Subcommittee determined that evidence... at an investigation hearing may tend to defame, degrade, or incriminate a person it shall (1) receive such evidence or testimony in Executive Session.²⁵

Certainly such a determination was not a matter of debate in this case. What could be more degrading or defaming than alleging that one's church began as a sex cult or to release information to the press that a witness is an adulterer? Even if these outlandish charges were true, what possible relevance do they have to the investigation?

The Supreme Court has spoken out strongly against such irresponsible disclosures. The concurring opinion of Justice Brennan in the 1961

decision in *Hutchinson v. U.S.* states:

Congressional power of inquiry is not an end in itself; it must be related to, and in furtherance of, a legitimate task of the Congress... An investigation solely conducted to aggrandize the investigator or punish the investigated, either by publicity or by prosecution, is indefensible... it exceeds the congressional power; exposure for the sake of exposure is not legislative inquiry.²⁶

Fraser Attacks Reverend Moon

Mr. Pak appeared two more times before the Subcommittee and on each occasion the Chairman was hard pressed to bring out any substantial evidence. Because of this he moved on to bigger game. Since Rev. Moon is a controversial figure, Mr. Fraser could be insured of much publicity and at the same time make it appear that he was going somewhere with his investigation.

²⁴Subcommittee report, Part 4, Hearings of March 15, 16, 21 and 22; April 11, 20 and June 20, 1978, pp. 205-206.

²⁵Rules of the Investigation of Korean-American Relations by the Subcommittee on International Organizations of the Committee on International Relations, House of Representatives, adopted June 7, 1977; p. 4, rule 3.4(e) (1).

²⁶*Hutchinson v. U.S.* 369, U.S. 599 at 624.



접수번호 제 51 호 Request number: 51		Certificate of Confirmation of Criminal Court	
형사재판 확정 증명서			
(1) 집행원부 번호 File Number	1955	집 제 938 호 number 938	
(2) Address:	Seoul, Chung-Ku Chang Chung-Dong 1-37		
피고인	주 최 서울시 중구 장충동 1가 37번지		
(3) I.D. no. 주민등록번호	110 507 - 105126		
(4) Name:	Moon Yong Myung -- alias Sun Myung		
성명	문 용 명 -- 이 선 명		
(5) Offense:	Violation of Military Draft Law		
죄명	병역법 위반		
(6) Sentence Date:	1955	November 21	Seoul Superior Court
판결일	1955	11.21	서울고등법원
(7) Verdict:	Not Guilty		
판결내용	무 죄		
(8) Confirmation:	1955	November 29	
확정일	1955	11.29	
(9) 비고			
Footnotes:			
위와 같이 형사재판이 확정되었음을 증명함 It is certified that the above statement is correct and true. 1974. 7. 1.			
서울고등검찰청 검사장 (seal) Chief Prosecutor Seoul Superior Court			

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Our Response



Reverend Moon had known for over two years that he might be asked to testify before the Subcommittee and had stayed in this country all that time. The Subcommittee had assured Mr. Pak that Reverend Moon, if he would be called at all, would not be called to testify until after Mr. Pak's testimony was completed in mid-June. Based on this information, Reverend Moon left the United States in early May to initiate Church programs with members of the Church in Europe. (This trip to Europe had been planned and publicly announced in September, 1976.) It was not until approximately one week after Reverend Moon left the country that the Subcommittee informed his counsel that it intended to issue a subpoena directed to Reverend Moon. And yet Mr. Fraser publicly accused Reverend Moon of leaving the country to avoid being served.

This, of course, is untrue. Moreover, as shown in the attached brief submitted to the Subcommittee by Reverend Moon's lawyers,²⁷ Reverend Moon himself had no knowledge of facts relevant to the Subcommittee which could not be provided by Mr. Pak, Mr. Salonen or other witnesses. To call Reverend Moon himself was an obvious "grandstand" play by the Subcommittee Chairman designed not to bring forth information unavailable from other sources, but to generate the greatest possible amount of publicity in preparation for his upcoming campaign for his party's nomination to the U.S. Senate. Mr. Fraser's public frustration belies this ulterior motive. The effect of such a publicity stunt on the religious liberty of members of the Church would have been disastrous—exactly the kind of "chilling effect" which the Supreme Court has warned against.²⁸

Moreover, as the Subcommittee itself admits on page 415 of its final report, it was doubtful if their attempt to serve such a subpoena would have held up in court. Reverend Moon stated that he would challenge the subpoena if he returned to the United States before the investigation concluded. And, the Fraser report admits:

Fortunately, the Subcommittee was not faced with any action based on improper service. Had the situation developed, how-

ever, a legal position might have been difficult to develop...

