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Are We Witnessing The Erasure Of Transgender Servicemen And Women?

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The Defense Department issued a [memorandum](#) on March 12 that walked back much of the advancements the military has made on transgender inclusion.

These changes are not fully unexpected. The decision of the [Supreme Court](#) in January to allow the implementation of the transgender ban, despite current legal challenges, all but foretold these actions. The new policies will go into effect on April 12. Here is a quick explanation of how things will be changing:

For those who wish to enter the military

If you entered into contract for enlistment or are selected for commission as an officer prior to April 12, 2019, you can join the military with a history of gender dysphoria, provided the following criteria are met: You have gone the last 18 months without clinically significant impairment or distress that negatively impacts important areas of functioning; you have completed all of your medical treatments; you have been stable in your preferred gender for 18 months; you have been stable on hormones for 18 months if you are receiving gender-affirming hormone therapy; you have not received gender-affirming surgery within the last 18 months; you must have no complications or functional limitations as a result of having had gender-affirming surgery; and there must be no more surgery required. Stated differently, if you entered into a contract for the military prior to April 12 the fact that you are transgender is not a deal breaker.

However, if you enter into a contract for enlistment or are selected for commission as an officer on or after April 12, the standards are entirely different. You will be able to enter into the military with a history of gender dysphoria provided the following criteria are met: You have gone the last 36 months without clinically significant impairment or distress that negatively impacts important areas of functioning; you have been stable in your biological sex for 36 months; you have not transitioned to your preferred gender; gender transition is not medically necessary; you are willing to adhere to the standards associated with your biological sex (i.e., physical fitness standards, bathrooms, showers, uniforms, grooming etc.); and if you have ever had gender-affirming surgery or hormone therapy you cannot enlist or be selected for commission as an officer. Stated differently, if you enter into a contract for the military on or after April 12, being transgender is, for all intents and purposes, a deal breaker unless you are willing to present as cisgender for the entire duration of your service to our country. And if you have ever had gender-affirming surgery or hormones, you need not apply.

For those who are already serving our country

If you are already serving our country and you have already received a diagnosis of gender dysphoria (or receive it prior to April 12), you will continue to be eligible for all medically necessary treatment. You will also be able to serve in your preferred gender and to have that gender represented in the

Defense Enrollment Eligibility Reporting System (DEERS), which is a military database.

If you are already serving our country and you receive a diagnosis of gender dysphoria on or after April 12, you can receive mental health counseling, but you cannot serve in your preferred gender. You must serve in a manner consistent with your biological sex, which will also be reflected in DEERS.

Can you be discharged for being transgender?

The Department of Defense (DoD) asserts that the answer to this question is: No. The DoD essentially says that it is okay to be transgender as long as military personnel does not require a gender transition. So while you cannot be discharged for being transgender, there are limitations, as evidenced in the DoD's language below:

"Service members with a diagnosis of gender dysphoria may be subject to the initiation of administrative separation processing in accordance with Paragraph 2.e. of this attachment if they are unable or unwilling to adhere to all applicable standards, including the standards associated with their biological sex."

The Department of Defense has framed these changes as something other than a transgender ban. But as it is currently written, the policy would effectively disallow the recruitment of individuals who have begun the process of transitioning to their preferred gender and discharge service members who refuse to wear the gender-specific uniform, meet the gender-specific grooming standards and toilet and shower in the gender-specific facilities of their biological sex.

The military plans to grandfather in transgender service men and women who are already serving. However, grandfathering them in will only slow down the inevitable result of this policy, which is that there eventually will not be transgender individuals serving in the military who have or are currently medically transitioning. This is not hyperbole. Less than 20% of servicemen and women stay in the military for 20 years or more so statistically speaking, in 20 years there will likely be few (if any) transgender servicemen or women who have transitioned medically. And with the recruitment of transgender men and women who have transitioned medically ceased — and medical transition while actively serving banned— there will be no one to replace them.