

EXHIBIT 7

**SPECIFIC PLAINTIFFS'
DECLARATIONS OF INJURIES**

IN THE MATTER OF THE VACCINE MANDATE CHALLENGE

DECLARATION OF Chaplain (CPT) Andrew Hirko

Pursuant to 28 U.S.C. §1746, I, **Andrew Michael Hirko** declare as follows:

1. My name is **Andrew Hirko**. I am over 18 years of age and have personal knowledge of and am competent to testify on the matters stated herein.
2. I make this declaration in support of my challenge to the Department of Defense and Department of **The US Army** mandates requiring that I be vaccinated against COVID-19. All statements made in this Declaration are true to the best of my own personal knowledge.
3. I currently reside at **11176 Ashcraft Loop Unit B, Fort Campbell, KY 42223**. My home of record and where I am domiciled is **St. Augustine, St. John's County, Florida**.
4. I am an active duty chaplain in the United States **Army** serving at the rank of **Captain**. I am currently assigned to the **1-502D IN REGT, 2BCT, 101ST ABN DIV (AASLT) BLDG 7071 Fort Campbell, KY 42223**.
5. I began my military service on **21 JAN 2021** when I started my training at **Chaplain Basic Officer Leadership Course (CHBOLC)**. I was commissioned on **21 JAN 2021** and entered active duty on **21 JAN 2021**.
6. I have approximately **14 Months** years of service as of March 1,2022.
8. I have received the following **a coin from the Chief of Chaplains (Maj. General for my work at CHBOLC and I was ranked the #1 active duty chaplain in my CHBOLC class that graduated in April 2021**.
9. I submitted my Religious Accommodation Request (RAR) (or Religious exemption) at Exhibit 1 asking to be excused from the **Army's** COVID-19 vaccine mandate based on my sincerely held religious beliefs. A summary of those reasons follows: **My Religious**

accommodation and appeal is on the grounds that the COVID-19 vaccinations: a) utilize mRNA's unscriptural design; b) utilize aborted fetal tissue during the testing phase and c) the long term side effects are unknown. Also the current short term side effects from the current COVID vaccines (d) do present a real adverse impact to force readiness. DoD data suggests three-fold and 10-fold increased risk of cancer and neurological disorders, respectively, during COVID vaccine implementation. Additionally, a recent peer-review study from Lund University shows the mRNA Covid-19 vaccine does become DNA in liver cell. All of these facts violate my conscience.

Scripturally, this appeal is based on my strong Christian belief that: a) all humans are made in the image of God (Genesis 1:27); b) God creates humans who, have meaning even in the womb. (Psalm 139:13); c) I am fearfully and wonderfully made (Psalm 139:14) and my physical body is created by God and is the temple of the Holy Spirit (1 Corinthians 6:19-20). My Denominational Endorser also affirms that my objection is based on my firm religious beliefs.

10. My RAR was denied on Feb 23, 2022 but I wasn't notified until March 15, 2022 Exhibit 2. I submitted my RAR appeal, Exhibit 3, on March 17, 2022, which is "still pending." I believe the appeal should be approved because Chaplains like myself, play a vital role in maintaining this all-important structure. One of the main roles of a chaplain is to provide pastoral counsel support to Soldiers of all faiths enabling them through counsel and encouragement, to act according to their conscience, especially when faced with apparent conflicts between doing what is right and following orders. Forcing chaplains to violate their own conscience renders them effectively useless to the men and women who look to them for support in maintaining their moral integrity. Congress has clearly demonstrated its intent to specially protect chaplains' rights of conscience in Section 533 of the National

Defense Authorization Act of 2013. Forcing me to take a COVID-19 vaccine against my conscience tramples on this clear Congressional intent and severely undermines the effectiveness of my chaplaincy. Reference DoDI 1300.17, Religious Liberty in the Military Services 1.2.e states that the “burden of proof is placed upon the Department of Defense (DoD) Component, not the individual requesting the exemption” to show that the requirement to vaccinate is “the least restrictive means of furthering that compelling governmental interest. In fact, the denial is the most means of furthering the supposed governmental interest. Having been effectually accommodated for the past 14 months of the pandemic (since I joined the Army), the Chain of Command’s claim that least restrictive means short of vaccination (social distancing, mask wearing, testing) are not sufficient to the furtherance of compelling governmental interests, is untrue. I am successfully exercising these least restrictive means to complete all my duties; to not pose any transmission health risk to others; to remain healthily force ready; and to continuously support mission accomplishment. I also have natural immunity from contracting the virus which, the CDC has stated is superior to the vaccine.

11. **As stated above I have a serious conviction about taking vaccines that may alter my DNA. A recent peer-review study from Lund University shows the mRNA Covid-19 vaccine does become DNA in liver cell. This facts violates my conscience.**

12. I have been absolutely denied the presumption of natural immunity established by AR 40-562. The following retaliatory, career damaging, negative, punitive or administrative actions have been taken against me for refusing the alleged COVID vaccine and requesting a religious accommodation request:

I was removed at the last minute from our unit’s external evaluation training at the Joint Readiness Training Center (JRTC). All of the unvaccinated soldiers including myself were

removed at the last minute for maximum embarrassment and coercion. This left our unit without a chaplain and without a plan for religious support because it was done within hours of us leaving for training. During that training period I was also denied leave to go pursue other job opportunities because of the prospect of being kicked out of the Army. This leave was then approved at 1900 on the first day that I requested after had already cancelled my flights. Additionally, I am required to submit a robust leave packet anytime that I want to take leave. This leave packet has to go through the division surgeon and be approved by the Brigade Commander. Also I have be publically and privately ridiculed and questions by other chaplains questioning the sincerity of my convictions. My wife and children have been deeply affected through this process of taking a stand against the vaccine. My wife has severe anxiety about me not being able to provide for my family and she cries on a daily basis due to the stress of the situation. There have been many situations that she has been excluded from chaplain's wife's events because they know that I am not vaccinated. My children have been under great stress because they have been told that we are going to get kicked out of the Army. Overall, this process has caused great angst, anxiety and stress on our marriage and or lives.

I deeply desire to continue to serve my country, and support and defend its sovereign Constitution, as I have for the last 14 months. I respectfully request that this appeal be approved, so that I may continue to honor my God and patriotically serve my country. If approved, the Army will retain a passionate chaplain and leader with over 20 years of ministry training, and experience. If denied, I may be involuntarily separated due to my sincerely held religious beliefs.

I make this declaration under penalty of perjury, it is true and accurate to the best of my ability, and it represents the testimony I would give if called upon to testify in a court of law.