Subcommittee Violates Rules of U.S. Congress

The Subcommittee staff had a knack for "dirty tricks." As mentioned earlier, it was discovered on a number of occasions that the staff or the Chairman himself had illegally leaked information to the press. Some of the hearings held by the Subcommittee were held in private, closed executive session, for which strict rules have been set up by the Congress to protect the rights of citizens and others testifying. Mr. Fraser's staff betrayed this confidence over and over so as to advance their own position, discolored the investigation and discredit selected witnesses.

The *New York Times* reporter, Richard Halloran, apparently obtained a copy of Unification Church President Neil Albert Salonen's confidential testimony, given in Executive Session.²⁹ Mr. Halloran quoted from this highly sensitive private material in articles published by *The New York Times*. The *Washington Star* also received confidential information,³⁰ and even less reputable publications, such as the U.S. Communist Party's *Daily World* have been privy to leaks of confidential testimony from "an aide to Congressman Fraser," later revealed to be Richard Mauzy. Church opponent Allen Wood was also shown a copy of Mr. Salonen's confidential testimony, from which he quoted on a New York radio show.

On April 19, a member of the Subcommittee, Congressman William F. Goodling, charged that Mr. Fraser had violated Congressional rules and had leaked confidential materials to the media.

I am, needless to say, very upset that when we have executive sessions [closed to the public] I either hear on television or read in the newspaper what took place. I hear from time to time that the Chairman approved. Well, in my estimation the Chairman has no legal right... to approve [publicizing] anything that anyone has done in Executive Session without the [Sub] committee itself giving him that prerogative.³¹

In fact, Mr. Fraser and his cohorts on the Subcommittee staff blatantly and intentionally broke the rules of the U.S. Congress. Rule 3.4(g) of the Subcommittee's rules specifically states:

No evidence or testimony taken in Executive Session may be released or used in public session without the consent of the Subcommittee.³²

The Rules of the House of Representatives contain a similar provision which is incorporated into the rules of this Committee. Rule 6.5 of the Subcommittee's own Rules also clearly prohibits this type of disclosure:

No member of the Subcommittee or of the Subcommittee's staff shall disclose in whole or in part or by the way of summary, to any person not a member of the Subcommittee or the Subcommittee's staff for any purpose... any testimony given before the Subcommittee in Executive Session...³³

Leaking private testimony is in itself a very serious offence, but the harassment and dirty tricks did not stop here.

²⁷Charles A. Stillman, counsel to Rev. Moon, to Cong. Clement Zablocki, Chairman of the Committee on International Relations, May 12, 1978, letter and attached memorandum, p. 2.

²⁸Ibid.

²⁹"South Korea C.I.A. Extends U.S. Activities Seeking to Influence Government Policies," *The New York Times*, October 2, 1976.

³⁰"Probers to Quiz Reluctant Moonie Leader," *The Washington Star*, September 30, 1976.

³¹Subcommittee report, Part 4, Hearings of March 15, 16, 21, 22; April 11, 20, and June 20, 1978, pp. 5-6.

³²Rules of the Investigation of Korean-American Relations by the Subcommittee on International Organizations of the Committee on International Relations, House of Representatives. Adopted June 7, 1977, p. 4.

³³Ibid., pp. 6-7.

By RICHARD HALLORAN
Special to The New York Times

WASHINGTON—The South Korean Central Intelligence Agency, President Park Chung Hee's strongest instrument for political action, has steadily extended its reach into the United States over the last five years just as it has expanded its power at home.

About 25 officers of the agency are operating today from the South Korean Embassy here and from South Korean consulates around the country, according to South Korean intelligence sources in the United States and Americans with access to intelligence files.

The officers work closely with South Korean diplomats to influence American policy toward South Korea. They try to assure continued American military, diplomatic and economic support, and to mute criticism of President Park by South Korean residents of the United States.

A Federal grand jury is currently hearing testimony on all aspects of the South Korean C.I.A.'s operations in America. The panel, which is looking into charges that bribes have been offered to two Congressmen and that the Foreign Agents Registration Act has been violated, is receiving evidence presented by the Justice Department and the Federal Bureau of Investigation. Other investigations of the South Korean lobby here are being conducted by the Internal Revenue Service, the Federal Reserve Board, and the House Subcommittee on International Organizations, which held hearings earlier this year and also met for two days this week.

