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The suggested changes to these forms are in violation of the injunction put on State by the U.S. District Court for the District of Colorado in the Zzyym v. Blinken case (formerly Zzyym v Pompeo, Zzyym v. Tillerson, and Zzyym v. Kerry).

In addition, these forms blatantly ignore the existence of biologically intersex individuals and others with chromosomal changes, disorders or abnormalities. If the State Department is seeking to make these changes reflect sex on a strictly biological basis they are either ignoring or are ignorant of most accurate and up to date information from the medical and scientific communities. Additionally gender is a made up social construct and throughout time immemorial there have historically been countless cultures and societies that recognize gender as more complex than a simple binary. From both social and scientific standpoint these proposed changes are incorrect, unjust, and discriminatory.