

# **Statement on Discrimination Against Transgender Americans in the Workplace**

## **Before the House Committee on Education and Labor Subcommittee on Health, Employment, Labor, and Pensions**

**Testimony of Diane J. Schroer, Colonel, U.S. Army (Ret.)  
June 26, 2008**

Mr. Chairman and Committee Members, thank you for the opportunity to appear here and testify today.

My name is Diane Schroer, Colonel, U.S. Army, Retired and I am a transgender woman. I grew up in Chicago as David Schroer with two older brothers in the most normal of loving families. I entered the U.S. Army through ROTC as a 2nd Lieutenant immediately following graduation from Northern Illinois University. I completed Ranger and Airborne School and served four years on the East-West German Border, completing three company command tours along the way. In 1987, I was an honor graduate of the U.S. Army Special Forces Qualification Course.

I served sixteen years in Special Forces including tours as a detachment commander, company commander, and battalion commander, accumulating 450 parachute jumps. I participated in combat operations in Panama and Haiti as well as missions in the Middle East, Central America, Africa, and Europe. Additionally, I initiated humanitarian demining operations in Namibia, Rwanda, Mozambique, Botswana, Zambia, and Zimbabwe.

As the Senior Assessment Director, I orchestrated the Program Objective Memorandum or "POM" for US Special Operations Command, reviewing 5,000 programs covering all aspects of Special Operations for 4 years. I knew every unit, piece of equipment, operation, exercise,

development program, and construction project; I knew where every dollar was supposed to go and how it was spent.

Following the attacks on 9/11, I was selected to organize and direct a classified 120-person interagency organization responsible for all Department of Defense operations against the country's most significant terrorist threats and all long-term planning for the Global War on Terrorism. After almost two years of successful operations, with twenty five years in the U.S. Army, I retired in Jan 2004.

Since my retirement, I have been intimately involved in Homeland Security, Critical Infrastructure Protection, and Maritime High-Risk Counterterrorism Operations. I currently run a small, independent consulting company that has done work for the Department of Homeland Security, U.S. Coast Guard, the National Guard, and the Federal Bureau of Investigation, to name a few. I possess a current Top Secret, Special Compartmented Information capable security clearance, which was updated in a Periodic Review completed without issue in July 2007.

I am here today because, in Fall 2004, I applied and interviewed for the position of Specialist in Terrorism and International Crime with the Congressional Research Service of the Library of Congress. In December 2004, I was told I had been selected for the position and after some rapid salary negotiations, I accepted the job.

I knew that I was well-qualified for the position. The U.S. Government had spent thirty years and several million of dollars educating me and perfecting my experience in the fields of Insurgency and Counterterrorism. As an aside, I also have a personal library collection of approximately 18,000 volumes covering predominantly those subjects.

At the time I applied for the position, I was in the process of my gender transition from Dave to Diane. However, I was still legally David – meaning that all my documentation was still under the name David – and therefore, applied for the position as David. When I was offered the job by CRS in December 2004, I felt that it would cause less confusion all around if I simply started work as Diane, rather than starting as David and then transitioning to Diane. So, I invited my future supervisor at CRS to lunch so I could tell her about my plans, and help her ensure everything went smoothly.

On the day of our lunch meeting, I met my future supervisor at her office. She introduced me to several new “colleagues” as she put it, on our way out of the building. At lunch she spoke at length about my new responsibilities, which would involve preparing, publishing and informing Members about the critical issues surrounding terrorism and homeland security. During a break in her description of my new duties, I mentioned that I had a personal item I wanted to discuss with her. I asked her if she knew what it meant to be transgender, and explained that I had a female gender identity, and would be transitioning to living as a female on a full-time basis. My intent was to do this when I commenced work at CRS.

I knew that whether I was David, or Diane, I would provide excellent research support to the Congress. I had truly thought that my future supervisor at CRS would feel the same way. Yet, as we parted company following our lunch conversation, she said that “I had given her a lot to think about.” And then, the following day, she called and said that “After a long and sleepless night, she decided I was not a good fit for the Library.” I told her I was very disappointed to hear her say that. In twenty-four hours, I had gone from a welcome addition to the staff to someone who was “not a good fit” because I was a woman. Hero to zero in twenty-four hours.

I enlisted the assistance of the ACLU and, in June 2005, they filed suit in Federal Court on my behalf against the Library of Congress.