March 30, 2022

Andrew Hirko

IN THE MATTER OF THE VACCINE MANDATE CHALLENGE

DECLARATION OF CH (CPT) Parker Schnetz

Pursuant to 28 U.S.C. §1746, I, Parker John Schnetz declare as follows:

1. My name is Parker Schnetz. I am over 18 years of age and have personal knowledge of and am competent to testify on the matters stated herein.
2. I make this declaration in support of my challenge to the Department of Defense and Department of the Army mandates requiring that I be vaccinated against COVID-19. All statements made in this Declaration are true to the best of my own personal knowledge.
3. I currently reside at 5095 Pommernstrasse 16, Apt 5 Ansbach, GM 91522. My home of record and where I am domiciled is Lacey, Thurston County, Washington.
4. I am an active duty chaplain in the United States Army serving at the rank of Captain. I am currently assigned to the 5th Battalion, 4th Air Defense Artillery Battalion (5-4 ADAR), 10th Army Air and Missiles Defense Command (10AAMDC), USAG Ansbach, Shipton Kaserne, APO, AE 09177, Germany.
5. I began my military service on September 5, 2016 when I was commissioned as an active duty chaplain in the United States Army.
6. My promotions were as follows: Captain, September 3, 2017. I have approximately five years of service as of March 1, 2022.
7. During my military career, I have had the following deployments to either combat zones or foreign areas: 02/2018-11/2018, Republic of Korea; 01/2020-present, Germany.
8. I have received the following during my military career: Army Commendation Medal, Army Achievement Medal (1 OLC). Upon graduating the Chaplain Basic Officer Leader Course

(CH-BOLC), I received the Joshua Thomas Award for Excellence in Communication for Class 16-003.

9. I submitted my Religious Accommodation Request (RAR) at Exhibit 1 asking to be excused from the U.S. Army's COVID-19 vaccine mandate based on my sincerely held religious beliefs. It is my belief that receiving these immunizations would compel me to participate in what my faith teaches to be sinful. These immunizations burden the exercise of my religion by compelling me to participate in the sinful practices of murder, defilement, and conformity.

10. I tested positive for COVID-19 on October 18, 2021 at the USAG Ansbach Health Clinic. While infected, I did not spread COVID-19 to anyone else, as concluded by unit contact tracing. Additionally, I have a positive antibody test dated 23 February 2022. I am 37 years old and in great health. I have no pre-existing medical conditions and am not taking any medications. Based on my natural immunity, I believe that I should be exempt from the mandatory immunization in accordance with AR 40-562. This argument is not reflected in my RAR as the request was written prior to my infection. The Army in no way recognizes that I have natural immunity.

11. My RAR is still pending but I expect that it will be denied based on what I have heard from my chain-of-command and the Chaplain Corps. I was told by my battalion commander that RARs would most likely be disapproved and that I could expect to be separated soon. I understand that commanders have been instructed from higher to recommend disapproval. RARs in my command have routinely been sent back, instructing commanders to strengthen their language for disapproval. These memos are being updated with new information, however, I am unable to edit or adjust my request. This leads me to believe that this is not a fair process as the outcome has been gamed from the beginning.

12. I have a serious objection to using a rapidly developed vaccine without sufficient long-term studies to back its safety. As a Christian, I am called to use wisdom in every decision and consequent action that I take. I do not believe that it is wise to receive a vaccine that is ineffective in protecting from disease and thus does not meet the standard for what has historically been defined as a “vaccine.” Additionally, I do not believe that it is wise to receive a vaccine with known and yet unknown negative side effects for a disease to which I have natural immunity.

13. In early 2021, upon the initial roll-out of the EUA immunizations, I was challenged by my supervisory and command chaplain, as to when I would be getting vaccinated. I stated that I had not put too much thought into it at that time—since it wasn’t mandatory—and that I didn’t necessarily see an issue with getting the vaccine since I had received others in the past. He stated that if I was not vaccinated, I would be unable to participate in the upcoming multi-national training exercise, Saber Guardian 21. I responded that I would wait to decide on vaccination until it was mandatory. He threatened that if that was the case, I would not be able to fulfill my duty for the exercise and that he would have to report to the commanding general that he had a chaplain who could not provide religious support. He added, that if this was the stance I was going to take, that I should consider returning to civilian life and ministry.

14. During another conversation with my command chaplain and command surgeon I was again pressured to receive the EUA vaccines. They were dismissive of my concerns and reasons for waiting to make a decision until it was mandatory. One of the concerns I raised was that my wife was hesitant towards me getting the vaccine. The command surgeon said that there was a vaccine drive the following day and that I should just go and not tell my wife (on another

occasion the command chaplain stated that my wife should have no say in what medical care I get and that she doesn't even need to know). The command surgeon also warned that all the officers within the command would be evaluated based in their COVID-19 vaccination status. No one who was unvaccinated would receive a Most Qualified (MQ) rating on their Officer Evaluation Report (OER). Of note, I did not receive a MQ on my next OER.

15. While the vaccines were voluntary, I was asked repeatedly by my command chaplain when I would be getting vaccinated, even though I had stated I would not decide until it was mandatory. During this period I continued to research the vaccines and pray about receiving them. My conviction grew that receiving these vaccines would be both unethical and opposed to my religious beliefs and practice. Over time, this concern has only grown and I am deeply troubled by the coercion, control, and fear that has accompanied the rollout of these vaccinations in the U.S. Army.

16. When the vaccines became mandatory, I included my name on a tracker requested by my higher headquarters (10AAMDC) of those who would be requesting a religious accommodation for the COVID-19 immunizations. When my command chaplain saw that my name was on this list, he was irate. He berated me for not having let him know beforehand, although the mandate was not yet in effect. He demanded that I send him my RA memo, even though it was not yet due for submission and he was not in the routing chain for approval. I pushed back on why he needed to see it, but he refused to change his mind and demanded I send it. He assured me that when I sent it, he would offer feedback. I sent him the memo and he did not, in fact, offer any feedback. Also, he expressed that I should begin looking for another job because from what he was hearing

from the Chaplain Corps, these requests would not be approved. Once again, everything up to this point was before the mandate.

17. I was restricted from performing the required chaplain interview for the Soldiers within my unit. This is in opposition to the standard operating procedures developed by the Chaplain Corps for RA requests. I was warned by both my battalion commander and command chaplain that I needed to parrot the Army's position on vaccines when I interacted with Soldiers contemplating a RAR. The command chaplain told me that I had no say or voice when it came to medical decisions—as a chaplain this was out of my “lane.” He stated that it was my responsibility to assuage any religious concerns Soldiers might have to receiving the vaccine. He warned me that the battalion commander had doubts to whether I could continue performing my duties.

18. In our initial counseling from the battalion commander on vaccine refusal, a non-commissioned officer (NCO) stated that he would receive the vaccine if the bottle was labeled “Comirnaty.” The unit physicians assistant (PA) assured this NCO that the bottle would indeed be labeled “Comirnaty.” The USAG Ansbach Health Clinic did not have bottles labeled “Comirnaty.” During this counseling, I brought up the fact that this decision was placing a tremendous amount of strain on Soldiers and Families—the Army was making Soldiers choose between what the Army wanted and what their spouse and family members wanted. The battalion commander replied that they can “get over it,” “stop being so afraid,” and it was no problem for them to “get out.”

