

EMPLOYMENT OF HOMOSEXUALS AND OTHER
SEX PERVERTS IN GOVERNMENT

INTERIM REPORT

SUBMITTED TO THE

COMMITTEE ON EXPENDITURES IN THE
EXECUTIVE DEPARTMENTS

BY ITS

SUBCOMMITTEE ON INVESTIGATIONS

PURSUANT TO

S. Res. 280

(81st Congress)

A RESOLUTION AUTHORIZING THE COMMITTEE ON
EXPENDITURES IN THE EXECUTIVE DEPART-
MENTS TO CARRY OUT CERTAIN DUTIES



DECEMBER 15 (legislative day, NOVEMBER 27), 1950.—Ordered to be printed

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1950

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE
DEPARTMENTS

JOHN L. McCLELLAN, Arkansas, *Chairman*

JAMES O. EASTLAND, Mississippi	JOSEPH R. McCARTHY, Wisconsin
CLYDE R. HOEY, North Carolina	IRVING M. IVES, New York
HERBERT R. O'CONOR, Maryland	KARL E. MUNDT, South Dakota
HUBERT H. HUMPHREY, Minnesota	MARGARET CHASE SMITH, Maine
EDWARD L. LEAHY, Rhode Island	ANDREW F. SCHOEPEL, Kansas
WILLIAM BENTON, Connecticut	ARTHUR H. VANDENBERG, Michigan

WALTER L. REYNOLDS, *Clerk*

INVESTIGATIONS SUBCOMMITTEE

CLYDE R. HOEY, North Carolina, *Chairman*

HERBERT R. O'CONOR, Maryland	KARL E. MUNDT, South Dakota
JAMES O. EASTLAND, Mississippi	MARGARET CHASE SMITH, Maine
JOHN L. McCLELLAN, Arkansas	ANDREW F. SCHOEPEL, Kansas

FRANCIS D. FLANAGAN, *Chief Counsel*

CONTENTS

	Page
Introduction.....	1
Sex perverts as Government employees.....	3
General unsuitability of sex perverts.....	3
Sex perverts as security risks.....	4
Extent of sex perversion in Government.....	6
Handling of sex perversion problem in Government.....	8
The rules of Government regarding the employment of sex perverts..	8
Methods used to prevent sex perverts from obtaining Government employment and to remove them from Government jobs.....	9
The necessity of thoroughly investigating cases of sex perversion in Government.....	11
Failure to obtain police records.....	12
Lack of review procedures.....	13
Handling of sex perversion cases by the legislative branch.....	14
Handling of sex perversion cases in the District of Columbia.....	15
Deficiencies in the present criminal statutes of the District of Col- umbia.....	15
Action by local authorities in sex perversion cases.....	18
Conclusion.....	19

III

EMPLOYMENT OF HOMOSEXUALS AND OTHER SEX PERVERTS IN GOVERNMENT

DECEMBER 15 (legislative day, NOVEMBER 27), 1950.—Ordered to be printed

Mr. HOEY submitted the following

INTERIM REPORT

[Pursuant to S. Res. 280, 81st Cong.]

Made to the Committee on Expenditures in the Executive Departments by its
Subcommittee on Investigations

INTRODUCTION

The Senate Investigations Subcommittee of the Committee on Expenditures in the Executive Departments was directed, under authority of Senate Resolution 280 (81st Cong., 2d sess., adopted June 7, 1950), (see Appendix I), to make an investigation into the employment by the Government of homosexuals and other sex perverts. This resolution was the result of preliminary inquiries made earlier this year by a subcommittee of the Senate District of Columbia Subcommittee on Appropriations composed of Senator Hill of Alabama and Senator Wherry of Nebraska. The reports and testimony of that subcommittee were of considerable value to the Investigations Subcommittee in the conduct of this inquiry.

An investigation on a Government-wide scale of homosexuality and other sex perversion is unprecedented. Furthermore, reliable, factual information on the subject of homosexuality and sex perversion is somewhat limited. In the past, studies in this field, for the most part, were confined to scientific studies by medical experts and sociologists. The criminal courts and the police have had considerable experience in the handling of sex perverts as law violators, but the subject as a personnel problem until very recently has received little attention from Government administrators and personnel officers.

The primary objective of the subcommittee in this inquiry was to determine the extent of the employment of homosexuals and other sex perverts in Government; to consider reasons why their employment by the Government is undesirable; and to examine into the efficacy of the methods used in dealing with the problem. Because of the complex nature of the subject under investigation it was apparent that

this investigation could not be confined to a mere personnel inquiry. Therefore, the subcommittee considered not only the security risk and other aspects of the employment of homosexuals, including the rules and procedures followed by Government agencies in handling these cases, but inquiries were also made into the basic medical, psychiatric, sociological and legal phases of the problem. A number of eminent physicians and psychiatrists, who are recognized authorities on this subject, were consulted and some of these authorities testified before the subcommittee in executive session. In addition, numerous medical and sociological studies were reviewed. Information was also sought and obtained from law-enforcement officers, prosecutors, and other persons dealing with the legal and sociological aspects of the problem in 10 of the larger cities in the country.

The subcommittee, being well aware of the strong moral and social taboos attached to homosexuality and other forms of sex perversion, made every effort to protect individuals from unnecessary public ridicule and to prevent this inquiry from becoming a public spectacle. In carrying out this policy it was determined at the outset that all testimony would be taken by the subcommittee in executive session. Accordingly, all witnesses appearing before the subcommittee testified in executive hearings. In the conduct of this investigation the subcommittee tried to avoid the circus atmosphere which could attend an inquiry of this type and sought to make a thorough factual study of the problem at hand in an unbiased, objective manner.

It was determined that even among the experts there existed considerable difference of opinion concerning the many facets of homosexuality and other forms of sex perversion. Even the terms "sex pervert" and "homosexual" are given different connotations by the medical and psychiatric experts. For the purpose of this report the subcommittee has defined sex perverts as "those who engage in unnatural sexual acts" and homosexuals are perverts who may be broadly defined as "persons of either sex who as adults engage in sexual activities with persons of the same sex." In this inquiry the subcommittee is not concerned with so-called latent sex perverts, namely, those persons who knowingly or unknowingly have tendencies or inclinations toward homosexuality or other types of sex perversion, but who, by the exercise of self-restraint or for other reasons do not indulge in overt acts of perversion. This investigation is concerned only with those who engage in overt acts of homosexuality or other sex perversion.

The subcommittee found that most authorities agree on certain basic facts concerning sex perversion and it is felt that these facts should be considered in any discussion of the problem. Most authorities believe that sex deviation results from psychological rather than physical causes, and in many cases there are no outward characteristics or physical traits that are positive as identifying marks of sex perversion. Contrary to a common belief, all homosexual males do not have feminine mannerisms, nor do all female homosexuals display masculine characteristics in their dress or actions. The fact is that many male homosexuals are very masculine in their physical appearance and general demeanor, and many female homosexuals have every appearance of femininity in their outward behavior.

Generally speaking, the overt homosexual of both sexes can be divided into two general types; the active, aggressive or male type, and

the submissive, passive or female type. The passive type of male homosexual, who often is effeminate in his mannerisms and appearance, is attracted to the masculine type of man and is friendly and congenial with women. On the other hand the active male homosexual often has a dislike for women. He exhibits no traces of femininity in his speech or mannerisms which would disclose his homosexuality. This active type is almost exclusively attracted to the passive type of homosexual or to young men or boys who are not necessarily homosexual but who are effeminate in general appearance or behavior. The active and passive type of female homosexual follow the same general patterns as their male counterparts. It is also a known fact that some perverts are bisexual. This type engages in normal heterosexual relationships as well as homosexual activities. These bisexual individuals are often married and have children, and except for their perverted activities they appear to lead normal lives.

