

Mattachine Society of Washington, D.C.

Mattachine Society of Washington , D.C. Files Lawsuit in U.S. District Court against Department of Justice to Unseal “Sexual Perversion” Eisenhower and Warren Burger Security Papers

Government claims a “deliberative process privilege” Sixty-three years after the federal ban on LGBT employment

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April 27---The Mattachine Society of Washington, D.C., represented by pro bono legal counsel, McDermott, Will & Emery, has filed a lawsuit, April 27th, in United States District Court for the District of Columbia against the U.S. Department of Justice seeking the release of all documents concerning President Dwight D. Eisenhower’s Executive Order 10450 that identified “sexual perversion” as a cause for termination of federal employment.

The lawsuit, filed pursuant to the Freedom of Information Act, is the culmination of three years of delay and Government excuses for withholding documents which the Department has identified and refuses to release, citing a “deliberative process privilege” for communications, between the Department of Justice and the FBI. The original Mattachine Society of Washington FOIA request was filed on January 25, 2013. Among other documents, the lawsuit specifically requests all files in the FBI’s possession created by and communications to, or from, Warren Burger concerning EO 10450. Chief Justice Warren Burger, then Assistant Attorney General, was tasked by President Eisenhower to enforce the “sexual perversion” Executive Order.

“Our federal government owes it to the untold thousands of men and women whose careers were destroyed to come clean and produce these records now. Justice demands it”, Mattachine Society of Washington, D.C. President Charles Francis said.

Sixty-three years ago, on this day in 1953, President Dwight Eisenhower “with the stroke of a pen, provided J. Edgar Hoover’s FBI with the legal authority and jurisdiction to purge gay and lesbian federal employees from the federal employment rolls”, the Mattachine Society complaint states. It is estimated 7,000 to 10,000 federal employees were terminated for homosexuality in the 1950’s alone.

Francis, said, “It is now time for the Department of Justice to remove the seal from this dark chapter of LGBT American history. This is a history that has been sealed

or destroyed by government agencies for decades, and it is more relevant than ever for judges, legislatures and the legal community---from North Carolina to Mississippi and beyond--to see the historical roots of the administration of animus against a powerless minority”.

“Whether wrapped in claims of ‘religious liberty’ or ‘bathroom bill’ privacy, an anti-LGBT backlash is underway across the country. Courts, the legal community and voters must have access to the evidentiary history we seek”, Francis continued.

The Mattachine Society of Washington, D.C. is dedicated to “archive activism”, conducting original archival research and educational programs that focus on LGBT legal, political and policy history---a history often sealed in government vaults, if not already destroyed over the years by government agencies. The original Mattachine Society of Washington, D.C. was the first gay civil rights organization in Washington, D.C. The Mattachine Society of Washington, D.C. is organized and approved for charitable and educational purposes as a 501 (c) (3) of the IRS code and incorporated as a non-profit in Washington, D.C.