

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Chin Hwan Row,
Korean National Assemblyman

MUR 094 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on June 5, 1976, the Commission adopted the recommendation of the General Counsel that it finds no reason to believe that a violation of the Federal Election Campaign Act, as amended, had been committed in the above-captioned matter.

Accordingly, the file in this case has been closed.

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

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DATE AND TIME OF TRANSMITTAL: JUN 15 1976

NO. MUR 094 (76)

REC'D: 3/3/76

FEDERAL ELECTION COMMISSION
Washington, D. C.

Complainant's Name: Referred by Commissioner Thomson on basis of
Washington Post Article dated February 29, 1976

Respondent's Name: Chin Hwan Row, Korean National Assemblyman

Relevant Statute: 18 U.S.C. Section 613

Internal Reports Checked: None

Federal Agencies Checked: House of Representatives Int'l Relations
Subcommittee

SUMMARY OF ALLEGATION

Respondent allegedly offered to make contributions to Congressmen
friendly to the interests of Korea. The alleged activities occurred
in 1974. (See attached article from the Washington Post, Feb. 29, 1976,
for more details).

PRELIMINARY LEGAL ANALYSIS

(1) It was not unlawful under Section 613 at the time of the alleged
for an individual foreign national (as distinguished from an agent of a
foreign principal, as such term is defined in 22 U.S.C. Section 611 (c))
to make contributions in Federal elections. In the present matter there
are no facts to indicate Chin Hwan Row was anything more than an individual
foreign national.

RECOMMENDATION

No reason to believe violation has occurred; for the reasons stated, this
file should be closed.

Date of Next Commission Review: _____

PRELIMINARY LEGAL ANALYSIS (cont.)

(2) The allegations in this MUR are currently being investigated by the House of Representatives International Relations Subcommittee. However, when staff checked with the Subcommittee, we were unable to obtain any evidence of a more specific nature than what was stated in the Post article. In particular, there is no evidence that Row's alleged offers (or, for that matter, offers that may have been made by other Korean nationals) were accepted by federal officials.

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Korean's 1974 Gift Offers Here Bared

FEB 29 1976

By Maxine Cheshire
Washington Post Staff Writer

Twice in the last two years Korean national assemblyman Chin Hwan Row has offered campaign contributions to U.S. members of Congress friendly to his country.

Row, who attended the University of Pennsylvania and once managed the Holiday Inn in Rosslyn, made a "blanket" offer to a White House aide sometime before the Aug. 9, 1974, resignation of President Nixon to contribute to anyone in Congress recommended by the Nixon administration, the former aide said last week.

Row also made a separate offer "at least two years ago" to Rep. Charles E. Wiggins (R-Calif.), the congressman said.

Both offers were turned down.

Wiggins, a member of the House Judiciary Committee, said last week that he had always assumed Row made the offer to him

"innocently." He said he did not recall the exact date of Row's offer. Wiggins said Row seemed surprised when he told him he thought that such a contribution would be illegal.

"I gathered that the money was not coming from the (Korean) government. He told me he represented a group in Korea which wanted to assist friendly American congressmen," Wiggins said.

Under Title 18, Section 613 of the U.S. Criminal Code, it is a violation for "an agent of a foreign principal, directly or through any other person, either for or on behalf of such foreign principal" knowingly to make "any contribution of money or other thing of value, or promises expressly or impliedly to make any such contribution, in connection with an election to any political office or in connection with any primary election, convention or caucus held to select candi-

FEB 29 1976



CHIN HWAN ROW

manager of Holiday Inn
FEB 29 1976

dates for any political office."

It also is a violation for any candidate who knowingly solicits, accepts, or receives any such contribution from any such agent of a foreign principal.

Such violations are punishable by \$5,000 fines and/or imprisonment of not more than five years.

If Row was acting as agent for a group in Korea, such a contribution would appear to come under the law's proscription. If he was offering the money on his own, or for a group of U.S. citizens, however, the contribution would not be illegal.

The law was amended in 1975 to include to any "foreign national" who "directly or through any other person" makes or promises to make campaign contributions to any candidate for any political office.

John E. Nidecker, a former special assistant to Nixon and now a Washington consultant, confirmed last week that Row came to the White House in 1974 with an offer to aid administration-approved congressional candidates in the 1974 election.

The conversation with Row was reported, Nidecker recalled, in memos to his superiors in the White House and to the Office of Korean Affairs at the State Department.

No dollar amount was quoted in the conversation, Nidecker said, adding, "Row said he wanted to help out with the election of some members of Congress."

Row's offer to Nidecker was confirmed by the State Department's ranking Ko-

rean expert at that time, Donald Ranard.

Ranard, who retired in 1974, was dispatched by the State Department to the White House to discuss Row's overture with Nidecker.

Nidecker said he met Row through the National Prayer Breakfasts that the President is invited to attend each year. "I still see him, in large groups," Nidecker said of Row. "I saw him here just a week or so ago for the prayer breakfast. But I never had him back to the White House after that, not ever while Ford was President," said Nidecker, who resigned from the White House last July.

Nidecker, who resigned from the White House last July, has been questioned about Row recently by a staff aide to Rep. Donald M. Fraser (D-Minn.), whose House International Relations Subcommittee is planning hearings next month that will focus, in part, on the attempts of the South Korean government to influence U.S. elections.

Row, who worked here for Holiday Inns from 1965 to 1969, was the president of the Korean Resident Association for the Greater Washington Area when he was called home in 1970 to become a member of the Korean National Assembly.

Row, 47, makes "three or four trips a year" to Washington, according to Ranard.

FEDERAL ELECTION COMMISSION

1. Commissioner Vote Tally Sheet: 6/76
Staebler _____
Aikens _____
2. Memo to the file from Spiegel, 5-17-76 _____
3. Memo to the File from Spiegel, 3-5-76 _____

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- | | |
|------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| <input type="checkbox"/> (1) Classified Information | <input type="checkbox"/> (6) Personal privacy |
| <input type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input type="checkbox"/> (3) Exempted by other statute | <input type="checkbox"/> (8) Banking Information |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> (5) Internal Documents | |

Signed Kurt Burkhardt
date 10/4/77

FEC 9-21-77

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