

March 8, 2025

Amanda E. Smith

Managing Director for Passport Support Operations

Bureau of Consular Affairs, Passport Services, Department of State

www.reginfo.gov/public/do/PRAMain

RE: Department of State, Form DS-5504, Correcting or Updating a U.S. Passport; OMB CONTROL NUMBER: 1405-0160; ICR REFERENCE NUMBER: 202502-1405-002

Dear Amanda E. Smith,

I am writing to object to the proposed changes to **Form DS-5504, Correcting or Updating a U.S. Passport.**

The Department of State has proposed to require all passport update/correction applicants to provide “the applicant's biological sex at birth, male ‘M’ or female ‘F.’” This is a discriminatory and therefore unacceptable proposal. It is an obvious attack on the transgender, gender non-conforming, and intersex community. To make such requirements is to attempt to deny people of their basic civil rights by making it unsafe or impossible for people to travel, appear in court, or engage in other basic life tasks if the way they look does not conform to the M or F that was assigned to them at birth.

The proposed changes are not only a miscarriage of justice, but also a denial of reality: it has been demonstrated for years that intersex and transgender people exist, and that the sex of an individual as assigned at birth is not immutable. The State Department cannot change this reality, but it does have the potential to harm people by taking such objectionable actions. A sweeping rules change such as the one proposed requires deliberation through Congressional hearing, which did not take place.

Furthermore, this unnecessary effort adds government inefficiency and unnecessary cost by requiring passport services staff to take additional steps to verify every applicant's sex assigned at birth, which contradicts federal efforts to improve efficiency. If this change were approved, countless dollars would be spent on a pointless quest to attempt to deny reality, harming Americans in general while also unfairly targeting transgender and intersex people. The proposed change would also result in widespread confusion and delays for everyone at airports and other places where IDs are checked.

Requiring sex assigned at birth on a US Passport does not serve any valid security or identity verification purpose. Internationally travelling intersex and transgender individuals have never posed any threat to the United States. However, and most importantly, requiring an intersex or transgender person to mark male “M” or female “F” based on their passport as their ‘sex assigned at birth’ when that marker does not match their current physical presentation as male or female, holds a likelihood of placing that individual in danger, exposing these U.S. citizens to potential sex-based discrimination, harassment and violence when leaving or entering the U.S.,

or when using their passport in or outside the U.S. as a required or necessary form of personal identification.

It is the duty of the U.S. Government to protect all this nation's citizens. This rule change and the Executive Order it is based on is clearly intended to inflict harm, erode the protections of people who are intersex or transgender, and prohibit access to voting for those people for whom a passport may ultimately be required as a means of voter identification.

The proposed change would result in an atmosphere of fear and a reduction of civil rights for people who don't identify with their sex assigned at birth, as well as wasting the tax dollars and time of Americans in general. Finally, every American should oppose it, regardless of their views on sex and gender.

I urge the State Department to reverse implementing this rule change and instead, perform its role of protecting the safety of its constituents.

Sincerely,

An Anonymous Concerned Citizen