

Change to Military Transgender Policy Opts for Political Correctness Over Military Readiness

THE ISSUE

On January 25, 2021, President Joe Biden signed an executive order overturning existing policy on military service by transgender individuals.

DISCUSSION

- Before 2016, U.S. military policy generally did not allow transgender individuals to enlist.
- In 2016, President Barack Obama’s Defense Secretary, Ashton Carter, changed the policy to allow unrestricted military service by transgender individuals.
- The incoming Trump Administration placed implementation of this new policy on hold until a study reviewing the implications of the change could be conducted. The study, which took place under former Secretary of Defense James Mattis, took place from late 2017 to early 2018.
- The Mattis study—“Department of Defense Report and Recommendations on Military Service by Transgender Persons”—published on February 22, 2018, found that:
 - Transgender individuals often suffer from a medical condition known as gender dysphoria. Gender dysphoria is the psychological distress that results from an incongruence between one’s sex at birth and one’s gender identity.
 - “Transgender persons with gender dysphoria suffer from high rates of mental health conditions such as anxiety, depression, and substance use disorders.” “Service members with gender dysphoria are eight times more likely to attempt suicide than service members as a whole (12% versus 1.5%).”
 - “Service members with gender dysphoria are nine times more likely to have mental health encounters than the service member population as a whole (28.1 average encounters per servicemembers versus 2.7 average encounters per service members).”
 - While mental health practitioners believe that gender dysphoria is treatable, it is unclear to which degree the above issues can be remedied.
- As a result of these findings, in April 2019, the Department of Defense announced a revised policy that allowed service by transgender individuals in their biological sex as long as they were free from, and did not have a recent history of, gender dysphoria.
- Although the media and the Left have described this policy as a “transgender ban,” it was more permissive than the policy that existed for decades prior to 2016. Factually, it allowed service by transgender individuals under specified conditions.
- The Mattis study also described numerous issues with time lost and money spent due to required medical treatments and surgery. Long-standing military policy prohibits individuals from entering military service who have pre-existing medical conditions and requirements.

ASSESSMENT

- The Biden Administration’s decision to allow unrestricted service by transgender individuals—without regard to whether they suffer

from gender dysphoria—ignores medical evidence that transgender individuals with gender dysphoria have a much greater risk of mental injury and disability, and are not qualified for military service. The change will also result in a direct negative impact on military readiness linked to service members who are less able to deploy and perform their individual missions. The decision also directly exposes individuals who are at higher risk from mental injury to increased stress and danger.

- President Biden’s executive order further requires the military services to “provide a process” for individuals to transition genders

while in service, which will require significant medical treatments, possibly including surgery, as well as the related time away from military duties. This requirement is at odds with all other military medical qualification criteria, which require medical conditions to be fully resolved before entering service.

- The executive branch normally sets military entrance qualifications, including medical criteria. Congress can pass legislation to override the executive branch. Congress should examine the underlying facts and rationale behind the executive’s decision in this matter.