



THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

JAN 29 2021

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS

SUBJECT: Military Service by Transgender Persons and Persons with Gender Dysphoria

On January 25, 2021, the President signed an Executive Order entitled, "Enabling All Qualified Americans to Serve Their Country in Uniform," establishing as the policy of the United States that all Americans who are qualified to serve in the Armed Forces of the United States should be eligible to serve and that all transgender individuals who wish to serve in the U.S. military and can meet the appropriate standards shall be able to do so openly and free from discrimination. Further, the President directed me to take the steps necessary to ensure that all directives, orders, regulations, and policies of the Department are consistent with this order.

Over the next 60 days, I will work with the senior civilian and military leaders of the Department as we expeditiously develop the appropriate policies and procedures to implement these changes. Until such policy is established, effective immediately, any adverse personnel actions initiated under DoD Instruction (DoDI) 1300.28, "Military Service by Transgender Persons and Persons with Gender Dysphoria," shall be held in abeyance unless personally approved by the Under Secretary of Defense for Personnel and Readiness in coordination personally with the General Counsel of the DoD; these approval and coordination authorities may not be delegated. Adverse personnel actions include all administrative separations, denial of accession or reenlistment, disability evaluation, or petition to serve in one's preferred gender as a member of the "exempt population" as defined in DoDI 1300.28. This approval requirement supersedes any contrary approval authority provided for in DoDI 1300.28.

This requirement shall remain in effect until such time as a new policy allowing for the open service of transgender individuals is re-established. If questions relating to the service of transgender members arise, the Military Departments should address them to the Under Secretary of Defense for Personnel and Readiness.

cc:
Chairman of the Joint Chiefs of Staff
Under Secretaries of Defense
General Counsel of the Department of Defense
Assistant Secretary of Defense for Legislative Affairs
Assistant to the Secretary of Defense for Public Affairs



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