19. I have personally counseled officers and NCOs who were threatened to not even submit a RAR. One such officer actually rescinded his request based on this pressure and coercion.

20. The chaplain interview for my RAR was conducted by a chaplain from United States Army Europe and Africa (USAREUR-AF). The interview lasted no more than five minutes, part of that time involved the chaplain hastily reading through my request. I received the memo back from the chaplain a few minutes after the interview. I was left with the clear impression that minimal effort was spent on supporting my request.

21. I have received no support or concern from the Chaplain Corps throughout this process. My command chaplain has repeatedly stated that this is not a religious issue and should not be one for me. He laughed out loud when I stated that I considered it a paramount ethical issue to forcibly require a medical treatment without consent. He has likened my RAR for these immunization to a Soldier putting in an RAR because they "didn't want to wear pants to work."

22. From October, 2021 to March 2022 I was required to wear a mask at all times, even though I had natural immunity. The vaccines have had no discernible affect on protecting from or stopping the spread of COVID-19 within my unit. In fact, our COVID-19 cases have increased since vaccination started. We are still in a steady-state of COVID-19 positives amongst vaccinated and boosted personnel. A large number of these have tested positive for COVID-19 multiple times. Interestingly, I am unaware of any unvaccinated personnel who have contracted COVID-19 more than once. Despite all of this, the command team has repeatedly singled out the unvaccinated as the problem. At battalion formations, the battalion commander and command sergeant major regularly report on the number of unvaccinated Soldiers within the unit. Comments such as, "most of you are doing the right thing, we just need a few more to get on board," have been routine. This issue has been framed as selfless vs. selfish and team-player vs.

self-focused. Additionally, Soldiers were warned that the unvaccinated could infect them even though they themselves were vaccinated.

23. Since March 4, 2022, there has been no requirement to wear a mask for either vaccinated or unvaccinated. Yet, my battery, battalion, and brigade commander's RAR memos still state that my unvaccinated status is a threat to unit readiness.

24. In addition to what has been mentioned, additional retaliatory, career damaging, and negative actions have been taken against me for refusing the alleged COVID-19 vaccine and requesting a religious accommodation request.

I have been restricted from performing essential duty requirements. Currently, I am unable to provide battlefield circulation to forward units due to the Department of the Army restriction on TDY travel. I can freely interact with Soldiers within garrison, but I cannot travel to do so. This make no sense whatsoever, and it has a direct impact on unit readiness. I am unable to provide spiritual and religious support to five platoons which are currently deployed to eastern Europe in order to deter Russian aggression. This inability also has a tremendous negative impact on my officer evaluations and career. Successfully performing this battlefield circulation would be the highlight of my next OER.

I was restricted from participating in a planned unit staff ride to Normandy, France due to the TDY restriction on unvaccinated personnel.

I was selected to attend the resident Chaplain Captains Career Course beginning in January 2023, but am currently restricted from PCSing to due my unvaccinated status. Missing this required course would have a negative affect on my career timeline and promotion.

I have no reason to believe that my unvaccinated status will not have a direct impact on my next OER. It has been made clear that we, the unvaccinated, are not “good” leaders.

25. By not receiving this “vaccine,” I am being threatened with a General Officer Memorandum of Reprimand (GOMAR) and general discharge. This is an incredible burden on my family and our future. I am married with five children with another child due in August 2022. We are currently stationed overseas and have no home back in the states. I have no job to go back to. If discharged, we would essentially have to completely start over after leaving everything to serve our country in 2016. I am by no means wealthy, my father was a pastor and I paid my own way through college and a four-year seminary. Separation would have a long-lasting financial impact on the future of my family. A discharge in this way would make it difficult for me to find employment as my service would be tarnished and I will be characterized as disloyal and unwilling to obey orders.

26. For the last seven months, we have lived in fear that our livelihood could be pulled out from beneath us at any moment. This has put a tremendous amount of stress on my wife and children that cannot be overstated. Likewise, I have been burdened by the emotional weight of being forced to choose between standing for what I know to be right and supporting my family. No one should have to make that choice, especially one who’s job description includes that he be a moral and ethical leader. Without question, this has been the most difficult year of my life.

27. If the Army separates me they would sacrifice the spiritual readiness of my unit comprised of 570 Soldiers and their Families, as well as the readiness of a garrison of over 6,400 Soldiers, Families, and DA Civilians. I am a senior captain chaplain who has selflessly served both God and Country. I have been designated as having “unlimited potential” from my initial

evaluation in BOLC through my subsequent OERs. I have always set the standard for what an Army officer and chaplain should be and do. I am a proven leader, counselor, and a subject matter expert in the prevention of suicide. I am dedicated to mentoring junior leaders and have created multiple programs to nourish character development. I am heavily invested in improving relationships and have created teaching materials used by numerous chaplains to train couples during Strong Bonds events. I have been gifted in my ability to teach and communicate as a religious leader. I am unique in my commitment and dedication to the garrison religious support mission. I serve in chapel every Sunday—which far exceeds the standard. I sacrifice personal time, weekends, and holidays to produce excellent chapel messages. I regularly support the Protestant Women of the Chapel by speaking at events and weekly gatherings.

28. I joined the Army to serve my Country as a moral and ethical religious leader. The Army is demanding that I bend the knee and become an immoral, unethical follower. I can't help but feel that they want to eliminate either my faith and freedom, or my future.

29. I make this declaration under penalty of perjury, it is true and accurate to the best of my ability, and it represents the testimony I would give if called upon to testify in a court of law.

April 26, 2022


Parker J. Schnetz

IN THE MATTER OF THE VACCINE MANDATE CHALLENGE

DECLARATION OF Ch, Maj Thomas E. Fussell Jr

Pursuant to 28 U.S.C. §1746, I, Ch, Maj Thomas E. Fussell Jr declare as follows:

1. My name is Ch, Maj Thomas E. Fussell Jr. I am over 18 years of age and have personal knowledge of and am competent to testify on the matters stated herein.
2. I make this declaration in support of my challenge to the Department of Defense and Department of the Air Force mandates requiring that I be vaccinated against COVID-19. All statements made in this Declaration are true to the best of my own personal knowledge.
3. I currently reside at 2619 Sunset Maple Dr, Tipp City, Ohio. My home of record is Georgia and am a legal resident of Alaska.
4. I am an active-duty Chaplain in the United States Air Force, serving in the rank of Major. I am currently assigned to the 88th Air Base Wing, Air Force Material Command, Wright-Patterson Air Force Base, Ohio.
5. I began my military service on 5 October 2005 when I commissioned into the USAF Reserves as an Individual Mobilization Augmentee (IMA) as a Chaplain in the rank of 1st Lieutenant. I served in the United States Air Force Reserves until 5 October 2007 when I was accessed into USAF Active Duty as a Chaplain in the rank of Captain.
6. My promotions were as follows:

1st Lieutenant – 5 October 2005

Captain – 5 October 2007

Major – 1 April 2018

I have approximately 14 years of service as of March 1, 2022.
7. During my military career, I have had the following deployment to a combat zone or foreign area: 1) 07/2010 – 01/2011 Ali al Salem, Kuwait.

