

Hon. Donald J. Trump
President
The White House
Washington, D.C. 20500

Dear Mr. President:

As you know, several district judges have recently ordered the Department of Defense to begin enlisting individuals who identify as transgender into the military on January 2, 2018. These orders are not only at odds with your directive of August 25, 2017 to the Secretary of Defense and, with respect to the Coast Guard, to the Secretary of Homeland Security precluding such a change in policy. It is also a judicial intrusion upon your exclusive authority as Commander-in-Chief pursuant to Article II of the Constitution and a dangerous affront to your responsibility to determine the make-up and disposition of the nation's armed forces.

Unfortunately, this is not the only example of unacceptable infringements on your presidential powers. Courts have been eager to strike down your immigration-related executive orders with politically-motivated rulings. Moreover, as *Bloomberg* reported yesterday in a [news report](#) headlined, "Washington Bureaucrats Are Quietly Working to Undermine Trump's Agenda," others in the government have been emboldened to subvert your administration and policies.

We believe strongly that your decision to prevent additional enlistments of individuals who identify as transgender in the U.S. armed forces is fully justified in light of the grave harm such a policy change would portend for the readiness, morale, unit cohesion and funding challenges facing our military. In addition, it would be a most dangerous precedent to have the judiciary interjecting itself into your exclusive, constitutional command authority and responsibility to create a *right* to serve where there is none – let alone extending that right to people whose medical condition and requirements are, as a practical matter, incompatible with military service and a burden on an already stressed military budget.

To allow this court order to stand, moreover, would be to invite the judiciary to trespass further on your executive authority and the chain of command. Predictably, it would also empower government employees to ignore presidential direction – with profound and adverse implications for the Republic.

In the interest of avoiding such intolerable consequences and preventing avoidable harm from being inflicted on the armed forces with the initiation of enlistments of individuals who identify as transgender, we recommend that you immediately issue a new directive to the Secretaries of Defense and Homeland Security along the lines of the attached. It simply preserves your authority and responsibility to establish accession standards for military service, pending the outcome of ongoing litigation.

We stand ready to support you in such a necessary assertion of your constitutional authorities.

Sincerely,

Edwin Meese, III, Former U.S. Attorney General

Lt. Gen. William G. Boykin, USA, Ret.

Elaine Donnelly, Center for Military Readiness

Frank J. Gaffney, Jr., Center for Security Policy

Admiral James A. Lyons, USN, Ret.

Lt. Gen. Thomas G. McInerney, USAF, Ret.