U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
THE DEPUTY SECRETARY

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ATTN: Housing Assistance Program participants

This guidance remains in effect until amended, superseded, or rescinded.

Guidance on Continuing to Protect the Meaning and Value of American Citizenship (Executive Order 14418) for Verification Requirements under Section 214 of the Housing and Community Development Act of 1980 and Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996

On August 6, 2026, President Donald J. Trump signed an Executive Order (EO) related to continuing to protect the meaning and value of American citizenship. This order identifies, non-exhaustively, and prescribes action concerning certain categories of children of aliens who do not fall within the rule of birthright citizenship as announced by the Supreme Court in *Trump v. Barbara*, 609 U.S. ___, 146 S. Ct. 2438, 2449 (2026). EO 14418, Sec. 1.

EO 14418 specifies that no executive department or agency of the United States government shall issue documents recognizing United States citizenship to, or accept documents issued by State, local, or other governments or authorities purporting to recognize United States citizenship regarding, persons when neither parent of that person is a citizen and any of the following applies:

> (a) either parent of that person is an alien enemy, defined to include any member of a designated Foreign Terrorist Organization under 8 U.S.C. 1189 or Specially Designated Global Terrorist, consistent with the International Emergency Economic Powers Act, 50 U.S.C. 1701 *et seq*., and Executive Order 13224 of September 23, 2001 (Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism), as amended;
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> (b) either parent of that person is a foreign government employee, defined to include:
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> > (i) ambassadors;

(ii) persons employed by a foreign embassy or consulate who are nationals of that foreign country;

(iii) persons employed by a foreign government in an official capacity; and

(iv) persons employed by an international organization that possess international-organization immunity;

(c) either parent of that person engaged in a commercial transaction to purchase or access birthright citizenship for the person, or engaged in fraudulent activity to obtain citizenship, to include:

(i) when the parent(s) of the person engage in a commercial transaction to ensure that the person's mother is present in the United States, or a territory of the United States, to give birth; or

(ii) when the parent(s) engage in a commercial transaction with a surrogate present in the United States, or a territory of the United States, to give birth;

(d) the person is born in a territory or territorial waters of the United States where citizenship is not conferred by Federal statute.

Section 3(b) of the President's order directs the heads of all executive departments and agencies to implement the EO with respect to their operations and activities. This document, consistent with the President's direction, provides guidance about how to implement the President's order for persons covered by the above-mentioned circumstances. This guidance shall only apply when a person is asserting citizenship as a basis for eligibility for the receipt of benefits. Because the EO is prospective only, this guidance is prospective only and will become effective upon publication subject to any legal obligations.

Section 214 of the Housing and Community Development Act of 1980 restricts the Secretary of the Department of Housing and Urban Development from making financial assistance available to aliens who are not citizens of the United States and do not fall into one of seven listed immigration statuses: (1) aliens lawfully admitted for permanent residence; (2) aliens deemed lawfully admitted for permanent residence under 8 U.S.C. § 1259; (3) refugees and asylees; (4) humanitarian parolees; (5) aliens granted withholding of removal; (6) aliens with adjusted status for temporary or permanent residence under 8 U.S.C. § 1255a; and (7) aliens from Freely Associated States (Marshall Islands, Federated States of Micronesia, and Palau) (42 U.S.C. § 1436a(a)).

Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, and qualified aliens (and sometimes only particular categories of

qualified aliens) are eligible for federally funded benefits (8 U.S.C. § 1611). According to Section 401 of PRWORA, 8 U.S.C. 1611(a), aliens who are not "qualified aliens" are not eligible for any "Federal public benefit" as defined in 8 U.S.C. 1611(c). The prohibition set forth in § 1611(a) is subject to certain narrow exceptions explicitly set forth in § 1611(b).

When the agency needs to verify U.S. citizenship, and only when the agency needs to verify U.S. citizenship, to confirm eligibility for HUD benefits, U.S. Citizenship can be verified through either 1) at least one **Category A Qualifying Beneficiary Document** or through 2) **a combination of one Category B Qualifying Beneficiary Document and one Category C Qualifying Beneficiary Document** and at least one **Qualifying Parent Document** as attested to in an Eligibility Attestation.

An Eligibility Attestation shall be deemed sufficient if it provides information to attest:

> (i) that the person is a citizen of the United States and such citizenship can be confirmed through a Qualifying Beneficiary Document listed in Category A, or
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> (ii) that the person
>
> > (I) was born in one of the 50 States, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, or the Northern Mariana Islands of the United States and said birth can be confirmed through two Qualifying Beneficiary Documents (one listed in Category B and one listed in Category C); and
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> > (II) that when the person was born in the United States,
> >
> > > (a) the person's Mother was a United States citizen and that status can be confirmed through a Qualifying Parent Document; or
> > >
> > > (b) the person's Father was a United States citizen and that status can be confirmed through a Qualifying Parent Document; or
> > >
> > > (c) neither the person's Father or Mother was a United States Citizen and the person's Father or Mother attests that none of the criteria in (a)-(d) of Section 2 of EO 14418 applies.

