

Author Full Name : Anonymous**Received Date :** 02/21/2025 03:06 PM**Comments Received :**

As I understand the proposed rule change would eliminate a person's gender identification on their passport and replace it with one of two sex markers, male or female, based on one's sex assigned at birth. There are several grave problems with this proposal. First, and most obvious, is that intersex people exist. It is estimated that 1% of the population have intersex characteristics. Male or Female designations for people who are intersex are GENDER designations, not sex designations, as people who are intersex have sex traits that do not neatly fit into male or female categories (differences in chromosomal patterns, genital expression, reproductive organs and capacity, etc.). How an intersex person identifies (as male, female, or neither), is ultimately a gender designation, and they may be forced into almost impossible and very harmful situations if they are forced to choose a "sex" on their passport and this is questioned because of how they appear. 1% of the population is not an insignificant number who will be negatively impacted by this rule, even if it were only intersex people impacted. And courts have sided with intersex people where the government has erased their identities, so this will inevitably become an illegal rule if passed. However, intersex people are clearly not the only people negatively impacted by this potential rule change. Another troubling aspect of this proposed change is that gender does exist, and transgender people not only exist, but will continue to exist, as they always have, and will face untold discrimination, and perhaps the inability to even obtain a passport, under these new rules. If someone who is transgender is forced to designate their sex according to sex assigned at birth, in many if not most cases, that sex marker may not at all reflect the person's appearance. Depending on what type of gender-affirming surgeries they have had, this rule would create a situation where someone who is a transgender woman, who very obviously appears to be a woman, has been forced to designate male on her passport. There will clearly be a question about her identity if she tries to travel with that passport. Imagine a strip search of a woman who has breasts and a vagina but has male on her passport because of the M on her birth certificate. The scrutiny of individuals' genital status, which alone is not adequate to tell you someone's sex assigned at birth in some instances, even where it does tell you something about the person's sex assigned at birth, is violative and humiliating and will create opportunities for inappropriate and potentially abusive strip searches. This rule change WILL result in lawsuits. Many of them. And the government, and thus taxpayers, will be burdened with defending and likely losing some or many of them. Gender clearly exists as a separate identity characteristic from sex, and eliminating it as an identity marker, while forcing people to identify their sex according to biologically insufficient and, in the case of intersex people, inaccurate, information, is not only absurd from a scientifically factual matter, but inhumane.