

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

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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. If this changes, we'll update this information. 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 our [guide about legal gender](#) to learn more about these impacts.

**Important Notice:** ()During 2025, the information related to federal ID rights and sex/gender on federal records is changing rapidly. An executive order issued earlier 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.

The ACLU's lawsuit about the passport ban **got back the right to change passports** as of June 18, 2025 through a temporary preliminary injunction. This means that the case isn't done yet but that gender diverse people can resume changing their passports while the case continues. To change your passport, you must complete a new data collection form about your sex, gender and gender identity. This form will become part of your permanent federal government records. It is possible that the Social Security Administration (SSA) will similarly update their systems to allow sex changes again later this summer but currently the SSA can't process sex changes for their records.

## 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>) and [Social Security records](#) (<https://www.ssa.gov/personal-record/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, 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 drivers 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.

## **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. The sex that was **first listed on your Social Security Record** is most commonly considered to be 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/>).

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

- Contact the non-emergency Legal Help Desk at Lambda Legal (<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. **You can now change your passport again** while the lawsuit continues. To change your passport, you will have to submit a gender change disclosure data form to the federal government that will become part of your permanent federal record. 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 (<https://www.nwjustice.org/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/>) online intake form (<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/>) online intake form (<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.glad.org/know-your-rights/glad-answers/>) (GLAD). They also filed suit against the sports ban.

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

The ACLU's lawsuit against the passport ban **got back the right change passports** as of June 18, 2025 through a **temporary preliminary injunction**. This means that the case isn't done yet but gender diverse people can resume changing their passports while the case continues. It also means that your passport should be issued using the sex or gender identifier that you selected, not the one you were assigned at birth.

As of May 2025, the Department of State says it will continue to accept X designations on passports and enhanced IDs for re-entering a U.S. border.

This information will be updated if this changes.

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 on which you can choose among the sex designations instead of having to use the that was sex assigned at your birth.

If you choose to get a passport and you want to change your gender on it, you must complete a data disclosure letter. The letter will become part of your federal government record. The letter gathers data and statements about your sex, gender, gender identity and any treatment for gender dysphoria. It will permanently disclose your transgender or gender diverse status in your federal government records.

### 3. Changing your passport

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

As of June 18, 2025, **you can again change the sex or gender designation** that is on your passport. Technically the executive order banning the changes still exists. But a **temporary** injunction from a court has allowed all people who need to change their passport's sex designation to be able to do so **while the court case continues**. To change your passport, you must complete a new data collection form about your sex, gender and gender identity. This form will become part of your permanent federal government records.

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 right to be granted re-entry into the U.S. if you leave. Many things can affect your re-entry rights including passport validity.

## There is a new gender data collection form for passport applications.

If the federal government has any reason to know of you having “conflicting sex marker information”, you will receive a letter after you apply for a passport. It will come from the Passport Agency and will be related to the class in the ACLU’s lawsuit about the passport ban (<https://www.aclu.org/trumps-assault-on-transgender-rights/qa-orr-v-trump>). A “class” is a group of people impacted by a court case issue.

The letter tells you that you must identify yourself as part of the class of people (group of people) impacted by the ACLU lawsuit (<https://www.aclu.org/trumps-assault-on-transgender-rights/qa-orr-v-trump>). To do this, you must complete the gender change data collection form that will be included with the letter. The letter also states that if you don’t identify yourself as a member of the class by turning in the data collection form, then you will be issued a passport that is “consistent with Executive Order 14168.” That means that if you don’t turn in the form by the deadline, your passport will be issued **but** will be issued using the sex you were **first** assigned at your birth.

To change the gender on your passport, you now must complete the new data collection form about your sex, gender and gender identity. The letter gathers data and statements about your sex, gender, gender identity **and** any treatment for gender dysphoria. If you submit it, this form will become part of your permanent federal government records. It could **permanently disclose** your transgender or gender diverse status in your federal government records.

If you don't complete the form within 90 days (or the timeframe given in the letter), your passport **will be issued** using the sex that was originally assigned to your birth certificate (as long as you are otherwise able to be issued a valid passport).

Even if you are not applying to change the gender on your passport but are instead applying for a new passport **after** you have already changed the gender on your birth certificate and state ID, you might still get one of these letters. Even if you think the federal government won't know you previously had a different sex assignment, you still may get one of these letters with the gender data collection form.

## What information is required on the new gender change data collection form?

If you are selecting a sex marker that is different from the sex marker that is on your "original" birth certificate (meaning the sex first assigned to you at birth) or if you are selecting an X marker, then you must attest to specific things.

You must confirm that at least one of these is true:

- Your gender identity is different from your sex
- You have been diagnosed with gender dysphoria

You will also have to confirm that you are applying for a passport or data correction because at least one of these is true:

- You don't have a currently valid passport
- You need to renew your current passport because it expires within a year
- You need to make change to your passport to have the sex designation on it align with my gender identity or to **reflect a name change**
- You need to apply for another passport because your passport was lost, stolen, or damaged

You will also choose the sex marker you want for your passport. The choices are M, F, and X.