Any term used in the Eligibility Attestation that is defined in EO 14418 shall have the same definition as in EO 14418.

A **Qualifying Beneficiary Document** as defined in the Eligibility Attestation may include:

Qualifying Beneficiary Document: Category A. Category A documents establish both identity and citizenship.

> (i) For persons born before the EO takes effect, a United States passport. For persons born after the EO takes effect, a United States passport issued after implementation of section 3(a) of EO 14418 by the Department of State;

(ii) Form N-550 or N-570 (Certificate of Naturalization);

(iii) Form N-560 or N-561 (Certificate of United States Citizenship);

(iv) For persons born before the EO takes effect, a valid State-issued driver's license or other identity document described in section 274A(b)(1)(D) of the Immigration and Nationality Act, but only if the State issuing the license or such document requires proof of United States citizenship before issuance of such license or document or obtains a social security number from the applicant and verifies before certification that such number is valid and assigned to the applicant who is a citizen. For persons born after the EO takes effect, a valid State-issued driver's license or other identity document described in section 274A(b)(1)(D) of the Immigration and Nationality Act, but only if the State issuing the license or such document requires proof of United States citizenship before issuance of such license or document or obtains a social security number issued after implementation of section 3(a) of EO 14418 by the Social Security Administration; from the applicant and verifies before certification that such number is valid, assigned to the applicant who is a citizen, and issued after implementation of section 3(a) of EO 14418 by the Social Security Administration;

(v) A document issued by a federally recognized Indian tribe evidencing membership or enrollment in, or affiliation with, such tribe.

(vi) Such other document as the Secretary may specify, by regulation, that provides proof of United States citizenship or nationality and that provides a reliable means of documentation of personal identity.

(vii) Such other document as the Secretary may specify that provides proof of United States citizenship and personal identity.

Qualifying Beneficiary Document: Category B. Category B documents establish only citizenship, but not identity.

(i) A birth certificate documenting the birth of the person in one of the 50 States, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, or the Northern Mariana Islands of the United States.

(ii) Form FS-545 or Form DS-1350 (Certification of Birth Abroad).

(iii) Form I-197 (United States Citizen Identification Card).

(iv) Form FS-240 (Report of Birth Abroad of a Citizen of the United States).

(v) Such other document as the Secretary may specify that provides proof of United States citizenship or nationality.

Qualifying Beneficiary Document: Category C. Category C documents establish only identity, but not citizenship.

(i) Any identity document described in section 274A(b)(1)(D) of the Immigration and Nationality Act.

(ii) Any other documentation of personal identity of such other type as the Secretary finds, by regulation, provides a reliable means of identification.

A **Qualifying Parent Document** as defined in the Eligibility Attestation may include:

At least one document from the Qualifying Parent Document list below.

Qualifying Parent Document:

With respect to the person's Mother or Father, documentary evidence of United States Citizenship:

(i) For a Mother or Father born before EO 14418 takes effect, a United States passport. For Mother or Father born after EO 14418 takes effect, a United States passport issued after implementation of section 3(a) of EO 14418 by the Department of State;

(ii) Form N-550 or N-570 (Certificate of Naturalization);

(iii) Form N-560 or N-561 (Certificate of United States Citizenship);

(iv) For a Mother or Father born before EO 14418 takes effect, a valid State-issued driver's license or other identity document described in section 274A(b)(1)(D) of the Immigration and Nationality Act, but only if the State issuing the license or such document requires proof of United States citizenship before issuance of such license or document or obtains a social security number from the applicant and verifies before certification that such number is valid and assigned to the applicant who is a citizen. For a Mother or Father born after EO 14418 takes effect, a valid State-issued driver's license or other identity document described in section 274A(b)(1)(D) of the Immigration and Nationality Act, but only if the State issuing the license or such document requires proof of United States citizenship before issuance of such license or document or obtains a social security number issued after implementation of section 3(a) of EO 14418 by the Social Security Administration; from the applicant and verifies before certification that such number is valid, assigned to the applicant who is a citizen, and issued after implementation of section 3(a) of EO 14418 by the Social Security Administration;

(v) If such Mother or Father is born before the effective date of EO 14418, a birth certificate documenting the birth of the Mother or Father in one of the 50 States, the District of Columbia, or any Territory of the United States; or

(vi) A document issued by a federally recognized Indian tribe evidencing membership or enrollment in, or affiliation with, such tribe.

(vii) Such other document as the Secretary may specify, by regulation, that provides proof of United States citizenship or nationality and that provides a reliable means of documentation of personal identity.

(viii) Such other document as the Secretary may specify that provides proof of United States citizenship.

(iv) Neither the person's Father or Mother has documentary evidence of United States Citizenship: and the person's Father or Mother attest that none of the criteria in (a)-(d) of Section 2 of EO 14418 applies.

This Guidance shall be implemented consistent with applicable law. EO 14418, Sec. 5(b).