

United States Senate

WASHINGTON, DC 20510

June 16, 2021

President Joseph R. Biden
The White House
Washington, DC 20500

Dear Mr. President:

At the end of World War II, Dr. J. Robert Oppenheimer was one of America's preeminent physicists and an important advisor on the United States' nascent nuclear policies. For his work as director of the Manhattan Project, he was awarded the Medal for Merit, the highest honor the U.S. Government bestows on a civilian.

Despite Dr. Oppenheimer's indispensable contributions to the war effort and his expertise as a scientific advisor, in 1954 he was denied security clearance after a McCarthy era hearing that involved unsubstantiated accusations of disloyalty, questionable evidence, and politically motivated judges. The Atomic Energy Commission's hearing *In the Matter of J. Robert Oppenheimer* resulted in the revocation of Dr. Oppenheimer's security clearance and deemed one of America's most talented and revered scientists as untrustworthy and unfit for public service.

In 2014, the Department of Energy finally released un-redacted transcripts of the AEC security board's secret hearings containing additional disclosures that corroborate the loyalty of Dr. Oppenheimer. These documents and history have shown that the accusations against Oppenheimer were without merit. The Commission, wanting to silence Oppenheimer whose principled opposition to the nuclear destruction of cities as official policy and the development of the hydrogen bomb they saw as a formidable obstacle to their plans, used hearing tactics that had no basis in law. As disturbing, the Commission used the Federal Bureau of Investigation, led by Director J. Edgar Hoover, to tap Oppenheimer's and his lawyer's telephones and pass privileged information to the prosecution. These illegal wiretaps were executed without a warrant, and while they revealed nothing incriminating about Oppenheimer they illustrate the extent to which the AEC went to try to uncover any basis on which to silence him.

In fact, the AEC security board did not judge Oppenheimer to be disloyal. Dr. Ward Evans – one of the three board members – wrote in his dissent that “no one on the Board doubts his loyalty – even the witnesses adverse to him admit that...”. Ward went on to conclude, “I personally think that our failure to clear Dr. Oppenheimer will be a black mark on the escutcheon of our country.” Moreover, while the government accused Oppenheimer of lying during his security hearing, it has been well-documented that throughout the hearing Oppenheimer was scrupulous about telling the truth. It was Roger Robb, the AEC's prosecutor, who lied and methodically distorted Oppenheimer's testimony.

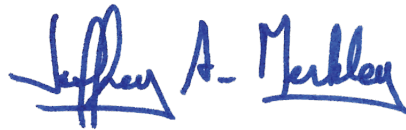
The flawed judgment and the decision-making process in the hearing of J. Robert Oppenheimer were tragic products of their time. Only a clear nullification of the AEC's politically contrived and grossly unjust 1954 decision can erase this "black mark" on the nation's honor.

We can never wholly right the wrongs of history. Nonetheless, we urge you to issue an executive order to vacate the Atomic Energy Commission's erroneous decision that Dr. Oppenheimer was untrustworthy and unfit to serve his country. He was neither. The truth is that he served his country in a time of peril as few people have.

Sincerely,



PATRICK LEAHY
United States Senator



JEFFREY A. MERKLEY
United States Senator



EDWARD J. MARKEY
United States Senator

/s/

MARTIN HEINRICH
United States Senator