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Please reinstate the ability to have gender markers reflected on passports instead of biological sex, including the X gender marker. Gender is separate from biological sex and is based on societal perception. Defining sex as only male and female excludes intersex people who were assigned a gender and sex arbitrarily at birth based on their physical appearance and sex organs present at birth. These are very real people that are excluded by the change to display only male and female sex markers. Additionally, religions such as Judaism recognize six genders in the Torah. Freedom of religion is a protected First Amendment right, and the current sex marker options restrict this right.

Furthermore, the updated options endanger trans people (men, women, and nonbinary people alike) who have undergone hormone replacement treatment and their appearance does not match the sex marker they are forced to choose on their passport application. If their appearance does not match the societal expectations of what a male or female looks like according to the sex marker, it endangers trans people and opens them up to unjust and unfair treatment and discrimination. Being forced to select the biological sex you were assigned at birth is also a violation of the First Amendment right to freedom of speech.