# The Lamp Post

Shining the light in the dark for trans service members & veterans



New Era Issue



### Addressing the Community

This is the first issue of the Second Trans Ban Era. This issue will be even more information-dense than normal. It will contain links, guides, products, etc.

Community support, housing projects, financial prep, mutual aid, intelligence work, coalition partnerships, and pushing back in the information space are some of the key lines of effort, but the most important way we can resist is survive. When the powers that be are leveraging the full power of the federal bureaucracy to attempt to erase our existence, our very survival is our most powerful weapon.

While I understand the fire and frustration of the situation because I'm right there with you all - acting rashly and on your own will have second and third order effects that impact every one of us. This is not a battle of bullets, blades, bats, or bricks: this is a conflict of litigation, logistics, and survival. Picking our battles and not letting our opposition chose the battlefield is paramount.

We are in a defensive strategy. While it may not feel like it, we are engaging on our terms. We saw the ban coming. We organized. Challenges were put in place. The next steps come when the DoD implements its policy.

I also use the phrase "opposition" and not "enemy" very deliberately. While we do, in fact, face an existential threat, we are not in a state of war. We all - to varying extent - believe in this country. We are not going to pre-empt a war where there is none, but we will work to defend our own.

Expect the worst; Hope for the best; Fight to bridge the gap.

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# Taking STOCC

(Summarized Totality of Community Circumstances)

### **FUTURE DEADLINES**

- <u>31JAN2025</u> OPM WILL ENSURE ALL FEDERAL FACILITIES DESIGNATE ANY INTIMATE SPACES AS DEFINED BY SEX ASSIGNED AT BIRTH (DOES NOT APPLY TO DOD FACILITIES)
- <u>26FEB2025</u>
  - SECDEF SHALL IDENTIFY ALL ADDITIONAL STEPS AND ISSUE GUIDANCE NECESSARY TO FULLY IMPLEMENT THE POLICY THAT TRANSGENDER PEOPLE ARE NOT QUALIFIED FOR SERVICE (EO: PRIORITIZING MILITARY EXCELLENCE AND READINESS, Sec 4(c))
  - SECDEF SHALL ISSUE DETAILED GUIDANCE TO IMPLEMENT THE REPEAL OF ANY DEI PROGRAMS.(EO: RESTORING AMERICA'S FIGHTING FORCE, Sec 7(a))
  - SECHHS WILL PROVIDE TO THE US GOVERNMENT, EXTERNAL PARTNERS, AND THE PUBLIC CLEAR GUIDANCE EXPANDING ON THE SEX BASED DEFINITIONS OF THE FEDERAL GOVERNMENT (EO: DEFENDING WOMEN FROM GENDER IDEOLOGY EXTREMISM AND RESTORING BIOLOGICAL TRUTH TO THE FEDERAL GOVERNMENT, Sec 3(a))
  - THE ASSISTANT TO THE PRESIDENT FOR LEGISLATIVE AFFAIRS SHALL PRESENT TO THE PRESIDENT PROPOSED BILL TEXT TO RECOGNIZE THAT WOMEN ARE BIOLOGICALLY DIFFERENT FROM MEN (EO: DEFENDING WOMEN FROM GENDER IDEOLOGY EXTREMISM AND RESTORING BIOLOGICAL TRUTH TO THE FEDERAL GOVERNMENT, Sec 6)
- <u>28MAR2025</u> SECDEF WILL HAVE UPDATED DODI 6130.03 VOLUME 1 (MEDICAL STANDARDS FOR MILITARY SERVICE: APPOINTMENT, ENLISTMENT OR INDUCTION) AND DODI 6130.03 VOLUME 2 (MEDICAL STANDARDS FOR MILITARY SERVICE: RETENTION) TO REFLECT THE POLICY THAT TRANSGENDER PEOPLE ARE NOT QUALIFIED FOR SERVICE (EO: PRIORITIZING MILITARY EXCELLENCE AND READINESS, Sec 4)
- <u>27APR2025</u> SECDEF SHALL RECEIVE AN INTERNAL REVIEW THAT DOCUMENTS ACTIONS TAKE IN PURSUIT OF DEI INITIATIVES, INCLUDING ANY RACE AND SEX DISCRIMINATION OR TO PROMOTE A RACE OR SEX BASED PREFERENCE SYSTEM (EO: RESTORING AMERICA'S FIGHTING FORCE, Sec 5)
- <u>27MAY2025</u> EACH AGENCY HEAD SHALL SUBMIT AN UPDATE ON THE IMPLEMENTATION OF THE ON THE SEX BASED DEFINITIONS OF THE FEDERAL GOVERNMENT (EO: DEFENDING WOMEN FROM GENDER IDEOLOGY EXTREMISM AND RESTORING BIOLOGICAL TRUTH TO THE FEDERAL GOVERNMENT, Sec 7(a))
- <u>26JUL25</u> SECDEF AND SECHHS SHALL SUBMIT A REPORT THROUGH THE DEPUTY CHIEF OF STAFF FOR POLICY DOCUMENTING THE PROGRESS OF THEIR RESPECTIVE DEPARTMENTS IN REPEALING AND IDENTIFYING ANY DEI INITIATIVES (EO: RESTORING AMERICA'S FIGHTING FORCE, Sec 7(b))

