

# Can I change the sex that's on my passport?

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## **Last Review Date**

January 30, 2026

Learn about changing the sex or gender designation that's on your U.S. passport.

## **1. Common questions**

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### **Important information**

The January 2025 federal bans on changing sex identifiers on federal records won't affect your Washington state ID or driver's license, including REAL IDs. You can still change the sex identifier on your Washington state IDs. On Department of License issued IDs in Washington, this is called your "gender designation."

The federal bans created many questions about what defines your legal gender. Read about what [defines legal gender](#) to learn more about these impacts.

**Important Notice:** During the current federal administration, the information related to federal ID rights and sex/gender on federal records is changing rapidly. An executive order issued in 2025 temporarily banned sex or gender changes on federal identity records and documents. This included passports, Social Security records, tribal and BIA related records, immigration records and other federal records. These bans are being challenged by lawsuits.

As of January 2026 you can't change the sex or gender designation that is listed on your passport or other federal IDs. If you ask to change your passport, no matter what proof you provide, you could be issued a passport with the sex that was assigned on your original birth certificate.

## Can I change some of my IDs but not all of them?

Yes.

Which IDs to change, if any, is a personal decision. It's unique to your individual situation and daily life needs. It's specific to your safety and lived identity needs. There can be consequences for both changing or not changing various IDs if you're a person who is transgender, nonbinary, or gender diverse, or who has a sex or gender change. Learn more about these issues and the consequence possibilities of various choices. [Learn more about these issues](#) and the consequence possibilities of various choices.

Many people choose to **only** ever change their state photo ID. You **can** still change the gender that's on your Washington state photo ID, **and** can still choose between 3 genders designation options.

## **Can I change my name on my IDs but not change my gender on those IDs?**

Yes absolutely. Many people who are transgender, nonbinary, intersex, or gender diverse only change their name legally and may never change their sex on any IDs. All identity records and IDs should have a process for changing your name on them. You will probably need to provide a copy of a [name change court order](#) to do so. This includes Passports and Social Security records. Gender diverse people can still change their names on their [Passports \(https://travel.state.gov/content/travel/en/passports/have-passport/change-correct.html\)](https://travel.state.gov/content/travel/en/passports/have-passport/change-correct.html) and [Social Security records \(https://www.ssa.gov/life-events/change-name\)](https://www.ssa.gov/life-events/change-name) if they meet the proof requirements. A name change court order is enough to change your name on those records.

## **Are my photo IDs the only IDs that list my sex or gender?**

**No.** Many different identity records or IDs have your gender or sex listed on them somewhere **in** the record **or** on the ID itself.

Your Social Security card **doesn't** list your sex or gender marker anywhere **on the card itself**. But your actual Social Security record **does in fact have a sex listed on the record**. And **that** Social Security record sex designation can be found on credit reports, hospital medical records, Federal Student Aid

records, federal records, background searches, financial records, certain federal records and **many** other places.

Your photo ID is also important and can impact many records that could have your sex or gender listed on them.

Many people choose to change the gender or sex on their photo ID **first** before changing other records. Many people may choose to have their photo ID be the **only** sex or gender record change they make changes to.

You **don't** have to change your birth certificate, Social Security record, Passport, **or any other ID** to be able to choose your sex or gender identifier on your Washington photo ID or driver's license.

### **Do I need a court order to change my legal gender?**

No. In Washington, you don't need a court order to change the gender that is on your state ID. If you were born in Washington, you don't need a court order to change the sex on your birth certificate.

## **2. Gender designation on federal documents**

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### **What defines my legal gender at the federal level?**

If you were born in the U.S. **and** were registered for a Social Security card at your birth by your parents or guardians, the sex that was **first** listed on your

birth certificate was reported to the Social Security Administration (SSA). **That** sex designation became the sex that was first listed on your Social Security record.

This can be confusing because most people only know about their Social Security **card**. But your Social Security number is attached to more than the just Social Security card. It is also attached to a record or collection of information about you. Social Security keeps records of certain information associated with Social Security numbers. This can include sex identification and address history among other information. The information is assigned to you using your Social Security number. The information can be shared with credit reporting agencies, police and other law enforcement agencies, colleges and universities, financial institutions and other institutions that can access the information that is stored in or reported from your Social Security record.

