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Supreme Court moves against passports

By Lisa Keen
Keen News Service

The U.S. Supreme Court on Thursday (November 6) granted the Trump administration's request to delay implementation of a lower court decision that said passport applicants could self-identify gender, including with an "X" designation.

The procedural action comes just two weeks after the Supreme Court refused a motion by a transgender college student who sought to withdraw her petition to the court in a case involving women's sports.

In this week's development, the Supreme Court divided 6 to 3 along fairly entrenched political lines to grant Trump's request to stay a U.S. District Court's nationwide injunction. The injunction, issued by the lower court in June and upheld by a First Circuit U.S. Court of Appeals panel September 4, temporarily prevented enforcement of a Trump executive order, signed January 20, declaring that all federal agencies would recognize only "male" or "female" as sex designations.

The ACLU filed the suit, Orr v. Trump, on behalf of Ashton Orr and 11 other transgender and non-binary citizens, saying the executive order violates their right to equal protection of the law and demonstrates "unconstitutional animus toward transgender Americans." The injunction would have allowed applicants to identify their own gender on their passports —as male, female, or X— until the court could hear arguments on the ACLU's constitutional challenge.

The district court granted the injunction, pending arguments on the merits of the case, saying "the plaintiffs have introduced uncontroverted evidence of the harms that transgender and non-binary people face if they are required to use passports bearing sex designations aligning with their sex assigned at birth rather than their gender identity."

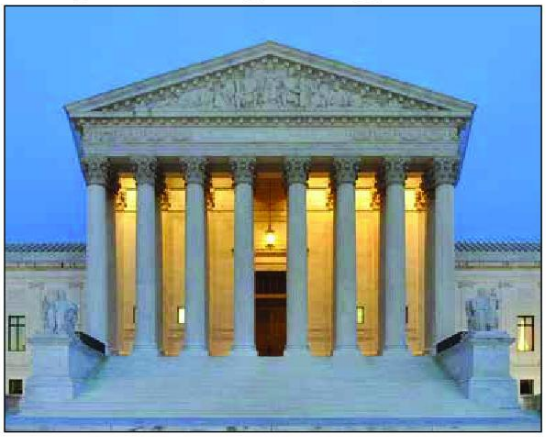
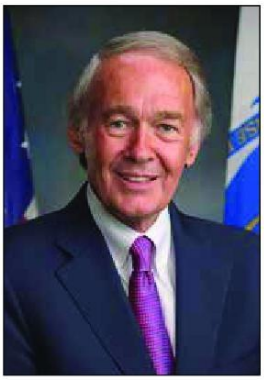


Photo by Joe Ravi, via Wikimedia Commons.

In granting a stay of the injunction, the Supreme Court majority, in an unsigned order, saying the in-

see **SCOTUS,** *page 2*

Markey, Garcia Reintroduce Bill to Combat Anti-LGBTQ+ Violence Worldwide



Senator Ed Markey. Public domain photo, via Wikimedia Commons.

Bay Windows Staff

Senator Ed Markey and Rep. Robert Garcia have reintroduced legislation directing the State Department to monitor and respond to anti-LGBTQ+ violence globally, following the Supreme Court's rejection of a challenge to same-sex marriage.

The International Human Rights Defense Act would require the State Department to create a comprehensive plan to combat discrimination, criminalization, and hate-motivated attacks against LGBTQ+ communities worldwide, according to state-

see **MARKEY,** *page 2*

Trans Memorial Flags Removed from Boston Common

Photo via Adobe Firefly.

Advocates Demand Hate Crime Probe

By Bay Windows Staff

More than 400 transgender pride flags honoring victims of anti-trans violence were removed from Boston Common this week, prompting LGBTQ+ advocates to call for a hate crime investigation.

The Queer Neighborhood Council

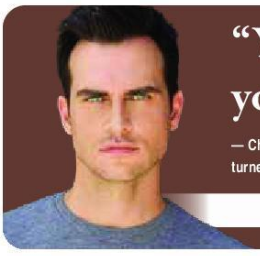
see **FLAGS,** *page 7*

HOLIDAY CALENDAR

The Red Ribbon: World AIDS Day Kiki Ball December 5, Cambridge Community Center, Cambridge The category is honor, resilience, and remembrance. Hosted by YK Bodega and Boston Mother Cèline Mulan, this World AIDS Day ball brings the community together to vogue, serve, and uplift with fierce categories, powerful performances, and messages of love, health, and unity. From red ribbons to runway statements, every walk is a tribute, every pose a protest. Partnered with the BLU Foundation.