# Taking STOCC

(Summarized Totality of Community Circumstances)

### INTEL ASSESSMENT AND OBSERVATIONS

#### PERTAINING TO THE BAN ON TRANSGENDER INDIVIDUALS SERVING IN UNIFORM (EO: PRIORITIZING MILITARY EXCELLENCE AND READINESS)

- The ban is likely to be held at an initial injunction prior to the 26FEB2025 deadlines:
- The DC Court is typically a friendly court for human rights advocates
- The EO has explicitly discriminatory language, bolstering the argument that this is an attack against a group and not based on science and mission requirements
- The order reads very similarly to the 2017 ban, which was held for 2 years before being dismissed with prejudice
- Dismissal from service of thousands of troops would be considered what the courts call "irreparable harm"
- Assuming an initial injunction, the administration will appeal to the Supreme Court of the United States (SCOTUS). This is expected to take a minimum of 6 months to be heard.
- Assuming the SCOTUS upholds the injunction, the case will return to the DC Federal Court for arguments, leading to a drawn out court case
- If any assumption is incorrect, the ban will immediately take effect. This will not end the court case but would allow the ban to continue at the same time

### PERTAINING TO THE STOPPING OF FEDERAL FUNDS IN SEARCH OF DEI

- There is no legal avenue for the Executive branch to not disperse funds duly allocated by Congress
- Chaos and confusion create barriers to veterans and servicemembers receiving critical resources
- Currently reversed, but we will be monitoring developments

### PERTAINING TO THE REMOVAL OF DEI PROGRAMS

- This is within the rights of POTUS
- Removal of DEI is authorized, but removal of EO will require passage of laws in congress

# Taking STOCC

(Summarized Totality of Community Circumstances)

### **Recommended Course of Action**

- Scrub Social Media platforms for any 'targets'.
- Secure funding to prepare for uncertainty.
- Maintain communication with members/veterans in financial/medical hardships for access to necessary funds/care.
- Focus on policy critiques; loyalty checks are being performed & we don't want you to face unnecessary backlash.
- Secure your digital footprint.

The S2 team will continue pushing out updates as the situation develops. Follow official channels for updates.

### News from the Front

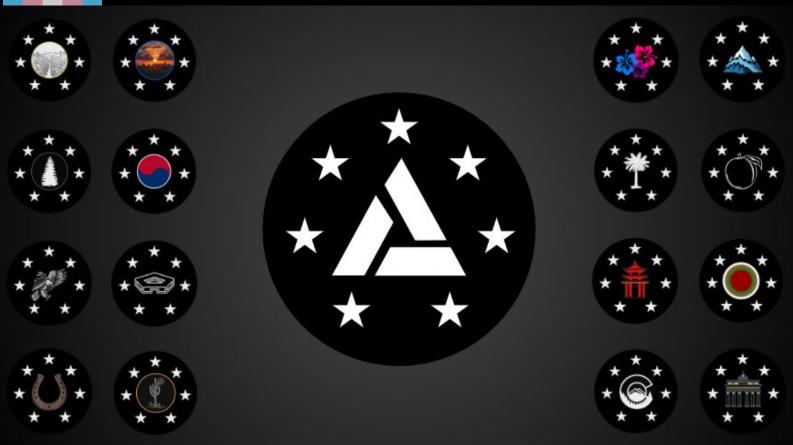
No fluff this time: things are dire. The second ban has dropped. But hope isn't lost. We're continuing to fight.

- **Intelligence Wing**

- Project Jericho (Housing) MWR (Community Events) Communications (Newsletters & Products)
- Localization
- Coalition Partnerships (i.e. MMAA, MV, etc)

If you want to get involved in the fight, volunteer. In the absence of orders, improve your corners. Exercise disciplined initiative and come up on the net for any (potential) issues, roadblocks, intelligence, rumors, etc.

Additionally, check out the Coalition's unbranded, joint <u>website</u>. It's meant to be a one-stop shop for resources for community members and those on the outside.



## News from the Front

Editor's Note for Context: The Yale Law School Legal Clinic for Veterans Resources has been retained by Minority Vets & SPARTA to serve the needs of the Coalition and our community as a whole. They will be working across the alliance to assist each and every one of us who needs it.

