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I am a U.S. citizen. I oppose the change to DS-5504, Application for a U.S. Passport for Eligible Individuals: Correction, Name Change to Passport Issued 1 Year Ago or Less, and Limited Passport Replacement, OMB Control Number 1405-0160 in Public Notice 12668.

The change aims to comply with E.O. 14168 by replacing the term "gender" with "sex" and requesting the applicant's biological sex at birth. E.O. 14168 is unscientific to the point of inaccuracy and ignores the existence of a percentage of America's population. In executing a change to comply with such an executive order, the Department of State would increase confusion around processes that require the use of U.S. Passports.

E.O. 14168 states that "'Female' means a person belonging, at conception, to the sex that produces the large reproductive cell," and "'Male' means a person belonging, at conception, to the sex that produces the small reproductive cell". A direct reading of these definitions concludes that the human race has no "female" or "male" persons (except by mutation). Reproductive cells are not produced "at conception" for either sex. Presumably, in discussing producing reproductive cells, the E.O. is referring to the process of meiosis. Female reproductive cells ("eggs") undergo meiosis such that the a fetus generally has all her eggs 18-22 weeks after conception. Male reproductive cells ("sperm") are not produced until the onset of puberty (teen years). These are not new classifications in the study of human anatomy. Since this executive order emphasizes the importance of biological and scientific classifications of sex, the Department of State should wait to comply with it until it corrects its assertions and aligns itself with current scientific understanding of the subject.

The definitions of sex in E.O. 14168 also exclude intersex people. Intersex people are people "born with sex characteristics (including genitals, gonads and chromosome patterns) that do not fit typical binary notions of male or female bodies." Estimates put the intersex population of the U.S. at 1.7%. The proposed change to only use sex assigned at birth on U.S. passports does not take into account the existence of intersex persons, whose assigned sex at birth often aligns with their external genitalia rather than the type of reproductive cells they can produce or any other common identifying characteristics of sex. As such, the sex on any given intersex person's birth certificate may not match up with the definitions in the E.O.

Finally, given that this change is not currently being implemented on the birth certificates or other identifying documents of U.S. citizens, this change will result in many citizens in possession of passports with a sex indicator that does not match their other documents. This has the potential to cause confusion in situations where multiple forms of identification are needed. This could decrease trust in the overall veracity of U.S. passports, which could make travel for U.S. citizens more difficult.

For all of the above reasons, I believe it is a waste of the Department of State's resources to implement this change. This E.O. may well be struck down in the courts, and the only thing worse than wasting resources on the change would be wasting even more resources un-doing it. This change will, at best, add difficulty to the process of obtaining and using a U.S. passport, and will at worst, harm U.S. citizens who do not fit the provided definitions of sex.