8. I have received the following awards during my military career: Air Force Commendation Medal with four oak leaf clusters, Meritorious Unit Award, Air Force Outstanding Unit Award, National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Ribbon, Nuclear Deterrence Operations Service Medal, Air Force Overseas Ribbon – Short, Air Force Expeditionary Service Ribbon with gold border.


9. I attended Commissioned Officer Training (2006), Basic Chaplain Course (2007), Squadron Officer School by correspondence (2009), Squadron Officer School in residence (2013), Chaplain Spiritual Leadership Course (2015), Deputy Wing Chaplain Course (2018), and Air Command and Staff College on-line (2018).

10. I submitted my Religious Accommodation Request (RAR) at Exhibit 1 asking to be excused from the Air Force’s COVID-19 vaccine mandate based on my sincerely held religious beliefs. A summary of those reasons follows: I am religiously opposed to vaccines and other vaccine requirements that were developed with, tested on, or contain aborted human fetal cells based upon my understanding that vaccines and medicines that contain, were developed with, or used in testing, aborted human fetal tissue violates the principles of God’s Word and my conscience. I was tested and confirmed to be positive for COVID-19 in February 2021. As such, I now have natural immunity from COVID-19.

11. My RAR was denied on 27 April 2022, Exhibit 2. I submitted my RAR appeal, Exhibit 3, on 2 May 2022, which is “still pending”.

12. I make this declaration under penalty of perjury, it is true and accurate to the best of my ability, and it represents the testimony I would give if called upon to testify in a court of law.

April 30, 2022


Ch, Maj Thomas E. Fussell Jr

IN THE MATTER OF THE VACCINE MANDATE CHALLENGE

DECLARATION OF LT NATHANAEL A. GENTILHOMME, CHC, USN

Pursuant to 28 U.S.C. §1746, I, LT Nathanael A. Gentilhomme, CHC, USN, declare as follows:

1. My name is Nathanael A. Gentilhomme. I am over 18 years of age and have personal knowledge of and am competent to testify on the matters stated herein.
2. I make this declaration in support of my challenge to the Department of Defense and Department of Navy mandates requiring that I be vaccinated against COVID-19. All statements made in this Declaration are true to the best of my own personal knowledge.
3. I live at 11709 New Bond St., Fredericksburg, VA 22408. My home of record is 198 N. Henderson Road, Travelers Rest, SC 29690.
4. I am an active duty Chaplain in the United States Navy endorsed by the Associated Gospel Churches (“AGC”). I am serving at the rank of Lieutenant and currently assigned to the Marine Corps Air Facility (“MCAF”), Quantico, Virginia.
5. I began my military service on 18 February 2009 when I was commissioned an Ensign in the Navy into the Chaplain Candidate Program Officer Program. I was later commissioned on 31 July 2014 and entered active duty in August 2014.
6. My promotions were as follows: Lieutenant (Junior Grade) O-2 with date of rank and effective date of 2/12/2011; Lieutenant O-3 with date of rank and effective date of 8/1/2015. I have approximately 13 years of service as of March 23, 2022.
7. During my military career, I have had the following deployments to foreign areas: 05/2015-07/2015 Japan, South Korea; 06/2016-08/2016 Philippines, Diego Garcia, India, Sri Lanka; 03/2017-04/2017 Marshall Islands; Hawaii; 10/2018-11/2018 TRIDENT JUNCTURE in Norway.

8. I have received the following during my military career: Two Navy and Marine Corps Commendation Medals and the Fleet Marine Force Qualified Officer pin.

9. I submitted my Religious Accommodation Request (RAR) (or Religious exemption) at Exhibit 1 asking to be excused from the Navy's COVID-19 vaccine mandate based on my sincerely held religious beliefs. A summary of those reasons follows: I hereby state that my request is based upon the fact that this particular vaccine was made possible from research which utilized cell lines from aborted babies. Early in the development of mRNA vaccine technology, cells from aborted babies were used as "proof of concept" (to demonstrate how a cell could take up mRNA and produce the SARS-CoV-2 spike protein) or to characterize the SARS-CoV-2 spike protein. As a Christian, I believe the murder of babies at any stage of development within a woman's womb is wrong, and using medicine, pills, or vaccines directly or indirectly linked to aborted babies should be avoided at all costs. As a Christian, my body is the temple of the Holy Spirit and by getting any FDA approved COVID-19 vaccine, I would be defiling my body. Receiving the COVID-19 vaccine would go against my deeply held religious and moral beliefs causing me to sin against God and my conscience.

10. My RAR was denied on 09 November 2021 Exhibit 2. I submitted my RAR appeal, Exhibit 3, on 02 December 2021, which still "remains under consideration."

11. "Vaccine" used to mean a medical procedure that protected you from the disease against which you were being vaccinated against whereas COVID-19 vaccines do not protect you but are in reality a treatment. In December 2020, I was diagnosed with COVID-19, got pretty sick and recovered. Later in October 2021, my wife was diagnosed with COVID-19, got pretty sick and recovered. During that same time, though we did not get them tested, five of our six children also got sick, most likely COVID, and recovered. All while my wife and children were sick, I continued to live and interact closely with them, and did not get COVID a second time. I

strongly believe since I had previously had COVID, I had developed strong, natural immunity against COVID. It is now March 2022 and I still have not been re-infected with COVID-19, though our own Navy Doc who is himself fully vaccinated, has already had COVID twice. Ironically, even though there are multiple authoritative studies concluding that natural immunity is as good as if not better than the shots, the Navy/Marine Corps still requires me to get the COVID shot and is actively trying to prevent me from obtaining religious exemption from the shot mandate.

12. In the spring of 2021, the DoD came out with a new, yet short-lived policy, based on the Center for Disease Control's "recommendation" that said Americans who were vaccinated, no longer needed to wear masks indoors, while those who remained unvaccinated, still had to wear masks indoors. This was prior to the DoD officially enforcing the COVID-19 shot mandate, but those of us with religious beliefs or matters of conscience that would not permit us to get the shot, immediately began to be publicly discriminated against. I would walk into meetings where most personnel were not wearing masks, but I had to wear one. Immediately, my private medical information was visibly on display since most knew I was not wearing the mask by choice. It was an intrusion on my medical privacy, and worse it was Government approved discrimination and "mask shaming." The military prides itself in combatting discrimination at all levels, yet when it comes to COVID mitigation policies and the vaccinated vs. unvaccinated, they did not bat an eye at the humiliating mask discrimination policies. It was done all in the name of "public health and safety" even though most people I talked to acknowledged that all the COVID "mitigations/restrictions" at that point were primarily political.