Called an Unusual Case

Representative Peter A. Peyser, Republican of New York, says the Internal Revenue Service is investigating the Unification Church led by Sun Myung Moon to see whether it should be permitted to retain its tax exemption.

Many foreign governments lobby in the United States through their diplomats, quasi-government trade-promotion officers, lawyers and public relations firms hired here. But the South Koreans are an unusual case because South Korea and the United States are allied by a security treaty.

The New York Times

October 2, 1976

South Korea C.I.A. Extends U.S. Activities, Seeking to Influence Government Policies

Moreover, so far as could be determined, no other allied government relies so heavily on its intelligence service to influence the American Government.

The United States still has 40,000 troops in South Korea and they could be involved in hostilities on short notice, as was demonstrated recently in the flare-up at Panmunjom in which two American officers were murdered by North Koreans. Thus, the South Koreans have sought to position themselves where they can influence far-reaching American decisions.

Included in the South Korean extra diplomatic lobby are the following:

¶Staff officers of the intelligence agency, led by the acknowledged station chief, Kim Yung Hwan, who is listed as a minister of embassy. Opponents of President Park's Government say that about 12 other agency officers are in the embassy, plus three or four in the South Korean observer mission to the United Nations in New York, five in the consulate in Los Angeles, and several in other consulates.

¶A small but well-placed number of South Koreans who are not officers of the intelligence agency but who reportedly cooperate with it. They include Park Tong Sun, known here as Tongsun Park, a wealthy businessman and socialite in Washington; Han Pyung Ki, deputy delegate on the observer mission to the United Nations; Pak Bo Hi, president of the Korean Cultural and Freedom Foundation here, and Jhoon Rhee, proprietor of a chain of karate gyms. Each person was identified by at least three sources, including Koreans and Americans with access to intelligence files.

¶Mr. Moon and his Unification Church. Mr. Moon is reportedly not trusted by the South Korean intelligence agency, which is said to consider him eccentric and opportunistic. But his organization has people and money that the South Korean C.I.A. is said to think useful.

¶The Diplomat National Bank in Washington. United States Congressional investigators report that 50.8 percent of the bank's shares were initially owned by Mr. Moon and his associates, including Pak Bo Hi and Jhoon Rhee. Other records show that Park Tong Sun

and his associates also own substantial shares. But there is said to be no evidence of direct South Korean Government investment or control. Jack Anderson, the syndicated columnist, is active in the bank's management.

The South Korean C.I.A. is far more a political arm than a spy organization. Its role at home is pervasive. Nothing is printed or broadcast without its approval. Politicians, government officials, clergymen, students, businessmen, and labor leaders are watched. Even exploration for oil has been taken over by the agency.

The chairman of the House subcommittee that is investigating the organization's operations in America, Donald M. Fraser, Democrat of Minnesota, gave an illustration at a hearing this week. He said that in September 1974, when South Korea's relations with Japan were strained and the Japanese Prime Minister Kakuei Tanaka, was scheduled to visit the United States, the agency planned to organize anti-Japanese demonstrations here.

Congress Is Priority Mission

Mr. Fraser, drawing on sworn testimony, said the State Department learned of the plans and "insisted that there be no demonstrations citing legal penalties against harassment of official visitors."

As it has extended its operations into the United States, the agency has been charged with a priority mission of influencing the United States Congress.

Donald L. Ranard, former director of the Office of Korean Affairs in the State Department, said in testimony before the Fraser Committee in March that the South Korean C.I.A. had "made it its business to follow Congressional actions on a day-to-day basis, to know the status of military and economic assistance legislation, the views of individual members of Congress regarding stationing of forces, human rights, and other issues affecting Korea, their overseas travel and their election campaigns."

To conduct operations here, about one quarter of the South Korean Embassy diplomats are intelligence agency officers. They visit members of Congress in their offices and meet with them socially to present South Korean viewpoints. A former South Korean diplomat said they try to persuade the American

press to present South Korea in a more favorable light.

Protégé of the Ambassador

A key lobbyist in Washington, Park Tong Sun, came to the United States as a student in the 1950's and became a protégé of the South Korean Ambassador.

Mr. Park is in the oil, shipping and rice business—his forte is holding elaborate parties for the élite of Washington. On at least two occasions, Mr. Park has offered money to American politicians, according to Mr. Ranard, who told the Congressional subcommittee under oath that Mr. Park had offered money to a member of the House International Relations Committee, but that the member of Congress turned him down.

