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The President does not have the legal authority to issue a fiat ruling over which gender markers can be used in passports. This attempt to enforce a rigid gender binary flies in the face of previous court rulings on the rights of transgender Americans, and it ignores reality (transgender and intersex people both exist!). Enforcement means a waste of taxpayer money, and creates a system where transgender people, intersex people, and people who don't conform to the "typical" presentation for someone of their gender are subjected to unnecessary scrutiny, harassment, and intrusive examination.