

United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

November 29, 2016

The Honorable John Kerry
Secretary of State
U.S. Department of State
2201 C St. NW
Washington, D.C. 20520

Dear Secretary Kerry:

As you approach your final months of service as our nation's chief diplomat, I ask that you take steps to remedy a deep stain on our national history and that of the State Department itself: The legacy of the so-called "lavender scare" in which hundreds of State Department employees were dismissed from service because of their perceived sexual orientation.

David Johnson's *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government* (University of Chicago Press, 2006), the definitive academic study of the issue, found that at least 1,000 people were dismissed from the U.S. Department of State for alleged homosexuality during the 1950s and well into the 1960s before the "scare" ran its course.

According to the Department's Bureau of Diplomatic Security, employees were forced out of the Department on the ostensible grounds that their sexual orientation rendered them vulnerable to blackmail, prone to getting caught in "honey traps", and made them security risks, with many more prevented from joining the Department due to a screening process that was put in place to prevent those who "seemed like they might be gay or lesbian" from being hired.

The Senate bears a special measure of responsibility for the "lavender scare," as the Department's actions were in part in response to congressional investigations into "sex perversion of federal employees," reports on the employments of "moral perverts by Government Agencies," and hearings or pressure placed on the Department through the appropriations process. For example, State Department officials were forced to report on the number of homosexuals fired each year as part of their annual appeals before Congressional Appropriations Committees. Congress was also making McCarthy-like complaints that Foggy Bottom was rampant with homosexuals who were sympathetic to Communism and vulnerable to blackmail.

Although the worst effects of the "lavender scare" are far behind us, as recently as the early 1990s the State Department's security office was investigating personnel thought to be gay and driving them out of government service as "security risks," leading to Secretary of State Warren Christopher finally issuing a prohibition against discrimination in the Department including that based on sexual orientation in 1994, and President Bill Clinton signing Executive Order 13087 barring discrimination on the basis of sexual orientation in 1998.

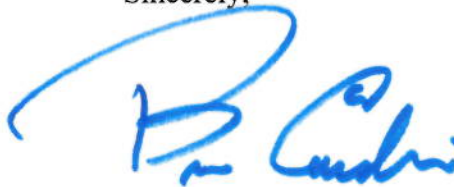
Yet, according to the State Department Office of Legislative Affairs, the State Department Historian's Office, and the Senate Historian, to date there has been no public acknowledgment or apology by the Department or the U.S. Government for this history of discrimination, and the grave injustice done to these State Department employees, based on their sexual orientation.

When the new Congress convenes I intend to remedy this injustice by introducing legislation to acknowledge this history, offer an apology on behalf of the Congress, provide for a "board of corrections" for those wishing to address their employment records, and to provide guidance for the Department on issues like assuring visas for the same-sex spouses of Foreign Service personnel posted overseas which remain on the still unfinished agenda to ensure greater inclusivity, equality and dignity for all of the Department's employees.

In the meantime, however, I would like to urge you to consider issuing an appropriate statement that acknowledges the State Department's history of the "lavender scare" and that provides a fitting apology to its employees, and – equally as important – their families and loved ones because many of the impacted employees are likely deceased. I would also urge you to consider steps to assure that the history of this unfortunate episode is not brushed aside or hidden away. My recommendation would be that you start the process for it to be treated appropriately, perhaps with a permanent exhibit, in the State Department's National Museum of American Diplomacy.

Mr. Secretary, I know that you feel every bit as strongly as I do about this issue. You have an unimpeachable record of honorable service to this nation and the ideals and values for which it stands. There is little we can do to undo hurts and wrongs of the past. But we can take steps to assure that the lessons of these episodes are learned and remembered, and in so doing make a contribution to assuring that such injustice will never transpire again.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Cardin". The signature is fluid and cursive, with a large initial "B" and "C".

Benjamin L. Cardin
Ranking Member