Psychiatric physicians generally agree that indulgence in sexually perverted practices indicates a personality which has failed to reach sexual maturity. The authorities agree that most sex deviates respond to psychiatric treatment and can be cured if they have a genuine desire to be cured. However, many overt homosexuals have no real desire to abandon their way of life and in such cases cures are difficult, if not impossible. The subcommittee sincerely believes that persons afflicted with sexual desires which result in their engaging in overt acts of perversion should be considered as proper cases for medical and psychiatric treatment. However, sex perverts, like all other persons who by their overt acts violate moral codes and laws and the accepted standards of conduct, must be treated as transgressors and dealt with accordingly.

SEX PERVERTS AS GOVERNMENT EMPLOYEES

Those charged with the responsibility of operating the agencies of Government must insist that Government employees meet acceptable standards of personal conduct. In the opinion of this subcommittee homosexuals and other sex perverts are not proper persons to be employed in Government for two reasons; first, they are generally unsuitable, and second, they constitute security risks.

GENERAL UNSUITABILITY OF SEX PERVERTS

Overt acts of sex perversion, including acts of homosexuality, constitute a crime under our Federal, State, and municipal statutes and persons who commit such acts are law violators. Aside from the criminality and immorality involved in sex perversion such behavior is so contrary to the the normal accepted standards of social behavior that persons who engage in such activity are looked upon as outcasts by society generally. The social stigma attached to sex perversion is so great that many perverts go to great lengths to conceal their perverted tendencies. This situation is evidenced by the fact that perverts are frequently victimized by blackmailers who threaten to expose their sexual deviations.

Law enforcement officers have informed the subcommittee that there are gangs of blackmailers who make a regular practice of preying upon the homosexual. The modus operandi in these homosexual black-

mail cases usually follow the same general pattern. The victim, who is a homosexual, has managed to conceal his perverted activities and usually enjoys a good reputation in his community. The blackmailers, by one means or another, discover that the victim is addicted to homosexuality and under the threat of disclosure they extort money from him. These blackmailers often impersonate police officers in carrying out their blackmail schemes. Many cases have come to the attention of the police where highly respected individuals have paid out substantial sums of money to blackmailers over a long period of time rather than risk the disclosure of their homosexual activities. The police believe that this type of blackmail racket is much more extensive than is generally known, because they have found that most of the victims are very hesitant to bring the matter to the attention of the authorities.

In further considering the general suitability of perverts as Government employees, it is generally believed that those who engage in overt acts of perversion lack the emotional stability of normal persons. In addition there is an abundance of evidence to sustain the conclusion that indulgence in acts of sex perversion weakens the moral fiber of an individual to a degree that he is not suitable for a position of responsibility.

Most of the authorities agree and our investigation has shown that the presence of a sex pervert in a Government agency tends to have a corrosive influence upon his fellow employees. These perverts will frequently attempt to entice normal individuals to engage in perverted practices. This is particularly true in the case of young and impressionable people who might come under the influence of a pervert. Government officials have the responsibility of keeping this type of corrosive influence out of the agencies under their control. It is particularly important that the thousands of young men and women who are brought into Federal jobs not be subjected to that type of influence while in the service of the Government. One homosexual can pollute a Government office.

Another point to be considered in determining whether a sex pervert is suitable for Government employment is his tendency to gather other perverts about him. Eminent psychiatrists have informed the subcommittee that the homosexual is likely to seek his own kind because the pressures of society are such that he feels uncomfortable unless he is with his own kind. Due to this situation the homosexual tends to surround himself with other homosexuals, not only in his social, but in his business life. Under these circumstances if a homosexual attains a position in Government where he can influence the hiring of personnel, it is almost inevitable that he will attempt to place other homosexuals in Government jobs.

SEX PERVERTS AS SECURITY RISKS

The conclusion of the subcommittee that a homosexual or other sex pervert is a security risk is not based upon mere conjecture. That conclusion is predicated upon a careful review of the opinions of those best qualified to consider matters of security in Government, namely, the intelligence agencies of the Government. Testimony on this phase of the inquiry was taken from representatives of the Federal

Bureau of Investigation, the Central Intelligence Agency, and the intelligence services of the Army, Navy and Air Force. All of these agencies are in complete agreement that sex perverts in Government constitute security risks.

The lack of emotional stability which is found in most sex perverts and the weakness of their moral fiber, makes them susceptible to the blandishments of the foreign espionage agent. It is the experience of intelligence experts that perverts are vulnerable to interrogation by a skilled questioner and they seldom refuse to talk about themselves. Furthermore, most perverts tend to congregate at the same restaurants, night clubs, and bars, which places can be identified with comparative ease in any community, making it possible for a recruiting agent to develop clandestine relationships which can be used for espionage purposes.

As has been previously discussed in this report, the pervert is easy prey to the blackmailer. It follows that if blackmailers can extort money from a homosexual under the threat of disclosure, espionage agents can use the same type of pressure to extort confidential information or other material they might be seeking. A classic case of this type involved one Captain Raedl who became chief of the Austrian counterintelligence service in 1912. He succeeded in building up an excellent intelligence net in Russia and had done considerable damage to the espionage net which the Russians had set up in Austria. However, Russian agents soon discovered that Raedl was a homosexual and shortly thereafter they managed to catch him in an act of perversion as the result of a trap they had set for that purpose. Under the threat of exposure Raedl agreed to furnish and he did furnish the Russians with Austrian military secrets. He also doctored or destroyed the intelligence reports which his own Austrian agents were sending from Russia with the result that the Austrian and German General Staffs, at the outbreak of World War I in 1914, were completely misinformed as to the Russian's mobilization intentions. On the other hand, the Russians had obtained from Raedl the war plans of the Austrians and that part of the German plans which had been made available to the Austrian Government. Shortly after the outbreak of the war Captain Raedl's traitorous acts were discovered by his own Government and he committed suicide.

Other cases have been brought to the attention of the subcommittee where Nazi and Communist agents have attempted to obtain information from employees of our Government by threatening to expose their abnormal sex activities. It is an accepted fact among intelligence agencies that espionage organizations the world over consider sex perverts who are in possession of or have access to confidential material to be prime targets where pressure can be exerted. In virtually every case despite protestations by the perverts that they would never succumb to blackmail, invariably they express considerable concern over the fact that their condition might become known to their friends, associates, or the public at large. The present danger of this security problem is well illustrated by the following excerpt from the testimony of D. Milton Ladd, Assistant to the Director of the Federal Bureau of Investigation, who appeared before this subcommittee in executive session:

The Communists, without principles or scruples, have a program of seeking out weaknesses of leaders in Government and industry. In fact, the FBI has in

its possession information of unquestionable reliability that orders have been issued by high Russian intelligence officials to their agents to secure details of the private lives of Government officials, their weaknesses, their associates, and in fact every bit of information regarding them, hoping to find a chink in their armor and a weakness upon which they might capitalize at the appropriate time.

The subcommittee in pointing out the unsuitability of perverts for Government employment is not unaware of the fact that there are other patterns of human behavior which also should be considered in passing upon the general suitability or security-risk status of Government employees. There is little doubt that habitual drunkards, persons who have engaged in criminal activities, and those who indulge in other types of infamous or scandalous personal conduct are also unsuitable for Government employment and constitute security risks. However, the subcommittee, in the present investigation, has properly confined itself to the problem of sex perverts.

