

**Guidance on Protecting the Meaning and Value of American Citizenship
(Executive Order 14160) for Verification Requirements under the Personal
Responsibility and Work Opportunity Reconciliation Act of 1996**



*Subject to ongoing discussions within the agency. This plan continues to evolve based on a variety of Operational considerations.

On January 20, 2025, President Donald J. Trump issued Executive Order EO 14160, “Protecting the Meaning and Value of American Citizenship” (EO). Under that EO:

[N]o agency of the United States shall issue documents recognizing United States citizenship, or accept documents issued by State, local, or other governments or authorities purporting to recognize United States citizenship, to persons: (1) when that person’s mother was unlawfully present in the United States and the person’s father was not a United States citizen or lawful permanent resident [LPR] at the time of said person’s birth, or (2) when that person’s mother’s presence in the United States was lawful but temporary. and the person’s father was not a United States citizen or [LPR] at the time of said person’s birth.

EO 14160, Sec. 2.

Currently, the federal government is enjoined from enforcing the EO. But section 3(b) of the President’s order directs the heads of agencies to issue guidance to implement it. This document, consistent with the President’s direction, provides guidance about how the Social Security Administration (SSA) will implement the President’s order when it takes effect.

Social Security Numbers

Social Security Numbers (SSNs) are issued pursuant to the Social Security Act, permitting the SSA to maintain accurate wage and earnings information in order to administer Social Security programs. 42 U.S.C. § 405(c)(2)(A), (B). SSNs must be issued to noncitizens who are eligible to work and, therefore, are not recognition of citizenship. 42 U.S.C. § 405(c)(2)(B)(i)(I), (III); *see also* 20 C.F.R. § 422.104(a). Under the Social Security Act, SSN applicants must provide satisfactory evidence of citizenship or alien status to receive an SSN. *See* 42 U.S.C. § 405(c)(2)(B)(ii). With respect to citizenship, an SSN applicant may currently demonstrate U.S. citizenship by providing a birth certificate showing a U.S. place of birth. 20 C.F.R. § 422.107(d). Once the EO takes effect, a birth certificate showing a U.S. place of birth will not be sufficient documentary evidence of U.S. citizenship for persons born after the EO takes effect. To comply with the EO, SSA will require evidence that such a person’s mother and/or father is a U.S. citizen or in an eligible immigration status at the time of the person’s birth.

Enumeration at Birth (EAB)

For nearly four decades, SSA’s Enumeration at Birth (EAB) program has allowed parents to apply for SSNs for their newborns as part of the hospital birth registration process, which has eliminated the need for most parents to visit a SSA office in person. SSA developed the EAB program in response to increased demand for SSNs for children at earlier ages; all 50 states¹ participate in the EAB program and roughly 99% of original SSNs assigned to newborns are processed through the EAB program. EAB agreements authorize states to collect all pertinent information needed to enumerate a newborn, which states then provide electronically to SSA.

Once the EO takes effect, SSA will continue to operate and fully automate the SSN assignment system, while also aligning with the EO. The EAB program is automated; for parents who choose to participate, the EAB system automatically assigns SSNs to newborns as part of the birth registration process. Hospitals collect the data necessary for enumeration and send it to their state agency, which then transmits

¹ In addition to all 50 states, the District of Columbia, New York City, Puerto Rico and the Commonwealth of Northern Mariana Islands also participate in the EAB program.

it to SSA. SSA will continue to operate the program while the EAB technology and process modifications are implemented. By continuing to provide the EAB program as a convenient self-service option to process a child's SSN, SSA expects that only a small portion of parents would choose not to apply for an SSN through EAB and visit a field office. The EAB program would be modified as follows:

