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This expresses my opposition to the proposed changes to forms DS-11, DS-82, & DS-5504, which would eliminate the 'X' gender marker and require passports to reflect sex assigned at birth. This change benefits no one, actively harms some, and wastes time, money, and legal resources; there is no documented issue with the existing policy that justifies this revision. The premature change of the available online forms by the State Department violated the standard procedure for such amendments, as it was changed before the public comment period concluded.

Passports exist to facilitate international travel or verify identity/citizenship, not to enforce ideological positions. A citizen's legal name, birthplace, date of birth, and photo provide sufficient markers to accurately identify a traveler. Other countries issue passports with the 'X' gender marker now, and their nationals travel without issues. The passport gender marker doesn't create security risks, nor does it impact the validity for international use. But denying trans people accurate passports will expose us to violence and discrimination any time we have to show ID. This will impact many aspects of life, from opening bank accounts to enrolling in school. A trans man like myself, with a full beard and masculine appearance, who presents a passport with an F gender marker will raise questions and need additional screenings. Many people will be exposed to potentially inappropriate screenings, possible (sexual) assault, and slower and more invasive airport security lines. Women who are not trans but don't fit stereotypical definitions of femininity may be subject to harassment and invasive policing. If an agent reviewing a passport decides that a cisgender woman doesn't appear "female" they may demand an intrusive search to ascertain if the passport gender matches her body's visible anatomy, endangering her and violating her privacy.

Restricting passports to "male 'M' or female 'F,'" erases intersex people, as their sex is not M or F. These changes violate the injunction put on the State Department by the U.S. District Court of the District of Colorado in the *Zzyym v. Blinken* case. Rolling back these rights will inevitably lead to more lawsuits that the government is likely to lose. It will deprive transgender Americans like me of our rights to life and liberty under the 14th Amendment, denying us both the due process and equal protection of the laws.

This change also infringes on states' rights by the executive branch, as many states have enacted Real ID guidance with processes to change gender markers. Some states allow for "X" gender on state-issued ID. When a person follows a state's procedure to change gender markers on state-issued IDs, the State Department must recognize that and adjust the individual's passport accordingly, or else citizens may have conflicting identity documents, creating discord between their federal and state docs. This mismatch will cause delays and require new procedures, training, and protocols to resolve potential conflicts. This will make it more difficult (and less safe) to travel domestically.

I trust the State Department will seriously consider public comment and refrain from amending the current form to comply with an unfounded, ill-informed, and discriminatory executive order. I urge you to reject these changes: either maintain the gender marker policy as it was under the former administration or eliminate any gender markers on all passports.