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The proposed changes to the DS-5504 form, requiring applicants to report their sex as assigned at birth, disregard the realities of transgender and intersex individuals and contradict established legal precedent. Federal courts, including in *Zzyym v. Pompeo*, have affirmed that accurate gender markers on passports are a matter of legal recognition and personal safety. Policies allowing individuals to use their correct gender identity on official documents have been in place for years without issue, and reverting to outdated requirements would needlessly single out a marginalized group.

For transgender individuals, being forced to use a sex marker that does not match their identity can lead to invasive scrutiny, travel disruptions, and even harassment or violence when presenting their passport. Inconsistent identification documents can also create barriers in other areas of life, including employment and international travel, where mismatched paperwork can be grounds for denial of entry or detainment. For intersex individuals, whose sex assigned at birth may not align with their lived experience or medical realities, this change would reinforce harmful and outdated practices that erase their identities. The State Department must continue to uphold policies that reflect reality, respect human dignity, and ensure the safety of all passport holders.