- I. Continue to receive the data files from the States as we do today and reimburse states for records received.
 - a. Data elements collected and transmitted by the States and jurisdictions to SSA will continue to include:
 - Child's full name
 - Child's date of birth
 - Child's place of birth
 - Sex Code
 - Birth Certificate #
 - Parent(s) full names
 - Parent(s) SSNs
 - Mailing Address
- II. SSA would conduct an automated verification of U.S. citizenship or eligible-immigration-status check using the parental SSN(s), if provided.
 - a. Verification would be attempted by:
 - i. Checking our records for an indication of U.S. citizenship or eligible immigration status information on the parent(s) SSN record (SSA records will indicate the citizenship or immigration status information we obtained at the time we issued the parents' SSNs).
 - ii. If U.S. citizenship or eligible immigration status information is not available, conducting an automated verification through the Department of Homeland Security (DHS)/U.S. Citizenship and Immigration Services (USCIS) SAVE or similar online service.
- III. Once U.S. citizenship or eligible immigration status of the parent(s) is confirmed, the EAB record is processed as normal, and the SSN is issued.
- IV. If U.S. citizenship or eligible immigration status cannot be determined, SSA will not process the EAB record pending further contact with the parent(s) by doing the following:
 - a. Notify the parent(s) at provided mailing address we are unable to confirm U.S. citizenship or eligible immigration status of the child.
 - b. Instruct the parent(s) to call our National 800# and use our updated Interactive Voice Response (IVR) technology to route them to a self-service option to provide identifying information for their child to identify the unprocessed EAB record.
 - c. If an EAB record is identified, parent(s) will be directed to provide self-attestation, subject to State and Federal penalties for perjury, affirming they are either a U.S. citizen or have an eligible immigration status, and the record will be processed.
 - d. If an EAB record is not identified or parent(s) do not provide this self-attestation, they will be provided instructions on new required proofs of U.S. citizenship or eligible immigration status for the parent.

In Office SSN Application

Once the EO takes effect, SSA will revise its internal manuals to provide that SSA will continue to abide by existing regulatory evidence requirements in 20 CFR § 422.107 for the applicant while also requiring acceptable evidence to demonstrate at least one parent is a U.S. citizen or in an eligible immigration

status. These instructions would set out steps to be taken where (1) the applicants' parent(s) do not apply for their child's SSN through EAB and; (2) parents' or applicants seek certain replacement cards.

The additional evidentiary requirements a parent must provide are described below:

Applicant's Mother or Father allege U.S. Citizenship

- I. For a Mother or Father born before the EO takes effect, acceptable evidence of U.S. citizenship includes:
 - a. An SSN record of either parent which indicates citizenship or a U.S. place of birth.
 - b. Documents conforming to 20 CFR 422.107(d).
- II. For a Mother or Father born after the EO takes effect, acceptable evidence of U.S. citizenship includes:
 - a. Certificate of naturalization;
 - b. Certificate of citizenship;
 - c. U.S. passport issued in accordance with the EO;
 - d. U.S. citizen identification card issued by the Department of Homeland Security;
 - e. Consular report of birth (State Department form FS-240 or FS-545); or
 - f. Other verification from the Department of Homeland Security, U.S. Department of State, or Federal or State court records confirming citizenship.
 - g. Documents establishing a U.S. place of birth plus evidence of parent U.S. citizenship or eligible immigration status.

Applicant's Mother or Father allege Lawful Permanent Residency

With respect to the applicant's Mother or Father, acceptable evidence of Lawful Permanent Residency:

- I. An SSN record of either parent which indicates they are a lawful permanent resident;
- II. Permanent Resident Card (Form I-551, commonly known as a "green card")
Machine Readable Immigrant Visa (MRIV) with Temporary I-551 notation; or
- III. Other verification from the Department of Homeland Security, or other Federal records confirming lawful and permanent residence

Applicant's Mother alleges Lawful Permanent Presence

With respect to the applicant's Mother, acceptable evidence of lawful permanent presence:

- I. Form I-94 annotated with stamp showing grant of asylum under section 208 of the INA;
- II. Form I-94 annotated with stamp showing grant of refugee status under section 208 of the INA; or
- III. Other verification from the Department of Homeland Security, or other Federal records confirming refugee or asylee status.