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This rule change, governing rules entitled "Application for a U.S. Passport" (DS-11; OMB Control Number 1405-0004), is not necessary for the proper function for the Department of State and, in fact, presents burdens to US citizens under equal opportunity and non-discrimination bases.

The accuracy of the proposed change also does not correspond with accepted scientific or biological thoughts pertaining to sex. Therefore, the assumptions underlying this proposed change are false, nullifying its application across the country.

While not asked, this rule change profoundly restricts the rights of US citizens. Under this rule change, an individual with a valid State issued form of identification (matching REAL ID requirements), a state court accepted name change, and a valid birth certificate from a state in the United States would be nullified based on this rule. That has devastating impacts, not only for transgender US citizens but more broadly. Literally, you are creating rules that prevent transgender US citizens from leaving the United States, stripping them of federal protections and the ability to coexist in America. This is a deeply flawed moral (and legal) path.

Also, as has been stated by the Department, if you submit your current passport, with the updated paperwork it will likely be confiscated, which truly strips these individuals of basic rights as Americans. Following through this EO, which is legally flawed from a constitutional basis, risks placing Department officers to abdicate their oath of office to follow the constitution.