Holly Folly December 5-21, Provincetown For the first time ever, Provincetown's annual holiday weekend is expanding over the course of December. Head down for the multi-day holiday market, dance parties, drag brunches, and even a Santa Speedo Run to benefit local organizations. Innkeepers will break out their fiercest and most festive winter holiday decorations. A fantastic way to get into the spirit and score some truly unique gifts from P-town boutiques.

Boston Gay Men's Chorus: 'Holigays' December 6 (Provincetown Town Hall); December 12-14 (Jordan Hall, New England Conservatory, Boston); December 21 (Groton Hill Music Center, Groton) The 300-voices-strong chorus brings festive cheer with its signature mix of heartfelt harmonies and campy flair. This year's program blends classics like "Mary Did You Know?" with playful takes including a perfectly pink Mrs. Claus, promising what the chorus calls "a glittery invasion of the holiday spirit—uniquely, joyfully queer."



"YOU roll with it! You don't need hair. You're a pastor—you don't need any hair. I'm an actress—I need all the hair!"

— Cheyenne Jackson's response when his older brother told him to "roll with it" when he started losing his hair at 19. I can't quite put my finger on it, but I've never been so turned on by any member of the Jackson family since Rebbie and the centipede! I must also highly recommend his backstage Instagram feed "Mirror, She Wrote". Fantastique.

more in Billy Masters on page 6!

Photo by SLATE PR, via Wikimedia Commons.

SCOTUS

Continued from page 1

junction had "foreign policy implications" that could cause irreparable harm to the government. Anticipating a future appeal on the merits of the case, the majority said the stay would remain in place until the Supreme Court decides whether to hear the case.

"This is a heartbreaking setback for the freedom of all people to be themselves, and fuel on the fire the Trump administration is stoking against transgender people and their constitutional rights," said ACLU senior counsel Jon Davidson. "Forcing transgender people to carry passports that out them against their will increases the risk that they will face harassment and violence and adds to the considerable barriers they already face in securing freedom, safety, and acceptance. We will continue to fight this policy and work for a future where no one is denied self-determination over their identity."

Writing for herself and Justices Sonia Sotomayor and Elena Kagan, Justice Ketanji Brown Jackson said, "This Court has once again paved the way for the immediate infliction of injury without adequate (or, really, any) justification. Because I cannot acquiesce to this pointless but painful perversion of our equitable discretion, I respectfully dissent."

While the number of plaintiffs in the ACLU lawsuit numbers 12, the First Circuit estimated about 40 people could be affected by the Trump policy.

The case now returns to the First Circuit for a ruling on the merits of the dispute.

Trans athlete seeks to withdraw

In a separate case involving transgender plaintiffs, Hecox v. Idaho, the U.S. Supreme Court on October 20 rebuffed an ACLU request to withdraw its case in which a transgender female student sought the right to play competitive sports on teams of female athletes.

The student, Lindsay Hecox, won her lawsuit at the federal appeals court for the Ninth Circuit. She was challenging an Idaho law enacted in 2020, that barred transgender women from women's athletics at the high school and college levels.

But the state of Idaho, with the help of the anti-LGBTQ+ organization Alliance Defending Freedom, petitioned the U.S. Supreme Court to overturn the lower court ruling. The Supreme Court announced July 3 that it would hear the state's appeal, but the ACLU formally notified the Supreme Court September 2 that Hecox had voluntarily withdrawn her original lawsuit. The organization said that makes the legal conflict moot.

Idaho and the Alliance filed a brief, opposing a declaration that the case was moot. They said Hecox was trying to manipulate the legal system to avoid a decision from the Supreme Court on the matter. And they noted that, as a current student at Boise State University, the 24-year-old Hecox could still try to play on a women's sports team.

In a one-sentence order October 20, the Supreme Court said only that Hecox's "request that the Court dismiss the case as moot is deferred pending oral argument." A date has not yet been set for that argument but it was not put on the December calendar so January is likely the soonest the court will take up the matter.