14. Thankfully, I have not experienced any retaliatory or punitive actions from my command for submitting a religious accommodation request, however, I have experienced negative actions for questioning COVID "mitigation" policies and also for informing our Marines/Sailors of their

right to utilize the Religious Accommodation Request process. In March 2021, the COVID-19 shot was still voluntary in the Navy and Marine Corps. When I learned that unvaccinated Marines were being barred from going on trips, I asked the Commanding Officer (CO) of one of the commands I provide Chaplain Support to why he was penalizing his Marines for not getting a shot that was presently voluntary. His response was to kick me out of his office and accuse me of “not supporting the mission.” He claimed “I am not penalizing my Marines. If they don’t want to get vaccinated, they can stay in the rear with the gear.” When September 2021 came along, and the COVID-19 shot became mandatory throughout the DoD, this same command would not permit me to be the interviewing Chaplain for their Marines/Sailors during the Religious Accommodation interview process. They thought I would simply “rubber stamp” recommend for approval all RARs. This was a false assumption on their part and an improper handling of the whole matter. It is my job, during the Religious Accommodation Request Chaplain Interview, to assess the sincerity of a service member’s belief, not whether I agree with it or not, and that is exactly what I do during every interview. They were trying their best to prevent their Marines from getting any kind of support in their pursuits of seeking exemption from the COVID-19 shot via the RAR process. They reached out to another Chaplain, who is actually an Army Chaplain, to conduct around 25 Religious Accommodation Request Interviews, instead of me, the Navy Chaplain assigned to cover down on their unit. It has almost been one year, and even though there is a new CO at this one command, he has never attempted to speak with me, and I am still not permitted to provide Chaplain Ministry of presence throughout his command spaces.

Next, recently I had to submit my annual LT Fitness Report (FITREP). Prior to this one, I had twelve excellent FITREPS signed by previous COs all with the promotion recommendation code ‘EP’ for ‘Early Promote.’ My present CO gave me a promotion recommendation of only ‘P’ which is ‘Promotable.’ Further, he downgraded most of the language highlighting my

accomplishments during the previous evaluation period, ensuring that I will not get promoted in the spring of 2023 (when I will be in-zone for promotion for the first time). He mentioned that one of the primary reasons for giving me such low scores on my FITREP was due to the fact that I am significantly underutilized, not having access to more than 80% of the personnel I am supposed to be providing Chaplain Ministry support to. This is a direct result of continuing to be barred from carrying out deckplate ministry to our primary tenant command as a result of the old CO erupting at me for daring to ask him why he was penalizing Marines not getting the then voluntary COVID-19 shot. Had that never happened, I have no doubt my present CO would have given me much higher scores on my most recent FITREP. I believe the two are directly linked.

Additionally, around the time the COVID-19 shot mandate was implemented, I sent out two ALL HANDS e-mails to each of the commands I cover sharing the policy about how to go about submitting a Religious Accommodation Request and what might qualify a service member to submit one. A couple Marines ended up complaining about my e-mail, so my CO had a meeting to let me know that he and some others were concerned that it appeared I was encouraging Marines/Sailors to seek exemption from the COVID-19 shot mandate. My CO explained that when it comes to publishing messages connected with policy, he wanted to be included so he could help craft the message. I believe it is because my wording was not “politically correct” in that it did not promote the vaccine, but rather gave Marines/Sailors with sincerely held beliefs a possibility of not getting the shot. I firmly believe that if I had sent out an e-mail with the policy about Chaplains and Confidentiality, nobody would have said a thing to me, but since my e-mail served to advocate for Marines/Sailors with religious beliefs or matters of conscience at odds with the COVID-19 shot mandate, I was targeted and it was made clear that my attempt to advocate for Marines/Sailors was not permitted. The only messaging that has been allowed at the two commands I serve is “get the shot,” “wear your mask,” and “social

distance.” Any attempt on my part to question past COVID policies and advocate for those not wanting the shot was only met with accusations of not upholding Navy/Marine Corps policy and that I was risking “the health and wellbeing of personnel” assigned to our commands. However, not at any point have I risked “the health and wellbeing of personnel.” Marines/Sailors all around me got COVID from other people and places, but never from me. As a direct result of the fact that I have not wholeheartedly embraced and supported COVID-19 policy restrictions and the COVID-19 shot mandate, I received one Letter of Instruction (LOI) and one Record of Informal Counseling from my past and present COs.

15. The Navy has put out guidance in the recent past that essentially said Navy Officers whose RARs are denied may elect to waive their right to a Board of Inquiry (BOI) and resign or retire to guarantee receiving an Honorable Discharge and not a General Discharge. According to LT Stephanie Moore at PERS-834, Navy Officers may elect a BOI, but at that point an Honorable Discharge could not be guaranteed, though she could not say for certain it was not possible. There is great uncertainty for Navy Officers in my position. If our appeals get denied, right now it seems the only way to be assured of an Honorable Discharge is to resign, and waive our right to a BOI.

I make this declaration under penalty of perjury, it is true and accurate to the best of my ability, and it represents the testimony I would give if called upon to testify in a court of law.

March 25, 2022

/S/
Nathanael A. Gentilhomme, CHC, USN

IN THE MATTER OF THE VACCINE MANDATE CHALLENGE

DECLARATION OF Chaplain, Captain Ryan Peter Jackson

Pursuant to 28 U.S.C. §1746, I, Ryan Peter Jackson declare as follows:

1. My name is Ryan Peter Jackson. I am over 18 years of age and have personal knowledge of and am competent to testify on the matters stated herein.
2. I make this declaration in support of my challenge to the Department of Defense and Department of the Air Force mandates requiring that I be vaccinated against COVID-19. All statements made in this Declaration are true to the best of my own personal knowledge.
3. My home of record and where I am domiciled is Wilmington, New Castle County, Delaware.
4. I am an active-duty chaplain in the United States Air Force serving at the rank of Captain. I am currently assigned to the 509th Bomb Wing, Whiteman AFB, Air Force Global Strike Command (AFGSC).
5. I began my military service on 24 February 1999 when I enlisted and served six years as a crew chief for F-15 aircraft and then two years as a loadmaster on C-17 aircraft after cross-training. Following my active-duty service commitment, I served eight years as a C-17 loadmaster in the Air Force Reserve. I was commissioned as a Second Lieutenant in the Chaplain Candidate program in 2015 and served two summer tours, followed by my re-appointment in 2018 and stationing at McConnell Air Force Base as an Individual Mobilization Augmentee Reservist. I was appointed to Active-Duty Regular Air Force August 2020.
6. My promotions were as follows: Senior Airman (Below the Zone) 2001, Staff Sergeant 2003, Technical Sergeant 2009, Second Lieutenant 21 February 2015, First Lieutenant 31 May

2018, Captain 31 May 2019. I have approximately 23 years total of active and reserve service as of March 2022. My Total Active Federal Military Service (TAFMS) is 13 years and 2 months.

