



For Immediate Release

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House Should Reject Defense Bill Amendment for Transgenders in the Military Veto-Bait Measure More Extreme Than Obama Policies

Background: Rep. Jackie Speier (D-CA) is sponsoring an [amendment](#) to the *National Defense Authorization Act (NDAA) for 2020* that would codify addition of “gender identity” to *Military Equal Opportunity (MEO) non-discrimination categories*, such as race, color, national origin, and religion. The following comments may be attributed to **Elaine Donnelly, President of the Center for Military Readiness:**

“If the Speier amendment gains approval in the House and the Senate concurs, President Trump should veto the National Defense Authorization Act (NDAA) for 2020.

“Primary objections center on this section of the amendment, particularly the words in bold:

“(c) GENDER IDENTITY DEFINED. -- In this section, the term ‘gender identity’ means the gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual, regardless of the individual’s designated sex at birth.”

“The [Trump/Mattis Policy](#) regarding transgender personnel is not based on gender identity and it does not bar enlistment or retention of transgenders as a class. The policy is based on a medical condition, **gender dysphoria**, which affects personal readiness to deploy and other factors.

“The Speier amendment, if codified, would nullify a key element of the Trump/Mattis policy, which states that military persons identifying as transgender are expected *‘to adhere to all applicable standards, including the standards associated with their biological sex,’* having been stable for at least **36 months**.

“The Speier amendment is more extreme than the **Obama/Carter Policy** ([analyzed by CMR](#)), which required a person to obtain an official change in their bureaucratic ‘gender marker’ before they would be recognized in their ‘preferred gender.’

“Aside from the clause’s peculiar stereotyping, approval of this language would put the Congress on record in favor of the unscientific notion that gender is ‘designated’ or

‘assigned’ at birth. On the contrary, gender is naturally determined long *before* birth, in human **DNA** that exists from the moment of conception in every cell of a person’s body.

“The amendment calls for universal application in *all* personnel policies:

“(b) EQUALITY OF TREATMENT IN SERVICE.—**Any personnel policy** developed or implemented by the Department of Defense with respect to members of the armed forces shall ensure **equality of treatment and opportunity for all persons in the armed forces**, without regard to race, color, national origin, religion, and sex (including **gender identity** and sexual orientation).”

“This open-ended language could be interpreted to mean, among other things:

- Mandates directing **military doctors and nurses** to provide expensive, long-term hormone or surgical treatments for persons identifying as transgender, regardless of concerns about medical ethics and deeply held personal convictions. (Transgender activist groups are demanding coverage for **veterans** and **dependent children** as well.)
- “Equal opportunity” for **biological men to have access** to private sleeping, bathroom, and shower facilities that are currently reserved for women.
- The end of **separate-gender athletic teams** at all military service academies, colleges, and schools for dependent children.
- Violations of rights of **religious liberty** for chaplains and people of faith.
- Forced acceptance of **LGBT ideology** in all military training and educational programs, including mandatory use of ‘**preferred**’ **gender pronouns** that are inconsistent with biological sex.
- Escalating rates of **suicide**, which the comprehensive Defense Department study initiated by former Defense Secretary **James Mattis** ([analyzed by CMR](#)) found to be **eight to nine times higher** among persons with gender dysphoria, compared to other servicemembers.
- [Liberalized personal conduct rules](#) to accommodate unusual forms of sexual expression by both men and women while off-duty (e.g., as *Navy Times* [reported](#) last August, a male sailor “drag queen” performed a strip dance on the **USS Ronald Reagan**.)
- Higher medical costs for persons undergoing treatments for gender dysphoria, which the Defense Department study found to have increased by nearly **three times (300%)** with **30,000** mental health visits that affected readiness to deploy.
- Negative effects on **recruitment** and **retention** of personnel and families in the All-Volunteer Force.

“Given restrictions on personal freedom in the military, controversies resulting from passage of this legislation would exceed those already being seen in many civilian schools and athletic teams across the country.

“Supporters of the Speier amendment have claimed that the proposed statutory change would codify the Department of Defense’s own language in [DoD Directive 1020.02E, Diversity Management and Equal Opportunity in the DoD](#). (Non-discrimination categories do not include medical conditions that affect personal readiness to deploy and serve in the armed forces.)

It is important to note that on **November 29, 2016** -- *after* the election of **President Donald Trump** – the administration of President **Barack Obama** added the phrase “*including gender identity*” in the non-discrimination categories listed in the referenced Defense Department Directive.

“This move, going beyond the policies imposed by then-Defense Secretary **Ashton Carter** on June 30, 2016, constituted a “**poison pill**” problem left by the outgoing administration.

The Trump/Mattis policy addresses a serious psychological condition requiring compassion and competent medical care, not “discrimination” against transgenders as a class.

“The Speier amendment, which is unnecessary, extreme, and unacceptable, would do nothing to strengthen mission readiness and combat lethality. Should it pass in the Senate as well as the House, President Trump would have no choice but to veto the NDAA for 2020.

“CMR encourages the Trump Administration to continue doing what is necessary to defend and reaffirm sound eligibility policies known to strengthen mission readiness and combat lethality.”

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The Center for Military Readiness is an independent public policy organization, founded in 1993, which reports on and analyzes military/social issues. To arrange an interview with CMR President Elaine Donnelly, contact elaine@cmrlink.org or 734/464-9430.