

Court ruled that the Trump/Mattis policy could be implemented, pending the outcome of ongoing litigation.

“It is unfortunate that Chairman Speier’s hearing created a record that was not balanced or focused on the needs of the military. One of the witnesses identified himself as the President of **SPARTA**, an organization that advocates for LGBT causes in the military.

“The subcommittee did not hear the views of active-duty personnel, including medical professionals, who opposed the previous **Obama/Carter** policy and support the new Trump/Mattis policy. These people are not free to explain why enlistment policies and medical qualifications must be based on group characteristics and experience, not individual desires or political considerations.

“According to congressional testimony from former Defense Secretary Mattis in April last year, the previous administration did not conduct an objective review of the costs and consequences of the Obama/Carter policy in terms of military readiness.

“We also learned from Secretary Mattis’s testimony before the Senate on April 26, 2018, that the uniformed Service Chiefs under Obama were not consulted when Obama Defense Secretary **Ashton Carter** revoked the long-standing medical disqualification for persons with **gender dysphoria**.

“As Secretary Mattis testified, the new policy precluded reporting up the chain of command any problems associated with the Obama/Carter policy. If anyone was deceived by the transgender policy, it was uniformed military leaders, Congress, and the American people when the former administration imposed a social agenda that took precedence over combat effectiveness.”

For more background and information, see excerpts from Secretary Mattis’ highly relevant testimony, which are shown below.

Excerpts of Testimony from Defense Secretary James Mattis, as reported here:

- **[CMR Policy Analysis: Trump Administration Wins Appeals Court Victory in Military Transgender Case](#)**

“[Litigants have] argued that Carter’s military leaders freely chose to implement Carter’s policy change after “*extensive study*,” and “[T]he military considered and rejected all of the arguments the government presses when it adopted the Carter Policy in 2016.” The facts discredit these contradictory arguments. The 3-page [DTM 16-005 Directive-Type Memorandum](#), signed by then-Defense Secretary **Ashton Carter** on June 30, 2016, clearly ordered military leaders who were on duty during the Obama Administration to carry out the change in policy, based on pre-emptive assertion that transgenders or persons diagnosed with gender dysphoria would be eligible to serve in uniform. Defense Department contractor **RAND** Corporation supported the administration’s agenda with a deeply-flawed report produced in consultation with LGBT activist groups.

“Constraints put on military leaders who are now being quoted as “experts” who support the Carter policy were confirmed by Defense Secretary James Mattis during a Senate hearing last April [2018]. In responses to several questions, Mattis effectively rebutted everything the plaintiffs are saying now about military support for the Carter policy.

- Washington Examiner: Jim Mattis & Kirsten Gillibrand Butt Heads Over Transgender Policy

“Mattis told **Senator Kirsten Gillibrand** (D-NY) that he had determined that military leaders under Obama had no choice in the matter, and no opportunity to study the issue beforehand. *“The reason is that under the Carter policy the reporting is opaque. **We cannot report that problems emanated from a transgender.** So, the questions you’ve asked the service chiefs and the chairman are ones that right now **the Carter policy prohibited that very information from coming up because it is private information.**”* (emphasis added)

“Mattis also said he learned that military service chiefs were not consulted before the Obama administration issued directives mandating recruitment of transgender troops. Carter set a July 2017 deadline for recruiting persons identifying as transgender, but Mattis delayed it because *“They (military leaders) were asking me questions because we were coming up on the advent of the induction of transgender, and they wanted to know how they were going to deal with certain issues, basic training, deployability,”*

“Mattis also told Gillibrand. *“**I said didn’t you get all of this when the policy was rolled out? ... They said ‘no,’ and I said well did you have input, and they said ‘no’ they did not.**”* Mattis called the lack of consultation with service chiefs *“**very, very newsworthy.**”* (excerpts of testimony, April 26, 2018, emphasis added). It is unfortunate that only the *Washington Examiner* and the Center for Military Readiness reported that news.”

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The Center for Military Readiness is an independent, non-partisan public policy organization, founded in 1993, which reports on and analyzes military/social policies. More information is available on CMR’s website, www.cmrlink.org, and Elaine Donnelly can be reached at elaine@cmrlink.org.