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The Pentagon can easily drop its ban on transgender troops, study finds

By Dan Lamothe

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The Defense Department repealed its controversial “don’t ask, don’t tell” policy banning gay people from openly serving in the military three years ago in September. Some senior officers questioned the decision, fearing it could cost lives, but Pentagon officials said the repeal has not hurt military readiness or cohesion.

Civil rights advocates, including some retired military officers, are now pressing for another change. The armed forces continue to enforce a ban on transgender military service, months after Defense Secretary Chuck Hagel said in May that he was open to a review that would lift it.

The results of a forthcoming study, which was provided to Checkpoint, found that a repeal on transgender service could be lifted in a way that would not be burdensome or exceedingly complex for the military. The Palm Center, a think tank in San Francisco that promotes the study of lesbian, gay, bisexual and transgender people in the military, says that there already are 15,500 transgender personnel in the U.S. military, but they are not allowed to serve openly.

The center reached that figure by extrapolation based on surveys conducted with veterans, said retired Army Maj. Gen. Gale S. Pollock, a former deputy surgeon general of the Army, who helped lead the Palm Center commission examining the issue. The commission included several other retired military officers, including Army Brig. Gen. Clara Adams-Ender, who once led the Army’s nurse corps, and Army Brig. Gen. Thomas A. Kolditz, who is now a professor at Yale University.

“From a military officer perspective, we consider honor and integrity to be just essential values,” Pollock said. “But how can we say that when we’re asking these men and women to lie about who they are? That’s very comparable to the ‘don’t ask, don’t tell’ piece. To me, it’s just wrong.”

The report says that any change must promote military readiness, comprehensively cover all of the Defense Department and minimize rules that treat transgender service members differently. A policy change also should provide medical care to transgender personnel, apply lessons from the estimated 18 other countries that already allow it, and provide flexibility so that individual service members and their commanding officers can develop a transition plan as they shift genders, the study recommended.

The commission advocates treating gender transition surgery undertaken before military service “no differently from any other surgery that potential recruits may undergo.” Active-duty service members who determine they need transition surgery should be treated the same as service members who need to recover from other more common surgeries. Gender-specific uniform items, like skirts, should be issued all at once, in order to prevent embarrassment, the commission found.

Another potentially thorny issue would be formulating policy if the military ever adopted another draft. Presently, all men between the ages of 18 and 25 living in the United States must register with

the Selective Service Administration. The organization only considers a person's sexual orientation at birth, though. Selective Service rules should be amended to recognize gender transition — meaning women who transition to being men should be required to register, the study found.

Pollock acknowledged cultural concerns in the military about allowing transgender service members, but said rank-and-file troops “don't have an issue with it” because they have grown up in an era that is more tolerant.

“They have been around people who are open about their personality and sexuality,” she said. “It's normal for them to be accepting of one another, whereas 20, 30 years ago we didn't share it because it wasn't considered normal.”

Already, the Pentagon has updated its regulations in a way that could eventually be friendly to transgender service, Pollock said. On Aug. 5, it replaced a longstanding policy on evaluating the fitness of personnel to stay in the military with a newer one that does not explicitly say that “sexual gender and identity disorders” should prevent someone from serving in the military.

But Navy Lt. Cmdr. Nate Christenson, a Pentagon spokesman, said the recent change in regulations does not signal a policy change for transgender service. Rather, he said, the Defense Department determined that it was inappropriate to list specific examples “of non-physical disability conditions” in its physical disability policy. Examples in the old regulation include mental retardation, adjustment disorders and homosexuality.

The Pentagon's regulations guiding separation from military service has not changed, and therefore the Defense Department's policy regarding transgender service members has not changed, Christenson added.

Congress has passed no law banning transgender service members, which means that any related policy change can be made without legislative approval. The repeal of ‘don't ask, don't tell’ received congressional approval in 2010, and was signed into law by President Obama on Dec. 22 of that year.

Dan Lamothe covers national security for The Washington Post and anchors its military blog, Checkpoint.