On October 7, it heard oral arguments in a case, Chiles v. Salazar (Colorado), asking whether a state law that bans therapists from using conversion therapy on minors violates the First Amendment speech rights of therapists. Many court observers said following that argument that the court appeared to side with the therapist, represented by the Alliance Defending Freedom.

The Supreme Court also has a number of other LGBTQ+-related petitions before it. One that is getting the most attention is Kim Davis v. Ermold, primarily because it is the first case before the Supreme Court seeking to overturn Obergefell v. Hodges. The Obergefell decision, in 2015, ruled that state laws could not refuse marriage licenses to same-sex couples. Kim Davis was a clerk for a Kentucky county in 2015 and refused to issue marriage licenses to same-sex couples. In this, her second, petition to the Supreme Court, Davis is asking to be excused from personally paying a $100,000 fine for refusing to issue a license to David Ermold and David Moore. In filing that petition, she added a question, asking the Supreme Court to overturn Obergefell.

Jenny Pizer, Senior Director of Strategic Initiatives at Lambda Legal, said "it's hard to say for sure what's going to happen" but that reversal of Obergefell "has not been a top goal" of the Trump administration. While both Justices Clarence Thomas and Samuel Alito have expressed a desire to overturn Obergefell, noted Pizer, "this is not a good case to do that."

The Davis case and several other LGBTQ+-related cases are scheduled to be discussed in the justices' private conference Friday (November 7), but cases are often "re-listed" on the conference agenda several times before the court decides whether to hear them or not. The next scheduled Orders List is due out November 17.

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Markey

Continued from page 1

ments from both lawmakers' offices. The bill would also formally establish a Special Envoy to coordinate LGBTQ+ policies across the State Department, a position that has been vacant under the Trump administration.

"We must recommit the United States to the defense of human rights and the promotion of equality and justice around the world," Markey said in a statement. "It is as important as ever that we stand up and protect LGBTQ+ individuals from the Trump administration's cruel attempts to further marginalize this community. I will continue to fight alongside LGBTQ+ individuals for a world that recognizes that LGBTQ+ rights are human rights."

Garcia emphasized the urgency of the legislation in his statement: "The fact that same-sex marriage was challenged here in the United States shows that equality is never something we can take for granted. LGBTQ+ people here at home and around the world continue to face escalating violence, discrimination, and rollbacks of their rights, and we must act now. This bill will stand up for LGBTQ+ communities at home and abroad, and show the world that our nation can be a leader when it comes to protecting dignity and human rights once again."

This marks at least the fourth time the bill has been introduced. Markey and Rep. Sara Jacobs previously introduced the legislation in 2023, while Markey and former Rep. Alan Lowenthal sponsored it in 2019.

The reintroduction comes as the global LGBTQ+ rights movement has lost an estimated $50 million in funding since the Trump administration froze nearly all U.S. foreign aid, according to reports.

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This is only a brief summary of important information about BIKTARVY® and does not replace talking to your healthcare provider about your condition and your treatment.

(bik-TAR-vee)

MOST IMPORTANT INFORMATION ABOUT BIKTARVY

BIKTARVY may cause serious side effects, including:

- **Worsening of hepatitis B (HBV) infection.** Your healthcare provider will test you for HBV. If you have both HIV-1 and HBV, your HBV may suddenly get worse if you stop taking BIKTARVY. Do not stop taking BIKTARVY without first talking to your healthcare provider, as they will need to check your health regularly for several months, and may give you HBV medicine.

ABOUT BIKTARVY

BIKTARVY is a complete, 1-pill, once-a-day prescription medicine used to treat HIV-1 in adults and children who weigh at least 55 pounds. It can either be used in people who have never taken HIV-1 medicines before, or people who are replacing their current HIV-1 medicines and whose healthcare provider determines they meet certain requirements.

BIKTARVY does not cure HIV-1 or AIDS. HIV-1 is the virus that causes AIDS.

