

March 10, 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, Public Notice 12667 – DS-82, U.S. Passport Renewal Application for Eligible Individuals, OMB Control Number: 1405-0020

Dear Amanda E. Smith,

I am writing to submit my opposition, during this 30-Day Notice period of proposed information collection, to the proposed rule change to the form DS-82, Passport Renewal Application for Eligible Individuals, to reflect “sex assigned at birth.”

This rule change, following a Presidential Executive Order, denies long-standing scientific reality that intersex and transgender people exist, and that the sex of an individual as assigned at birth is not immutable. A sweeping rules change such as this 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.

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.

Lastly, it is gravely concerning to me that a form of identification which may be necessary for some individuals to use to demonstrate eligibility to vote, be affected by this rule change, as it may complicate a transgender person’s ability to vote if ever required as identification. This is, quite simply, an unacceptable, un-American, and unjust rule change.

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.

I am opposed to the irreparable harm this rule change will cause to transgender and intersex people, and I urge the State Department to reverse implementing this rule change and instead, perform its role of protecting the safety of its constituents.

Sincerely,

Susan Driscoll