

**Author Full Name :** Anonymous**Received Date :** 02/25/2025 01:14 AM**Comments Received :**

I am commenting in opposition of the proposed changes to U.S. Passport Form Number DS-11 that proposes updating the form to replace the term "gender" with "sex" in order to comply with Executive Order 14168, "Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government".

Enacting this change:

- will not be necessary for the proper functions of the Department of State
- will incur an undue time and cost burden for the proposed collection, including the validity of the methodology and assumptions used
- will not enhance the quality, utility, and clarity of the information to be collected for passport applicants
- will not minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology

Per the Abstract of Proposed Collection, "The issuance of U.S. passports requires the determination of identity, nationality, and entitlement", noting that applicable regulations defined in 22 CFR 51.23 specify that a passport applicant "must establish his or her identity by the submission of a previous passport, other state, local, or federal government officially issued identification with photograph, or other identifying evidence which may include an affidavit of an identifying witness." Importantly, enacting the proposed changes will conflict with U.S. states who currently issue valid and legal identification cards that align to the requirements of the REAL ID Act of 2005, and specifically, allow ID card holders to specify gender designations of "M" (male), "F" (female), and "X" (not exclusively male or female). Section 202(b)(3) of the REAL ID Act of 2005 directs states to include "The person's gender" on each driver's license and identification card, and notably, not the applicant's assigned sex at birth. The regulations of 22 CFR 51.23 that allow passport applicants to establish their identity with state government issued REAL ID-compliant cards will force some passport applicants to provide conflicting information on the proposed passport form, increasing the risk of unfairly denying otherwise eligible U.S. nationals from obtaining a U.S. passport.

Forcing applicants to provide information inconsistent with other valid forms of government-issued identification will subject U.S. nationals to unfair screenings, scrutiny, and harassment, and will, as a result, unfairly burden applicants when they are asked to adhere to the standards of the proposed changes. This will also unnecessarily increase the risk of exposing the government to expensive and time consuming legal challenges (such as *Zzyym v. Blinken*).

I urge the Department of State to reject the proposed changes to this form, to not replace the term "gender" with "sex", and to not request the applicant's biological sex at birth.