EXTENT OF SEX PERVERSION IN GOVERNMENT

It is not possible to determine accurately the number of homosexuals and other sex perverts in the Government service. The only known perverts are those whose activities have been brought to the attention of the authorities as the result of an arrest or where some other specific information has resulted in the disclosure of their perversion.

Not even the experts are in agreement as to the incidence of homosexuality and other sex perversion among the general population and to attempt to arrive at an estimated figure as to the number of perverts in the Federal Government would be sheer speculation and serve no useful purpose. While most authorities agree that the incidence of sex perversion follows a rather constant pattern throughout our entire social structure, regardless of education, wealth, or social position, it clearly does not follow that the same relative number of perverts should be found in the Federal service as are found outside of the Government. In this regard we must consider the fact that homosexuals and other persons with arrest records or other known indications of unsavory character are largely eliminated from a great many Federal positions in such agencies as the Atomic Energy Commission, the Federal Bureau of Investigation, the State Department, certain branches of the Treasury, and other sensitive jobs where all applicants are thoroughly investigated prior to employment. Furthermore, some check is made of all Government employees prior to or soon after their appointment and this would tend to eliminate many undesirables.

In considering the extent of homosexuality in the Government, the subcommittee has confined itself, as far as it has been reasonably possible, to those cases where specific information has led to the conclusion that a person is a pervert, or at least a likely suspect. It is realized that there are bound to be some unknown perverts in Government, because in any organization as large as the Federal Government it is logical to assume that there will be perverts whose clandestine activities may never be discovered. However, it is expected that the number of perverts in Government can be kept to a minimum if the problem is handled properly.

The subcommittee has attempted to arrive at some idea as to the extent of sex perversion among Government employees by obtaining information from the personnel records of all Government agencies

and the police records in the District of Columbia. Due to the manner in which personnel records are maintained it was found that any effort to obtain statistics from these records prior to January 1, 1947, would necessarily involve a prohibitive cost and that the fragmentary information obtained from such records prior to that date would be of little or no value to this investigation.

An individual check of the Federal agencies revealed that since January 1, 1947, the armed services and civilian agencies of Government have handled 4,954 cases involving charges of homosexuality or other types of sex perversion. It will be noted that the bulk of these cases are in the armed services as is indicated by the fact that 4,380 of the known cases in Government involved military personnel and 574 involved civilian employees. However, in considering these statistics it is pointed out that the incidence of homosexuality and other forms of sex perversion is usually higher in military organizations or other groups where large numbers of men (or women) live and work in close confinement and are restricted in their normal social contacts. Furthermore it must be borne in mind in relation to the larger numerical figures of the military departments that the armed services are numerically several times larger than any civilian agency of government. Another important consideration in drawing conclusions from these statistics is the fact that the military services, unlike most other Government agencies, traditionally have been aggressive in ferreting out and removing sex perverts from their ranks and this is bound to make for a larger number of known cases in the services. Attached as appendix II is a breakdown of the statistics gathered from the armed services and the attached appendix III is a breakdown of similar statistics obtained from the civilian agencies of Government.

In considering the statistics it will be noted that two types of action are taken in sex perversion cases in the military establishments, namely, removal after general court martial or removal by means other than general court martial. Usually in the latter cases the accused is allowed to resign in lieu of court martial. Information is not available from the military establishments as to the number of cases in which suspected persons were cleared of the charges and restored to duty. These statistics indicate that of the total 4,380 military removals since January 1, 1947, 470 persons have been separated as the result of general court martial and 3,910 have been separated by means other than general court martial. An effort was made also to obtain the number of civilian employees of the armed services which have been separated from the services since January 1947 and it was found that because of the record system of these services the cost of obtaining such information would be prohibitive. It will be noted in the footnote of appendix II that 42 civilians are known to have been separated from the armed services at various times since January 1, 1950. However, these statistics on civilian employees of the armed services are very fragmentary and incomplete and for that reason only a passing reference is being made to them in this section of the report.

An examination of the statistical data gathered from the civilian agencies of Government (see Appendix III) indicates that from January 1, 1947 through October 31, 1950, 574 cases have been handled in these agencies. Of that number 207 have been dismissed from the Government service and 213 have resigned. In 85 cases it was determined by the employing agency that the facts did not substantiate the

charges and the persons involved were retained. In addition investigation is pending in 69 cases in which no final determination has been made as yet.

It is significant to note that it was about April 1 of this year that the employment of sex perverts in Government was given widespread publicity as the result of preliminary studies by the Senate Appropriations Subcommittee. Shortly after that time records of persons arrested in the District of Columbia on charges of sex perversion were made available to the various Government agencies and since that time there has been a marked increase in the number of cases handled by the Government departments. Excluding the military and civilian personnel of the armed services the statistics reveal that out of a total of 574 known cases involving employees in all civilian agencies of Government only 192 cases were handled in a period of over 3 years prior to April 1, 1950. However, 382 cases have been handled since that time. When it is considered that 133 of the cases handled prior to April 1, 1950, involved employees of the ECA and the State Department this means that only 59 perversion cases were handled by all other civilian agencies of the Government prior to the time that the Congress began its inquiries early this year. These figures clearly indicate that many of the civilian agencies of the Government were either negligent or otherwise failed to discover many of the homosexuals in their employ until after this situation was brought to light as the result of congressional action.

On the other hand an examination of the statistics on military personnel shows that 3,245 persons were separated from the military services prior to April 1, 1950, and 1,135 persons have been separated since that time. These figures indicate that the military establishments over a period of years have followed a rather uniform and constant pattern in ferreting out and removing these persons from the services while most of the civilian agencies of Government have taken action in the majority of cases only in the past few months.

The subcommittee compiled these statistics on a Government-wide basis in the belief that this was the best method of arriving at some factual basis as to the extent of homosexuality and other types of sex perversion in Government. The subcommittee is aware that in some instances the statistics furnished are not entirely complete but the cases reported for the period covered, namely, January 1, 1947, through October 31, 1950, are based upon all of the reasonably available facts and are not predicated upon sketchy spot checks, estimates, or speculation.

HANDLING OF THE SEX PERVERSION PROBLEM IN GOVERNMENT

THE RULES OF GOVERNMENT REGARDING THE EMPLOYMENT OF SEX PERVERTS

The regulations of the Civil-Service Commission for many years have provided that criminal, infamous, dishonest, immoral or notoriously disgraceful conduct, which includes homosexuality or other types of sex perversion, are sufficient grounds for denying appointment to a Government position or for the removal of a person from the Federal service. Furthermore, under the civil service regulations (Ch. S1-21, Federal Personnel Manual), specific procedures have been

set up under which unsuitable Federal employees who are subject to the civil service regulations shall be removed from the Government: These civil service regulations are applicable to over 90 percent of the civilians employed in the Federal Government and the remaining civilian employees who are not subject to the rules of the Civil Service Commission are covered by agency regulations which are similar to those of the Commission. In addition to the rules and regulations of the Civil Service Commission, the armed services have promulgated and adopted their own regulations for the handling of this problem among military personnel. As was previously pointed out in this report, the armed services have traditionally taken a firm and aggressive attitude toward the problem, but until early this year, each service was handling the problem in its own way. In December 1949, the Department of Defense effected standard procedures for the handling and disposition of homosexual cases among military personnel. Since that time each of the services has issued regulations based upon these procedures and the problem is now being handled uniformly in all of the military services.