Mr. Ranard also testified that he had learned from "a person of unimpeachable credibility" that Mr. Park had offered funds to Governor Edwin W. Edwards of Louisiana. Mr. Edwards has said that he rejected the offer. Mr. Park did not respond to requests for an interview.

According to the State Department, a South Korean National Assembly member, Po Chin Hwan, told a White House official in the Nixon Administration, John E. Nidecker, that he would donate money for the 1974 election campaign of members of Congress named by the Administration. Mr. Nidecker declined the offer.

One of the earliest South Korean lobbyists in Washington was Pak Bo Hi, a former military intelligence officer. Lieutenant Colonel Pak, who did not respond to a request for an interview, is reportedly the South Korean C.I.A.'s channel to Mr. Moon and the Unification Church.

Further, Colonel Pak, is reported to be a contact for Mr. Rhee, who has used his karate gyms to make friends with members of Congress and has formed a Congressional karate club.

Denies Links to Agency

Mr. Rhee denied that he works with the South Korean C.I.A., asserting that that was a charge from Communists here.

A particularly active Korean lobbyist is said to be Ambassador Han Pyung Ki, at the South Korean observer mission to the United Nations. According

to the Korean intelligence sources, Mr. Han, who is President Park's son-in-law, is concerned with preventing opposition to Mr. Park from South Koreans living in the United States.

Ambassador Han, reached by telephone in New York, asserted that his primary duty is the United Nations. But he acknowledged that he had traveled to many American cities in the year he has been here to address American groups and to meet with Koran residents. "I try to improve the image of Korea," he said.

Spokesmen for Mr. Moon have denied that he or his church has any connection with the South Korean C.I.A. But Koreans with access to intelligence reports, South Korean adversaries of President Park and Americans with access to American investigations of Mr. Moon has asserted that he and his organization act on behalf of the Korean Government.

Many Shareholders in Bank

Chris Elkins, a former member of the Unification Church, testified before a Congressional subcommittee on Monday that the Freedom Leadership Foundation, a Moon affiliate, sent mailings to members of Congress urging support for certain legislation, including military aid to South Korea.

Along with Mr. Moon, several of the South Koreans affiliated with the lobby are shareholders in the Diplomat National Bank, which opened here last December.

Bank officials said that Mr. Moon invested \$85,000 and Neil A. Salonen, the American who is president of the Unification Church in America, put up \$30,000. Mr. Rhee, the karate instructor, invested \$100,000, as shown by documents filed with the Comptroller of the Currency. Mr. Anderson, the columnist, is a minor shareholder but a member of the board of directors, the bank's official spokesman and chairman of the executive committee. Mr. Anderson said he saw no conflict of interest between his journalistic endeavors and his position with the bank. He said that Asian-Americans are a minority that have been discriminated against and "they asked for my help and I'm going to give it."

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LAW OFFICES OF
CHARLES A. STILLMAN

MEMORANDUM ON BEHALF OF THE REV. SUN MYUNG MOON
SUBMITTED TO MEMBERS OF THE SUBCOMMITTEE ON
INTERNATIONAL ORGANIZATIONS AND THE COMMITTEE
ON INTERNATIONAL RELATIONS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

This Memorandum is respectfully submitted to the membership of the Subcommittee on International Organizations (the "Subcommittee") and the Committee on International Relations (the "Committee") by the undersigned counsel for Rev. Sun Myung Moon. We have been advised that the Subcommittee has authorized a subpoena directed to Rev. Moon in connection with the Subcommittee's pending investigation of Korean-American relations, and that it is now considering whether such a subpoena should in fact be issued.

It is the purpose of this Memorandum to demonstrate that in light of the current state of the record, compelling Rev. Moon to testify will impinge -- without any valid legislative or investigative purpose -- upon the First Amendment rights of both Rev. Moon and the members of the Church of which he is the spiritual leader. Consequently, we respectfully submit that authorization for the subpoena should be withdrawn by either the Subcommittee itself or the full Committee.

Counsel submit this Memorandum in order to place in perspective some of the important issues which we believe would be raised by the issuance of a subpoena directed to Rev. Moon. Foremost among those issues is the effect that the subpoena would have on the rights guaranteed by the First Amendment to the Constitution of the United States -- an issue which is made even more pointed by the highly controversial nature of Rev. Moon and the Unification Church.