Do NOT take BIKTARVY if you also take a medicine that contains:

- dofetilide
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BEFORE TAKING BIKTARVY

Tell your healthcare provider if you:

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- Have any other health problems.
- Are pregnant or plan to become pregnant. Tell your healthcare provider if you become pregnant while taking BIKTARVY.
- Are breastfeeding (nursing) or plan to breastfeed. Talk to your healthcare provider about the risks of breastfeeding during treatment with BIKTARVY.

Tell your healthcare provider about all the medicines you take:

- Keep a list that includes all prescription and over-the-counter medicines, antacids, laxatives, vitamins, and herbal supplements, and show it to your healthcare provider and pharmacist.
- BIKTARVY and other medicines may affect each other. Ask your healthcare provider and pharmacist about medicines that interact with BIKTARVY, and ask if it is safe to take BIKTARVY with all your other medicines.

POSSIBLE SIDE EFFECTS OF BIKTARVY

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- Those in the "Most Important Information About BIKTARVY" section.
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- **Kidney problems, including kidney failure.** Your healthcare provider should do blood and urine tests to check your kidneys. If you develop new or worse kidney problems, they may tell you to stop taking BIKTARVY.
- **Too much lactic acid in your blood (lactic acidosis)**, which is a serious but rare medical emergency that can lead to death. Tell your healthcare provider right away if you get these symptoms: weakness or being more tired than usual, unusual muscle pain, being short of breath or fast breathing, stomach pain with nausea and vomiting, cold or blue hands and feet, feel dizzy or lightheaded, or a fast or abnormal heartbeat.
- **Severe liver problems**, which in rare cases can lead to death. Tell your healthcare provider right away if you get these symptoms: skin or the white part of your eyes turns yellow, dark "tea-colored" urine, light-colored stools, loss of appetite for several days or longer, nausea, or stomach-area pain.
- **The most common side effects of BIKTARVY** in clinical studies were diarrhea (6%), nausea (6%), and headache (5%).

These are not all the possible side effects of BIKTARVY. Tell your healthcare provider right away if you have any new symptoms while taking BIKTARVY.

You are encouraged to report negative side effects of prescription drugs to the FDA. Visit www.FDA.gov/medwatch or call 1-800-FDA-1088.

Your healthcare provider will need to do tests to monitor your health before and during treatment with BIKTARVY.

HOW TO TAKE BIKTARVY

Take BIKTARVY 1 time each day with or without food.

GET MORE INFORMATION

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billy masters

Last week, I was invited to an all-star reading of the film script of "All About Eve". The most glittering of the cast was **Scarlett Johansson** as Eve—and she was superb (I'd stop short of saying she was a mass of fire and music). **J. Cameron-Smith** was Margo, and she did a clever thing—she made the role her own. Not an easy task when every drag queen, gay man, and several straight women can give you pitch-perfect line readings in **Miss Davis's** inimitable style. **Alec Baldwin's** Addison DeWitt was a revelation. While I thought he was channeling **Kevin Spacey** in "House of Cards", my companion felt he was the embodiment of Big Daddy. **Nicole Ari Parker** was a spunky Karen, while the always reliable **John Benjamin Hickey** played her husband, Lloyd. I was unfamiliar with **Luke Kirby**, our Bill. This perhaps made his performance all the more impressive. Effortless, timeless, natural. And then Alec Baldwin summed it up when he said, "How lucky are we to have **Charles Busch** channeling Thelma Ritter." As usual, Charles was divine. And while Charles included a heaping portion of Ritter, he brought more than a bit of his own magic, and perhaps a dash of Joan Blondell! The reading was directed by **Scott Wittman,** and his frequent collaborator Marc Shaiman tinkled the ivories. Talk about an embarrassment of riches.

This event was a benefit for The Center at West-Park Presbyterian Church—a historic building that has not only been a place of worship, but has also housed many artistic endeavors. It's inspired quite a few neighborhood celebrities to join forces to try and save the magnificent building, which has been a fixture since 1889. People like **Matt Dillon** (who was at the reading), **Mark Ruffalo** and many others are working to obtain landmark status. In fact, they are meeting with the Landmark Preservation Committee at a public hearing on December 9th, and they can use more people to support the cause—even by Zoom. You can get more details at CenterAtWestPark.org.