METHODS USED TO PREVENT SEX PERVERTS FROM OBTAINING GOVERNMENT EMPLOYMENT AND TO REMOVE THEM FROM GOVERNMENT JOBS

In reviewing the methods and procedures in the handling of the problem of sex perversion in the Government, two factors must be considered. First, consideration must be given to preventing such persons from obtaining Government employment and, second, the methods used in detecting and removing perverts who are already in the Government service should be examined. Under present procedures all applicants for Government positions are screened by the Civil Service Commission soon after their appointment. While these applicants are not subject to a so-called full field investigation, their fingerprints are checked against the files of the FBI to determine whether they have a prior arrest record, and other name checks are also made. As a result of this screening process, the Civil Service Commission is notified in the event the applicant has a police record of sex perversion; and, if such a record does exist, further investigation is conducted to determine the complete facts. A spot check of the records of the Civil Service Commission indicates that between January 1, 1947, and August 1, 1950, approximately 1,700 applicants for Federal positions were denied employment because they had a record of homosexuality or other sex perversion.

Furthermore, in most of the sensitive agencies of the Government, including the Atomic Energy Commission, the State Department, and the FBI, all applicants are subjected to a full field investigation. Needless to say, this type of investigation should eliminate most sex perverts and other undesirables from positions in these agencies. However, it must be borne in mind that as a practical matter even the most elaborate and costly system of investigating applicants for Government positions will not prevent some sex perverts from finding their way into the Government service. Considering the fact that it is not practical to make a complete preemployment investigation of every Government employee, it is believed that the present system of checking applicants is adequate: and, if the employing agencies will make it a standard policy to refuse employment to those persons who have

a background of perversion, the number of such perverts who get into the Government service can be kept to a minimum.

On the other hand, the subcommittee has found that many civilian agencies of government have taken an entirely unrealistic view of the problem of sex perversion and have not taken adequate steps to get these people out of government. Known perverts and persons suspected of such activities have been retained in some Government agencies, or they have been allowed to leave one agency and obtain employment in another, notwithstanding the regulations of the Civil Service Commission and the rules of the agencies themselves. There are several reasons why this situation existed. In many cases the fault stemmed from the fact that personnel officers and other officials were acting in outright disregard of existing rules, and they handled the problem in accordance with their individual feelings or personal judgments in the matter. To further confuse the problem, there was considerable ignorance and wide difference of opinion among Government officials as to how personnel cases involving sex perverts should be handled. Some officials undoubtedly condoned the employment of homosexuals for one reason or another. This was particularly true in those instances where the perverted activities of the employee were carried on in such a manner as not to create public scandal or notoriety. Those who adopted that view based their conclusions on the false premise that what a Government employee did outside of the office on his own time, particularly if his actions did not involve his fellow employees or his work, was his own business. That conclusion may be true with regard to the normal behavior of employees in most types of Government work, but it does not apply to sex perversion or any other types of criminal activity or similar misconduct.

There also appears to have been a tendency in many Government agencies to adopt a head-in-the-sand attitude toward the problem of sex perversion. Some agencies tried to avoid the problem either by making no real effort to investigate charges of homosexuality or by failing to take firm and positive steps to get known perverts out of Government and keep them out. In other cases some agencies did get rid of perverts, but in an apparent effort to conceal the fact that they had such persons in their employ, they eased out these perverts by one means or another in as quiet a manner as possible and circumvented the established rules with respect to the removal or dismissal of unsuitable personnel from Government positions. As a result of this situation a sex pervert would be forced out of one department and in many instances he would promptly obtain employment in another public agency. Such cases occurred because the pervert was usually allowed to resign and the real reason for his resignation was not noted in his regular personnel file, nor was the Civil Service Commission notified of the actual reason for the resignation. In order to prevent exactly that type of abuse, the civil service regulations, for a number of years, have provided that when an employee resigns or is dismissed from an agency the real reason must be noted in his personnel file and the Civil Service Commission must also be notified. This acts as a double check in that the regular personnel file must be forwarded to any new agency to which the employee might transfer and the derogatory information is also carried in the central files of the Civil Service Commission.

A glaring example of this latter situation involved the 91 homosexuals who left the State Department between January 1947 and January 1950. In most of those cases these known homosexuals were allowed to resign for "personal reasons" and no information was placed in the regular personnel files of the State Department indicating the real reason for the resignation; nor was the Civil Service Commission informed of the true reason for the resignation. The actual facts involved in the removal of these individuals were entered in certain confidential files of the States Department. Due to the manner in which these cases were mishandled, 23 of those 91 State Department employees found their way into other departments of the Government. The Civil Service happened to uncover 6 of these 23 cases as the result of independent investigations but no notification was given to the Commission by the State Department concerning the real reason for the dismissal of any of these persons until March of this year. At the present time 22 of these homosexuals have been removed from the agencies to which they transferred after leaving the State Department. In one case the individual involved was retained in the new agency after a reconsideration of the facts in his case.

The Civil Service Commission does make periodic inspections of personnel files in the various Government agencies for the purpose of determining whether civil service regulations are being violated such as was done in these 23 cases. Recently the Commission expanded the operations of this inspection service and anticipates that more intensified inspection in the future will prevent this type of violation. The Commission has assured the subcommittee that it will make every effort to prevent violations of the rules in the future and that at the present time the State Department and other agencies are notifying the Commission and are properly recording the dismissals of sex perverts in their personnel files.

As has been previously stated, the regulations of the Civil Service Commission provide that certain procedures must be followed by Government agencies in removing sex perverts or other undesirable civil service employees from the Government. In essence the regulations provide that the employee must be informed in writing of the charges against him; that he must be allowed a reasonable time to file an answer; and that if the employee answers the charges, his answers must be considered by the agency and he must be furnished with a written decision in his case. While this procedure give the employee an opportunity to know and answer the charges against him, the subcommittee is convinced that unless the persons who actually administer these procedures are in possession of sufficient facts upon which to draw up the charges and to make their final decisions, the public interest will not be protected adequately.

THE NECESSITY OF THOROUGHLY INVESTIGATING CASES OF SEX PERVERSION IN GOVERNMENT

Rules, regulations and procedures are of little value in dealing with sex perverts in Government unless full and complete facts, which can only be established by a thorough investigation, are available for the review of the agencies in each specific case. The only effective way to handle sex perversion cases in a Government agency is to make sure that every reasonable complaint is thoroughly investigated. Many of

these cases first come to the attention of a Government agency as the result of an arrest on a morals charge. In such a case the investigation should not be confined to a mere review of the arrest record. While it is not deemed advisable to set forth in this report a detailed outline of the investigation that should be made in sex perversion cases, there are certain investigative steps that should be followed out in these cases. In this regard the subcommittee has found that many persons in and out of Government believe that evidence tending to prove or disprove homosexuality or other types of sex perversion is difficult, if not impossible to obtain. That is not a fact. On the contrary the subcommittee has found that in most of these cases concrete information can be adequately developed by experienced investigators using accepted investigative techniques. Examinations by medical psychiatrists experienced in this field can be helpful but there is evidence that such tests are by no means conclusive. Some psychiatrists have been successful in detecting homosexuality and other forms of sex perversion by means of psychiatric tests, but they have been most successful in those cases where information concerning the patient's life and activities has been made available to them as a result of collateral investigations.

