

**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 TOMMIE PARKER
IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

I, TOMMIE PARKER, hereby declare:

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

Personal Background Information

2. I am a 54-year-old Technical Sergeant (E-6) in the United States Air National Guard. I have served in the United States military for over thirty years, including over sixteen years on active duty. This includes four years in the United States Marine Corps and twenty-six years in the United States Air National Guard, including both as a reservist and on active duty. I currently work as a fuel technician at Stewart Air National Guard Base in New York. I have previously gone on active deployment to Okinawa, Japan while in the Marine Corps, and to Germany while in the Air National Guard.

3. I am transgender, and I am a woman. Following and in reliance upon the Department of Defense's (DoD) June 2016 Open Service Directive, I disclosed my transgender status to military personnel.

4. After a medical evaluation and on the recommendation of DoD medical personnel, I began to undergo hormone therapy. DoD medical staff determined that this therapy was a medically-necessary part of my transition to the female gender. I have updated my driver's license to indicate that I am a woman, but I am still in the process of working toward updating my military gender marker in the Defense Enrollment Eligibility Reporting System (DEERS).

5. I intend to serve in the U.S. Air National Guard for my entire career. I will be eligible for retirement in three-and-a-half years, after twenty years of active duty service.

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 shocked and saddened by this news. I had relied on the Open Service Directive when I informed military personnel that I am transgender. I was confused why the President would suddenly change existing policy that I and other service members had counted on in disclosing our transgender status. I felt hurt, and worried about what the future might hold.

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

9. Ever since the Transgender Service Member Ban, I have feared that I will be discharged from the U.S. Air National Guard. As noted above, I had planned to stay in the military through my retirement in just three-and-a-half years.

10. I am financially dependent on my military income and other employment benefits. My wife works only part-time, and we have three children, so my whole family relies on my military income. My children are nearing college age now, and I will rely on military education benefits to help put them through school. If I were to be discharged I would lose all of these benefits.

11. Being discharged now would be doubly challenging because I am so close to retirement. I have planned my financial future around remaining with the military until I could retire. I have worked my whole career to be able to retire with honorable discharge benefits from the military. Those benefits are generally forfeited by members of the military who serve less than twenty years on active duty. If I lost those now because of the Transgender Service Member Ban it would be devastating, both mentally and financially. Without those benefits I would need to find a new career, which would be extremely challenging at my age.

12. I also rely on the military for medical benefits for myself and my family—benefits I could lose if the Transgender Service Member Ban goes into full effect. I began the process of formally transitioning gender within the military in only March 2017, so I am relatively early in the process. I am undergoing hormone therapy, which I pay for out of pocket for now. I am hopeful this expense will be covered under my military medical benefits once my transition medical plan is fully approved. This could be jeopardized by the Transgender Service Member Ban. I do not intend to have any surgeries related to my gender transition while I am in the military. But my three children, my wife, and I all depend on my military medical benefits for general health coverage, which we would lose if I were discharged.

13. Psychologically I have been extremely up and down since the Transgender Service Member Ban went into effect. It has been stressful and depressing not knowing what

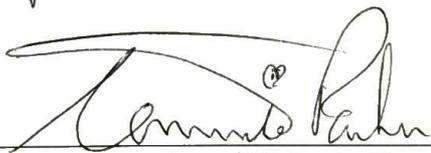
will happen to me. There is a constant push and pull—some days I think I will be discharged early, other days I think I am safe. I believe my command will fight to try to keep me, but those decisions may be out of their control. I feel like I am in limbo, stuck in a waiting game.

14. I have chosen to give much of my life to the military. I enlisted in the Marine Corps when I was younger, thinking I would stay in for only a few years. But after my discharge, I realized how much I missed the military, and the sense of being a part of something greater than myself. I rejoined to serve my country and find that feeling again.

15. Fortunately, my command continues to support me. Nonetheless, I have experienced feelings of rejection and stigma since the Transgender Service Member Ban. The President's actions make it seem that my military service to the United States is not wanted. I have given close to thirty years of my life to the military, but now it seems like my commitment has been rejected, and the retirement benefits I have worked so hard for are in danger of being ripped away from me.

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

Executed on the 12th day of September, 2017 in Sparrow Bush, New York.


TOMMIE PARKER