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Sex is not binary. Intersex people exist and are neither fully male nor fully female. Some intersex people do not produce reproductive cells at all. Intersex people should be able to get a passport that accurately reflects their sex so a third sex category is needed. And, intersex conditions are not all alike so intersex people should be able to pick the sex that fits their particular medical situation. Thought question: why does a passport need a sex marker in the first place? Might be simpler to not include sex at all. Or, just use the sex marker on people's state-issued Real Id's.

Transgender people exist in the USA and across the world. They honestly feel, often from a very early age, their body does not reflect their actual sex. This could occur if they have a brain intersex condition. Fetal bodies and brains sexually differentiate at different points in fetal development so the body could go one way and the brain the other way in rare cases. As some transgender people undergo surgeries and/or hormone treatments that make them look like the sex they identify with, it will only create confusion for their passport to show their sex at birth. Transgender folks need a third sex category just like other intersex people and/or the ability to pick the sex that matches best their particular situation.