

FBI wiretapped father of A-bomb

By Stuart H. Loory
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The former Atomic Energy Commission lawyer who in 1953 drew up the security-risk charges against J. Robert Oppenheimer, father of the atom bomb, now says the FBI wiretapped and bugged conversations between the physicist and his lawyers.

The disclosure by Harold P. Green, a law professor at George Washington University in Washington, amounts to an accusation that the Federal Bureau of Investigation illegally violated the sanctity of the lawyer-client privilege, one of the bulwarks of the American legal system, and put Oppenheimer at a serious disadvantage in his attempt to defend himself against charges that he was disloyal and a security risk to the nation.

During World War II Oppenheimer was director of the Los Alamos, N.M., secret laboratory where the first atom bombs were built under the Army's Manhattan Project. After the war he served as chairman of the ZEC's important General Advisory Committee as an appointee of President Truman.

Despite Oppenheimer's service to the country, President Eisenhower, on Dec. 3, 1953, ordered a "blank wall" between the physicist and all the nation's nuclear-weapons secrets out of fear that he was disloyal to the country. Green later wrote the charges to justify that action.

It was previously known that Oppenheimer was the subject of wiretaps, bugs, tails and mail covers from the time he joined the Manhattan Project until his clearance was lifted.

Green's disclosures to The Chicago Sun-Times, however, are the first details of how this surveillance continued into the period when his security clearance was lifted and nuclear secrets were denied to him.

The new information came to light on the eve of a reopening of the Oppenheimer case by historians.

In December, 1953, Green produced a 3,400-word statement against Oppenheimer, saying that data in the AEC files "raise questions as to your veracity, conduct and even your loyalty" and informing him that, "to protect the common defense and security,"

his clearance had been suspended.

Oppenheimer was summoned from his home in Princeton, N.J., where he was director of the Institute for Advanced Study, to meet with Adm. Lewis Strauss, AEC chairman, and Kenneth Nichols, the AEC's general manager, on Dec. 21. At the meeting, Strauss handed Oppenheimer a draft of the charges and informed him of his right to a hearing.

The physicist apparently had some inkling of the reason for the meeting, so after he received the summons he phoned from Princeton to Joseph Volpe and Herbert Marks, both former general counsels of the AEC, his friends and private lawyers, to say he would visit them after the meeting. Assuming the FBI had taps on Oppenheimer's Princeton phone, Volpe said last week, agents would have known the physicist planned the visits and had time to put bugs in the lawyers' office.

After the session with Strauss and Nichols, Oppenheimer went first to Volpe's office at 1701 K St. in Washington. They discussed his case and, Volpe recalled, "I advised him to get a good criminal lawyer."

Volpe said he subsequently learned from a lawyer-friend at the AEC that the commission had received a report of that conversation. Green said he had seen a memo to the AEC from J. Edgar Hoover reporting the substance of that conversation.

"I didn't tell the AEC what was said," Volpe said. "Robert didn't tell them. They only could have known from a bug. I was mad as hell that they should violate the lawyer-client relationship. But I knew I could get no satisfaction from the Eisenhower administration.

Oppenheimer was finally exonerated in 1963, when President John F. Kennedy awarded him the Enrico Fermi Medal and a \$50,000 prize, the AEC's highest honor, for his contributions to the nuclear-energy program.

His clearance, however, was never restored — he refused to go through another hearing. He died of throat cancer in 1967 at age 62.