

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

Brock Stone, et al.,

Plaintiffs,

v.

Donald J. Trump, et al.,

Defendants.

Case No. 1:17-cv-02459

DECLARATION OF SEVEN ERO GEORGE
IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

I, SEVEN ERO GEORGE, hereby declare:

1. The facts set forth in this declaration are based on my personal knowledge.

Personal Background Information

2. I am a 41-year-old Airman First Class (E-3) in the Air National Guard. I have served in the United States military for over three years total, including ten months in the U.S. Marine Corps and two-and-a-half years in the Air National Guard. I currently work in Security Forces at Selfridge Air National Guard Base in Michigan. I also serve as a member of the Base Honor Guard, where my job includes performing military funeral honors for deceased veterans, retirees, and active duty members; providing dignified transfers; and performing color guard details.

3. I am a man, and I am transgender. I began transitioning within the military in 2016. In reliance upon the upcoming 2016 Open Service Directive (which I had heard would be coming), I began meeting with a civilian healthcare provider and was diagnosed with gender dysphoria in May 2016. After the Open Service Directive was issued I thereafter

disclosed my transgender status to military personnel in September 2016, in reliance on the directive. I have since updated my driver's license and passport to indicate that I am a man, and in December 2016 I requested that my gender marker in the Defense Enrollment Eligibility Reporting System (DEERS) be changed. That change is still pending.

4. Following evaluation and recommendation by medical personnel, I began to undergo hormone therapy. My health care provider determined that this therapy was a medically-necessary part of my transition to the male gender. In August 2016 I underwent a double mastectomy and chest reconstruction surgery. This treatment was documented and submitted to military medical personnel when I disclosed that I was transgender in September 2016. The Air National Guard accepted the paperwork and confirmed that I was still deployable pursuant to DoD standards and Air Force Instructions (AFI), and that I met all other criteria for service.

5. I intend to remain in military service for my entire career. I am currently pursuing a nursing degree, and my goal is to work in the military as a nurse. Upon completion of my degree, I intend to pursue a commission in the U.S. Army Nursing Corps so I can serve on active duty. Through such a position I hope to continue serving others while working as a part of something larger than myself.

Effect of Transgender Service Member Ban

6. On the morning of July 26, 2017, the President posted on Twitter that transgender service members would no longer be allowed to serve in the military "in any capacity."

7. I was severely taken aback by this news. I had relied on the Open Service Directive when I informed military personnel that I am transgender. I was confused and shocked

by the sudden reversal in course. After being told I could serve publicly as a transgender member of the military, now I suddenly stood to lose my entire military career.

8. Later I was informed that on August 25, 2017 President Trump sent a memorandum to the Secretary of Defense ordering him to withdraw the policy allowing transgender people to serve openly in the military (Transgender Service Member Ban).

9. Since the Transgender Service Member Ban issued I am extremely worried and uncertain about my future in the military. I planned to go on active duty and commission in the U.S. Army. The ban on accessions and enlistment contained in the Transgender Service Member Ban may make both of those things impossible.

10. I am financially dependent on my military income and other military benefits. I am worried I may lose my employment benefits including tuition assistance benefits for my nursing school education if I am removed from the military due to the Transgender Service Member Ban. This would make it challenging or even impossible for me to complete my degree and begin my chosen career as a military nurse.

11. I am also highly concerned about my medical benefits. Currently I am on Tricare/Reserve Select coverage, which means that my medically-indicated gender transition treatment is not covered. I pay out of pocket for my hormone therapy, and paid out of pocket for my surgeries. However if the Transgender Service Member Ban were fully implemented, I could potentially face diminished access to Tricare, and lose what medical benefits I do have.

12. I have also faced significant uncertainty and delay in the process of changing my gender marker in the Defense Enrollment Eligibility Reporting System (DEERS). I began that process in December 2016. Every month until May 2017, the military requested more and more paperwork, and each month I provided it. Since May 2017, I have been in limbo

awaiting word on this change. Before President Trump sent his tweets, I had heard the orders to be evaluated in order to change my gender marker had been written, but had not yet been signed or issued. Then I heard there was to be a delay. Since then I have heard absolutely nothing. I have followed up repeatedly and even asked my Lieutenant Colonel to follow up with the National Guard Bureau on my behalf, but even she says she cannot get an answer on what is happening. She told me they will not even return her calls on the subject.

13. This delay has been very problematic for my career. I had been delaying commissioning in the Army until after my gender marker was updated, so that I could complete this component of my transition within my current command, which is highly supportive of me. Now I do not know when or if my gender marker will be changed, or if I will be able to commission to active duty if it is changed.

14. I am slated to enroll in Technical School in connection with a potential promotion to Senior Airman (E-4). I am concerned that this promotion and additional training, too, could be jeopardized by the Transgender Service Member Ban.

15. I come from a military family. My father served in the U.S. Navy in Vietnam, and two of my aunts retired as Commanders after 20 years in the Navy Nurse Corps. My aunts are my inspiration to become a military nurse. I have hoped to serve my country all my life. I originally enlisted in the Marine Corps in 2005, during the age of Don't Ask, Don't Tell. The stress of having to hide who I am was tremendous, and I was ultimately medically discharged. I was overjoyed when the Open Service Directive issued, permitting me to at last serve my country openly. Now, the President's actions make it seem that my military service to the United States is not wanted, and I am faced with the same anxiety as before.

16. Fortunately, my command continues to support me. Nonetheless, I have felt a sense of stigma since the Transgender Service Member Ban. My dream is to be a nurse in the military, and I am willing to go wherever it takes to make that happen. Even if the Transgender Service Member Ban were to prevent me from commissioning as a nurse I would remain committed to continuing to serve in the military in some other medical capacity. But it seems like my commitment and service are no longer valued. It is extremely stressful simply not knowing what my future might hold.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 13 day of September, 2017 in Warren, MI.



Seven Ero George