That the Unification Church has not attained the acceptance in this country which is enjoyed by other religions cannot justify any interference with the First Amendment rights of its spiritual leader or its members. On the contrary, that is a reason to be even more protective of those rights than in the ordinary situation. As the Supreme Court has stated:

While, of course, all legitimate organizations are the beneficiaries of these protections, they are all the more essential . . . where the challenged privacy is that of persons espousing beliefs already unpopular with their neighbors and the deterrent and 'chilling' effect on the free exercise of constitutionally enshrined rights of freedom of speech, expression and association is consequently the more immediate and substantial.

Gibson v. Florida Legislative Commission, 372 U.S. 539, 556-57 (1962). And the mere service of a Congressional subpoena -- especially on a person such as Rev. Moon -- can have the

precise "chilling effect" which the Supreme Court condemned. As the Court stated in Watkins v. United States, 354 U.S. 178, 197 (1958):

The mere summoning of a witness and compelling him to testify against his will, about his beliefs, expressions or associations is a measure of governmental interference. And when those forced revelations concern matters that are unorthodox, unpopular, or even hateful to the general public, the reaction in the life of the witness may be disastrous.

It is important to stress that we do not claim that the First Amendment provides Rev. Moon with an absolute shield from testimony before any Congressional inquiry under any circumstances. What is clear, however, is that when an investigation intrudes into Constitutionally protected areas as basic as those at stake here, the body conducting the inquiry must show an overriding and compelling need for the testimony -- a showing that requires a real factual basis for concluding that the testimony is necessary to the accomplishment of some valid legislative purpose. Gibson v. Florida Legislative Committee, 372 U.S. 539 (1962); Bates v. Little Rock, 361 U.S. 516 (1959); NAACP v. Alabama, 357 U.S. 449 (1958).

In light of the First Amendment considerations set forth above, we submit that the Committee should seriously question whether the Subcommittee has shown a compelling need for the testimony of the Rev. Moon.* We believe that the

*It should be noted in this regard that Rev. Moon has recently testified in an inquiry by the Securities and Exchange Commission into the Diplomat National Bank. In that instance, it was undisputed that, like other shareholders in the Bank, Rev. Moon was in possession of relevant information specifically related to precise areas of legitimate inquiry. On that basis he appeared without objection.

record is completely absent of any factual basis which justifies the disregard of the First Amendment rights of Rev. Moon and the members of the Unification Church.

At the very least, we submit that it is incumbent on the Subcommittee to demonstrate precisely what information it seeks to elicit from Rev. Moon and the relationship of such information to a valid Congressional purpose. Nor is this the first time that we have raised this issue. At the end of last year, when we first learned that the subpoena had been authorized, we requested that the Subcommittee counsel inform us of the areas of proposed inquiry to Rev. Moon. Counsel originally agreed to do so, but subsequently declined. On March 1, 1978, we wrote to the Chairman of the Subcommittee requesting the same information (a copy of that letter is annexed as Exhibit A to this Memorandum).

It was not until May 4, 1978 that we received a response (a copy of which is annexed hereto as Exhibit B). It is respectfully submitted that with the exception of the reference to Diplomat National Bank*, the topics listed in the letter -- particularly item 4 -- are so vague and ambiguous as to be

*It is difficult to imagine what need the Subcommittee has for any testimony by Rev. Moon concerning Diplomat National Bank, since the Subcommittee is currently in the process of examining Mr. Bo Hi Pak, the individual with the greatest knowledge about this subject. Moreover, the Subcommittee could also gain access to the transcript of Rev. Moon's testimony on this subject before the Securities and Exchange Commission. Requiring him to testify again compels the conclusion that the Subcommittee's purpose is to harrass, rather than learn the true facts.

virtually meaningless. Moreover, and even more importantly, the letter does absolutely nothing to satisfy the Subcommittee's heavy burden of demonstrating both a compelling need for Rev. Moon's testimony and a strong factual basis for concluding that his testimony is essential to the performance of the Subcommittee's delegated responsibilities.

Rev. Sun Myung Moon and the Unification Church

While the controversy surrounding the Unification Church is well-known, the facts about it have not received comparable publicity. We believe that a brief outline of those facts would be helpful.

The Unification Church is an international religious movement which was founded in 1954 in Seoul, Korea by Rev. Sun Myung Moon. Today the Church counts over three million members in over 123 countries of the world. In the United States, the Church was originally organized in 1960 and is now active in each of the fifty states and the District of Columbia. Approximately thirty-seven thousand Americans are either members of the Church or count themselves as its supporters. Of course, these numbers are in no way comparable to the membership of the major religions in the United States. But as the Supreme Court has cautioned, that is a reason to be more -- rather than less -- protective of First Amendment rights.