In its legal papers, the Library has claimed that it did not hire me because it was concerned that I would lose my colleagues in the Special Operations community as a result of my gender transition. The ironic thing is that these are precisely the people who have been only second to my family as my staunchest supporters in this fight.

The Library has claimed that it could not hire me because it was concerned I might lose my clearance, yet I hold a current TS/SCI capable clearance and continue to work on several highly classified initiatives.

The Library has claimed that it could not hire me because I would have no credibility with Members, given that a woman could not possibly know the things I know. And yet I testify in front of this committee here today.

In summary, as a Master Parachutist, honor graduate of Army Ranger School, the Special Forces Qualification Course, Command and General Staff College, and the National War College, with two Masters Degrees, having been awarded the Defense Superior Service Award, four Meritorious Service Medals, five foreign parachute qualifications, and two Expeditionary Medals for combat operations, I hope every day for the call to come from the Library saying, "We've made a tremendous mistake."

I am ready and able to serve this country once again, and look forward to the day when I am given the opportunity to do so.

Briefing Vice President



3006



Haiti 1994



Award Ceremony





With My Brother Bill at Graduation



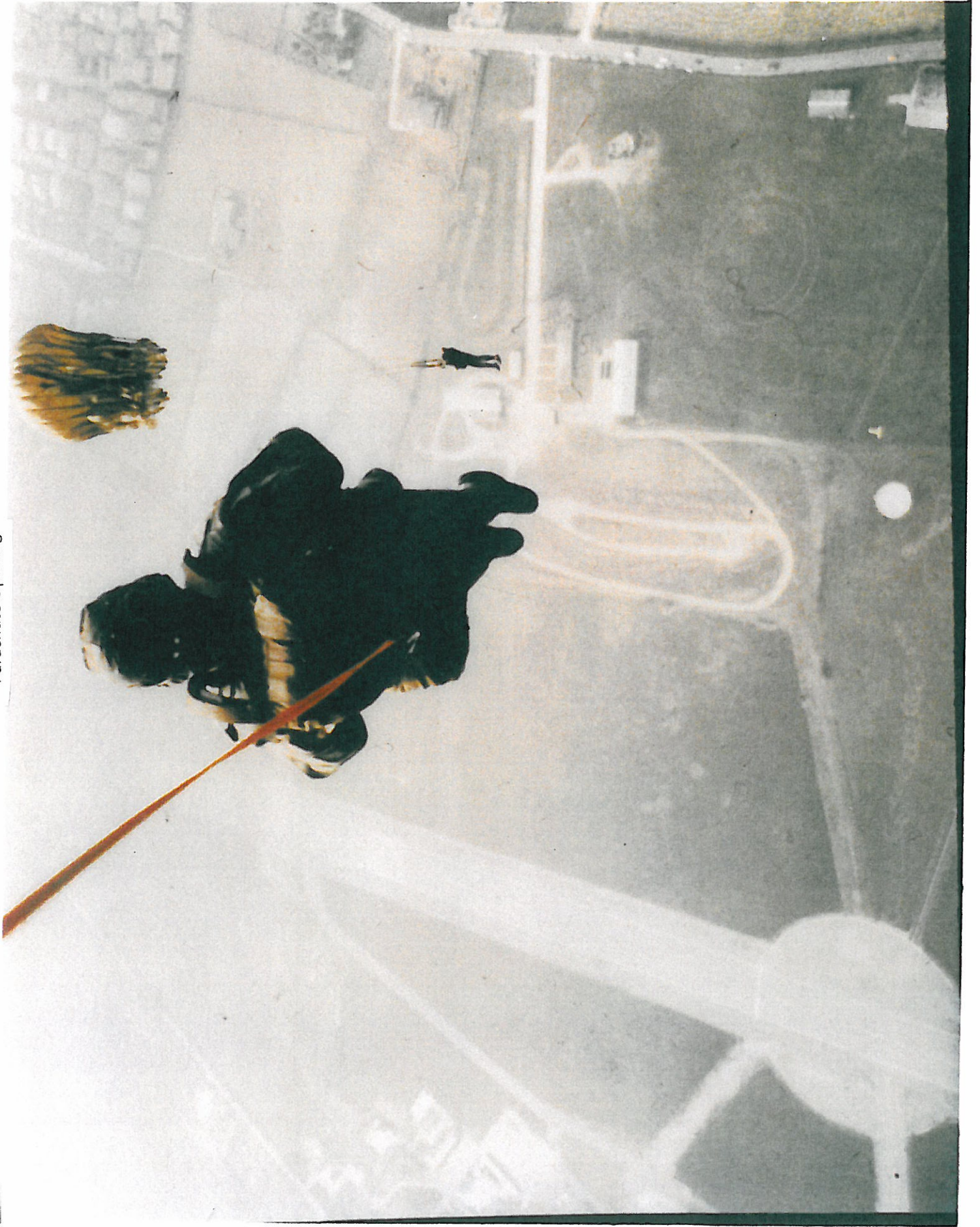
In Haiti



Jumpmastering a Helicopter Jump



Parachute Opening



With Brothers





**Citation**  
TO ACCOMPANY THE AWARD OF THE  
**Defense Superior Service Medal**  
TO

**DAVID J. SCHROER**

*Colonel David J. Schroer, United States Army, distinguished himself by exceptionally superior service while serving as Chief, Wargaming Branch and Chief, Forces Assessment Division, Center for Force Structure, Resources, and Strategic Assessments, United States Special Operations Command, MacDill Air Force Base, Florida, from July 1997 to August 2002. As the senior of five assessment directors, Colonel Schroer brilliantly led the evaluation of the command's force structure, acquisition, modernization, and readiness programs to ensure the best possible balance of special operations forces (SOF) and equipment to meet mission requirements. Recognized as the command's top expert on SOF and related acquisition programs, Colonel Schroer ensured the Program