The sex that was **first listed on your Social Security Record can be used as** your federal “legal gender”. This is called your “Sex Identification on the Social Security Record”. That sex is the sex that Homeland Security and the Department of State can find out even if you changed it later.

- If you applied for a Social Security card later on in your life or applied for a Social Security during your citizenship process, the sex you were assigned on that application will be your Sex Identification on the Social Security Record.

- If you don't have a Social Security card and live in Washington state, your legal gender would most likely be the gender that is listed on your state photo ID.
- If the only ID that you have ever had is a birth certificate, then the sex on your birth certificate would be your legal gender.

Some kind of record of your sex or gender exists in many places that don't necessarily include a **visible** gender marker or sex designation like your photo ID has on it.

## Where can I get legal help and information related to the federal ID bans?

The information related to the federal bans is changing rapidly. We'll update our guides as information changes.

Organizations around the country are suing to challenge most of the federal bans related to transgender, nonbinary, intersex, and other gender diverse people. You may be able to learn more about how the bans and lawsuits impact you from the non-emergency [Legal Help Desk at Lambda Legal](https://lambdalegal.org/helpdesk/) (<https://lambdalegal.org/helpdesk/>).

### If you're affected by the active-duty military ban:

- Contact the non-emergency [Legal Help Desk at Lambda Legal](https://lambdalegal.org/helpdesk/) (<https://lambdalegal.org/helpdesk/>). Lambda sued to challenge the

military service ban. You can also try to contact the National Center for Lesbian Rights (<https://www.nclrights.org/get-help/>) and the GLBTQ Legal Advocates and Defenders (<https://www.glad.org/know-your-rights/glad-answers/>) (GLAD). They also filed suits against the military service ban.

**If you're affected by the federal passport ban:**

- Try to get help using the ACLU-WA (<https://www.aclu-wa.org/>) online intake form (<https://intake.aclu-wa.org/>). The ACLU sued to challenge the federal passport ban. If you are otherwise affected by the executive orders related to your passport or international travel, try to contact the ACLU.

**If you're affected by the federal Social Security ban:**

- Try to get information from the non-emergency Legal Help Desk at Lambda Legal (<https://lambdalegal.org/helpdesk/>). The SSA said it will update its emergency directive in the summer of 2025.

**If you're affected by the gender affirming care for youth ban:**

- The January 2025 federal ban related to gender affirming care for youth generally shouldn't affect your care in Washington state. Washington law still protects certain gender affirming care for people under 18 in this state. Certain providers might not provide services to you. If you're under 18 and have experienced issues related to your gender affirming care since the federal ban, try to get legal help.
- P-FLAG (<https://pflag.org/>) is challenging the January 2025 federal order with a lawsuit filed by the ACLU and Lambda Legal. You may be able learn more from the non-emergency Legal Help Desk at Lambda Legal

(<https://lambdalegal.org/helpdesk/>). If the trans-related care ban for minor youth has impacted your life, try to get legal help using the [ACLU-WA](https://www.aclu-wa.org/) (<https://www.aclu-wa.org/>) online [intake form](https://intake.aclu-wa.org/) (<https://intake.aclu-wa.org/>).

### **If you're impacted by the federal trans youth in sports ban:**

- Try to get help using the [ACLU-WA](https://www.aclu-wa.org/) (<https://www.aclu-wa.org/>) online [intake form](https://intake.aclu-wa.org/) (<https://intake.aclu-wa.org/>). The ACLU sued about the sports ban. You can also try to contact the [GLBTQ Legal Advocates and Defenders](https://www.gladlaw.org/know-your-rights/glad-law-answers/) (<https://www.gladlaw.org/know-your-rights/glad-law-answers/>) (GLAD). They also filed suit against the sports ban.

## **3. Passport information**

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### **Can I still change my name on my passport?**

Yes. You must get a [legal name change](#) before you can change your name on your Passport.