The Rev. Sun Myung Moon occupies a central role both in the theology of the Unification Church and in its day-to-day operation. As the founder and spiritual leader of the Church, Rev. Moon is revered as a prophet whose teachings are sacred to those who worship within the Unification Church. Regardless of whether one agrees or disagrees with his theology, there can be no dispute that the members of the Unification Church sincerely believe that Rev. Moon is a messenger of God. The members of the Unification Church view everything which Rev. Moon thinks, says and does as a step toward fulfilling his religious mission. All aspects of his life are bound up with, and dominated by, his theology.

The fundamental theology of the Unification Church is set forth in the Divine Principle, a religious text which draws extensively from the Old and New Testaments. The Divine Principle also sets forth a social philosophy which stresses the importance of the family as a unit basic to society, and which proposes positive solutions to many of the moral and social problems of the day. A fundamental tenet of the Church is its steadfast opposition to communism as an atheistic and anti-religious force.

The Divine Principle treats Korea, the birthplace of Rev. Sun Myung Moon, with the same reverence as other religions hold for their respective Holy Lands. The Church's involvement with Korea is theological and religious, not political. Of course, the fact that a particular country or region is sacred to a religion is not unusual -- indeed, the same is true of virtually every major religion in the world. Anticommunism and the sanctity of Korea are basic dogma to

the members of the Unification Church. Therefore, when members of the Church comment on these subjects, they are speaking not about political matters but about matters which affect the very essence of their religion.

We stress the above facts in order to place in context the significance of the subpoena which the Subcommittee is considering serving on Rev. Moon. We are, of course, aware that many Americans regard Rev. Moon as a charlatan. Such popular attitudes may tempt members to dismiss his appeal to this Committee without considering the important Constitutional issues. But regardless of whether one agrees or disagrees with Rev. Moon and his theology, and despite the temptation to dismiss him as the demagogic leader of a fringe group, we respectfully remind the Committee that thousands of American citizens look to Rev. Sun Myung Moon with complete sincerity as a holy prophet and messenger of God. All of these individuals, and Rev. Moon himself, are entitled to the absolute protections of the First Amendment in associating with the Church and in practicing their religion.

The Subcommittee's Investigation

We do not, of course, dispute the authority of the Congress to inquire into Korean-American relations or attempts by the government of South Korea to influence the policies of the United States. However, the line must be drawn when that inquiry intrudes into the religious freedom protected by the First Amendment. Indeed, the Chairman of the Subcommittee recognized that limitation at the outset of the investigation. The Hon. Donald M. Fraser stated, on June 22, 1976, at the commencement of the Subcommittee's hearings:

Many people have contacted my office regarding this hearing and seem to have the impression that the subcommittee is investigating the Unification Church, which Sun Myung Moon heads. Let me say at the outset that this is not the case. This hearing is not concerned with the religious philosophy or practices of the Unification Church. Those are protected by the First Amendment and those rights are inviolable.

Unfortunately, however, the sentiment expressed by the Chairman at the outset appears to have become lost in the fervor of the Subcommittee's investigation.

As we understand the announced objective of the Subcommittee's investigation, it is, in the words of the Chairman, to inquire into "allegations of improper activities by the Korean Central Intelligence Agency (KCIA) in the United States". In other subsequent statements, Chairman Fraser has suggested, without disclosing his basis for doing so, the existence of possible links between the KCIA and "persons or organizations affiliated with the Rev. Sun Myung Moon." However, during the recent public hearings conducted by the Subcommittee, the purely speculative nature of any such inference became clear.

On March 15, 1978, the Subcommittee released 708 pages of documents uncovered in its investigation (Subcommittee Hearings, Supplement to Part 4). Those documents included

certain Central Intelligence Agency memoranda, one of which referred to the Unification Church by name, and two of which mentioned the "Tong Il Church" but presumably were intended to refer to the Unification Church. The first of these documents was a February 26, 1963 Central Intelligence Agency memorandum (Subcommittee Hearings, Supplement to Part 4, p. 458) stating that the Unification Church was organized by a former director of the Korean Central Intelligence Agency. The report does not disclose the source for this information, and specifically labels it as "Unevaluated" and "Tentative". The next two memoranda -- dated December 18, 1964 and January 4, 1965 (Subcommittee Hearings, Supplement to Part 4, pp. 459-460) -- simply repeat the "Unevaluated" and "Tentative" information linking the former KCIA director to the Church, and again carefully avoid disclosure of the source for this information. Any reasonable evaluation of these reports would have disclosed the true facts -- that, as noted above, Rev. Moon founded the Unification Church in 1954, before the current government of South Korea came to power and before the KCIA was even created.

