

Can I change the sex that is on my tribal ID and records?

Author

Northwest Justice Project

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Learn about changing the sex or gender that is listed on your tribal IDs including your BIA and enrollment records.

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 my sex or gender on my Tribal record and rolls?

You will need to ask your tribe or nation. It is **very important** that if you got a court ordered name change, that you notify Social Security of the change **first** before you change your name with your Tribal enrollment office. Your tribe can be fined if there is a mismatch between their records about you and the Bureau of Indian Affairs (BIA) records. BIA records are based on Social Security records.

So, if you get a name change, update your name on your Social Security card first and then update it with your tribe's records office. Most tribal nations will accept court ordered name changes to change their records. Some of the nations in Washington will also issue court ordered name changes in their own courts. The **same applies** if you are able to change your sex on your Social Security record. Change it with Social Security **first** and then try to change **what records you can** with your tribe.

Your tribal ID may or may not have a gender or sex listed on the photo ID card itself. Some nations include sex on the cards, some don't. Some nations don't have photo ID cards at all. But records of your sex and gender can be found in many places in your tribal records, BIA records and Indian Money Account records. Some nations believe that sex or gender can change. Some nations believe that sex and gender can't change and won't issue any record changes based on their cultural beliefs, practices and rules.

Tribal rolls and records can be some of the hardest to change. Bureau of Indian Affairs records can be difficult to impossible to change completely. This is because of how complicated and how varied the information included in Tribal and BIA records are. Your family tree (which often lists your sex) could be in your records and in other people's records related to you. All those records would have to be changed. You might be able to get your tribe to change your birth certificate if they issued you one. That would depend on their rules. You should be able to get certain information changed on your Indian Money Accounts or other BIA resources payment related accounts if you have had a court ordered name change. If you need help with your tribal records, rolls or BIA information, you should contact your tribal nation's records office.

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 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.

Which of my tribal IDs has an option for changing the gender that's listed on it?

- Certificate Degree of Indian Blood cards (CDIB cards) don't have a sex identifier listed on them.
- Your Bureau of Indian Affairs record or file could have a sex identifier listed on it. It's likely that there will be a listing of your sex identifier somewhere in your BIA record.
- If you're an enrolled member of a tribe, a sex might be listed on your tribal enrollment card or tribal ID. It depends on the tribe. Some tribes might let you change the sex that's listed on that ID.
- If a tribal nation issued your birth certificate, they might have a process for changing the sex assigned to you on your birth certificate.
- Your tribal enrollment or tribal rolls records may need updating if they also list a sex and you changed your sex identification with the Social Security Administration before the current SSA ban on changes. Many tribal rolls don't have a sex listed. But your sex may be listed in other records kept by your tribe, like your family tree charts.

Be sure to update your Social Security card and record regarding any legal changes to your name before you change your name with your tribal enrollment office. If you change your tribal IDs before you change your Social Security card, your tribe could be fined by the Social Security Administration.

How do I change the sex that's listed on my tribal enrollment card or records?

Not all tribal ID cards list sex identifiers. If your tribal ID card does list a sex identifier that you want changed, ask your tribal enrollment office for the specific process and forms. **Each nation has its own rules and customs about whether a sex identification change is possible.**

If your nation allows you to change the sex identifier on your ID or records, you may need to provide proof of your gender, like a Washington state ID. You also may be limited to the sex identifiers provided by your tribal nation.

For example, even if your Washington State ID lists your gender designation as "X", the ID provided by the nation you're enrolled in may not offer any options other than "F" or "M."

How do I change the sex that's listed on my birth certificate that was issued by a tribe?

If a tribal nation issued your birth certificate, ask the tribal office or agency that issued your birth certificate about sex identifier changes on their records. It might be possible for your tribe and situation.

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. 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.

What if I need to update my name on my tribal IDs after a court-ordered name change?

You can learn more about changing your name on your tribal ID from your tribal enrollment office. Each tribal nation has its own processes and forms for updating your name on their records. Usually, you'll need proof of a legal name change, such as a court order.

Some tribal nations in Washington State can grant you a court-ordered legal name change themselves using their tribal court system and forms.

If you want to ask your tribal court for a legal name change, ask the tribal court clerk if they have a name change petition form you should use. Usually, you must be an enrolled member of a tribe to ask the tribal court for a legal name change.

Learn how to ask for a legal name change from a Washington state county court. Your tribe should accept a name change order from a Washington state Superior or District Court as well.

It is very important that if you have had a court ordered name change, that you notify Social Security of the change **first** before you change your name with your Tribal enrollment office. Your tribe can be fined if there is a mismatch between their records about you and the Bureau of Indian Affairs records- which are based on Social Security records.

What if I need to change the gender on other IDs?

Each type of ID has its own requirements and rules.

Your birthplace will determine if you're allowed to change the sex that's on your birth certificate. If you were born in Washington, you **can** change the sex that's on your birth certificate.

Where can I get help?

Contact the Native American Unit of the Northwest Justice Project: Residents of King County can call the NAU front desk at 206-707-0920. Residents of all other counties can call NJP's CLEAR hotline at 1-888-201-1014, Monday through Friday between 9:15 a.m. and 12:15 p.m.

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our Get legal help page.