

## Mr. Rooney, Mr. Hoover and Decency

Rep. John J. Rooney's charge that this newspaper is "part of the swirling vendetta against the FBI and its respected director, J. Edgar Hoover," may be no more than another manifestation of that "paranoia" which the FBI seems so bent upon encouraging. Or it may be, on the other hand, the reflection of a certain want of sensitivity on the part of the congressman himself which accounts for his unreserved bounty in approving FBI budget requests when he passes on them in his capacity as chairman of an awesome House Appropriations subcommittee. Mr. Rooney recently told us all a great deal about his relationship with Mr. Hoover.

On a TV program called First Tuesday, Mr. Rooney was being interrogated a fortnight ago by Garrick Utley of NBC in regard to FBI wiretapping practices. "Now, I assure you, Mr. Utley," the congressman said, harking back to his days as a prosecutor in Brooklyn, N.Y., "We never had a tap on a decent citizen's telephone, we had taps on the telephones of the underworld, and that's the situation with regard to the Federal Bureau of Investigation." This makes everything perfectly clear, doesn't it? A "decent citizen" is a citizen whose telephone the FBI does not tap, while anyone whose telephone the FBI does tap must be, by that token, a member of the underworld, politically if not criminally.

Mr. Rooney's remarkable response led Mr. Utley to ask him about the widespread assertions that the FBI monitored some private conversations of the late Rev. Dr. Martin Luther King and then used its recordings to silence his attacks on the bureau's performance in the civil rights area. Mr. Rooney remarked: "I happen to know all about

Martin Luther King but I have never told anybody." The following dialogue then ensued:

Q. How do you know everything about Martin Luther King?

A. From the Federal Bureau of Investigation.

Q. They told you, gave you information, based on taps or other sources about Martin Luther King?

A. They did.

Q. Is that proper?

A. Why not! Why not!

Well, there are a couple of answers that can be made to Representative Rooney. One of them is that if, as he indicates, the FBI got its information about Dr. King from a telephone tap, it was clearly violating an act of Congress—if not in the tapping itself, then in divulging what it overheard. For wiretapping at that time, before the Supreme Court Decision on the subject in 1967, was controlled by the Federal Communications Act which declared that "no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person . . ."

The other answer to Representative Rooney ought to be self-evident to anyone brought up in the United States. There is something deeply repugnant to the American sense of decency in the idea of a federal law enforcement agency snooping on the private life of a manifestly "decent citizen" and then gossiping about him to members of Congress and others. If Mr. Rooney and Mr. Hoover don't understand why that's not "proper," it's high time they were replaced by men who do.