

EXHIBIT C

Plaintiffs' Draft Proposed Interrogatories—Without Prejudice¹

INTERROGATORY NO. 1: Identify each person acting on behalf of any of Defendants who has any knowledge regarding the creation, implementation, or enforcement of Executive Order 14168 of January 20, 2025, as it relates to passports, or the Passport Policy,² including, for each such person, their full name, job title, business or home address, and the nature of and basis for their knowledge.

INTERROGATORY NO. 2: Identify the individuals who drafted or substantially contributed to the drafting of Executive Order 14168 of January 20, 2025, including, but not limited to, which officers or employees of the Defendants are responsible for such enforcement efforts.

INTERROGATORY NO. 3: Identify each employee or agent of Defendants with knowledge of Plaintiffs' allegations in the Amended Complaint, and, for each such person, include their full name, job title, business or home address, and the nature of and basis for the knowledge they possess.

INTERROGATORY NO. 4: Identify all government interests you contend the passport-related provisions of Executive Order 14168 of January 20, 2025 or the Passport Policy furthers.

INTERROGATORY NO. 5: For each government interest identified in Interrogatory No. 4, explain how the passport-related provisions of Executive Order 14168 of January 20, 2025, or the Passport Policy serve that interest, including by identifying any facts supporting your contention that the government interest is furthered by passport-related provisions of Executive Order 14168 of January 20, 2025 or of the Passport Policy.

INTERROGATORY NO. 6: Identify and describe the uses for which any of Defendants make passport and other identity document data available, and identify which persons at which agencies, are responsible for such data compilation, processing and use.

INTERROGATORY NO. 7: Identify and describe any instructions or policy changes that were provided to the officers, employees, or agents of any of Defendants as a result of the entry of the Preliminary Injunction.

¹ While Plaintiffs provide these draft interrogatories to inform the Court about topics on which they intend to pursue discovery, Plaintiffs reserve the right to serve additional interrogatories and modify these interrogatories further prior to formal service on Defendants.

² For purposes of these requests, "Passport Policy" means Executive Order 14168, to the extent it purports to direct particular rules with respect to the issuance of passports, as well as "the substantive changes to [the State Department's] prior passport policy" intended to effectuate Executive Order 14168, which included "withdr[awing] the option for Americans to obtain a passport reflective of either their gender identity or sex assigned at birth" and "remov[ing] the option for intersex, non-binary, and gender non-conforming applicants to select 'X' as the sex marker." See ECF 74 at 2.

INTERROGATORY NO. 8: Specify your understanding of how issuing a transgender, intersex, or non-binary person a passport with a sex designation consistent with the sex that person lives as affects any of the interests identified in Interrogatory No. 4.

INTERROGATORY NO. 9: Identify each instance in which a transgender, intersex, or nonbinary person's use of a passport with a sex designation consistent with the sex they live as, rather than their sex assigned at birth, harmed or impacted any government interest, including those identified in Interrogatory No. 4.

INTERROGATORY NO. 10: Explain why Executive Order 14168 of January 20, 2025 defines Female and Male by reference to "reproductive cell[s]", and explain why the Defendants' definitions of Female and Male in the passport policy differs from that definition.

INTERROGATORY NO. 11: Explain how Defendants determined what evidence to use to verify a person's sex as defined by Executive Order 14168 of January 20, 2025, and the Passport Policy.

INTERROGATORY NO. 12: Specify each way in which Defendants' passport sex designation policy in effect immediately prior to the Executive Order of January 20, 2025, proved unworkable or otherwise negatively affected Defendants' operations or other government interests for the duration of time it was in effect.

INTERROGATORY NO. 13: Identify negative impacts or limitations to any of the government interests identified in response to Interrogatory No. 4 from Defendants' passport policies in effect prior to 1976, when no sex designation was required on documentation, and after 1992, when Defendants permitted individuals to amend their sex designation to a designation different from sex assigned at birth.

INTERROGATORY NO. 14: Describe Defendants' understanding of what comprises the Passport Policy, including any internal documents, guidance, or official protocol regarding use of sex designations on United States passports.