While he didn't mention it to me, Charles Busch is also part of another benefit reading—this time, of his own play, "The Lady in Question". This December 6th event is a fundraiser for the medical expenses of Ken Sanders, who is directing the reading. Alongside Busch is his muse and frequent collaborator **Julie Halston**, and their pal **Doug Plaut** (who I enjoyed seeing at "Eve"). You'd be a fool to miss this event, which can be found on Eventbrite.com.

Would you like to spend a "Hollywood Holiday with **David Archuleta**"? Frankly, I never thought I'd live to see the day gay men are losing their shit over Archie. Not that there's anything wrong with him. But not since the days of **Danny Pintauro** Fever have I been so perplexed. While I scoff, I doff my hat to him for using his "hotness" to raise money for LGBTQ+ rights (which I'm sure tickles his father to no end). He's doing a handful of holiday concerts at Joe's Pub in NYC and the Peppermint Club in LA which are called "My Only Wish"—and please, keep that wish to yourself. He's teamed up with the Human Rights Campaign to auction off a package, which includes VIP access for two to the December 18th LA show, a meet and greet as well as photo with his package, after-show cocktails at The Abbey (which does not seem to include Davey—unless you hit it off), a two-night stay at 1 Hotel West Hollywood, and dinner at Mother Wolf, a restaurant I've not been to. You also win roundtrip airfare and $300 in Uber Black credits—which should get you at least halfway from LAX. The auction deadline is December 3rd. Details can be found on Davey's social media or at Propeller.LA. We'll also link to it on BillyMasters.com.

Speaking of gaylas, I hear that our very own Cheyenne Jackson (quoted above) is doing a solo concert on December 8th at Carnegie Hall, thank you very much! Tickets are going fast, so grab 'em at CarnegieHall.org.

Fresh from his London debut, **Sean Hayes** is returning to the New York stage. But this time, he'll be off-Broadway. He'll be appearing in **David Cale's** "The Unknown". Here's how the press release describes it: "Hayes plays Elliott, a writer who heads to a remote cabin to cure his writer's block, only to discover he may not be alone." Spooky! Since it's a solo show, I'm guessing he is alone. The play will run at Studio Seaview January 31—April 12.

In other great gay events, the Harrison County Rodeo in Mississippi has been postponed due to an outbreak of a rare strain of horse herpes. I'll pause while you insert your own joke (or whatever you're inserting...and where).

The guy who accosted **Ariana Grande** on the "Wicked: For Good" red carpet at the Singapore premiere previously targeted **Katy Perry**. There's no accounting for taste.

In other film news, we hear that **Brendan Fraser and Rachel Weisz** may be reuniting for a fourth "Mummy" flick. Might I suggest they call it "Grand Mummy"?

In announcing a sequel to "Zootopia", Disney also revealed that it will include a new character—Nibbles. This minx of a beaver will be played by **Fortune Feimster**. Once again, I'll pause while you insert your own joke.

With the Bond franchise now in the hands of Amazon (OK, technically Amazon MGM Studios), rumor has it that **Jeff Bezos** wants his wife to be the next Bond girl. **Lauren Sanchez** as a Bond girl? The same Lauren Sanchez who was turned down TWICE to be a co-host on "The View"? If that's the criteria, **Rachel Campos** has a shot!

Olympian **Simone Biles** went public about some cosmetic procedures she's undergone. "Social media is not real, that's why I try to be as transparent as possible." She had breast augmentation, lower blepharoplasty, and earlobe surgery (which, you may recall, **Chelsea Handler** says she wants done). What is lower blepharoplasty? In Simone's family, it's known as "Biles eye bags". She says she wanted her boobs to be even bigger, but they couldn't fit into her frame. When she saw the ones she ended up with, she felt they were too big. But, as with most large foreign objects entering the body, she just had to breathe and let them settle in. Eventually, they felt just right.

I recently went to see the third installment in the "Now You See Me" franchise—which completely baffled me because I apparently missed the second film (I've now rectified that). As an aside, can I just say it's almost criminal what has happened to **Jesse Eisenberg**. Really, whoever did that to his hair should be sued for malicious intent. Then again, it's been 16 years—time does indeed march on. The point of this item is to tell you about the cinema I saw it at—one of those that makes you choose a seat in advance (something I hate doing). This cinema labels Row A at the back of the house and increases letters as you move closer to the front. So I guess it is a thing.

