



Leadership Council of Aging Organizations

James P. Firman, Chair

January 4, 2013

The Honorable Michael J. Astrue
Commissioner, Social Security Administration
International Trade Commission Building
500 E Street, S.W.
Washington, DC 20254

Dear Commissioner Astrue:

The Leadership Council of Aging Organizations (LCAO), a broad-based coalition of national non-profit organizations that represent over 60 million older adults, urge you to change your agency's policies regarding evidentiary standards required of transgendered individuals when they wish to change their birth-assigned gender identification on the Social Security Administration's (SSA) administrative records.

In today's world, identification documents are needed for a broad array of activities. For example, identification documents are frequently required for employment, housing, public benefits, bank accounts and more. For transgender older adults, IDs and official records that don't accurately reflect their names and gender identities compromise their privacy and lead to harassment, discrimination and even bias-driven violence.

Historically, many states and some federal agencies impose intrusive and burdensome requirements for updating gender designations, such as documenting specific surgeries or requiring a court order that many transgender people cannot acquire for financial, medical or other reasons.

The problem is widespread. In a recently conducted National Transgender Discrimination Survey, only one-fifth of transgender people who have transitioned to a new gender identity have been able to update all of their identity documents. One-third had updated none of their IDs while only about half had succeeded in updating their driver's license or Social Security record.

In a most fortunate development, we understand that many states and federal agencies are streamlining their procedures and eliminating burdensome procedures regarding changing an individual's gender identity. For example, we have heard that transgender people can now update their U.S. passports, federal personnel records, official immigration documents and Department of Veterans Affairs patient records with the relative ease of submitting a certification from a physician confirming that he or she has had appropriate clinical treatment for gender transition.

Unfortunately, the SSA appears not to have joined its fellow federal agencies in easing the plight of transgender individuals who seek to change their gender identity on your agency's records. The consequence of this decision is the unintended disclosure of information about a person's transgender status without their consent. We have heard reports about how some of SSA's computer matching operations continue to make these unwanted and dangerous disclosures.

While we want to acknowledge the fact that the SSA has made some changes to its computer matching operations to reduce the likelihood of incongruent gender disclosures, we believe that more can be done. Specifically, we call on your agency to adopt evidentiary standards for changing gender markers on Social Security records that are consistent with those required for making the same changes to U.S. passports. In addition, we urge your agency to consider the elimination of gender data in all of its computer matching programs to further minimize the risk of unintended disclosure of incongruent gender identification.

We thank you for the consideration of these recommendations.

Sincerely,

AFL-CIO
AFSCME Retirees (AFSCME)
Alliance for Retired Americans
American Federation of Teachers Program on Retirement & Retirees (AFT)
American Society on Aging (ASA)
B'nai B'rith International
Center for Medicare Advocacy, Inc.
Easter Seals
Families USA
Gray Panthers
LeadingAge
Medicare Rights Center
National Association of Area Agencies on Aging (n4a)
National Association for Home Care and Hospice (NAHC)
National Association of Social Workers (NASW)
National Association of States United for Aging and Disabilities (NASUAD)
National Committee to Preserve Social Security and Medicare (NCPSSM)
National Council on Aging (NCOA)
National Senior Citizens Law Center (NSCLC)
OWL-The Voice of Midlife and Older Women
Pension Rights Center
Senior Service America Inc.
Service Employees International Union (SEIU)
Services and Advocacy for GLBT Elders (SAGE)
Southeast Asia Resource Action Center (SEARAC)
National Association of Professional Geriatric Care Managers (NAPGCM)
The National Hispanic Council on Aging (NHCOA)
Wider Opportunities for Women (WOW)
Women's Institute for a Secure Retirement (WISER)