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I disagree heavily with the changes proposed to gender markers on passports. Much of my oppositions are the logistics of such a change and how its impacts on all Americans would be exclusively negative. These oppositions are as follows:

1. These forms are already in direct legal violation of the verdict put forth by the Colorado Zzyym v. Blinken case (formerly Zzyym v. Pompeo, Zzyym v. Tillerson, and Zzyym v. Kerry). Dana Zzyym, the defendant, was a medically and publicly-recorded intersex person who could not claim to be biologically male or female. The denial of a passport on these grounds was ruled to be irrational and not in accordance with federal law. Intersex citizens of the U.S. would not be able to reliably prove themselves to be male or female due to the inherent nature of their birth anatomy, and would face difficulties exiting or re-entering their country of origin as a result.

2. Millions of transgender individuals have already undergone extensive hormonal therapy that has caused irreversible changes to their sexual characteristics. As a result, their appearances and anatomy have changed fundamentally from the anatomy they were born with. For example, a person assigned female at birth who has undergone testosterone treatment and gender-affirming surgery would appear identical to a person who was assigned male at birth and received no such treatment. However, were their passport to mark them as female, this would appear to be erroneous and raise the legitimacy of their identification documents into question, despite their objective legality. This is even moreso an issue for those whose state-issued IDs already read a different sex from what was assigned at birth, as the mismatched IDs would lead to legal citizens being denied boarding or detainment over false pretenses.

3. Going off of hormonal therapy to solve the issue of a mismatched appearance would also not work, because as previously stated, most major secondary sex changes (such as breast growth and facial hair) are permanent. Intersex individuals cannot match their assigned sex at all, as it is inherently outside the categories of male or female.

I thank you for opening this forum for public comment, and appreciate the opportunity to state my position directly to our nation's officials.

Sincerely,
Victor Martin