Our "Ask Billy" question comes from Sean in Baltimore: *"Is **Matt Rogers** dating that hot guy from 'Below Deck'?"*

This story got some traction when **Matt Rogers** posted photos with a number of people at BravoCon, including **Fraser Olender** who is the Chief Stew on "Below Deck". Are they dating? Nobody has said officially. Yes, they've liked and commented on each other's photos. And, yes, they were photographed locked in an embrace with Matt hugging him from behind. But it's not like he was fucking him (as if)! While lots of headlines proclaim them a couple, neither has confirmed. Olender did say, "I'm very happy and I'm not necessarily single." He missed the last day of BravoCon because "my heart and lungs are having a bit of a meltdown". He was whisked to a local ER. "A very special human stayed with me until 5am whilst I lay there useless, in agony, attached to multiple machines and pumped with the strongest meds—sooo grateful for him, the nurses and the docs!" You had me at "whilst". When Matt was asked if the two were dating, he said, "We've been hanging out quite a bit." In what ways? A somewhat tongue-tied Rodgers said, "In the ways of the gays." Check out the happy couple on BillyMasters.com.

When Matt's tongue is tied, we've definitely come to the end of another column. If Matt and Fraser are dating, good for them. They're both cute—obviously not as cute as David Archuleta, but who is? You can see more of them and so many others on www.BillyMasters.com—the site that doesn't judge. If you have something you'd like me to delve into further, send it along to Billy@BillyMasters.com and I promise to get back to you before Simone goes even bigger! Until next time, remember, one man's filth is another man's bible.

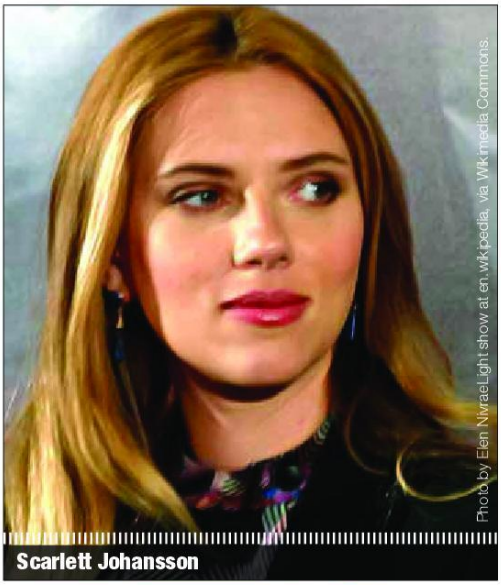

Photo by Elen Nivrael light show at en.wikipedia, via Wikimedia Commons.

Scarlett Johansson

Photo by Greg2600, via Wikimedia Commons.

Sean Hayes

Photo via Fraser Olender/Instagram. Instagram.

Fraser Olender and Matt Rogers

Flags

Continued from page 1

condemned what it called a "hateful act of vandalism" against the Trans Flag Memorial, which had been legally installed with a city permit, according to an Instagram statement the group released Thursday.

The 425 miniature flags were planted Sunday across from the State House to honor "every known trans and gender-expansive person lost to fatal violence since 2020," Jack Imbergamo, the council's executive director, told the original news outlet.

By Tuesday morning, Nov. 18, all the flags were gone after witnesses reported seeing multiple people removing them Monday night, according to Imbergamo.

The removal occurred during Transgender Awareness Week, which culminates Thursday with Transgender Day of Remembrance.

In a statement, Rep. Ayanna Pressley called the incident "absolutely despicable" and "a stark reminder of the hostility towards trans people — in life and in death."

A council member filed a police report, though Boston Police, Mayor Michelle Wu's office, and Gov. Maura Healey's office did not respond to requests for comment, according to published reports.

The incident comes amid rising anti-trans violence nationwide. The Human Rights Campaign's 2024 report documented hundreds of instances of anti-trans violence in America, calling the attacks an "epidemic."