Message from Olivia Brown (Yale Legal Team):

"The Veterans Legal Services Clinic at Yale Law School represents veterans and local and national advocacy organizations before administrative agencies and courts across a broad range of matters. We have been retained by SPARTA and MVA to assist with intake, counseling, and potential representation for cadets, members of the Guard and Reserve, and active-duty service members navigating the new transgender military ban as it unfolds. We are currently compiling information, resources, and guidance on the rights of service members in light of any punitive action the Trump administration may take and look forward to continuing to work with SPARTA, MVA, and other organizations in disseminating critical information."

#### Message from Kara Corcoran (SPARTA):

"When we stand together in a concerted effort, united in purpose and resolve, we become an unstoppable force. Whether on the battlefield, in the fight for justice, our strength lies in our collective will. SPARTA continues to lead the efforts to advocate and fight for EVERY Service Member."

Joint Statement from Lambda Legal & The Human Rights Campaign

Leila Ireland on CNN | Emily Shilling on CNN

Jo Ellis (Blackhawk Pilot) on CNN

## What Can Be Done?

### Is your Chain of Command Supportive?

Provide links to the Executive Orders (wh.gov)

Yes

Direct them to militarytransrights.org for updated resources from across the coalition (TMH & 12 of our allies)

Remind them not to implement anything without policy. They will be faced with two options:

- Take a stand for you and risk career consequences
- Enforce the policy; advocate in other ways

Carry on until you're stopped. Become an asset that makes your loss significant. Do not comply in advance.

#### Know your Rights

No

- Article 31
- Constitution

Protect yourself & rely on the community.

- Get w/ us for localization if you haven't already
- Lean on the wider community (i.e. TMH's discord)

Remember that SECDEF has a suspense of 28MAR25 to update DODIs for accession & retention standards. And then pushing that to policy takes time.

Be aware & be prepared

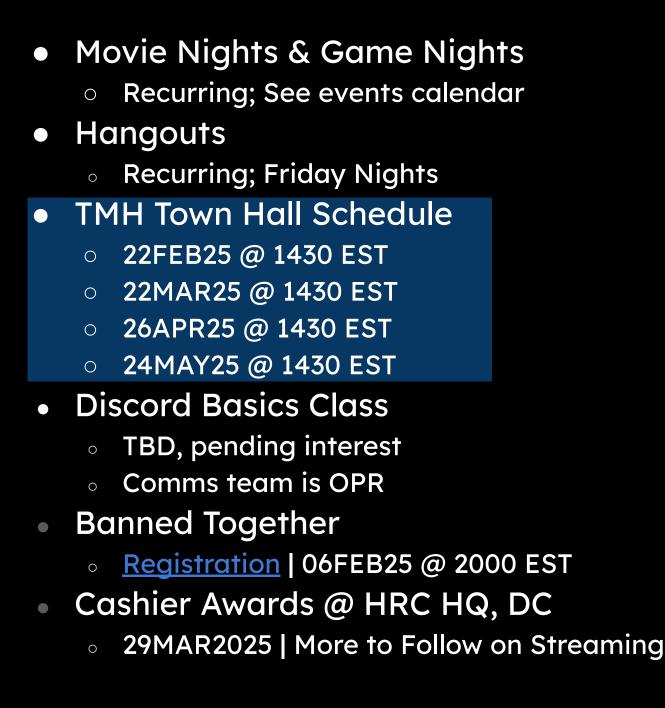
# **Community Spotlight**

The Community Spotlight for this issue is on Jenna! She's done a lot of work with TMH, DAF LIT, and other lines of effort throughout the community. She's been a key point of contact, a fantastic organizer, and a pillar of the community.

We'd also like to shine the Spotlight on the TMH S2 team. In the past few days, they have worked tirelessly to take the opposition's overwhelm tactics and turn them into digestible, understandable, and actionable information that paints a clearer picture for us all. Information is the lifeblood of our fight, and they have made it their duty to ensure we have good intel going forward.

Jenna, S2 team: Thank you for all that you do for the community.

# **Upcoming Events**



To subscribe in an email, click <u>here</u>.

To share a feedback, click <u>here</u>.

### Products

### **INTERNAL MESSAGING FOR THE TRANSGENDER MILITARY COMMUNITY**

#### EXPECT THE WORST

MDCOA: Swift & total ban.

MLCOA: Trump admin will attempt to push a ban, but face resistance from community and allied organizations.

Expectations: Expect implementation NET 27JAN25. Commands will operate off of headlines rather than policy. Have emails and talking points ready to go. Know where to find policy and know what the policies say.

> EXECUTIVE ORDERS ARE NOT POLICY

#### **HOPE FOR THE BEST**

The opposition has telegraphed its moves to us, enabling us to fight back better.

The executive order defining sex & gender has already been written in a way that's unenforceable.

Fear, division, and despair are tools of the opposition. Hold onto hope.