Similarly speculative and sensational charges of affiliation between the Unification Church and the Korean CIA or the Korean government were made by other witnesses in earlier Subcommittee hearings. Those charges appear to have been enthusiastically accepted by the Subcommittee staff without the slightest degree of the healthy skepticism one would normally expect from trained investigators, and without any consideration of the motives of the witnesses. However, their charges were rebutted by Neil Albert Salonen in his testimony before an executive session of the Subcommittee.

In fact, both Rev. Moon and other members of the Church have made repeated and emphatic statements -- both before the Subcommittee and in other forums -- that the Unification Church has no affiliation, either overt or covert, with the South Korean Government or any agency thereof, and that Rev. Sun Myung Moon is a religious leader who has no association or connection with any governmental agency or body.* And the absence of any link between the Church and

*These facts were emphasized again and again by Mr. Bo Hi Pak in his testimony before the Subcommittee in March and April. Moreover, Mr. Pak eloquently described the harm which the Unification Church has suffered as a result of the public's wholesale acceptance as fact of the unfounded and speculative charges linking the Church with the Korean C.I.A. While we realize that many citizens of this country -- and even many members of Congress -- may view injury to the Unification Church as a desirable result, the First Amendment was specifically intended to prevent any such tyranny of the majority.

the Korean government is supported by another document released by the Subcommittee -- a CIA memorandum dated September 22, 1975 (Subcommittee Hearings, Supplement to Part 4, p. 474). That memorandum refers to the "problems" of the Korean Mission in New York in controlling the activities of Church members on behalf of Korea. No such problems would have existed if the Church was under the control of the Korean government. While we do not contend that the September 22, 1975 memo is dispositive, we do urge that it is entitled to at least as much weight as the memoranda referred to above on which the Subcommittee staff has focused -- memoranda the authority of which is not enhanced by the mere

fact that they repeat three separate times "Unevaluated" and "Tentative" information from an undisclosed source.

Even more importantly, logical analysis supports the proposition that there is no link between the Korean government and the Unification Church. If the Korean government had set out to develop a concerted effort to influence U.S. policy by the actions of various individuals in this country, it appears that the Unification Church would be the last group chosen to help accomplish that goal. In light of the controversiality and unpopularity of Rev. Moon and the Unification Church in the United States, can it be seriously argued that the Church's support for a particular governmental policy would aid that policy in being adopted? On the contrary, the Church's support can be more properly viewed as the proverbial kiss of death. And this is precisely the impression conveyed by the reference, in the September 22, 1975 CIA memo (Supplement to Part 4, p. 474), to the fact that the Korean Mission was "once again having problems with . . . Moon's fanatics" and their lobbying activities.

In light of the speculative nature of the Subcommittee's "evidence" and the sanctity of the First Amendment, it is respectfully submitted that before the Subcommittee can legitimately summon Rev. Moon as a witness, it must demonstrate by direct and reliable evidence that an affiliation exists between the Unification Church and the Korean government -- an affiliation based on something more than the Church's desire to see South Korea remain a non-Communist country. We assume that this Committee, and indeed all members of Congress, share that desire. "Unevaluated" and speculative testimony and intelligence reports -- especially where demonstrably erroneous in their description of underlying facts -- simply do not and cannot satisfy the Subcommittee's burden.

In the absence of any real evidence, the Subcommittee and its investigative staff have attempted to substitute what can only be described as the crudest form of guilt by association. That guilt by association is premised on the facts that: (a) Rev. Moon and many other Unification Church leaders are Korean by birth; (b) members of the Church regard Korea as the fatherland of their faith; and (c) a principal religious tenet of the Church is its avowed anti-Communism. On the basis of these premises, the inference has been drawn that when members of the Unification Church exercise their Constitutional right to petition their elected representatives, they do so as agents of, and under the direction of, the Korean government.