### **Is the new gender change data collection form creating a federal registry of transgender people?**

It remains unclear whether this is a registry process. What happens with this information may rely on the court case about the passport ban (<https://www.aclu.org/trumps-assault-on-transgender-rights/qa-orr-v-trump>).

Once you turn in any document to the Department of State, it can become part of your permanent federal record. So, if you submit the gender change data collection form, that information could exist and be findable in federal data **indefinitely**.

### **What if I don't want to complete the new gender change data collection form?**

Once you apply for a passport, if the federal government knows of your current or previous sex or gender change, you **will** get this letter. If your sex identifier is X or ever has been X, you **will** get this letter. And then you **must**

choose to:

- submit the gender data collection form to get the passport that matches your current sex or gender **or**
- be given a passport with the sex assigned to you at birth because you didn't complete the form on time (or at all)

Follow the guidance of the letter sent about your specific passport situation. If it says that you have a specific timeframe to submit the gender data collection form, then submit the form by the deadline. If you don't, your passport will be issued using the sex assigned to you at birth if you don't turn the form in on time.

Once you apply for a passport, it can be hard to cancel the application. **But it is possible.** If you have applied for a passport and want to cancel the application because you received a gender change data collection form, do so as soon as possible. You must cancel it before 90 days or your passport **will be issued** using the sex assigned to you at your birth. To cancel your passport application, start with the agency where you applied. Ask them how to cancel an application you submitted through them. Follow their instructions. You **won't** get your application fee back.

You can also try to respond to the address on the letter you received about the gender change data collection form. Send a response letter requesting that your passport application be cancelled immediately and all materials be returned if possible. **You won't get your application fee back** if you cancel it.

## 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. You may still get a gender status data collection letter when you try to renew your passport.

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

**Currently, you can change the sex designation on your passport** while the case that challenges the executive order ban continues through court.

You will be required to submit a gender change data collection form that will become part of your permanent federal record. Otherwise, your passport will be issued using the sex you were assigned at birth.

**You choose** among 3 gender designations for your U.S. Passport: F, X, and M. The **only** requirement is self-attestation. This means:

- You don't need to provide any proof of gender or gender change.
- You can choose which gender designation works for you from the provided options.
- No medical certifications or doctor's letters are required.
- The gender you choose for your designation doesn't have to match the gender listed on your supporting documents. For example, if your birth certificate said "Female," you can choose "M" or "X" for your passport.



- Limited validity passports are no longer required for people who are “in transition.” You shouldn’t be given a limited validity passport.
- You must complete a gender change data collection form. The form requires you to disclose information about your sex or gender change, or gender identity, including any gender dysphoria diagnosis. If you don’t complete the form, you will be issued a passport using the sex assigned to you at birth.

## 4. Process

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### What forms do I use?

The forms you use will depend on your situation. Learn more about which form is best for your specific situation (<https://travel.state.gov/content/travel/en/passports/how-apply/forms.html>) from the State Department.

You will also be required to submit a gender change data collection form. Otherwise, your passport will be issued using the sex you were assigned at birth.

The most common passport forms should include 3 gender designation options. Follow the instructions on the form to learn which required documents you need. There are also specific Passport photo rules you need to know.

Youth under age 16 must always use a Form DS-11 ([https://eforms.state.gov/Forms/ds11\\_pdf.PDF](https://eforms.state.gov/Forms/ds11_pdf.PDF)) and have to **apply in person** with **both** parents or legal guardians present. **Both** parents **must** give consent to the passport changes.

**If you're applying for a passport for the first time or on behalf of someone under age 16:**

- Use Form DS-11 ([https://eforms.state.gov/Forms/ds11\\_pdf.PDF](https://eforms.state.gov/Forms/ds11_pdf.PDF))
- Choose among the 3 gender designation options for your first passport
- You must apply in person

**If you want to change the gender designation on a passport that you already have:**

- Use Form DS-82 ([https://eforms.state.gov/Forms/ds82\\_pdf.PDF](https://eforms.state.gov/Forms/ds82_pdf.PDF)) unless you are under 16
- **If you are under 16 and previously had a passport**, use Form DS-11 ([https://eforms.state.gov/Forms/ds11\\_pdf.PDF](https://eforms.state.gov/Forms/ds11_pdf.PDF)) instead
- Choose among the 3 gender designation options
- Check the box that says "Changing Gender Marker?"
- Submit a new photo that looks like your current appearance and meets general passport photo guidelines

**What if I have a limited validity passport because my gender transition was still in process?**

This process has ended. You no longer had to provide medical proof of transition. Limited validity passports stopped being issued to people who are “in the process of transition.”

However, some people still have an old limited validity passport that needed updating. This could happen if you were issued one prior to the policy change that stopped limited validity passports and haven’t replaced it. If this is your situation, you can change your sex designation at the same time as when you updated to a regular validity passport.

**If your limited-validity passport was issued more than 2 years ago,** then you must use Form DS-11 ([https://eforms.state.gov/Forms/ds11\\_pdf.PDF](https://eforms.state.gov/Forms/ds11_pdf.PDF)) and must apply in person.

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