

How do I change the sex that is on my immigration or citizenship documents?

❖ **Important Notice: As of January 2025 the information related to federal ID rights and sex/gender on federal records is changing rapidly.** There is a current federal ban on changing the sex or gender on federal records including your passport and Social Security records. Other federal record and ID information will be affected including immigration related records, Bureau of Indian Affairs records and others. Passports that have already had a sex designation change at some time previously **could be reverted back** to the sex that was assigned on your original birth certificate record when the passport expires or is renewed or replaced. There might also be risks for trying to renew your passport if you have had a gender related name change. Read [What is my legal gender?](#) to learn more about what defines your legal gender related to these changes.

❖ You can find all the fact sheets we link to here at [WashingtonLawHelp.org](https://www.washingtonlawhelp.org).

Can I change the sex identification that is on my immigration or citizenship documents right now?

No. As of January 2025, there is a federal ban on changing the sex that is listed on any federal record. Immigration documents and records are included in this ban. Citizenship documents and records are included in this ban. Consular birth records are included in this ban.

If you are an immigrant who has a Social Security card and you are having problems because you can't change your Social Security sex identification record, you can try to get legal help from the non-emergency [Legal Help Desk](#) at [Lambda Legal](#).

If you are an immigrant who has a passport and you are having problems because you can't change your passport sex identifier or if you are worried about traveling with an X identifier on your passport, you should try to [contact the ACLU](#) about [their lawsuit challenging the recent passport ban](#).

❖ If you have a passport and you have already changed the sex designation on your passport, it will most likely eventually revert back to whatever sex was assigned on your birth certificate originally. This will be most likely to happen to people who had a passport at some point in their life that was issued using their original



birth certificate sex designation. But it could happen to anyone even if you think the State Department doesn't have any reason to know about the sex that was originally assigned to you on your birth record.

- ❖ If you have a passport and you changed the sex on your passport record sometime in the past, when you next renew your passport, you will likely face a situation where your sex designation is non-consensually changed back to the sex you were assigned on your original birth certificate. This includes all X designation passports and all passports that were changed between M and F. This includes any passport that ever had a sex designation change that wasn't a simple recording error.
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If you have pending or open immigration case with USCIS, you should talk to your immigration lawyer about what you should do regarding your sex identifier on your federal records. If you don't have a lawyer for your immigration case, you can [try to get legal help](#) for your sex identifier issue from the [Northwest Immigrants Rights Project](#).

Can I change the sex identification that is on my immigration or citizenship documents if the federal ban goes away?

It depends on your situation and what happens if the current federal ban goes away.

Most recently just prior to the federal ban, immigration and citizenship documents were limited to only "M" or "F" (or "male" or "female") sex identifiers.

It was required to have proof of gender change through another ID document or a letter from a licensed healthcare professional certifying your "true gender". There were no specific surgery or medical requirements. The letter just needed to confirm your gender.

How do I change my employment authorization card if the federal ban goes away?

Based on the most recent rules before the federal ban, you would submit:

- Form I-765, Application for Employment Authorization (uscis.gov/i-765)
- Filing fee or a Fee Waiver (permission to not pay the fee). The Fee Waiver form is Form I-912 (uscis.gov/i-912). If you needed to use the Fee Waiver, you would have submitted the Form I-912 along with your Form I-765.
- Two passport-style photos



- Driver's license, birth certificate, passport, court order, or other official government-issued document showing the requested sex identifier change, **or** a letter from a licensed healthcare professional certifying your true gender though the letter was not required

How do I change my Permanent Resident Card (green card) if the federal ban goes away?

Based on the most recent rules before the federal ban, you would submit:

- Form I-90, Application to Replace Permanent Resident Card (uscis.gov/i-90)
- Filing fee or a Fee Waiver (permission to not pay the fee). The Fee Waiver form is Form I-912 (uscis.gov/i-912). If you needed to use the Fee Waiver, you would have submitted the Form I-912 along with your Form I-90.
- Driver's license, birth certificate, passport, court order, or other official government-issued document showing the requested sex identifier change, **or** a letter from a licensed healthcare professional certifying your true gender though the letter was not required

How do I change my Naturalization Certificate if the federal ban goes away?

Based on the most recent rules before the federal ban, you would submit:

- Form N-565, Application for Replacement Naturalization/Citizenship Document (uscis.gov/n-565)
- Filing fee or a Fee Waiver (permission to not pay the fee). The Fee Waiver form is Form I-912 (uscis.gov/i-912). If you needed to use the Fee Waiver, you would have submitted the Form I-912 along with your Form N-565.
- Two passport-style photos
- Driver's license, birth certificate, passport, court order, or other official government-issued document showing the requested sex identifier change, **or** a letter from a licensed healthcare professional certifying your true gender though the letter was not required



Where can I learn more?

Learn more about USCIS issued identity documents at USCIS's website: uscis.gov/policy-manual/volume-11-part-a-chapter-2.

What if I need to update my name on my immigration documents after a court ordered name change?

Learn more about changing your name on USCIS issued secure identity immigration documents at uscis.gov/policy-manual/volume-11-part-a-chapter-2.

Learn more about how to ask for a legal name change in Washington in [How to Get a Name Change in Washington](#).

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- ❖ If you currently have an immigration attorney, you should talk to your attorney about changing your name on your immigration documents before you try to change the documents. You should also tell your attorney that you received a legal name change if you received a legal name change since filling for your immigrant status.
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Get Legal Help

- **Apply online** with [CLEAR*Online](https://nwjustice.org/apply-online) - nwjustice.org/apply-online
- **Facing a legal issue in King County** (other than Eviction or Foreclosure)? Call 2-1-1 (or toll-free 1-877-211-9274) weekdays 8:00 am - 6:00 pm. They will refer you to a legal aid provider.
- **Facing a legal issue outside of King County** (other than Eviction or Foreclosure)? Call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm or apply online at nwjustice.org/apply-online.
- **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.
- **Contact the Northwest Immigrant Rights Project:** Seattle office: 206-587-4009 / 800-445-5771 Granger office: 509-854-2100 / 888-756-3641 Wenatchee office: 509-570-0054 / 866-271-2084
- **Facing Eviction?** Call 1-855-657-8387.
- **Facing Foreclosure?** Call 1-800-606-4819.
- **Seniors (age 60 and over)** with a legal issue outside of King County can also call CLEAR*Sr at 1-888-387-7111.

Deaf, hard of hearing or speech impaired callers can call any of these numbers using the relay service of your choice.

Interpreters provided.

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

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