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The new "Passport Policy" imposed by executive order is scientifically unfounded, unconstitutional, and ethically unconscionable. Science supports that sex is a continuum, not a binary, and is not based on any one identifiable trait at any age, let alone at conception; the existence of intersex individuals (who make up a significant portion of the population) bears this out. Further, this order violates the personal freedom of transgender and non-binary individuals. It may be the opinion of the current government that gender and sex are identical, immutable characteristics, but it is not a fact. Throughout human history people have and do understand gender, as well as sex, to be changeable, and not limited to a binary understanding. It is a violation of the First Amendment rights of US citizens to deny them the right of self-identification in this area. Further, it actively endangers transgender and non-binary individuals-people whose gender presentation does not match the marker listed on their documents are at a high risk of discrimination and violence as a consequence of being "outed" by this discrepancy. Myself and many in my community have experienced first hand these dangers, both for transgender individuals and cisgender individuals with any variation of sexual characteristics or gender expression. It is, to put it bluntly, terrifying, and it is unconscionable for the government to force this danger upon some of its most vulnerable citizens.

This policy does not protect women and girls from predators; it actively endangers hundreds of thousands of Americans, including women and girls.

This policy is fear mongering nonsense designed with the sole purpose of driving transgender, non-binary, and even intersex people out of public life.

It is essential that the previous passport policies, which allowed gender change and identification with an 'X' marker, be continued, and this new policy rejected.

Attached is the brief from the lawsuit the ACLU has filed against this order.