Objective Memoranda for 1999 through 2004 were delivered to the Office of the Secretary of Defense with the appropriate forces and equipment to make SOF the most capable and relevant forces in existence well into the 21st Century. The singularly distinctive accomplishments of Colonel Schroer reflect great credit upon himself, the United States Army, and the Department of Defense.*



# THE UNITED STATES OF AMERICA

TO ALL WHO SHALL SEE THESE PRESENTS, GREETING: THIS IS TO CERTIFY THAT THE PRESIDENT OF THE UNITED STATES OF AMERICA AUTHORIZED BY EXECUTIVE ORDER, 16 JANUARY 1969 HAS AWARDED

## THE MERITORIOUS SERVICE MEDAL

TO  
FOR  
MAJOR DAVID J. SCHROER  
3D SPECIAL FORCES GROUP (AIRBORNE)

exceptionally meritorious achievement as the Operations Officer. Your planning was directly responsible for successful activation of 2d Battalion. Your outstanding performance of duty reflects great credit upon you, the 3d Special Forces Group (Airborne), the United States Army Special Forces Command (Airborne) and the United States Army.

FROM: 5 September 1991 to 22 July 1992

GIVEN UNDER MY HAND IN THE CITY OF WASHINGTON  
THIS 22d DAY OF July 92

SIDNEY SHACHNOW  
Major General, USA  
Commanding



SECRETARY OF THE ARMY

PERMANENT ORDER 68-3, 22 July 1992



# THE UNITED STATES OF AMERICA

TO ALL WHO SHALL SEE THESE PRESENTS, GREETING: THIS IS TO CERTIFY THAT THE PRESIDENT OF THE UNITED STATES OF AMERICA AUTHORIZED BY EXECUTIVE ORDER, 16 JANUARY 1969 HAS AWARDED

## THE MERITORIOUS SERVICE MEDAL

TO  
CAPTAIN DAVID J. SCHROER, United States Army

FOR exceptionally meritorious service as Detachment Commander and Company Commander of Company B, 1st Battalion, 5th Special Forces Group (Airborne), Fort Campbell, Kentucky, from 12 June 1987 to 17 July 1989. Captain Schroer displayed outstanding professional ability, sound judgment, and initiative in all aspects of his assignments. His brilliant leadership was responsible for the high state of combat efficiency and readiness achieved by his command. He has clearly demonstrated that he is an officer of the highest caliber. Captain Schroer's outstanding performance of duty reflects great credit upon him, the 5th Special Forces Group (Airborne), the 1st Special Operations Command (Airborne), and the United States Army.

GIVEN UNDER MY HAND IN THE CITY OF WASHINGTON  
THIS 29th DAY OF June 19 89

*James A. Guest*  
JAMES A. GUEST  
Brigadier General, USA  
Commanding



*John D. Marshall, Jr.*  
SECRETARY OF THE ARMY