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Comments Received:

Passport application for renewal need to continue to allow individuals to not only signify the gender they identify with, but also continue to allow the X gender marker. To not allow people to use the X gender marker that excluded intersex persons and gender non confirming people who do not fit the "standard" representation of someone who identified as male or female. If a gender marker is meant to help identify the person represented in the passport then forcing someone to mark their gender identity as a gender they do not identify as will not only cause confusion for the individual government official trying to confirm their identity, but could also put the passport owner in danger of transphobic backlash or possibly result in a hate crime. Furthermore, as pointed out by Judge Reyes in regards to Executive Order 14183, by forcing individuals to only demark themselves as "male or female" without option of the X gender marker it also excludes the myriad of intersex people whose gender are visually ambiguous. So aside from this idea being rooted in transphobia by not allowing trans persons to identify as their gender it also discriminates against intersex people who are already a marginalized group at high risk of violence from others.