

116TH CONGRESS
1ST SESSION

H. R. 4746

To direct the Secretary of Defense to submit to Congress a report on service waivers for transgender individuals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 18, 2019

Mr. BROWN of Maryland (for himself, Ms. SPEIER, Ms. ESCOBAR, Mr. PAPPAS, and Mr. TED LIEU of California) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To direct the Secretary of Defense to submit to Congress a report on service waivers for transgender individuals, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Transgender Military
5 Service Reporting Act of 2019”.

6 **SEC. 2. REPORT ON SERVICE WAIVERS FOR TRANSGENDER**
7 **INDIVIDUALS.**

8 (a) IN GENERAL.—Not later than 120 days after the
9 date of the enactment of this Act, and annually thereafter

1 for a two-year period, the Secretary of Defense shall sub-
2 mit to the Committees on Armed Services of the House
3 of Representatives and the Senate a report identifying the
4 number of individuals (disaggregated by the status of the
5 individuals as exempt individuals or nonexempt individ-
6 uals) to whom the following applied during the reporting
7 period for such report:

8 (1) Diagnosed with a covered medical condi-
9 tion—

10 (A) prior to accession into the Armed
11 Forces; or

12 (B) as a member of the Armed Forces.

13 (2) Presumptively denied accession into the
14 Armed Forces as a result of a covered medical con-
15 dition.

16 (3) Applied for a service waiver as a result of
17 a covered medical condition.

18 (4) Received a service waiver for a covered med-
19 ical condition.

20 (5) Denied a service waiver for a covered med-
21 ical condition.

22 (6) Separated from the Armed Forces as a re-
23 sult of a covered medical condition.

24 (b) DEFINITIONS.—In this section:

1 (1) The terms “exempt individuals” and “non-
2 exempt individuals” have the meanings given those
3 terms in attachment 3 of the memorandum—

4 (A) issued by the Office of the Deputy Sec-
5 retary of Defense;

6 (B) dated March 12, 2019; and

7 (C) with the subject heading “Directive-
8 Type Memorandum (DTM)–19–004—Military
9 Service by Transgender Persons and Persons
10 with Gender Dysphoria”.

11 (2) The term “covered medical condition”
12 means—

13 (A) gender dysphoria;

14 (B) gender transition treatment; or

15 (C) any other condition related to gender
16 dysphoria or gender transition treatment.

17 (3) The term “reporting period” means, with
18 respect to a report submitted under subsection (a),
19 the calendar year most recently completed before the
20 date on which such report is to be submitted.

21 (4) The term “service waiver” includes a waiv-
22 er—

23 (A) for accession into the Armed Forces;

24 (B) to continue service in the Armed
25 Forces; or

1 (C) to otherwise permit service in the
2 Armed Forces.

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