

116TH CONGRESS
2D SESSION

H. R. 5962

To require the Secretary of State to require the inclusion of a gender neutral designation in a passport, passport card, or Consular Report of Birth Abroad, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2020

Mr. KHANNA (for himself, Mr. BLUMENAUER, Mr. CICILLINE, Mrs. DAVIS of California, Mr. ENGEL, Ms. HAALAND, Ms. NORTON, Mr. HUFFMAN, Ms. JAYAPAL, Ms. GARCIA of Texas, Mr. GRIJALVA, Mr. GOMEZ, Mr. KENNEDY, Mr. KILMER, Ms. LEE of California, Mr. LEVIN of Michigan, Mr. LOWENTHAL, Mr. MCGOVERN, Mr. NEGUSE, Mr. PAPPAS, Mr. POCAN, Mr. QUIGLEY, Mr. ROUDA, Ms. SCANLON, Ms. SCHAKOWSKY, and Ms. VELÁZQUEZ) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To require the Secretary of State to require the inclusion of a gender neutral designation in a passport, passport card, or Consular Report of Birth Abroad, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gender Inclusive Pass-
5 port Act”.

1 **SEC. 2. INCLUSION OF GENDER NEUTRAL DESIGNATION**
2 **OPTION IN PASSPORTS.**

3 (a) IN GENERAL.—Notwithstanding any other provi-
4 sion of law, the Secretary of State shall, not later than
5 one year after the date of the enactment of this section,
6 permit an applicant for a passport, passport card, or Con-
7 sular Report of Birth Abroad to record gender in an appli-
8 cation for such passport, passport card, or Consular Re-
9 port of Birth Abroad with a sex data element authorized
10 by the International Civil Aviation Organization (ICAO)
11 specified in ICAO Doc 9303, Machine Readable Travel
12 Documents.

13 (b) GENDER DESIGNATION.—

14 (1) IN GENERAL.—The Secretary of State, in
15 accordance with subsection (a), shall permit an ap-
16 plicant for a passport, passport card, or Consular
17 Report of Birth Abroad to use an “unspecified” (X)
18 gender designation. Such designation shall be made
19 available without restriction to all applicants for a
20 passport, passport card, or Consular Report of Birth
21 Abroad.

22 (2) PROHIBITIONS.—The Secretary of State
23 may not—

24 (A) deny the issuance of a passport, pass-
25 port card, or Consular Report of Birth Abroad
26 to an otherwise qualified applicant based solely

1 on a request by such applicant for an “unspec-
2 ified” (X) gender designation; or

3 (B) require such an applicant to select the
4 “unspecified” (X) gender designation on an ap-
5 plication for passport, passport card, or Con-
6 sular Report of Birth Abroad, including, with-
7 out limitation, an applicant who has one or
8 more identity documents bearing a sex or gen-
9 der designation other than male (M) or female
10 (F).

○