We respectfully submit that such an inference is insulting to the serious religious purposes of Rev. Moon and the Unification Church. No one would ever seriously suggest, for example, that because of their reverence and political support for the State of Israel, and their lobbying in this country on Israel's behalf, American Jews are agents of the Israeli government. Nor would anyone challenge the right of Roman Catholics in this country to undertake vigorous political

action concerning abortion and other matters perceived by them to be of religious significance. Does doing so make them agents of the Vatican? In short, the rights of Unification Church members to petition the government and to speak freely on political issues are not lost merely because their doing so is motivated by their feelings and beliefs with regard to South Korea -- feelings and beliefs which are religious in nature. yet it is precisely such conduct by members of the Unification Church -- coupled with the fact that the country which was the birthplace of their spiritual leader, and which occupies a special place in their religion, happens to be a country whose government is currently in disrepute -- which underlies Rev. Moon's entire involvement in the Subcommittee's investigation.

Churches and clergymen in this country have a long-standing tradition of playing an important role in contemporary political events. One need only think of the role played by the Southern Christian Leadership Conference and other religious organizations in the drive for racial equality during the nineteen-sixties; the spear-head role played by various clergymen in mobilizing opposition to the war in Vietnam; or the active stands taken by many churches and other religious organizations in support of child labor laws, low-income housing and other social legislation during the first half of this century. Did anyone ever suggest that the activities of those religious organizations and individuals could or should be subjected to scrutiny by Congress? Does the Constitution permit any different treatment of the Unification Church because of the unpopularity of both its spiritual leader and the country which occupies a special place in its theology? If the First Amendment were only intended to protect popular causes, it would be meaningless.

It should also be noted that the First Amendment intrusion here would be even greater than in the examples given above. What the Subcommittee now seeks is not merely the testimony of a member of a given religion -- a particular Roman Catholic or a particular Jew -- but the testimony of a religious and spiritual leader. Since Rev. Moon as an individual cannot be divorced from the religious philosophy and practices of the Unification Church, we respectfully submit that the mere act of compelling his testimony will seriously interfere with the religious freedom of all members of the Church.

A religious and spiritual leader's sole asset is his personal reputation. That reputation must necessarily suffer when he is compelled, without cause and against his will, to answer questions before a Committee or Subcommittee of Congress. Moreover, damage to Rev. Moon must inevitably attend an appearance before a Congressional Subcommittee in the light of the current adverse publicity concerning South Korea and the inevitable confusion of unrelated issues by the general public. In this regard, we note that while the Subcommittee investigation has been in progress for almost two years, the effort to subpoena Rev. Moon was not made until

the peak of the anti-Korean publicity on Capitol Hill attendant upon the celebrated testimony of Tongsun Park before representatives of the Justice Department and the Ethics Committee of the House of Representatives. Whatever the motivations underlying this timing, it is clear that Rev. Moon's mere appearance in the wake of the Park testimony will draw even more publicity than would have attended an earlier subpoena. The attendant intrusion upon the Rev. Moon's rights of privacy and religious freedom will thus be needlessly exacerbated.

Moreover, the religious faith of individual members of the Unification Church will necessarily be affected by compelling their religious leader to testify, a governmental act which inevitably calls into question the very basis for their religious beliefs. In this regard, we note that notwithstanding his assurances at the outset of the hearings that he had no intention of infringing on the First Amendment rights of members of the Unification Church, the Chairman of the Subcommittee has apparently been actively cooperating with, and lending his prestige to, organizations whose avowed purpose is to undermine the Unification Church. We enclose as Exhibit C to this Memorandum a copy of a New York Times article of January 14, 1978 reflecting that activity.

We have also recently learned that two members of the Subcommittee staff gained entrance to the Washington premises of the Unification Church by falsely representing that they were architects who admired the structure, and that one of them, when subsequently confronted, blatantly denied his deception. How can such behavior possibly be justified? How can such behavior be squared with the Chairman's assurances that the Church is not a target of the Subcommittee's investigation? Do clandestine activities by the Korean CIA justify equally clandestine activities by Subcommittee staff members directed against American citizens exercising their freedom of religion?

We submit that the Committee should be fully as sensitive to the implications of the Subcommittee's subpoena as we are confident it would be were an attempt made to compel the leader of a more popular church to testify. At a minimum, the Subcommittee must first adduce reliable, first-hand information showing that Rev. Moon is an agent of the Korean government. Only on the basis of such information should the Committee permit the subpoena to be served. In the absence of such a factual basis for questioning him, it is respectfully submitted that the Committee should act to protect the First Amendment rights of Rev. Moon and the members of his Church in the same way that it would act to protect the rights of all other religions and their leaders.

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Respectfully submitted,

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