

The Crimes of Hiroshima and Nagasaki: Four Senators Ask Biden to Clear Oppenheimer's Name

By [Susan D'Agostino](#)

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When the United States dropped atomic bombs on Hiroshima and Nagasaki at the end of World War II, [110,000-210,000](#) people were instantly killed. Japan surrendered in the days that followed. Not long after, nuclear physicist J. Robert Oppenheimer, who led the Manhattan Project—the research and development program that produced the bomb—was awarded the highest US honor bestowed on civilians for his contribution to the war effort: a Medal of Merit. But Oppenheimer came to regret his participation in the unprecedented devastation, which included [thousands](#) more deaths over time due to radiation exposure.

In a post-war leadership position at the Atomic Energy Commission (AEC), Oppenheimer voiced strong opposition to the development of the hydrogen bomb and argued for international controls on nuclear weapons. His advocacy was seized on by political enemies, and in 1954, he was called before an AEC tribunal that focused on his connections to people associated with communist organizations. That secret, McCarthy-era hearing found [no evidence of disloyalty](#), yet nonetheless revoked his security clearance a mere [32 hours](#) before it was due to expire. The events caused him great personal and professional pain until his death in 1967.

Now, more than 50 years later, US Sens. Patrick Leahy, Edward Markey, Jeffery Merkley, and Martin Heinrich have written a letter to President Biden asking to clear Oppenheimer's name.

June 18, 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 derailed one of America's most talented and revered scientists at unwarrantedly 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 conscience 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.

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“People whose views differ from those in authority should not be targeted for speaking out,” said Tim Rieser, a senior foreign policy advisor to Senator Leahy. “[Oppenheimer] had a unique credibility and perspective on the future development and use of nuclear weapons.”

From the start, Oppenheimer's case raised questions about the ability of government scientists to work and think independently. Reacting to the injustice of Oppenheimer's hearing, Albert Einstein [scoffed](#) that the initials of the organization might stand for “Atomic Extermination Conspiracy.” David Lilienthal, a former Atomic Energy Commission chairman,

[wrote](#) in his diary, “They are so wrong, so terribly wrong, not only about Robert, but in their concept of what is required of wise public servants.” Much later, in 2014, unredacted [transcripts](#) of the hearing, *In the Matter of J. Robert Oppenheimer*, vindicated the nuclear physicist, showing that the prosecution engaged in a wide variety of misconduct.

The four senators have asked President Biden to issue an executive order vacating the AEC decision that Oppenheimer was untrustworthy and unfit to serve his country. “He was neither,” they wrote. This is the second letter to a president they have written in defense of Oppenheimer; the first was addressed to President Obama. As they understand it, that letter was forwarded to the Energy Department, where it “died,” Rieser said.

“During the Trump administration, it was pointless to pursue this. But with the Biden administration, we felt that we should try again,” Rieser said.

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

for

MARTIN HEINRICH
United States Senator

Page 2 of Sens. Patrick Leahy, Edward Markey, Jeffrey Merkley, and Martin Heinrich letter to President Biden asking to clear Oppenheimer’s name.

The four senators’ efforts are as much about correcting the historical record as they are about reminding the president and the public that a scientist’s ability to think independently is a fragile, yet vital element for ethical scientific progress.

“Look at what happened during the Trump years. People lost their jobs because they stood up for what they believed in,” said Rieser. “Some were intimidated into silence for fear of retribution, while others resigned. There are [recent] similarities to what happened with Oppenheimer, and we should be concerned about that.”

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*[Susan D'Agostino](#) is an associate editor at the *Bulletin of the Atomic Scientists*. Her writing has been published in *The Atlantic*, *Quanta Magazine*, *Scientific American*, *The Washington Post*, *BBC Science Focus*, *Nature*, *Financial Times*, *Undark Magazine*, *Discover*, *Slate*, *Times Higher Education*, and *The Chronicle of Higher Education*, among others.*

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