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Subject: Opposition to Proposed Passport Rules Requiring Sex Assigned at Birth

I strongly oppose the proposed changes to Forms DS-11, DS-82, and DS-5504, which would require passport applicants to report their sex assigned at birth rather than their gender identity. These changes are not only invasive and discriminatory but also fiscally irresponsible, imposing a significant administrative and financial burden on both the government and taxpayers.

The proposed rules would substantially increase the workload and cost of processing passport applications across multiple forms, leading to millions in unnecessary taxpayer expenditures. The financial burden of these changes, as reported by the Office of Management and Budget (OMB) Federal Register, is staggering:

U.S. Passport Renewal Application for Eligible Individuals (DS-82):

- Responses increase from 6.45 million to 8.32 million (+29%)
- Burden hours increase from 4.3 million to 5.55 million (+29%)
- Costs increase from \$166.6 million to \$214.9 million (+29%)

Application for a U.S. Passport: Name Change, Data Correction, and Limited Passport Book Replacement (DS-5504):

- Responses increase from 138,000 to 767,500 (+456%)
- Burden hours increase from 92,000 to 511,667 (+456%)
- Costs increase from \$3.56 million to \$19.82 million (+456%)

Application for a U.S. Passport (DS-11):

- Responses increase from 11.02 million to 23.68 million (+115%)
- Burden hours increase from 15.6 million to 33.55 million (+115%)
- Costs increase from \$207.2 million to \$445.5 million (+115%)

Collectively, these changes would add millions of new processing hours and increase costs by over \$400 million annually, all to implement an unnecessary policy that serves no legitimate governmental interest. This is a reckless use of taxpayer dollars, creating administrative inefficiencies while directly harming transgender, intersex, and gender non-conforming individuals.

Beyond the financial cost, these rules raise serious constitutional concerns. By mandating disclosure of sex assigned at birth, the proposed rule violates the Equal Protection Clause of the Fourteenth Amendment, subjecting transgender and intersex individuals to differential treatment. Additionally, forcing individuals to carry passports with inaccurate gender markers infringes on First Amendment rights to free expression and violates privacy protections under the Due Process Clause of the Fifth Amendment.

For these reasons, I urge the Department to withdraw this proposed rule. It is an unnecessary, discriminatory policy that not only harms marginalized communities but also imposes an unjustifiable financial burden on the American public.