

Files From Hoover to Backers Reported

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By JOHN M. CREWDSON

J. Edgar Hoover, while director of the Federal Bureau of Investigation, tried to help reelect Representative John J. Rooney and other Congressional supporters by supplying them with sensitive information about their political opponents, according to a well-placed source.

Mr. Rooney, a Brooklyn Democrat, heads the House Appropriations subcommittee that largely controls the F.B.I. budget. The source said that other recipients of material from Mr. Hoover included selected Representatives and Senators from both parties.

In Washington, a spokesman for the bureau, told of the source's account of the F.B.I.'s political intelligence-gathering operation, said, "We categorically deny the story." He had no further comment.

Mr. Rooney, reached by telephone at his office, on Capitol hill, dismissed the allegations as "a lot of nonsense" and would say nothing more for publication.

The source, who has a detailed knowledge of the inner workings of the F.B.I., maintained that the practice of providing "background" data on political challengers was only one of the facets of Mr. Hoover's continuing efforts to draw key members of Congress into what the source called "our stable." Mr. Hoover died in 1972.

In other instances, he said, Congressmen had discreetly but systematically been made aware of "derogatory" material about themselves that bureau agents had come across in the course of other investigations.

If correct, the source's charges against Mr. Hoover amount to a gross and illegal misuse of the bureau's investigative authority.

The source recalled one Senator who had been told of an investigation concerning his daughter, a college student who had "gotten involved in demonstrations and free love," and a Republican Representative who had been told the bureau possessed evidence indicating that he was a homosexual.

"We had him in our pocket after that," the source said of the Representative. He added that he could not recall the Senator, a liberal Democrat, ever criticizing the F.B.I. in

public.

"Matter of Courtesy"

He characterized the pressure exerted by Mr. Hoover in that way on other members of Congress as subtle, but effective.

"We would advise them 'as a matter of courtesy.' Nobody could ever say we were trying to extract our pound of flesh. We were too sophisticated for that. We'd say, 'We've come by this information and we want you to know it's safe in our hands.' We never bent a man's arm. We would never be so crass or so crude."

In addition to Mr. Rooney, the source said, some of the chief beneficiaries of politically useful material about their opponents were Mr. Rooney's colleagues on the subcommittee

that exercised authority over the Justice Department's finances.

"We always focused on the Appropriations Committee, because we wanted more and more money," he said. "We had the whole thing rigged every time Hoover went up [to testify in behalf of the bureau's budget request]."

The Rooney subcommittee invariably approved the bureau's proposed budget with no major reductions. On occasion, it gave Mr. Hoover more money than he asked for.

When Mr. Rooney, a con-

servative, was challenged for the Democratic nomination in 1972 by Allard K. Lowenstein, the source said, the F.B.I. "did everything we could to help Rooney get elected."

Agents in the field were ordered to gather and forward to Washington whatever "background" information they could find on Mr. Lowenstein, a former president of the Americans for Democratic Action who organized a movement to unseat President Johnson in 1968.

"They didn't find anything derogatory on him," he recalled, "but it seems he was identified with liberal and radical causes. We gave Rooney everything we knew."

In a statement issued through his office here, Mr. Lowenstein, who is in Israel, said only that he hoped "the full story of this kind of activity will come out."

In the June, 1972, primary election, less than two months after Mr. Hoover's death, Mr. Lowenstein was narrowly defeated for the Democratic Congressional nomination from New York's 14th District by Mr. Rooney, who has represented it for 31 years.

Radicalism Issue Raised

Mr. Rooney's own campaign literature concentrated on painting Mr. Lowenstein, who was first elected to Congress in 1968 from Nassau County, as a "tricky carpetbagger" unsympathetic to the needs of Israel.

But some of the leaflets put out by the Congressman's supporters did attack Mr. Lowenstein's radicalism, though not in specific terms. One flyer, paid for by a citizen's committee supporting Mr. Rooney, charged that Mr. Lowenstein had helped to organize "radical demonstrations throughout our country."

According to the source's account, the F.B.I. agents who were ordered to investigate candidates for political office "didn't know why the hell we were requesting the information."

The requests themselves, he said, were made on Mr. Hoover's orders "to get this on so-and-so, get that on so-and-so" and were usually passed by telephone rather than in writing.

When the sensitive material reached Washington, it was put into files that were marked "Do Not File," the source related. "So there were no files on that which we should not have been engaged in, no records at all."

The "background" dossiers, kept in Mr. Hoover's office, were said to have been available not only to appropriations committee members but also

to other Senators and Congressmen whom Mr. Hoover viewed as friends.

A few days before the November, 1972, election of L. Patrick Gray 3d, who succeeded Mr. Hoover as the F.B.I.'s acting director, disclosed that he had just discovered, and was putting an end to, a 22-year-old bureau practice of compiling "biographical data" on major Congressional candidates.

Although Mr. Gray insisted the data had been gleaned only from "readily available published sources" and had been intended for use as an aid in the bureau's Congressional relations program, he said he was halting the effort to prevent its "misinterpretation."

"We ran a hell of a clipping operation," the source said, recalling Mr. Gray's remarks about the exclusive use of published sources, "but it went far beyond that."

Asked whether Mr. Rooney had been aware of the source of the information on his opponents that he was alleged to have received, the source replied, "Oh, of course. Sometimes Hoover would do it [turn the material over] himself. Hoover and Rooney were very close."

Congressman Sues

During Mr. Gray's abortive confirmation hearings last March on his nomination to become permanent F.B.I. director, he told the Senate Judiciary Committee that, although no more biographical information was being gathered, the existing files would not be

destroyed because they were part of the bureau's archives.

The files to which Mr. Gray referred, however, do not fit the description of those said by the source to have been kept in three filing cabinets in Mr. Hoover's private office.

Following Mr. Gray's disclosure, Representative Edward I. Koch, the Manhattan Democrat, sued the F.B.I. for access to his file, which then agreed to turn it over "pursuant to the Freedom of Information Act."

Mr. Koch said the material he was given included only newspaper clippings, copies of his correspondence with the F.B.I. and his testimony at Mr. Gray's confirmation hearings.

But he said that an attached cover sheet carried the notation "no prior bureau file," indicating that a check had been made on his background when he was first elected to Congress in 1968.

Another source said that Mr. Rooney had told him during his 1970 re-election campaign that he had received from an undisclosed source a "dossier" on Peter Eikenberry, a young civil rights lawyer who, like Mr. Lowenstein, failed in trying to wrest the Democratic nomination away from the Congressman.

In a telephone interview last week Mr. Eikenberry said that, during the 1970 primary campaign, Mr. Rooney had mentioned in public two little known facts about his personal life.

On two occasions, he said, Mr. Rooney let it drop that his opponent had been arrested in his home state, referring to him

once as "a fugitive from justice in Ohio."

Mr. Eikenberry, who now practices law in Manhattan, said he had wondered at the time how the Congressman had learned of the arrest, on a minor charge that resulted from a fraternity drinking party 14 years earlier when he was an undergraduate at Ohio State University.

Mr. Eikenberry said he was also curious about Mr. Rooney's source for the relatively obscure information that he had been dismissed from a Reserve Officers Training Corps unit at the university during the same period.

Told of Mr. Eikenberry's concern, the first source said he did not recall having seen such information within the F.B.I.'s files. But he described it as typical of the sort that the bureau collected on candidates for public office.

"Where do you suppose he [Mr. Rooney] got it?" the source asked.

Mr. Rooney, who is 70 years old and in poor health, has been under pressure to resign by Meade H. Esposito, the Brooklyn Democratic leader. But Mr. Rooney has resisted such suggestions.