7. During my military career, I have traveled on missions to combat zones and foreign areas: 07/2005-02/2015, I flew multiple missions on a C-17 crew in support of Operation Iraq Freedom and Operation Enduring Freedom (Afghanistan) as well as many other world-wide missions to include several presidential support missions.

8. I have received the two Air Force Commendation Medals, two Air Force Achievement Medals, four Air Force Outstanding Unit Awards, Basic Loadmaster Class Distinguished Graduate & Top Graduate awards, and Commissioned Officer Training Honor Flight during my military career.

9. I submitted my Religious Accommodation Request (RAR) on 16 September 2021 at Exhibit 1 asking to be excused from the COVID-19 vaccine mandate based on my sincerely held religious beliefs. A summary of those reasons follows: All vaccines do not burden my faith, but the COVID-19 vaccines substantially burden my practice of good faith and integrity before God; therefore, I cannot receive them into my body (Romans 14:23; 1 Timothy 1:18-19, 3:9).

According to the Word of God, if I went against my conscience after prayer and deliberation with God, it is sin for me. "If anyone, then, knows the good they ought to do and doesn't do it, it is sin for them," and "Each of them should be fully convinced in their own mind. Whoever eats meat does so to the Lord, for they give thanks to God; and whoever abstains does so to the Lord and gives thanks to God...Blessed is the one who does not condemn himself by what he approves. But whoever has doubts is condemned if they eat [or take something into their body], because their eating is not from faith; and everything that does not come from faith is sin" (James 4:17; Romans 14:5-23). The Scripture also states that our bodies, as believers in Jesus Christ, are the Holy temple of a Holy Lord. "Don't you know that you yourselves are God's temple and that

God's Spirit lives in you?" and "Do you not know that your body is a temple of the Holy Spirit, who is in you, whom you have received from God? You are not your own; you were bought at a price. Therefore, honor God with your body" (1 Corinthians 3:16-17; 6:19-20). These Scriptures tell me I am to treat my own body as a house or resting place for the Almighty God. If I were to receive the new vaccines, knowing the adverse effects and acknowledging the unknown long-term effects to my body, I would be knowingly causing potential harm to my body.

10. My RAR was denied/disapproved on 28 February 2022, Exhibit 2. I submitted my RAR appeal, Exhibit 3, on 5 March 2022, which was also denied/disapproved 19 April 2022. I stated in my RAR that the experimental short-term testing and use of the vaccines, combined with their inability to prevent covid-19 or stop the spread create an unwise risk and substantial burden upon my faith for stewarding my body which belongs to God. For more information see Exhibit 1, attachment 1.

11. The AFGSC Commander disapproved my request, stating that the Department of Defense and the Department of the Air Force have a compelling interest in maintaining a healthy and ready military force through vaccination. The commander states that less restrictive means of ensuring military readiness for mission accomplishment, such as masking, physical distancing, and teleworking are insufficient and would not be as effective as vaccination because my duties require regular face-to-face counseling, spiritual care, spiritual resilience coaching, and conducting weekly religious services. The disapproval states that my job cannot be accomplished by teleworking or other remote means, and that I must physically interact with others on a frequent basis where I cannot always maintain adequate physical distancing.

12. My actions and personal state of readiness demonstrate the inaccuracy of the above conclusions. And respectfully, the statements about my duties are simply not true. My job never requires me to touch another person or be within 6 feet of them during in-person face-to-face

counseling, providing spiritual care, resiliency coaching, or conducting weekly religious services. There is no regulation requiring me to touch another individual or be within 6 feet of them. In reality, over the course of the pandemic, I have indeed operated with adequate distance and completed all my mission taskings successfully, conducting 204 face-to-face counseling sessions, conducting 13 weekly religious services (shared with other chaplains), engaging 6442 Airmen with spiritual care, and leading 160 spiritual resiliency events—all while maintaining social distance and without the need to telework. Before and since the mandate inception, my mission accomplishments have not been hindered with my unvaccinated status. However, my counseling load increased to accommodate the masses of distressed airmen uncomfortable with the new vaccine.

13. While the disapproval letter states that I cannot complete my job or the mission remotely, this holds no bearing on my COVID-19 vaccination status because I have not had to do my job remotely. In fact, I have been safer, healthier, and more ready than the majority of my coworkers during the pandemic, losing no time due to ROM or sickness. In January 2022, five fully vaccinated chapel staff members were out of work simultaneously due to COVID (either testing positive or contact-traced). Being one of the only chaplains in a state of readiness, I was able to happily carry the majority of their workload (including the weekly religious service I was not scheduled to preach) in addition to my daily tasks. Unvaccinated members of Whiteman's 20th ATK Squadron and 72nd Test and Eval Squadron report similar experiences: their health and readiness enabled mission execution while vaccinated Airmen missed work due to COVID.

14. The inferences made in my disapproval are *theoretical*—based neither on DAFI mission requirements nor demonstrative proof. In fact, during January 2022, the nation at large, and my surrounding co-workers in my squadron and base have seen that the less restrictive means have been not only been effective and adequate, but seemingly more effective. As stated before, there

is no regulation stating I must touch another airman or be within 6 feet to counsel them (even the smallest counseling rooms allow for 6 feet of separation). Regulation does, however, clearly state that the government's compelling interest must be real and not theoretical:

Commanders may only impose limits on such expressions when there is a *real (not theoretical)* adverse impact on military readiness, unit cohesion, good order and discipline, health or safety of the member or the unit. Any imposed limitations will employ the least restrictive means possible on expressions of sincerely held religious beliefs. (T-0). DAFI52-201 para 2.1 23 JUNE 2021

The Department of the Air Force will approve a member's request for religious accommodation unless the request would have a *real (not theoretical)* adverse impact on military readiness, unit cohesion, good order, discipline, health, or safety. DAFI52-201 para 2.3 23 JUNE 2021

15. To address travel, during the pandemic I have been TDY for 30 days with the 393rd BS (they did not require us to ROM before or after), taken leave via commercial air 5 times, and traveled 8 hours away by car on pass 2 times and never contracted COVID or missed work upon return. I followed all Public Health guidelines, finding these least restrictive means to be effective at safeguarding my health and readiness. The policy of vaccination for COVID-19 on paper is the only limiting factor. An approved exemption would check the vaccination box on my Individual Medical Readiness (IMR), while the military has the requirement, allow me to practice my sincerely held beliefs, not compromising my conscience before God, and allow me to travel freely on military orders. The purpose of a religious exemption is to give an exemption for what would normally be required by policy. If real (and not theoretical) reasons for compelling government interest and safety were presentable then an exemption would not be feasible. However, that is not the case here.

