

## OPINION

## Democrats and FBI Abuses

By David J. Garrow

Only a few aging historians still remember Rep. John J. Rooney, but from the 1940s into the 1970s he was FBI Director J. Edgar Hoover's most powerful enabler. Rooney, a Brooklyn, N.Y., Democrat, led the House appropriations subcommittee that oversaw the Justice Department. He remained Hoover's steadfast ally as presidents from Truman through Nixon came and went.

John Rooney personified an era in which congressional Democrats eagerly aided and abetted the FBI's running amok, as the bureau surveilled political activists who attracted Hoover's ire. Rooney's retirement in 1974 ushered in a radically different age, featuring rigorous and aggressive congressional oversight. A new generation of Democrats, led by principled progressives like Sen. Frank Church and Rep. Otis Pike,

**In the 1970s, progressives stood up for civil liberties. Today they've reverted to the J. Edgar Hoover era.**

courageously proved ready and willing to expose and eliminate the abuse of Americans' constitutional rights that had long been Hoover's political bread and butter.

The Church Committee, along with decades' worth of Freedom of Information Act releases, exposed once top-secret documents that FBI executives never imagined would see the light of day. These files detailed the scale of politically motivated misbehavior that had occurred when executive-branch controls and meaningful congressional oversight were absent. As a historian who cut his



President Kennedy, FBI Director J. Edgar Hoover and Attorney General Robert F. Kennedy.

teeth on that copious record, I found it unimaginable that congressional Democrats, or American progressives generally, would ever return to championing unquestioned acceptance of FBI claims that its surveillance practices must remain hidden from the public.

But as Frank Church's legacy faded, the FBI protested that the 21st-century bureau bore no relationship whatsoever to Hoover's. In a 2016 speech, then-Director James Comey said that under the glass on his desk he kept a copy of a 1963 memo, signed by Attorney General Robert F. Kennedy, authorizing a wiretap on Martin Luther King Jr. "I keep it there in that spot," Mr. Comey said, "to remind me of what we in the FBI are responsible for, and what we as humans are capable of, and why it is vital that power be overseen, be constrained, be checked."

Yet anyone eager to embrace the belief that today's FBI is a rigorously professional and politically unbiased agency is overlooking the facts. Consider an FBI intelligence assessment from last August, obtained by Foreign Policy's Jana Winter and Sharon Weinberger. The report

warns of a new and highly dangerous domestic terrorist threat: "Black Identity Extremists." Notwithstanding that "BIE violence has been rare over the past 20 years," the FBI proclaimed that it had "high confidence"—defined as "high quality information from multiple sources"—that "premeditated attacks upon law enforcement" by armed African-American activists were 80% to 95% likely to occur over the following year.

Six months later no such attacks have taken place. But in a Dec. 12 raid on the Dallas home of a black activist, FBI agents did seize two firearms, along with a copy of Robert F. Williams's well-known book "Negroes With Guns," first published in 1962. According to a Jan. 30 report in Foreign Policy, the activist stands accused of unlawful possession of a firearm, given a previous misdemeanor conviction for domestic assault.

The same FBI knowingly relied on the "Steele dossier"—third-hand, anonymous partisan gossip about Donald Trump, brokered by a paid operative—to obtain a top-secret court order for surveillance of

former Trump adviser Carter Page, an American citizen. Yet so far as we know, Mr. Page is guilty of nothing more than pursuing unsuccessful business ties in Moscow while mouthing naive platitudes about Vladimir Putin.

Worst of all, the court order for surveillance of Mr. Page was renewed three successive times at the behest of officials including Mr. Comey, the FBI's then Deputy Director Andrew McCabe, and Deputy Attorney General Rod Rosenstein. To anyone who has studied how Hoover's FBI worked, this continuing approval immediately calls to mind the bureau's never-ending surveillance of King's closest adviser, Stanley Levison. Year after year, the wiretaps of Levison produced

no evidence to support the FBI's hypothesis that he was a Soviet agent. Still, successive attorneys general, including Bobby Kennedy, readily approved the FBI's surveillance of Levison and his family.

At first blush, Mr. Rosenstein might welcome the comparison to RFK. But the important point is that the modern Justice Department's surveillance of law-abiding American citizens—whether in New York or Dallas—is no more defensible than the 1960s blanket coverage of Levison and King.

Yet that bright truth is, at the moment, being outshone by Democratic lawmakers' eagerness to cover up, excuse and defend FBI behavior that their predecessors of the 1970s would have readily denounced. The ignominious irony is that judgment-blurring partisan hatred is leading many Democrats to ignore and forsake the lessons that the FBI's history so richly teaches.

*Mr. Garrow's books include "The FBI and Martin Luther King, Jr.," the Pulitzer Prize-winning King biography "Bearing the Cross," and "Rising Star: The Making of Barack Obama."*