

**Author Full Name :** Kaiden H.**Received Date :** 02/20/2025 10:32 AM**Comments Received :**

I am writing to express my strong concerns regarding the proposed changes to Form DS-11, particularly the requirement to disclose "biological sex at birth." This change raises serious legal, scientific, and practical concerns that should be reconsidered.

First, this policy appears to be in direct violation of the injunction placed on the Department of State by the U.S. District Court for the District of Colorado in *Zzyym v. Blinken*. In this case, the court ruled that denying passports on the basis of rigid sex classifications was unlawful, particularly for intersex individuals. By reintroducing a requirement that disregards these legal precedents, the Department risks further legal challenges and administrative difficulties.

Second, the assumption that biological sex is a simple binary is scientifically inaccurate. Extensive research in genetics and endocrinology confirms that biological sex is determined by more than just chromosomes and external anatomy. Conditions such as androgen insensitivity syndrome (AIS), Klinefelter syndrome (XXY), and other differences in sex development (DSDs) demonstrate that sex at birth is not always clear-cut, and medical experts frequently make assignments that later prove incorrect or incomplete.

Finally, as a transgender individual currently in transition, this policy creates personal and legal complications for me. At some point, I will no longer look or sound like the gender I was assigned at birth. Additionally, I may obtain dual nationality in a country that does allow passports to reflect my identified gender. If my U.S. passport lists a different gender than my second passport, this could create significant problems when traveling internationally, increasing my risk of invasive questioning, detainment, or even denial of entry.

For these reasons, I strongly urge the Department of State to remove this proposed requirement, as it is not only legally questionable but also creates unnecessary confusion and hardship for passport holders.