Most of the large Government departments have trained investigative staffs which are capable of making investigations in these sex cases and many of the smaller agencies which do not have such staffs can refer these cases to the Civil Service Commission or obtain advice and counsel from the Commission on the investigative steps to be taken in these cases. In spite of the importance of a thorough investigation in these cases, the subcommittee found that a number of the 41 Government agencies which were checked were unaware of the necessity of making such an investigation. A few agencies had little or no idea as to what should be done in these cases, and others indicated that they would have the inquiry made by personnel or legal officers or other administrative officials of the agency. Such a hit-and-miss method of placing the responsibility for these investigations in the hands of persons with little or no investigative experience is not the proper way to handle cases of this serious nature. Those officials responsible for making the decisions in these cases must fortify themselves with adequate facts in each individual case.

FAILURE TO OBTAIN POLICE RECORDS

One of the chief sources of information on sex perverts is to be found in the arrest records of law-enforcement agencies. The lack of proper liaison between law enforcement agencies in the District of Columbia and departments of Government has resulted in many known sex perverts being retained in Government jobs. For a period of approximately 3 years prior to April 1950 the Metropolitan Police Department and the National Park Police are known to have arrested 1,209 sex perverts in the District of Columbia and 457 of these perverts indicated that they were Government employees at the time of arrest. By April and May of this year, when the Civil Service Commission was finally furnished with these police records only 198 of those previously arrested on morals charges were still in the employ of the Government. This discrepancy can be accounted for in two ways.

Some persons arrested indicated that they were employees of the Government, when, in fact, they were not, and others left the Government service between the time of their arrest and the time the police records were made available to the Civil Service Commission. The military services were the only agencies of Government which maintained any regular liaison with the police authorities in the District of Columbia for the purpose of obtaining information concerning the arrest of their personnel on perversion charges.

Adequate procedures have now been established to correct this regrettable situation which existed up until April of this year. At that time the FBI obtained all available police records in the District of Columbia of persons who had been charged with perverted sex offenses and this information was furnished promptly to the Civil Service Commission and the other agencies of Government. The FBI also began furnishing to the Civil Service Commission the criminal records of persons currently arrested by the police throughout the country on charges of sex perversion who were known to be Government employees. Upon receipt of that information the Civil Service Commission transmits the data to the employing agency and later checks up with the agency to determine what, if any, action has been taken in each case.

In view of the fact that the police departments in the District of Columbia and elsewhere fingerprint persons arrested for sex perversion and forward these prints to the FBI, the present system of channeling this arrest information on Government employees from the FBI through the Civil Service Commission to the employing agency means that Government agencies are notified promptly when a Government employee is arrested here or in other parts of the country for perverted sex activities. Under these circumstances the agency will have an opportunity to make an immediate investigation and will be in a position to take the necessary administrative action in each individual case.

LACK OF REVIEW PROCEDURES

In view of the very serious consequences of dismissal from the Government based on charges of sex perversion, the subcommittee is of the opinion that reasonable safeguards should be set up for the protection of the individuals involved in these cases. Under present procedures certain categories of Federal employees have a right to appeal to the Civil-Service Commission in the event they are dismissed from an agency as sex perverts or for any other reason. However, no present machinery exists by which persons without veterans' preference or civil service status can appeal dismissals from the department or agencies of Government. The subcommittee believes that every person dismissed from the Government as a sex pervert should have the right to appeal the findings of the employing agency and these appeals should be handled in a uniform manner.

On the other hand, under the Federal employees loyalty program, any person who is found to be disloyal by an agency loyalty board has the right to appeal to the Loyalty Review Board. This Review Board has the power to review the entire case. It is believed that the ends of justice would be better served by setting up a similar type of review in cases involving the removal of sex perverts from the Fed-

eral Government. However, should any such review machinery be set up it is further recommended that the Review Board be given the authority to subpoena witnesses and records, which powers the Loyalty Review Board does not have at present. It might be stated parenthetically at this point that homosexual or other sex perversion cases are not handled under the Federal employees loyalty program. The agency loyalty boards and the Loyalty Review Board are authorized to consider only that evidence bearing on an employee's loyalty; these boards have no power to act upon charges of sex perversion or other matters reflecting upon a person's suitability for Federal employment.

Considering the fact that each agency and department of Government is primarily responsible for the hiring and firing of its own personnel this subcommittee does not propose to set forth or recommend any detailed blueprint for the handling of the problem of sex perversion in Government. However, our investigation has disclosed certain shortcomings in the present methods of handling the problem and it is believed that the following recommendations should be considered in the future handling of this problem:

1. All reasonable complaints of sex perversion should be thoroughly investigated by qualified investigators. Those agencies without trained investigative staffs should request investigations by the Civil Service Commission, or some other investigative agency.
2. The present rules and procedures of the Civil Service Commission, concerning the employment and discharge of sex perverts should be enforced and carried out by all agencies of Government.
3. Consideration should be given to the establishment of a board of review outside of the employing agency so that all persons who are ordered dismissed on charges of sex perversion may appeal the findings of the employing agency.

HANDLING OF SEX PERVERSION CASES BY THE LEGISLATIVE BRANCH

Generally speaking the subcommittee found that the same shortcomings and delinquencies existed in the handling of this problem by the legislative branch as were found in the executive branch of Government. As the result of this situation there were cases where legislative employees who had been arrested on charges of sex perversion were able to remain in their jobs. However, since the initiation of this investigation all known perverts in the legislative agencies have either been removed or the cases are being given active consideration. With the exception of the General Accounting Office and the Government Printing Office, which come under the general provisions of the Civil Service Commission although they are in the legislative branch of the Government, the legislative branch has adopted no definite procedures for the handling of sex perversion cases.

Employees of the Library of Congress, the Botanical Gardens, and the employees of both Houses of Congress, are subject to the general jurisdiction of the Senate Committee on Rules and Administration or the Committee on House Administration. Arrangements have been made to have the Department of Justice furnish these committees with information coming to the attention of the FBI concerning the arrest of legislative employees in these departments in order that investigations can be made in each case and proper administrative action taken.

It is expected that this arrangement will make it possible for these two congressional committees to handle properly any future cases of sex perversion which might be discovered in these legislative departments.

HANDLING OF SEX PERVERSION CASES IN THE DISTRICT OF COLUMBIA

Because of the large concentration of Federal employees in Washington, D. C., and vicinity, the subcommittee made specific inquiries into the handling of sex perversion cases by the authorities in the District of Columbia. A study was made of the manner in which these cases were handled by the police, the prosecutors, and the courts of the District. This study revealed that these cases were not being handled properly and as a direct result of this investigation some of the deficiencies found to exist have been corrected. Furthermore, the present criminal statutes of the District of Columbia on sex perversion and related matters were found to be inadequate and proposed amendments to the Criminal Code of the District of Columbia have been drawn up by the subcommittee.