16. The appeal denial I received on 19 April 2022 did not address my appeal at all, but rather completely ignored my rebuttal and evidence that I did not work remote, take any time off, or have any issues with social distancing hindering my mission accomplishment (see appeal denial document). The appeal simply repeated what the initial denial read and added “real” to the government compelling interest. This is plainly a blanket denial utilizing verbiage of my job to give the appearance of substantiation.

17. The following retaliatory, career damaging, negative, punitive, or administrative actions have been taken against me for refusing the alleged COVID vaccine and requesting a religious accommodation request: I have been told repeatedly by my leadership that my RAR will be disapproved, the appeal will be disapproved, and that my request to separate will be denied, and that I will receive disciplinary action for disobeying a “lawful” order. I was made to sign two documents stating that if my RAR is disapproved, I can face Uniform Code of Military Justice (UCMJ) legal punishment for not receiving the COVID-19 vaccination (see Exhibits 4 and 5). I was told to prepare for separation before April 1, 2022, and that separation after this time would result in disciplinary paperwork and therefore a less than honorable discharge for disobeying an order. I have been told I cannot deploy or go TDY or to any schools even stateside, even if I had a negative covid test. Despite traveling around the US via air travel and by car multiple times over the last 2 years (including one 30 day TDY in Jan-Feb 2021), I have been barred from even a one-week-long TDY for chaplain training at Maxwell AFB, AL. The coercion on our base has been extremely strong and many have abandoned their convictions for fear of losing their jobs. My fiancé has listened to me countless nights after work and prayed hours with me over the distress and internal turmoil from the threats that have been made to the security of my chaplain position and livelihood in the AF, and disregard of my sincerely held religious beliefs. I have stressed to the point of despair and even physical chest pain and sleepless anxiety over what will

happen to my reputation and plans for future with my family. If even a chaplain cannot practice his or her faith in the military, who can?

18. As stated above, I have a combined service time in the AF of 23 years. Because I do not have enough active-duty time (cumulatively 13 years and 10 months), I cannot retire on active-duty. With 23 years, I could retire with a reserve retirement but, Air Force Personnel Center (AFPC) states that I cannot retire with a reserve retirement while on active-duty; I must transition into the reserves to retire with a reserve retirement of which I will not receive until 59 years old. Furthermore, I cannot transition into the reserves until my Active-Duty Service Commitment (ADSC) has ended (29 Oct 2022). If I am forced out of Air Force active-duty and I am unable to rejoin the Air Force Reserves, I will lose *all 23 years* of my Service time and receive nothing for retirement now or later. The United States military would be terminating a 23-year veteran with no retirement compensation whatsoever. I serve in the USAF because God has been preparing me my whole adult life to be an AF chaplain and He made my calling confirmed. I entered the AF at age 18 and served as an F-15 crew chief for 6 years, then as a C-17 loadmaster for 10 years before commissioning to be a chaplain. I have previously experienced much of what Airmen go through in the AF. I counsel airmen and build them up for spiritual fitness in their personal faith and morale to be fit for duty. As I have been ministering to the airmen, God has shown me that my 23 years of service to our country has been vital to relating to airmen on a personal level. Furthermore, if I am forced out of the AF with nothing to show for my 23 years of service but a less-than-honorable discharge, I will face hardship in finding a professional ministry position or a job outside of ministry because of my record. Even if I were to get an honorable discharge, they would be denying me retirement I am entitled to for serving 20 years of military service and the benefits promised thereof.

19. I am grateful to serve with a deep faith in our nation and in God. Our nation was founded by our forefathers who sought religious freedom, and thus our nation's First Amendment is fundamental to our heritage. The First Amendment protects our religious freedom against government infringement. I have been honored to serve at home, on transport to Forward Operating Bases in the Area of Response (FOB AOR) and all over the world in defense of these fundamental liberties. I am honored and proud to be an American, where I am still free to worship God. Whereas I have had well over 204 counseling sessions and at least 8 suicide preventions just in the last two years, it would not benefit the AF to eliminate a seasoned prior-enlisted 23-year chaplain for an ineffective emergency use vaccination (that is no longer an emergency) and has proved itself *not* the least restrictive means to my faith. Not only would the AF lose a seasoned chaplain they have invested in for 23 years, but I would also be losing the livelihood for my family and me, now and also into our retirement years.

20. I make this declaration under penalty of perjury, it is true and accurate to the best of my ability, and it represents the testimony I would give if called upon to testify in a court of law.

April 20, 2022


Chaplain, Captain Ryan P. Jackson

IN THE MATTER OF THE VACCINE MANDATE CHALLENGE

DECLARATION OF CAPTAIN ROBERT J NELSON

Pursuant to 28 U.S.C. §1746, I, Robert Jon Nelson declare as follows:

1. My name is Robert J Nelson. I am over 18 years of age and have personal knowledge of and am competent to testify on the matters stated herein.
2. I make this declaration in support of my challenge to the Department of Defense and Department of United States Air Force mandates requiring that I be vaccinated against COVID-19. All statements made in this Declaration are true to the best of my own personal knowledge.
3. I currently reside at 1219 Coachman Way, Sanford, NC 27332. My home of record and where I am domiciled is San Antonio, Bexar County, Texas.
4. I am an active duty chaplain in the United States Air Force, serving at the rank of Captain. I am currently assigned to the 18 Air Support Operations Group, Air Combat Command, 1414 Reilly Rd, Bldg 539, Pope Army Airfield, NC 28308.
5. I began my military service on 28 Mar 2019 when I commissioned and entered Officer Training School at Maxwell Air Force Base, AL.
6. I was able to commission at the rank of Captain. As a professional, chaplains are automatically promoted to Captain if they have 7 year's professional experience. I entered with 15 years pastoral experience. I have approximately 3 years of service as a Chaplain in the USAF as of March 1,2022.
7. I have received the Wing Staff Agency CGO Quarterly Award two times. I have received the Military Outstanding Volunteer Service Medal and the Air and Space Commendation Medal during my military career. I attended Squadron Officer School in

residence and was selected to participate in the highly competitive Think Tank graduating in May 2021.

8. I submitted my Religious Accommodation Request (RAR) at Exhibit 1 asking to be excused from the Air Forces's COVID-19 vaccine mandate based on my sincerely held religious beliefs. A summary of those reasons follows: The COVID-19 shots were created by experimenting on fetal cells. This is evil and goes against my conscience to support the use of this treatment. I believe that my body is a gift from God and that He dwells in me (1 Cor. 6:19-20). Studies have shown that COVID-19 shots administered to pregnant mothers are killing babies in the womb and many children are being stillborn. This goes against God's desire for life (Job 31:15). Studies show the COVID-19 shots are destroying reproductive organs, which are against God's desire to be fruitful, multiply and fill the earth (Genesis 1:28). The statistics about miscarriages and reproductive issues that are mentioned in my RAR from November 2021 are validated with more information over the past seven months.