Our community is alive & well. We are doing what generations of trans folks have done: survive & thrive in adverse conditions.

We are not alone in our fight, though it may feel like it sometimes.

#### **FIGHT TO BRIDGE THE GAP**

Be good to yourselves & each other. It is everyone's responsibility to care for each other and do their part for the good of the community and those to their left & right. You don't have to be in the fight 24/7: take breaks and time to relax/recharge.

Volunteer. There are lines of effort that cover support, outreach, legal, finance, education, medical, etc.

Coalition efforts are being triggered as we speak. All LOEs are on full activation and getting deployed.

### **EXTERNAL MESSAGING GUIDELINES FOR COMMANDS, PROVIDERS, FAMILIES, ETC.**

#### PERSPECTIVE

Transgender service members have been around since the Civil War.

18 Allied Nations have allowed open service since the 70s & have streamlined policies for care and service.

Transgender service members have been, and continue to be, deployed worldwide in critical roles to include combat arms, pilots, medics, & air defense.

Eight years of open service (in both the Obama & Biden admins) have confirmed that authentic service from transgender servicemembers increases performance, leadership ability, and the overall readiness & lethality of the force.

Estimates range from 14000-16000 trans service members currently in the military. Imagine losing a whole division during a recruiting & retention crisis.

#### **ACTIONS THAT CAN BE TAKEN**

Leaders & Commanders: Fight for your people. Advocate for them, work with them, and ensure they get what they need through these times. Avoid task saturation. The prospect of facing detransition or separation is daunting. Even if nothing is official yet, the threat is still looming. In the event of separations, ensure that your service members are given access to all resources (SFL-TAP, appointments, etc.).

Providers: Facilitate care to the utmost extent possible & work with your patient(s) to get them the care they need, in whatever capacity it looks like for them.

<u>Families/Veterans</u>: Loop in with the community to provide support and help facilitate a "soft landing" as much as possible.

#### FOR TRANS SERVICE MEMBERS

Hold onto hope. Find the little things throughout the day that boost your mood. You don't have to be plugged into the fight 24/7. Take the time to go for a hike, play a video game, read a book, meditate, etc. Hope & the preservation of life are hand-in-hand and the highest priority for the community.

Maintain bearing & professionalism. Be the best you can be at your job and continue the mission. Become irreplaceable.

Nothing happens until it happens. Don't go burning bridges or taking irreversible actions until we know more about the battlefield.

Be logistically and financially prepared. Save money, look at your options, and lean on the community for support. We're all in this together.

# Products

### How to Exercise Your Rights

- 1) Stop answering Questions and Volunteering Information.
- 2) Say "I am exercising my 5th Amendment Rights."
- 3) Say "I want to speak with a lawyer before any further questioning."
- 4) Say "I want to want to end the interrogation now."
- 5) Stop Talking and remove yourself from the situation.

### WARNINGS:

- Ask a military attorney if they are a defense attorney and if your conversation is confidential. If "Yes," you can trust them; if "No," you cannot.
- Command Legal Officers work for the commander, not you- anything you say to them may be used against you.
- Anything you say to military doctors and psychologists may used against you. Know who you can trust: Do Not Make Assumptions About Confidentiality, but seek mental health as needed and rely on your support systems.
- Some military chaplains leak personal information that can be used against service members. See a defense attorney, not a chaplain, for legal issues.
- Statements to friends, family, civilian, and military police can be used against you.
- Computer based systems, texts, chats, workplace emails may be used against you. They are not confidential. Personal use of work computers violates most policies and is a bad practice.
- Personal items at work, such as diaries, letters, photos, and computer files may be used against you.

### Know Your Rights - Protect Yourself

If you are questioned about your gender identity, medical history, or any related matter, remember that you have rights under the Uniform Code of Military Justice (UCMJ). You are not obligated to answer questions that could incriminate you or lead to disciplinary action.

#### You Have the Right to Remain Silent and Not Sign Any Document

- Under Article 31 of the UCMJ, you have the right to remain silent or decline to sign any statement if your answers could be used against you in a court-martial or other proceedings.
- You have the right to consult with a lawyer (Defense Attorney), or civilian counselor any time.

### You Have the Right to Legal Counsel

- You have the right to consult with a military defense attorney or civilian counsel before answering any questions or making any statements.
- Waiving your rights may have significant or adverse consequences.
- Under Article of the UCMJ, you have the right to remain silent if investigated.

### You have the Right to not Consent to Search or Seizure

 If asked to provide access to personal medical records, electronic devices, or other private information, do not consent without consulting legal counsel.

### Do Not Make Assumptions About Confidentiality

 Conversations with your chain of command, medical professionals, or peers may not be confidential. Exercise caution when discussing sensitive matters.

This is not an exhaustive list of all of your rights <u>https://modernmilitary.org/report-an-incident/</u>