DEFICIENCIES IN THE PRESENT CRIMINAL STATUTES OF THE DISTRICT OF COLUMBIA

At the present time acts of sex perversion including homosexual activities are punishable in the District of Columbia as sodomy (22 D. C. 302), attempted sodomy under the general attempt statute (22 D. C. 103), solicitation for immoral purposes (22 D. C. 2701), indecent exposure (22 D. C. 112), or under the disorderly conduct statute (22 D. C. 1107). Other sex offenses are punishable under other sections of the District of Columbia Code.¹ In effect this means that any lewd or obscene act of sex perversion, except those cases involving children under the age of 16 years, which does not amount to sodomy, attempted sodomy, solicitation for immoral purposes, or indecent exposure, can be prosecuted only as an act of disorderly conduct for which the maximum penalty is now a fine of \$25. The fact is that sex perverts, and homosexuals in particular, indulge in many obscene and indecent acts which are now punishable only as disorderly conduct. As a result of this statutory situation most of the homosexuals who are apprehended for lewd or indecent acts committed in the District of Columbia are charged only with disorderly conduct. If such acts are committed in a national park in the District of Columbia, the offender could be charged with a violation of the rules and regulations of the National Parks Service which specifically prohibit the commission of such obscene or indecent acts in the parks under a penalty of \$500 fine or 6 months in jail or both (sec. 3.25, Rules and Regulations, National Park Service, Federal Register, June 7, 1950). However, as a practical matter the subcommittee has been unable to find any cases in recent years involving lewd or indecent acts in the national parks of the District of

¹ Adultery (22 D. C. 201); incest (22 D. C. 1901); prostitution (22 D. C. 2701 through 2722); rape (22 D. C. 2801); assault with intent to commit rape (22 D. C. 501); seduction (22 D. C. 504); indecent publications (22 D. C. 2001); treatment of sex psychopaths (22 D. C. 3501 through 3511).

Columbia which have been prosecuted under the national park regulations.

In order to correct this statutory deficiency the subcommittee has drafted a proposed amendment to the Criminal Code which will make it unlawful to commit any lewd, obscene, or indecent act in the District of Columbia under penalty of not more than \$500 fine or imprisonment of not more than 6 months, or both. This amended section of the code would strengthen the existing indecent exposure statute (22 D. C. 1112)² to prohibit indecent exposures any place in the District of Columbia. Under the present statute, it is impossible to prosecute indecent exposure cases occurring in residences and other places not enumerated in the statute. This proposed bill which contains all of the amendments and additions recommended by the subcommittee is set forth in full appendix IV.

At the present time the prosecution of indecent exposure cases is handled by the Corporation Counsel of the District of Columbia. However, under the proposed statute these indecent exposure cases, as well as cases involving other lewd and obscene acts, will be prosecuted by the office of the United States attorney. The subcommittee believes, and the Corporation Counsel and the United States attorney agree, that these sex offenses should be handled in the office of the United States attorney, particularly in view of the fact that all other types of sex offenses which are handled under the recently enacted Sex Psychopathic Act are now prosecuted by that office. Placing the prospective responsibility for all major sex offenses under the single jurisdiction of the United States attorney should result in a more uniform administration of such cases.

The penalty in the proposed statute covering indecent exposure and obscene or indecent acts was set at a fine of \$500 or 6 months' imprisonment, or both, because that same penalty now is in effect for the commission of obscene or indecent acts in the national parks in the District of Columbia under the national parks rules and regulations. If this amendment is made law, the penalties for the commission of indecent acts in the District will be the same whether the crime is committed in the District proper or the national park areas. At the present time if a person commits an obscene or indecent act in the District of Columbia he is subject to a fine of only \$25 under the disorderly conduct statute while if he committed the same act in a national park area in the District he would be subject to a fine of \$500 or imprisonment for 6 months, or both. Needless to say, there is no logical reason for these discrepancies in the existing criminal laws.

² It shall not be lawful for any person or persons to make any obscene or indecent exposure of his or her person or their persons in any street, avenue, alley, road or highway, open space, public square, or other public place or inclosure, in the District of Columbia, or to make any such obscene or indecent exposure of person in any dwelling or other building or other place wherefrom the same may be seen in any street, avenue, alley, road or highway, open space, public square, or public or private building or inclosure, under penalty of imprisonment for not more than 90 days, or a fine of not more than \$250, for each and every such offense.

Any person or persons who shall make any obscene or indecent exposure of his or her person or their persons, as described in subsec. (a), knowing he or she or they are in the presence of a child under the age of 16 years, shall be punished by imprisonment of not more than 6 months, or fined in amount not to exceed \$500 (as amended, September 20, 1942, 58 Stat. 760, ch. 565; June 9, 1948, 62 Stat. 346, ch. 428, p. 101).

It is further recommended by the subcommittee that the present statute prohibiting solicitation for immoral purposes (22 D. C. 2701) * be amended to make it more effective in dealing with homosexuals and other sex perverts who solicit persons for immoral purposes. It has been the experience of the prosecutors in the District of Columbia that one of the big loopholes in the existing solicitation statutes rises from the fact that under the present statute the person solicited must be invited—

to accompany, go with, or follow him or her to his or her residence, * * *
for the purpose of prostitution or any other immoral or lewd purpose, * * *

The fact is that in many instances persons are solicited for lewd or immoral purposes under circumstances where the proposed lewd act is to be committed at the place of solicitation rather than at some other place, as is necessary for prosecution under the present statute. Another weakness in the present statute arises from the fact that the solicitation for immoral purposes must occur in one of the places specified in the statute. It has been the experience of the police and prosecutors that solicitations do occur in places not specified in the statute and for that reason cannot be prosecuted. The suggested amendment which is set forth in section 3 of the proposed bill (see appendix IV) will make it unlawful to solicit for immoral purposes in any place in the District of Columbia.

The subcommittee further recommends that the present disorderly conduct statute (22 D. C. 1107) be amended to increase the penalty from a fine of \$25 to a fine of \$100 or 90 days' imprisonment, or both. The authorities in the District of Columbia feel that the ends of justice will be better served by this increase in the penalty of the existing general disorderly conduct statute.

In considering these proposed amendments to the Criminal Code of the District of Columbia, the subcommittee conferred with representatives of the municipal court for the District of Columbia, the Police Department, the United States attorney, and the Corporation Counsel. These officials who are charged with the enforcement, prosecution, and judicial determination in sex cases are in complete accord with the proposed changes in the law and agree with the subcommittee that these amendments will materially strengthen the sex laws of the District of Columbia and will make for more uniform and just application of the laws.

* It shall not be lawful for any person to invite, entice, persuade, or to address for the purpose of inviting, enticing, or persuading any person or persons 16 years of age or over, in or upon any avenue, street, road, highway, open space, alley, public square, enclosure, public building, or other public place, store, shop, or reservation or at any public gathering or assembly in the District of Columbia, to accompany, go with, or follow him or her to his or her residence, or to any other house or building, enclosure, or other place, for the purpose of prostitution, or any other immoral or lewd purpose, under a penalty of not more than \$100 or imprisonment for not more than 90 days, or both. And it shall not be lawful for any person to invite, entice, or persuade, or address for the purpose of inviting, enticing, or persuading any such person or persons from any door, window, porch, or portico of any house or building to enter any house, or go with, accompany, or follow him or her to any place whatever, for the purpose of prostitution, or any other immoral or lewd purpose, under the like penalties herein provided for the same conduct in the street, avenues, roads, highways, or alleys, public squares, open spaces, enclosures, public buildings or other public places, stores, shops, or reservations or at any public gatherings or assemblies. (As amended, June 9, 1948, 62 Stat. 340, ch. 428, p. 102.)

