

118TH CONGRESS
1ST SESSION

H. R. 1064

To provide requirements related to the eligibility of transgender individuals from serving in the Armed Forces.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2023

Mr. BANKS introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To provide requirements related to the eligibility of transgender individuals from serving in the Armed Forces.

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 “Ensuring Military
5 Readiness Act of 2023”.

6 **SEC. 2. LIMITATIONS ON MILITARY SERVICE BY**
7 **TRANSGENDER INDIVIDUALS.**

8 Not later than 90 days after the date of the enact-
9 ment of this Act, the Secretary of Defense shall prescribe
10 regulations regarding transgender service as follows:

1 (1) Transgender persons with a history of diag-
2 nosis of gender dysphoria are disqualified from mili-
3 tary service except under the following limited cir-
4 cumstances:

5 (A) Individuals may serve in the Armed
6 Forces if they have been stable for 36 consecu-
7 tive months in their biological sex prior to ac-
8 cession.

9 (B) Members of the Armed Forces diag-
10 nosed with gender dysphoria after entering into
11 service may be retained if they do not require
12 a change of gender and remain deployable with-
13 in applicable retention standards.

14 (C) Members of the Armed Forces serving
15 as of the date of the enactment of this Act who
16 have been diagnosed with gender dysphoria may
17 continue to serve in their current gender mark-
18 er in the Defense Enrollment Eligibility Report-
19 ing System (DEERS) and receive medically
20 necessary treatment for gender dysphoria. Such
21 treatment may not include gender reassignment
22 surgery or the commencement of hormone ther-
23 apy.

1 (2) Transgender persons who require or have
2 undergone gender transition are disqualified from
3 military service.

4 (3) Transgender persons without a history or
5 diagnosis of gender dysphoria, who are otherwise
6 qualified for service and meet all physical and men-
7 tal requirements, may serve in the Armed Forces in
8 their biological sex.

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