

PALM CENTER

BLUEPRINTS FOR SOUND PUBLIC POLICY

To: Editorial Writers & Columnists

From: The Palm Center

Date: December 28, 2020

Re: **As Inauguration Approaches, New Research on Military's Transgender Ban Lends Urgency to Biden's Pledge to End It on Day One**

President-elect Joseph Biden has promised to reverse the military's ban on service by transgender Americans on "day one" of his presidency. Research recently released by the Palm Center explains why lifting the ban is an urgent priority for military readiness, and how it can be done in under thirty days. This memo contains highlights from this research, as well as additional background information.

Highlights from two recent Palm Center reports include:

- **The ban can be reversed in under thirty days through executive action.** A [2020 Palm Center memo explains](#) that everything needed for fully inclusive service "already exists in current military guidance" because DoD had to leave guidance in place to govern grandfathered transgender troops. As a result, even as it reinstated a ban on most transgender individuals, DoD "left all the necessary breadcrumbs to mark the way back to inclusive service." Congress is not needed to change the policy.
- **The current ban harms military readiness.** A [2020 report](#) co-authored by three former military Surgeons General along with Palm Center scholars assessed the impact of the ban and found that it "compromis[ed] recruitment, reputation, retention, unit cohesion, morale, medical care, and good order and discipline."

Key Developments

- June 30, 2016: DoD under President Obama ends ban on transgender service members.
- July 26, 2017: President Trump [tweets](#) that DoD will reinstate a ban on transgender service.
- March 23, 2018: President Trump accepts [a plan](#) from then-Defense Secretary James Mattis targeting all 14,700 transgender troops for service restrictions, but court injunctions block the ban from being implemented.
- January 22, 2019: Supreme Court grants the administration's request to allow reinstatement of ban, while legal challenges continue.
- March 12, 2019: DoD issues [DTM 19-004](#), the regulation implementing the ban, which classifies transgender people's need to transition as [a "deficiency" and a "defect."](#)
- April 12, 2019: Trump ban goes into effect. At least four court challenges are ongoing.

By the Numbers

- 14,700 transgender troops currently serve in the Active Component and Reserves, according to [Palm Center analysis](#) of DoD figures.
- According to DoD, [1,400 troops](#) were grandfathered (exempted) from the ban.
- The financial costs of transition-related care do not justify a ban. DoD reported that the total cost of transition-related care was about [\\$3 million per year](#) over almost three years of inclusive policy,

which is less than a *hundredth of one percent* of DoD's [annual health care budget](#), and far lower than the \$41.6 million the military [spends each year on Viagra](#).

- The [VA has estimated](#) that, if it were to provide comprehensive, gender-confirming medical care for transgender veterans, the financial cost would be roughly \$6 million per year over a three-year period, which is less than a hundredth of one percent of the VA's annual medical budget.

What the Ban Does

- As this [Palm Center memo](#) explains, the current policy functions as a full ban on transgender Americans by making their service impossible or uniquely burdensome. The ban affects not only aspiring troops but all 14,700 currently serving transgender troops, whether or not they have been grandfathered.

- Thousands of current service members who were not grandfathered are prohibited from transitioning gender, forcing them to give up their identity as a condition of service, and making transgender troops the only military personnel denied their statutory entitlement to proper medical care.

- Even those troops who were grandfathered are affected by the ban, as they must endure the stigma of serving as an exception to the rule, stamping them as inferior, one basis for standing in multiple lawsuits.

Public and Military Opinion

- Both the American public and the military community support inclusive service. Polls of the general population show that the American public favors inclusion, with a Palm Center [polling average](#) support level, based on six major polls, of 67%. Likewise, a majority of military personnel [surveyed in a recent, Pentagon-funded study](#)—66%—also support allowing transgender service.

- [All five military Chiefs of Staff](#) testified that inclusive policy, which was in effect for nearly three years between June 2016 and April 2019, caused no readiness issues, with Joint Chiefs of Staff Chairman Gen. Mark Milley (then-Army CoS) [reporting](#) “precisely zero” problems resulting from inclusion.

Research showing there is no valid rationale for the ban

- A 55-page report by retired military Surgeons General [found](#) that the Trump ban's rationale for exclusion “is contradicted by ample evidence clearly demonstrating that transition-related care is effective, that transgender personnel... are deployable and medically fit, that inclusive policy has not compromised cohesion and instead promotes readiness, and that the financial costs of inclusion are not high.” It also found that banning transgender troops “harms readiness through forced dishonesty, double standards, wasted talent, and barriers to adequate care.”

- The nation's major medical and mental health organizations have repudiated the administration's rationale for the transgender ban, with the [American Medical Association](#) stating that “there is no medically valid reason” to ban transgender troops, and the [American Psychological Association](#) and [American Psychiatric Association](#) rejecting any medical rationale for a ban.

- Nearly three years of inclusive policy were successful, with DoD data [confirming](#) that hundreds of transgender troops have deployed to combat zones. Eighteen foreign militaries allow transgender troops to serve, and [none has reported any compromise to readiness](#).

About the Palm Center: The Palm Center is an independent, non-partisan research institute that conducts scholarly analysis of U.S. military personnel policy, with an emphasis on LGBT populations. Our research has been published in leading scholarly journals and our expert analysis, reports, and memos are regularly covered in all forms of media worldwide. For more information, visit www.palmcenter.org.