ACTION BY LOCAL AUTHORITIES IN SEX PERVERSION CASES

Two separate police departments operate in the District of Columbia, namely, the Metropolitan Police Department, which has general jurisdiction, and the National Park Police, who are charged with policing the national parks in the area. These national parks include many of the smaller parks in the downtown area of Washington which are frequented by homosexuals and other sex perverts. A survey covering the police records for the past 3½ years up to August 1950 revealed that a total of 1,339 known or suspected sex perverts were apprehended by the two police departments during that period. Only 19 percent, or 261 of these 1,339 cases were ever brought to the attention of the prosecutors or disposed of in the courts. Of the remaining 1,078 cases, collateral was forfeited at police stations in 668 instances, 356 persons were released outright, 34 cases were turned over to the military or other authorities, and the dispositions are not available in 20 cases. In a great majority of those 668 cases in which forfeitures were made to the police, the persons arrested for engaging in perverted sex activities were charged by the police with disorderly conduct and collateral of \$25 or less was forfeited. Each day the police record of these forfeitures was filed in routine manner with the clerk of the Municipal Court for the District of Columbia. This practice, however, applied only in the District of Columbia branch of the Municipal Court in cases within the prosecutive jurisdiction of the Corporation Counsel. Forfeitures in cases in the United States branch of the Municipal Court are permitted only at the discretion of the court.

With regard to the forfeiture of collateral in this type of case, it appears that over a period of years the police have been taking collateral of \$25 or less in disorderly conduct and other cases involving minor criminal violations. Under these circumstances the police in their discretion were making all determinations with regard to each case in which forfeitures were made. This procedure completely bypassed the prosecutors and the courts and in effect meant that no representative of the Corporation Counsel or the United States attorney or the Municipal Court for the District of Columbia made any review of the facts or took part in any prosecutive or judicial determinations in these cases. A survey of the laws and procedures of several other large cities revealed that the District of Columbia was the only jurisdiction wherein forfeitures were allowed in cases of this nature involving sex violations without having the facts and the circumstances of each arrest reviewed by the prosecutive or judicial authorities, or both. It was also found that as a result of this practice persons were charged with disorderly conduct and collateral was forfeited to the police, although the facts as they appeared on the arrest records indicated that in some instances more serious crimes such as "solicitation for immoral purposes" and sodomy or attempted sodomy had been committed. Although this undesirable practice arose at least partly as the result of the statutory defects in the District of Columbia Criminal Code, there appears to be no logical reason or no real excuse for handling sex cases in that slipshod manner.

As soon as this situation with respect to the forfeiture of collateral in these cases was discovered by the subcommittee, the matter was brought to the attention of Hon. George P. Barse, chief judge of the

municipal court for the District of Columbia. Shortly thereafter the judges of that court met and on August 18, 1950, issued an order to the prosecutors and law enforcement officials of the District of Columbia which provided that all persons charged with sex offenses within the District of Columbia should post a minimum collateral of \$500 bond or \$300 cash and that no forfeiture of collateral should be made at the police precincts in any cases involving sex offenses. That order, which became effective on August 21, 1950, had the immediate effect of correcting the previous deficiencies in the handling of forfeitures in sex cases. If the proposed statutory changes are made in the District of Columbia Criminal Code, it is believed that the laws and prosecutive and judicial procedures in sex cases in the District will be entirely adequate.

The Superintendent of Police in the District of Columbia has informed the subcommittee that additional men have now been assigned to the detective squad which handles homosexual and similar cases, and further additions will be made to that squad in the near future as soon as trained officers are available. The subcommittee believes that this added emphasis on the law enforcement aspect of the problem, together with the proposed changes in existing laws, will be most helpful in controlling sex perversion in the District of Columbia.

CONCLUSION

There is no place in the United States Government for persons who violate the laws or the accepted standards of morality, or who otherwise bring disrepute to the Federal service by infamous or scandalous personal conduct. Such persons are not suitable for Government positions and in the case of doubt the American people are entitled to have errors of judgment on the part of their officials, if there must be errors, resolved on the side of caution. It is the opinion of this subcommittee that those who engage in acts of homosexuality and other perverted sex activities are unsuitable for employment in the Federal Government. This conclusion is based upon the fact that persons who indulge in such degraded activity are committing not only illegal and immoral acts, but they also constitute security risks in positions of public trust.

The subcommittee found that in the past many Government officials failed to take a realistic view of the problem of sex perversion in Government with the result that a number of sex perverts were not discovered or removed from Government jobs, and in still other instances they were quietly eased out of one department and promptly found employment in another agency. This situation undoubtedly stemmed from the fact that there was a general disinclination on the part of many Government officials to face squarely the problem of sex perversion among Federal employees and as a result they did not take the proper steps to solve the problem. The rules of the Civil Service Commission and the regulations of the agencies themselves prohibit the employment of sex perverts and these rules have been in effect for many years. Had the existing rules and regulations been enforced many of the perverts who were forced out of Government in recent months would have been long since removed from the Federal service.

It is quite apparent that as a direct result of this investigation officials throughout the Government have become much more alert to the

problem of the employment of sex perverts in Government and in recent months they have removed a substantial number of these undesirables from public positions. This is evidenced by the fact that action has been taken in 382 sex perversion cases involving civilian employees of Government in the past 7 months, whereas action was taken in only 192 similar cases in the previous 3-year period from January 1, 1947, to April 1, 1950. However, it appears to the subcommittee that some Government officials are not yet fully aware of the inherent dangers involved in the employment of sex perverts. It is the considered opinion of the subcommittee that Government officials have the responsibility of exercising a high degree of diligence in the handling of the problem of sex perversion, and it is urged that they follow the recommendations of this subcommittee in that regard.

While this subcommittee is convinced that it is in the public interest to get sex perverts out of Government and keep them out, this program should be carried out in a manner consistent with the traditional American concepts of justice and fair play. In order to accomplish this end every reasonable complaint of perverted sex activities on the part of Government employees should be thoroughly investigated and dismissals should be ordered only after a complete review of the facts and in accordance with the present civil-service procedures. These procedures provide that the employee be informed of the charges against him and be given a reasonable time to answer. Furthermore, in view of the very serious consequence of dismissal from the Government on charges of sex perversion, it is believed that consideration should be given to establishing a board of review or similar appeal machinery whereby all persons who are dismissed from the Government on these charges may, if they so desire, have their cases reviewed by higher authority outside of the employing agency. No such appeal machinery exists at the present time.

Although 457 persons who were arrested by police authorities in sex perversion cases in the District of Columbia during the past 4 years indicated that they were employees of the Government at the time of their arrest, information concerning the great majority of these arrests did not come to the attention of the Civil Service Commission or the other agencies of Government until April of this year. This deplorable situation resulted from the lack of proper liaison between the law-enforcement agencies and the departments of Government. The subcommittee is gratified to report that this situation has now been corrected. Since April information concerning Government employees arrested on charges of sex perversion in the District of Columbia and elsewhere has been promptly reported from the FBI to the Civil Service Commission and the employing agencies of Government in order that appropriate action may be taken in each case.

The subcommittee also found that the existing criminal laws in the District of Columbia with regard to acts of sex perversion are inadequate and the subcommittee has drawn up proposed amendments to the District Criminal Code which should materially strengthen these laws. It was also discovered that most of the homosexuals apprehended by the police in the District of Columbia were booked on charges of disorderly conduct. In most cases they were never brought to trial but were allowed to make forfeitures of small cash collateral at police stations. This slipshod method of disposing of these cases with

little or no review by the prosecutive or judicial authorities was corrected after the subcommittee brought this situation to the attention of the judges of the municipal court in August 1950.

Since the initiation of this investigation considerable progress has been made in removing homosexuals and similar undesirable employees from positions in the Government. However, it should be borne in mind that the public interest cannot be adequately protected unless responsible officials adopt and maintain a realistic and vigilant attitude toward the problem of sex perverts in the Government. To pussyfoot or to take half measures will allow some known perverts to remain in Government and can result in the dismissal of innocent persons.

In view of the importance of preventing the employment of sex perverts in Government the subcommittee plans to reexamine the situation from time to time to determine if its present recommendations are being followed and to ascertain whether it may be necessary to take other steps to protect the public interest.

