



The USATC&FJ Inspector General Update



“First be right, then go forward”

October 2021

Guidance on the Army’s Updated Policy on Transgender Military Service

On 22 June 2021, the Secretary of the Army signed Army Directive (AD) 2021-22 (Army Service by Transgender Persons and Persons with Gender Dysphoria). This directive, which supersedes all previous guidance on transgender service, including AD 2016-30 (Army Policy on Military Service of Transgender Soldiers), supports the Department of Defense (DOD) Instruction 1300.28, “In-Service Transition for Transgender Service Members,” 30 April 2021, and reaffirms the Army’s commitment to **People First, Strength in Diversity**, and an Army that treats all Soldiers with **dignity and respect while ensuring good order and discipline**. It additionally ensures that **no otherwise qualified Soldier may be involuntarily separated, discharged, or denied reenlistment or continuation of service, or otherwise subjected to adverse action or treatment, based solely on their gender identity**. This new Army policy **applies** to the:

- Regular Army, Army National Guard, U.S. Army Reserve, cadets at the United States Military Academy or other Military Service academies, and contracted Reserve Officers’ Training Corps Soldiers;
- Provides a means by which to join the military in one’s self-identified gender provided all appropriate standards are met;
- Provides a path for those in service for medical treatment, gender transition, and recognition in one’s self-identified gender; and
- Seeks to protect the privacy of all Service members.

While reviewing this policy, Soldiers and leaders should understand the following **key terms**:

- **Biological sex.** A person’s biological status as male or female based on chromosomes, gonads, hormones, and genitals.
- **Gender dysphoria.** A marked incongruence between one’s experienced or expressed gender and assigned gender of at least 6 months’ duration, as manifested by conditions specified in the American Psychiatric Association’s Diagnostic and Statistical Manual of Mental Disorders: Fifth Edition, which is associated with clinically significant distress or impairment in social, occupational, or other important areas of functioning.
- **Gender identity.** An individual’s internal or personal sense of gender, which may or may not match the individual’s biological sex.
- **Gender marker.** A data element in the Defense Enrollment Eligibility Reporting System (DEERS) that identifies a Soldier’s status as male or female.
- **Self-identified gender.** The gender with which an individual identifies (changed from preferred gender).
- **Transgender.** Individuals who identify with a gender that differs from their biological sex.
- **Real-Life Experience (RLE).** The phase in the gender transition process during which the individual begins living socially in the gender role consistent with the self-identified gender. It may or may not be preceded by the commencement of cross-sex hormone therapy, depending on the medical treatment associated with individual Service member’s or cadet’s gender transition. (Normally occurs in an off-duty status and away from the Soldier’s place of duty (unless ASA (M&RA) approves an exception to policy.)

United States Army Training Center & Fort Jackson

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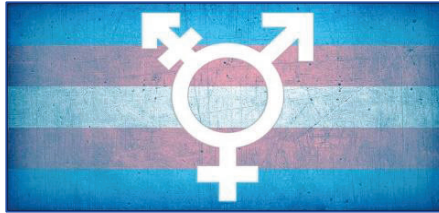
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***References**

- Executive Order 14004, “Enabling all Qualified Americans to Serve Their Country in Uniform,” January 25, 2021.
- DODI 1300.28.
- DODI 6130.03, Vol. 1, “Medical Standards for Military Service: Appointment, Enlistment, or Induction,” March 30, 2021.
- Secretary Austin Memorandum to the President, “Military Transgender Policy,” March 25, 2021.
- AD 2021-22

**All references found at:*
<https://www.milsuite.mil/book/groups/army-transgender-service-information>

- General Order #2 dated 11 August 2021



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The Army recognizes a Soldier’s gender by the Soldier’s gender marker in the Defense Enrollment Eligibility Reporting System (DEERS). Coincident with that gender marker, the Army applies, and the Soldier **must meet all standards** for:

- Uniforms and grooming,
- Body composition assessment,
- Physical readiness testing (APFT/ACFT), and
- Participation in the Military Personal Drug Abuse Testing Program.

Additionally, a Soldier’s gender marker in DEERS determines their use of gender-specific facilities (latrines/showers). Consistent with this guidance, any Soldier eligible for military medical with a diagnosis from a military medical provider indicating that gender transition is medically necessary will be provided medical care and treatment for the diagnosed medical condition (gender dysphoria). It is essential that military medical providers, transitioning Soldiers, and their chain of command, effectively communicate to ensure medically necessary treatment is completed. The Soldier’s medical needs, the unit’s requirements, and the medical treatment plan **must be balanced** to ensure the interests of all parties are met. If a Soldier is unable to meet standards during this period, the commander **may use all of the applicable tools** described in the new policy, including, but not limited to:

- Adjustment to the date on which any component of the transition process will commence, and
- Advising the Soldier of the availability of options for extended leave status or participation in other voluntary absence programs.

Training the force on this new policy will commence in a three-tier model.

- Tier 1: trains Special Staff from the Judge Advocate General’s Corps, Medical Corps, Chaplain Corps, and The Inspector General.
- Tier 2: trains leaders and supervisors
- Tier 3: trains Army units and Soldiers.

The Army will complete training and education across the force no later than 25 June 2022.

USATC&FJ General Order #2 Highlights

- **Violations of this General Order are punitive and punishable under UCMJ.**
- **All individuals, regardless of vaccination status, are required to wear a mask while indoors in any facility on Fort Jackson.**
- **Graduation Ceremonies/Family Day:** Due to mandatory vaccinations, a declining local positivity rate, and the requirement for unvaccinated individuals to show proof of negative tests in the past 72 hours, unmasking is authorized at outdoor family days and graduations.

