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Stripping trans people's ability to have passports issued reflecting their transitioned sex is both unprecedented, driven by animus, and counter to public interest, trans Americans' rights, and states' rights under the Tenth Amendment.

Trans people's passports should continue to match their post transition sex. It would be against the public interest and harmful to trans people to insist on issuing passports that do not match their appearance, and in many cases do not match their state IDs and birth certificates. If the federal government insists on misrepresenting trans people's sex, this will expose them to danger abroad and to the accusation that they aren't who they say they are or are traveling under a false identity.

Trans people's right to accurate passports reflecting their post transition sex is longstanding. They have been able to change their passports to match their birth certificates for literally decades, and have been able to change passports even if they haven't yet updated their birth certificates for 15 years. No public interest is served by this unwarranted and unprovoked change, since it does nothing but expose trans people to discrimination and strip their long lasting rights by adding needless bureaucratic hurdles, and violates the Tenth Amendment by reducing states' power to have their citizens recognized abroad as they are recognized at home.