

Author Full Name : Anonymous**Received Date :** 02/24/2025 12:22 PM**Comments Received :**

The new gender policy is a massive overreach of federal law over state law and human rights with a complete disregard for science, trying to push a "Gender Binary Ideology" on the American people, in contrast to the phony "Gender Ideology" that the current President claims many Americans peddle. It disallows self-determination for US Citizens and puts many Americans in danger both inside the USA and overseas.

Firstly, foundational documents are generally issued by the states for those born in the USA, not by the federal government. Furthermore, intersex people exist, and this exhibits itself in the fact that sex is primarily a bimodal distribution. E.g.: it is not binary, and there are several facets of sex that are in fact mutable. This includes phenotype (primary and secondary sex characteristics), and even genotype (genetics). It is a known fact that even cisgender non-intersex women may have many cells with a mosaic of "male DNA" after a pregnancy, and there are various research studies going on right now to try to edit people's genetics, in fact.

EO 14168 furthermore has a false definition of what constitutes a male human or a female human. It notes that sex is determined at conception. It simply isn't, and this is an utter lie in the face of actual biological truth. There are various decision pathways during human development that determine if an infant will come out of the womb phenotypically male or female throughout the pregnancy cycle. In fact, people assigned female at birth can actually have the "small reproductive cell" due to anomalies, and people assigned male at birth can have the "large reproductive cell" due to various anomalies, and the doctor may be unable to pick this up at birth.

https://en.wikipedia.org/wiki/Sexual_differentiation

Thus, forcing people to use their original birth certificate's sex, which isn't even in the EO the policy this is based on, even if you disregard the transphobia in the original policy as "ok and permissible", which it isn't, is simply inaccurate.

This is not to mention the transphobia in the policy, which:

A: Puts people in danger overseas in other countries if their appearance (clothing/apparel or physical) isn't stereotypically male or female.

B: Denies the humanity and identities of 1-2 million Americans and subjects them to ridicule and discrimination from transphobic individuals.

C: Causes bureaucratic confusion when the documents a person has are not in agreement about their sex.

D: Completely ignores non-binary identities, which were already affirmed in an existing legal ruling, Zzyym vs. Pompeo.

There is simply no real reason to enforce the sex at birth requirement here. The counterarguments I know this administration has have excellent retorts:

A: Bathrooms and Locker Rooms -> Sexual harassment in a bathroom is in general, already illegal. I would also argue that legal documentation can't and shouldn't be used to allow for indecent exposure in a locker room either, so use of it for that purpose is relatively irrelevant.

B: Sports -> Legal documentation should not be used to determine sports eligibility at a professional level, other tests should be used universally to qualify people. As-is, your policy would force testosterone-driven transmen to compete with cisgender women.

C: Jails -> Again, other tests should be used to determine where to house trans people. E.g.: You simply don't house post-op trans women with vaginas with men, that's insane.