### **What if I need to update my name on my passport after a court-ordered name change?**

Learn more about [changing your name on your passport](#) (<https://travel.state.gov/content/travel/en/passports/have-passport/change-correct.html>) from the State Department.

## Isn't my Passport the most important ID to change my sex on? Isn't my Passport my federal legal gender?

**No.** The Social Security record is the **only** sex record that **all** citizens and legal permanent residents of America **must** have (generally speaking). It is the most universal record that people born in the U.S. have from their birth onwards. It is considered to be a mandatory record generally. **Passports aren't mandatory.**

Passports are an optional ID related to life needs and travel needs. It can be very hard to manage your financial life in the U.S. **without a Social Security number** (and record). But that isn't true for living without a passport. You don't have to have a passport to work, have a bank account, make purchases, vote and so on. But doing those things can be very difficult or impossible without a Social Security number (and record).

Some people who live in the U.S. never get a U.S. passport. You may never need to get one depending on your lifestyle and travel needs. Your state photo ID is a sufficient legal form of photo identification for daily use purposes. A passport is an optional ID and is generally used for out-of-country travel.

## What happened recently with the federal rules related to sex designation on passports?

In January 2025, an executive order changed the rules that affect sex designations on passports. It banned changes to the gender listed on

passports. This federal ban is indefinite but is being challenged by lawsuits (<https://www.aclu.org/cases/orr-v-trump>).

- If you **have previously changed** the sex or gender designation on your passport, the next time you have to renew it, you could be assigned the sex you were assigned at birth no matter what other proof you might provide.
- If you **have never had a passport before and are applying to get one**, you could be assigned the sex you were assigned at birth no matter what other proof you might provide.
- The Department of State says it will continue to accept X designations on passports and enhanced IDs for re-entering a U.S. border.

If you are worried about how the X designation on your ID might impact your travel, you might want to get legal advice before you leave the country. You can try to get legal help from the non-emergency Legal Help Desk (<https://lambdalegal.org/helpdesk/>) at Lambda Legal (<https://lambdalegal.org/helpdesk/>).

If the Department of State blocks your ability to get a passport at all because of your sex or gender change, you should get legal help right away (<https://intake.aclu-wa.org/>). You should be able to get a passport if you otherwise are eligible for one while the court case that challenges the ban continues. You should be able to get a passport **but it may be issued using the sex you were assigned at birth** no matter what gender designation you choose and what proof you provide.

## 4. Changing your passport

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### What can happen if I change the sex on my passport? What if I don't?

The sex that is listed on your passport can have various consequences in your life related to **how you use** your passport. Currently, the State Department says it will accept X designations on IDs for re-entering a U.S. border.

- If you use it as your main everyday photo ID, then it will impact purchases, identification verification and other daily tasks that require a photo ID.
- If you use your passport to travel in and out of the U.S., then it will impact your travel situations. It could potentially impact your safety or comfort while traveling.
- Just because you are a U.S. citizen doesn't mean you have the automatic right to be granted re-entry into the U.S. if you leave. Many things can affect your re-entry rights including passport validity.

### What if I already changed the sex or gender on my passport?

If you already changed the gender or sex on your passport, your passport should remain valid as it is. The next time you have to renew it, you could be assigned the sex you were assigned at birth no matter what other proof you might provide.

## What are my options for changing the sex designation on my United States passport?

Currently, you can't change the sex designation on your passport while the [cases that challenge](https://lambdalegal.org/case/schlacter-v-us-dept-of-state/) (<https://lambdalegal.org/case/schlacter-v-us-dept-of-state/>) the executive order [continue through court](https://www.aclu.org/cases/orr-v-trump) (<https://www.aclu.org/cases/orr-v-trump>). . If you ask to change the sex or gender designation on your passport **you will be issued a passport that has your sex assigned at birth.**

Even if you provide proof of a gender change or new sex designation, you will still **be issued a passport using the first sex that was assigned to you at birth.** The Department of State may be able to find this information even if you don't think they have it.

**WashingtonLawHelp.org** gives general information. It is not legal advice. Find organizations that provide free legal help on our [Get legal help](#) page.