

Author Full Name : Anonymous**Received Date :** 03/03/2025 01:57 PM**Comments Received :**

The purpose of a passport is to provide definitive identification for a citizen traveling outside the United States. These documents are used to demonstrate the person holding the passport is who they say they are when they seek to cross a border, and to show the conditions under which they will be entering a separate sovereign country.

The recent executive order forcing a passport's gender marker to match that assigned at birth does not accomplish these aims. It unnecessarily places American citizens at risk; it is nonsensical in the face of contemporary scientific consensus; and it creates easily avoidable border chaos that makes our nation's borders both inefficiently managed and less secure.

Before 1977, passports did not require sex markers at all. In other official government documents, sex was listed - and could be changed - "by allegation alone" for much of the country's history. Beginning in 1980 - 45 years ago! - transgender people could change the sex marker on their social security account by documenting their medical transition. State laws around birth certificate updates were similar. Taken together, transgender people have had methods to change their sex marker on official documents - including passports - throughout the twentieth century, and have formally had this ability since 1980, if not earlier.

The state recognized a state interest in permitting these changes because sex markers that clearly do not match the lived and observed sex of the person they refer to are both useless and dangerous. No security objective is served by having a transgender woman, who presents unambiguously as a woman and who has female genitalia via surgery, appear at a border with a passport that denotes her sex as "M." To the contrary, this policy puts the person in question at tremendous risk of being detained or abused, and it creates entirely unnecessary inefficiencies in the processing of border crossings. This policy is wasteful, bureaucratically ridiculous, and, above all else, senselessly cruel.

Beyond the obvious animus at the heart of this executive order, it is impossible for me to understand what legitimate purpose this policy purports to serve. No quotas exist restricting how many people can enter or leave a country based on sex. People crossing borders are not placed into sex-segregated locations for processing. To boot, this policy violates a clear Supreme Court ruling requiring the Department of State to recognize the insufficiency of having only two gender markers because of the reality of intersex human beings.

My hope is that this obvious stunt intended to distract and harm will not be solidified into our forms, documents, and policies. In this era of hand-wringing about government waste, the sheer wasted tax dollars and man hours already spent on tracking down transgender people in order to forcibly change their gender markers on passport renewals is obscene. This administration should be ashamed, though I suspect that is an emotion they are incapable of.