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My family has been directly impacted by the passport form changes to require sex assigned at birth instead of gender. I have two children, one non-binary and one trans. This summer we were going to travel to Germany and I was in the middle of applying for their passports with the non-binary gender marker, which most accurately reflects their current gender expression. The new change to require using their sex at birth has caused us to cancel our trip and the children and I no longer want to apply for a passport at this time because we can no longer get passports that accurately reflect their current genders.

I don't want my daughter to be detained, questioned, or inspected because she is wearing a dress and has "Male" on her passport. That is a cruel and unnecessary possibility that no child should be subjected to. I don't want my non-binary child to be detained, questioned, or inspected because they have "Female" on their passport yet are more masculine in appearance.

Gender expression changes over time, like height and weight. It would be nonsensical to include a person's birth height and weight on a passport, and it is equally unreliable to depend on someone's sex at birth to reflect their current gender expression. Penalizing people who have a sex marker that differs from the inspector's expectation of that sex is discrimination based on sex.

Also, anyone (including "normal" cis-gendered heterosexual people) dressed and styled outside of a perceived gender norm will be subject to scrutiny and harassment. This tends to disproportionately impact people of color due to white heteronormative beauty standards, which would make this policy contribute to systemic racism. This will certainly impact trans, non-binary, and intersex people, subjecting them to verbal or physical inspection, abuse, or detainment. This is discrimination based on sex.

Finally, given the availability of gender affirming care and other human chromosomal possibilities, the only way to objectively confirm someone's "sex at birth" matches their current "sex" would be genetic testing. Relying on the presence or absence of body parts is unreliable (and unethical to require or check). The only way to make checking for sex a non-discriminatory non-subjective practice would be to perform genetic testing at birth on all citizens and then compare that to their genetic testing at the time of travel.

I urge you to either retain gender on passports, reflecting the individual's current preferred gender, so that it more accurately affirms citizens' current gender identity, or remove sex/gender from passport forms entirely since it is an arbitrary, unreliable, and inaccurate way to identify someone or confirm their identity.

The sooner the better, so the kids and I can go visit their grandpa in Germany.