APPENDIX I

[S. Res. 280, 81st Cong., 2d sess.]

RESOLUTION

Resolved, That the Committee on Expenditures in the Executive Departments, or any duly authorized subcommittee thereof, is authorized and directed to make a thorough and comprehensive study and investigation of (a) the alleged employment by the departments and agencies of the Government of homosexuals and other moral perverts, and (b) the preparedness and diligence of authorities of the District of Columbia, as well as the appropriate authorities of the Federal Government, for the protection of life and property against the threat to security, inherent in the employment of such perverts by such departments and agencies. The committee shall report to the Senate at the earliest practicable date, but not later than January 31, 1951, the results of its study and investigation and such recommendations for legislation and other remedial action as it may deem desirable.

For the purposes of this resolution, the committee or any duly authorized subcommittee thereof is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable. The expenses of the committee under this resolution, which shall not exceed \$10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee or subcommittee.

APPENDIX II

*Sex perversion cases, armed services (military personnel)*¹

	Number of sex perversion cases handled		Total	Method of separation	
	Jan. 1, 1947, through Mar. 31, 1950	Apr. 1, 1950, through Oct. 31, 1950		General court martial	Other than general court martial
Army.....	1, 104	301	1, 405	272	1, 133
Navy.....	1, 665	399	2, 064	174	1, 890
Air Force.....	476	435	911	24	887
Total.....	3, 245	1, 135	4, 380	470	3, 910

¹ Statistics on civilian personnel of the armed services are not included in this study. Due to the system of maintaining civilian personnel files in the armed services, prohibitive costs would be incurred in obtaining data concerning the number of civilian employees dismissed for sex perversion. Procedures are now being worked out whereby such information will be available in future cases. However, an incomplete examination of the civilian employee files indicates that at least 42 civilians are known to have been separated from the armed services on charges of sex perversion at various times since January 1, 1950.

² Includes a few separations resulting from rape charges.

³ Air Force figures included with Army until separation of records of these two services in January 1948.

APPENDIX III

Sex perversion statistics, civilian agencies of Government

Department or agency	Cases of sex perversion						
	Jan. 1, 1947 to Apr. 1, 1950	Apr. 1, 1950, to Nov. 1, 1950	Total Jan. 1, 1947 to Nov. 1, 1950	Re-signed	Dis-missed	Pend-ing	Cleared
Agriculture.....	10	22	32	24	7	1	0
American Battle Monument Commission.....	0	0	0	0	0	0	0
Atomic Energy Commission.....	5	3	8	4	1	3	0
Bureau of the Budget.....	0	2	2	2	0	0	0
Civil Aeronautics Board.....	0	2	2	1	0	0	1
Commerce.....	0	49	49	25	16	4	4
Displaced Persons Commission.....	1	1	2	2	0	0	0
District of Columbia.....	7	0	7	2	5	0	0
Economic Cooperation Administration.....	27	0	27	0	19	2	6
Export-Import Bank.....	0	0	0	0	0	0	0
Federal Communications Commission.....	0	3	3	1	0	2	0
Federal Deposit Insurance Corporation.....	0	0	0	0	0	0	0
Federal Mediation and Conciliation Service.....	0	0	0	0	0	0	0
Federal Power Commission.....	0	2	2	2	0	0	0
Federal Reserve System.....	0	0	0	0	0	0	0
Federal Security Agency.....	0	22	22	11	2	4	5
Federal Trade Commission.....	1	0	1	0	1	0	0
General Accounting Office.....	3	10	13	8	4	1	0
General Services Administration.....	0	19	19	8	0	9	2
Government Printing Office.....	0	2	2	2	0	0	0
Housing and Home Finance Agency.....	0	10	10	7	1	0	2
Indian Claims Commission.....	0	0	0	0	0	0	0
Interior.....	7	24	31	4	12	5	10
Interstate Commerce Commission.....	0	2	2	2	0	0	0
Justice.....	1	6	7	5	0	1	1
Labor.....	2	4	6	2	3	1	0
Legislative Branch:							
Botanical Gardens.....	0	0	0	0	0	0	0
Congressional employees.....	0	4	4	1	1	2	0
Library of Congress.....	0	15	15	9	1	5	0
National Advisory Committee for Aero-nautics.....	0	0	0	0	0	0	0
National Capitol Housing Authority.....	0	0	0	0	0	0	0
National Labor Relations Board.....	1	1	2	1	1	0	0
National Mediation Board.....	0	0	0	0	0	0	0
National Security Council.....	0	0	0	0	0	0	0
National Security Resources Board.....	1	0	1	1	0	0	0
Office of Housing Expeditor.....	0	1	1	0	1	0	0
Panama Canal.....	0	0	0	0	0	0	0
Phillipine War Damage Commission.....	0	0	0	0	0	0	0
Post Office.....	2	6	8	3	2	3	0
Railroad Retirement Board.....	2	1	3	2	1	0	0
Reconstruction Finance Corporation.....	0	3	3	0	2	0	1
Securities Exchange Commission.....	0	1	1	1	0	0	0
Selective Service System.....	0	0	0	0	0	0	0
Smithsonian Institute.....	0	2	2	1	0	1	0
State Department.....	106	37	143	15	106	12	10
Tennessee Valley Authority.....	1	0	1	0	1	0	0
Treasury.....	3	20	23	16	4	3	0
U. S. Civil Service Commission.....	8	10	18	12	6	0	0
U. S. Motor Carriers Commission.....	0	0	0	0	0	0	0
U. S. Tariff Commission.....	0	0	0	0	0	0	0
Veterans' Administration.....	4	97	101	39	9	10	43
War Claims Commission.....	0	1	1	0	1	0	0
White House Office.....	0	0	0	0	0	0	0
Total.....	192	382	574	213	207	69	85

¹ Allowed to retire.

² Covers only employees in the Department at Washington, D. C.; other figures not available.

³ 2 allowed to retire.

APPENDIX IV

A BILL To amend the laws relating to obscene or indecent exposure acts committed in the District of Columbia

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Act of July 29, 1892, entitled "An Act for the preservation of the public peace and the protection of property within the District of Columbia", as amended (D. C. Code, 1940 edition, sec. 22-1112), is hereby amended to read as follows:

"SEC. 9. It shall not be lawful for any person or persons to make any obscene or indecent exposure of his or her person or to commit any other lewd, obscene or indecent act in the District of Columbia, under penalty of not more than \$500 fine, or imprisonment of not more than six months, or both, for each and every such offense."

SEC. 2. Section 6 of such Act of July 29, 1892, is amended by striking out "under a penalty of not more than twenty-five dollars for each and every such offense." and inserting in lieu thereof: "under a penalty of not more than \$100 fine or imprisonment of ninety days, or both, for each and every offense; and *Provided*, That all prosecutions under this statute shall be conducted in the name of and for the benefit of the District of Columbia by the Corporation Counsel of the District of Columbia, or his assistants."

SEC. 3. The first section of the Act of August 15, 1935, entitled "An Act for the suppression of prostitution in the District of Columbia", as amended (D. C. Code, 1940 edition, sec. 22-2701), is amended to read as follows:

"That it shall not be lawful for any person to invite, entice, persuade, or to address for the purpose of inviting, enticing, or persuading, any person or persons sixteen years of age or over in the District of Columbia, for the purpose of prostitution, or any other immoral or lewd purpose, under a penalty of not more than \$100 or imprisonment for not more than ninety days, or both."

