



United States Department of State

Washington, D.C. 20520

April 10, 2015

Mr. Paul D. Castillo
Lambda Legal
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Dallas, Texas 75219-6722

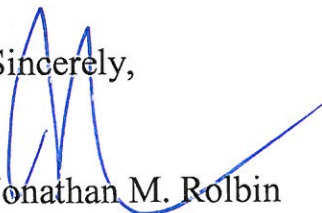
Dear Mr. Castillo:

Our office received your February 26, 2015 letter concerning Dana Alix Zzyym's passport application number 172460355. You requested that the Department of State reconsider its decision to deny Dana Zzyym's passport application, or alternatively, provide a hearing regarding the denial of the application.

The denial was the final decision of the Department on Dana Zzyym's passport application and the request for a designation of "intersex." This action does not meet the requirements for a review hearing specified at 22 C.F.R. § 51.70. As noted in our previous communications with Dana, and consistent with several other federal agencies, the Department of State's current policy requires that the applicant select "M" or "F" on the sex field on a U.S. passport application, and that the corresponding sex of "M" or "F" be identified on the issued passport. The Department does not recognize the use of "X" on a U.S. passport, and therefore Dana cannot select the sex as "X." While the denial of passport application number 172460355 is final, Dana remains eligible at any time to submit a new passport application, provide sufficient supporting documentation, and receive a U.S. passport listing the sex supported by the documentation.

Thank you for your inquiry.

Sincerely,


Jonathan M. Rolbin
Director

for Legal Affairs and Law Enforcement Liaison
Passport Services