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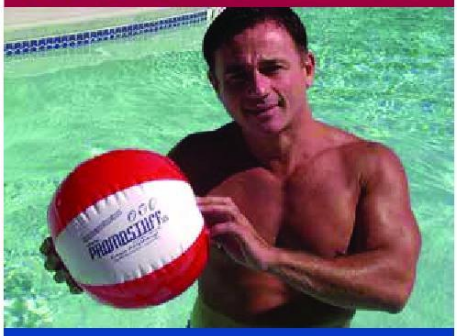

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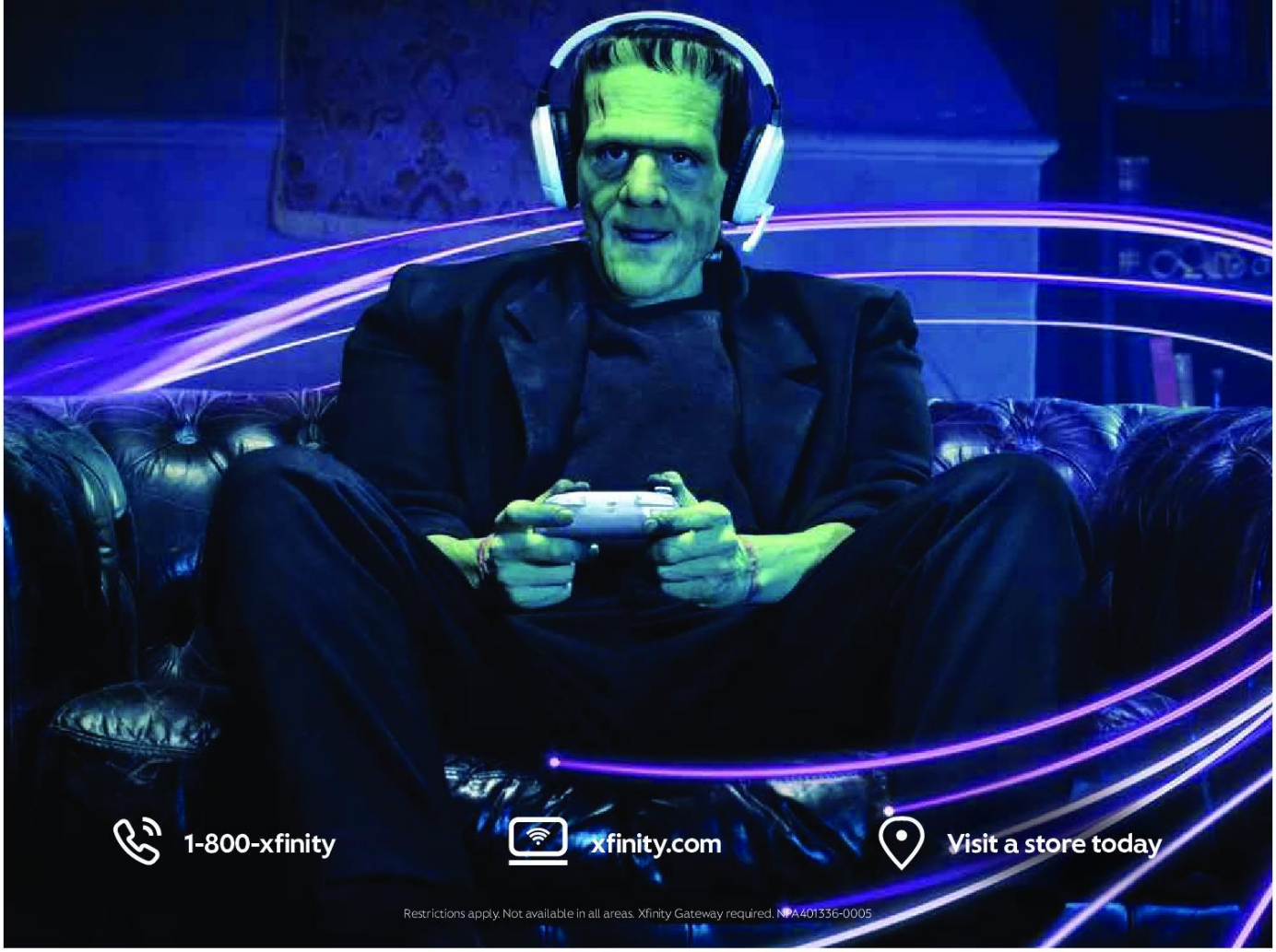

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