9. My RAR was submitted 15 November 2021 and is still pending.

10. I stated in my RAR that according to Dr. Robert Malone, the creator of mRNA technology, the COVID-19 shot has not been properly tested and there is not enough data support the decision to use it. Since the COVID-19 shot is not yet proven, it is unknown how this experimental treatment will affect our military and its readiness. Many service members have been forced to take a shot to protect them from a sickness that has not resulted in the mass deaths that were expected to take place. Many service members receiving the shot are experiencing physically injuries, but what is not discussed are the emotional and spiritual damage like moral injury. Moral injury is often compared to post-traumatic stress but is distinct. Moral injury is understood to take place when someone participates in an action that goes against their moral or spiritual beliefs. People who go against their conscience experience guilt, shame,

depression and lack of motivation. Many may experience suicidal ideations and this unseen injury will have long-term effects on our military as more people experience physical injuries from the shot and are forced to take boosters.

11. Since I have submitted a RAR, I have been sidelined. I have not been able to participate in the Religious Accommodation process because the upper leadership believes that I will not be able to do my job objectively. In September 2021, I was denied the ability to give Religious Accommodation interviews or sit on the Religious Resolution Team. I asked leadership to reconsider because I have been able to interview airmen who are Sikh, Norse Pagan and Jewish and objectively consider their beliefs and approve Religious Accommodations. When I asked why I cannot participate, I was told that “the optics would not look good with my religious accommodation in the pile with airmen whom I have interviewed.” Furthermore, I have been told to wear a mask even though the COVID-19 shot has not protected anyone from getting COVID. I am required to go through an arduous approval process in order to get an exception to policy (ETP) to attend to my yearly Endorser Conference in May 2021. The Endorser Conference is required to maintain my certification and remain as an approved Chaplain in the USAF. My ETP is still in process. My current assignment requires me to take multiple temporary duty trips (TDY). I have been unable to visit my geographically separated units in order to support them because the Secretary of Defense has denied TDYs without an ETP. I am allowed to take leave and travel wherever I choose, but I cannot travel for work based on the travel restrictions. This is discrimination.

12. The following retaliatory, career damaging, negative, punitive or administrative actions have been taken against me for refusing the alleged COVID vaccine and requesting a religious accommodation request: A chaplain at my Wing has been divisive by trying to speed up the process to have my RAR processed and denied. I am told secondhand how he is undermining

my work and demeaning my efforts to leadership. I have been denied the ability to travel, and because of the ETP process, I am unable to participate in courses with the Army that would benefit my service and career. My wife and family have experienced great instability through this process. We moved in August 2021, selling our house in Las Vegas and purchasing a new one in North Carolina, under the assumption that we would have financial stability to live in our home. My wife and five children experience are experiencing financial and emotional insecurity because they do not know if I will have a job in the next few months.

13. The USAF by approving thousands of administrative and medical exemptions has shown that they view religious accommodations as inconsequential. The people who are receiving medical and administrivia exemptions catch COVID like everyone else and recover. They are not restricted in travel. The COVID-19 shot does not protect people. The First Amendment of the Constitution is intended to protect people to be enable the free exercise of religion. Now I am being threatened with something other than Honorable Discharge for having integrity to my beliefs as a Chaplain. I have not done anything wrong do deserve punishment. Now the benefits of my service and my honor are at stake. I will lose years of security in pay and health care. I will lose VA benefits and the Post 9/11 GI Bill which I intended to give to my children.

14. I have served 3 years as a missionary in Japan and 15 years in two separate churches. In order to enter the USAF, I had to receive an age-waiver because I was beyond the recruitment age. However, the USAF was prepared to take the risk when I entered at 43. Now, I am seen as a risk for a sickness that is being recognized as endemic. I left a stable church that was doing well, because I wanted to serve my country and help Airmen who experience extraordinary pressures. I brought experience having led a church of nearly 200, which has a thriving Child Development Center. I led a staff of 25 and started multiple ministries. I launched a Celebrate

Recovery Ministry from scratch and served as the Ministry Leader. This skill set prepared me to care for a families and people who struggle daily in the USAF.

15. My first assignment was to a high operations tempo base, Nellis AFB. I was given the task of caring for the Maintainers who are notorious for being difficult to connect with and work among. I loved it. Our chapel was constantly understaffed. Through the challenges and despite my inexperience in the military, my Wing Chaplain placed me in positions to lead the Protestant Services and cover additional demanding Intelligence units. In my time at Nellis AFB, I was able to help save many marriages heading for divorce and counseled airmen suffering with suicidal thoughts. I led two memorials and gave four death notifications to families that lost a service member. In this two year span of time I excelled in counseling and began studying for an MA in Clinical Mental Health Counseling for licensure as a Licensed Professional Counselor at Liberty University.

16. My assignment to Nellis AFB was cut short after a little over two years, when the USAF assignments chose to move me early and assign me to serve as the first unit chaplain for the 18th Air Support Operations Group at Pope Army Airfield. This is the first True North chaplain team at Pope. The True North model is designed to embed chaplains directly in the units in order to care for airmen who are under extreme stress and demands. True North chaplains must be able to operate independently and creatively because they do not have the support of a Chapel Staff or Wing Chaplain. My True North Group is even more unique because I support all the Airmen that are aligned with the XVIII Airborne Corps. The 18 ASOG primarily supports Tactical Air Control Party (TACP) members who are aligned with the XVIII Airborne Corps. These TACPs deploy with the Army and call in the Air Support. My Airmen have demanding jobs and deploy often. They live in two worlds, in the Air Force and Army. They must go through extreme training and have multiple certifications to remain proficient at their job. I have 8 geographically

separated units across the Eastern United States. While I am able to visit the squadrons that are located here at Pope/Ft Bragg, I am not able to travel to support the other 8 units because of the travel restrictions. Furthermore, it is inconsistent to allow me to take leave and travel wherever I chose, but I am not able to travel for my job.

17. What I am describing is the start of a very promising career. I have enjoyed all the ways I have served in the locations I have been called. I have done it well. But now it is being cut short. I have been limited in caring for my units and unable to receive extra training that would better equip me to support them and their families in their challenges. Countless members of the military continue to catch COVID-19 despite getting the shot. I am healthy and fit and yet I am told I am unfit to do my job. I have many years ahead of me, in what could be a supportive roll to people of faith and those who are in need of emotional support. I want this religious discrimination in the military to end.

18 I make this declaration under penalty of perjury, it is true and accurate to the best of my ability, and it represents the testimony I would give if called upon to testify in a court of law.

April 7, 2022

/S/ Robert J Nelson
Robert J Nelson