

# 'Wait and see.' Nonbinary former Cape resident holds US passport with X as sex. What next?

**Susan Vaughn** Cape Cod Times

Published 5:10 a.m. ET Feb. 18, 2025

## Key Points AI-assisted summary ⓘ

The U.S. State Department will no longer process passport applications with gender markers that differ from an applicant's biological sex.

Gwyneth Ochs, a nonbinary Cape Codder living abroad, expresses concern over the new policy and its potential impact on their ability to travel and return to the U.S.

The policy change has caused anxiety among nonbinary Americans living abroad, who are uncertain about the validity and acceptance of their passports.

There is troubling news for nonbinary Americans, especially those who live abroad like Gwyneth Ochs, who grew up in Barnstable and now lives and teaches in Hiroshima, Japan.

President Donald Trump's recent round of executive orders includes one that rejects all gender identifying references on government documents such as visas, passports and Global Entry cards. The U.S. State Department has suspended processing passport applications with a gender marker different from the applicant's biological sex.

The orders also require all federal departments to recognize gender as a male-female binary, replace all instances of "gender" with "sex" in materials and cease all funding for gender-affirming care.

"It's a wakeup call, living abroad," Ochs, age 37, said in a phone call on Feb. 8. They have been working abroad for more than 10 years. Ochs identifies as agender, someone having no gender identity or a lack of gender.

“I have had an American passport my whole life,” Ochs said. “I know the value of an American passport. It has been the gold standard around the world. Americans need to realize that some have passports that are useless, devalued. Is that going to change how other countries view an American passport?”

Ochs’ passport has the designation of X, which means they do not biologically fit the definition of male or female.

“The last administration very quietly allowed for it to happen,” Ochs said. The regulation was changed by the Biden Administration in 2022.

At the State Department website on Feb. 17, it says a passport with an X marker will remain valid until its expiration date.

## **Barred from returning to the U.S.?**

Ochs said their passport and other documents, including a work visa and a residence card, needed to be renewed quickly last year when they changed jobs. The large international school in Ho Chi Minh City, Vietnam, where they had been teaching went bankrupt and closed. Ochs then had to get the documents together in April for the new teaching position that began in August in Japan.

“I watched a video of the first person to get the X designation on a passport,” Ochs said. The person won the court case.

“I was not allowed to lie in getting my documents,” Ochs said. “I did all the documents with a nonbinary passport.” There also were no issues when registering as an international resident in Hiroshima.

“I was told I was the first nonbinary in Hiroshima to register,” Ochs said. “The Japanese culture will respect whatever the Americans are doing. When I register with my local ward, they want to make sure it is correct.”

Although Ochs has not heard from other nonbinary Americans living abroad, they said, “I feel safer than Americans at home.” But Ochs admitted to having a lot of anxiety about going anywhere with a passport that now may not be accepted.

“If I stay here, everything is fine, but if I tried to travel abroad, it depends on the country. If I re-enter the U.S., would they try to confiscate my passport?” Ochs asked. “It feels like

I've been barred from returning to the United States. I don't want to test it."

## **In case of a family emergency, then what?**

Ochs has not been back to the Cape where their mother lives since Christmas of 2023. They are most concerned about needing to return in case of a family emergency.

Ochs attended elementary schools in Barnstable and graduated in 2006 from Sturgis Charter Public School in Hyannis, then went on to earn a bachelor's degree at Principia College in Illinois and a master's degree and teaching license at Northeastern University in 2011.

They taught one year at Sturgis in inclusion support where other teachers encouraged applying to teach overseas. Ochs taught in Hungary and South Korea before taking the assignments in Vietnam and Japan. They came back to the U.S. for a year during the pandemic.

As a design teacher, Ochs has been working with students in grades 5 to 10 who are learning project management in areas such as film and video editing, coding, architecture, sustainability and 3-D modeling. They taught robotics in South Korea.

"I learned a lot on the job," Ochs said, and they were not expecting to be teaching in those fields, but loves the work. Students call them, MX Ochs. Pronounced Mix, the term has been used for nonbinary people for about five years, Ochs said.

Ochs' presence in the Japanese school encouraged another nonbinary person to apply for a job and will be teaching there next fall, Ochs noted.

## **Advice was to go to the U.S. embassy and change it**

On the passport issue, Ochs said the advice they were given was to go to the U.S. embassy and change it to what it was before, but the State Department has stopped all requests for changes of gender. But Ochs believes that changing the passport designation would be ammunition for an anti-trans administration, and they would be lying to do so.

"The main issue is that when the administration took over, the designation was nonbinary," Ochs said. It's not clear if the new policy applies only to new passport applications.

## **'Wait and see what other people do'**

As for folks who already have the ID, Ochs said in a follow-up email, it may be safe for now, but at what point does this change?

“I suspect it would be alright, but I am far too anxious to test it and risking losing my passport is not worth it when it has my work visa,” they said. “For now, I will wait and see what other people do.”

But Ochs is adamant about defending their status against the current government. “The value of this document is that it clearly says who I am. I don’t plan on giving it up.”

*Susan Vaughn writes about transportation and other local community issues affecting Cape Cod residents and visitors. She can be reached at [smharris@gannett.com](mailto:smharris@gannett.com)*

*Thanks to our subscribers, who help make this coverage possible. If you are not a subscriber, please consider supporting quality local journalism with a Cape Cod Times subscription. Here are our subscription plans.*