



April 1, 2024

PA-2024-08

Policy Alert

SUBJECT: Availability of Additional Gender Options for Certain Benefit Requests

Purpose

U.S. Citizenship and Immigration Services (USCIS) is revising policy guidance in the [USCIS Policy Manual](#) to clarify the availability of an “X” gender marker option on certain USCIS forms and secure documents.

Background

Historically, USCIS forms and associated secure documents have only offered two gender options: “Male (M)” or “Female (F).” The lack of an additional gender option on USCIS forms and secure documents for use by benefit requestors who do not identify with either male or female option creates significant barriers for those requestors.¹ Limiting benefit requestors to binary gender options also creates administrative challenges for USCIS, where benefit requestors submit birth certificates and other official government-issued documents with a gender other than “M” or “F.”

USCIS is therefore introducing use of an additional gender option, which will be denoted by “X,” consistent with other federal and state agencies that have introduced a third gender option. After considering feedback from benefit requestors, the public, and the Centers for Disease Control and Prevention’s National Center for Health Statistics’ recommendations, USCIS has determined that it will define “X” as “Another Gender Identity” for purposes of USCIS forms and secure identity documents.

This guidance, contained in Volume 1 of the Policy Manual, relates only to the policy clarification that up to three gender options may be available on a USCIS form. The availability of the additional gender option is dependent on each form. Benefit requestors must continue to submit the form in accordance with the form instructions.² USCIS anticipates that the additional gender option “X” will become available upon each form’s revision to incorporate the change, beginning with the Application for Naturalization ([Form N-400](#)).³

¹ On April 19, 2021, DHS published a Request for Public Input (RPI) seeking the public’s input on barriers to USCIS benefits and services. See [86 FR 20398](#) (Apr. 19, 2021). Commenters raised concerns in response to the RPI and during recent DHS listening sessions.

² See [8 CFR 103.2\(a\)\(1\)](#).

³ To determine what gender options are available for a particular form, see the relevant USCIS form and related instructions.

The guidance contained in the Policy Manual is controlling and supersedes any related prior guidance.

Policy Highlights

- Explains that, depending on the form, benefit requestors may select from up to three gender options on certain forms: “Male (M),” “Female (F),” or “Another Gender Identity (X).”
- Affirms that the benefit requestor’s gender selection will ultimately be printed on a USCIS-issued secure identity document, upon the approval of certain benefit requests.

Summary of Changes

Affected Section: Volume 1 > Part E > Chapter 5 > Section B, Personal Information > Subsection 2, Gender

- Revises the first paragraph, providing additional content and separating the paragraph into two paragraphs.

USCIS may also make other minor technical, stylistic, and conforming changes consistent with this update.

Citation

Volume 1: General Policies and Procedures, Part E, Adjudications, Chapter 5, Verification of Identifying Information [[1 USCIS-PM E.5](#)].

Additional Considerations

This Policy Manual update reflects that certain USCIS forms and secure documents will include the gender marker “Another Gender Identity (X).” It does not establish any new benefits. This change is consistent with a growing number of states that have implemented third gender marker designations on driver’s licenses and identification cards. It is also similar to policies that have been adopted by other federal and partner country agencies that have already taken this important step to recognize gender diversity on their forms and secure documents.⁴

In addition, this policy update supports several other priorities from existing Executive Orders (EO) by reducing burdensome evidentiary barriers for benefit requestors. For example, EO 13985 states, “executive departments and agencies must recognize and work to redress inequities in their policies and programs that serve as barriers to equal opportunity.”⁵ EO 13988 states, that “it is the policy of [this] Administration to prevent and combat discrimination on the basis of gender identity or sexual

⁴ See the U.S. Department of State’s Press Statement, [X Gender Marker Available on U.S. Passports Starting April 11](#), issued March 31, 2022.

⁵ See Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, [86 FR 7009](#) (Jan. 20, 2021).

orientation.”⁶ EO 14012 states that DHS shall “identify barriers that impede access to immigration benefits and fair, efficient adjudications of these benefits and make recommendations on how to remove these barriers, as appropriate and consistent with applicable law.”⁷

⁶ See Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation, [86 FR 7023](#) (Jan. 20, 2021).

⁷ See Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans, [86 FR 8277](#) (Feb. 2, 2021).