

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

NICOLAS TALBOTT *et al.*,)
)
 Plaintiffs,)
)
 v.) Civil Action No. 1:25-cv-00240
)
 UNITED STATES OF AMERICA *et al.*,)
)
 Defendants.)
 _____)

DECLARATION OF ASHLEY DAVIS

I, Ashley Davis, declare as follows:

1. I am a 41-year-old Lieutenant Colonel in the U.S. Air Force. I currently serve as an Air Force Aviator and Air Battle Manager flying on the E-3 AWACS: a command, control, and surveillance aircraft. In addition, I oversee the data link network covering the Pacific and Indian Oceans. This network connects air, sea, and land forces, enabling the sharing of position, weapons states, messages, and orders in real time. I have been serving honorably in the U.S. Military since 2002. I am transgender.

2. I first enlisted in the military as a member of the Pennsylvania Air National Guard where I served as a KC-135 tanker maintainer. At the height of the Iraq and Afghanistan wars, I wanted to serve my country full-time, so I commissioned as an officer on active duty in 2009.

3. During my Air Force career, I've deployed multiple times, including to Qatar and the United Arab Emirates. I've flown missions over combat zones in Afghanistan and Iraq, where I coordinated weapons, sensors, and aerial refueling to support and enable successful operations. In total, I've accumulated 667 combat flight hours.

4. In 2023, I deployed to Poland, where I served as a crew lead flying aboard the E-3

AWACS. While there, I led my crew in executing airborne command, control, and surveillance operations, ensuring the mission safety and success of the presidential visit to Kyiv.

5. I have received numerous commendations, including two Meritorious Service Medals, one Air Medal, three Air and Space Commendation Medals, one Air and Space Achievement Medal, one National Defense Service Medal, one Global War on Terrorism Expeditionary Medal, one Global War on Terrorism Service Medal, and one Nuclear Deterrence Operations Service Medal. I also received the Médaille de la Défense Nationale for my role working with NATO forces to plan the 2018 strikes against Syrian chemical weapons facilities.

6. In April 2019, I received a diagnosis of gender dysphoria and began receiving transition-related healthcare, including hormones and surgical treatments.

7. I have been serving as a woman in the U.S. Air Force since July 2020. At first, I served as a woman pursuant to an Exception to Policy (ETP). In December of 2020, I updated my gender marker in DEERS to Female. I have been serving as a woman and meeting all standards applicable to female service members for several years. Additionally, I currently hold an active flight rating, which required me to pass a Class III flight physical. This type of physical exam holds applicants to a higher standard than what is typically required for general military service. The medical and psychological criteria are more stringent, making the qualification process more demanding than that faced by the average service member.

8. My command has been very positive and supportive of my transition. They have assured me that, from their standpoint, my being transgender has no negative impact on my ability to serve and perform the duties of my job.

9. The Executive Order has upended my life in many ways. First, I support my family on my military salary. If I lose my military salary and health care, I do not know how I will be able

to support my family.

10. In addition, I was recently selected as my unit's number one selectee to attend Air War College. This is a competitive program open to O-5s designed to develop senior leaders and advance their careers. I hope to attend Air War College in 2026. However, if I lose my military career, I will miss out on this once-in-a-lifetime opportunity.

11. Also, being forced out after 22 years would not only cut short my career, but it would also undermine the investment the military has made in developing me as an aviator and leader. I am at a point where my experience, training, and leadership are reaching their peak value; not just to me but to the mission and those I lead. Ending my service now would deprive the force of a seasoned aviator, mentor, and officer at a time when I have much more service to give.

12. I meet and adhere to all standards applicable to female service members. Others refer to me as a woman.

13. On 3 March 2025, I was informed by my command I either conform to male standards or be placed on administrative absence in accordance with the 1 March 2025 DAF memo, Additional Guidance for Executive Order 14183, "Prioritizing Military Readiness." I have been on administrative absence since then and wish to return to duty as myself, a woman, to serve my country and ensure mission success, without being forced to adhere to male standards. Being placed on administrative absence negatively impacts my career progression by interrupting my trajectory as an officer by delaying leadership opportunities and limiting professional development. Additionally, this absence undermines my authority as an officer, as it may be perceived as disciplinary or voluntary, eroding the respect and credibility I have earned through performance.

14. It is not possible for me to serve in the military as a man. It would be extraordinarily

disruptive for me to use men's restrooms and showers, sleep in men's berthing units, or otherwise access sex-segregated facilities for men.

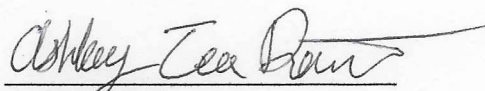
15. If others were required to refer to me by male pronouns or address me as "sir," it would cause confusion and disruption, negatively impacting my ability to effectively perform the duties of my job.

16. I am unable to demonstrate that I have never attempted to transition to any sex other than my birth sex, because I have undergone a gender transition. Moreover, as stated above, I am unable to adhere to the standards associated with men, since I am a woman.

17. If I cannot serve as a woman in the military, I cannot serve at all.

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Dated: March 21, 2025


Ashley Davis