BIRTH CERTIFICATES

Please review this website (http://travel.state.gov/visa/frvi/reciprocity/reciprocity_3272.html) for more information about acceptable Birth Certificates from your country of birth (the US Department of State Visa Reciprocity website has guidelines on what types of birth documentation are acceptable for each country):

- The birth certificate **MUST** show the following information:
  - Full Name
  - Date of Birth
  - Both Parents' Names
  - That the birth certificate was issued by an appropriate GOVERNMENT agency.

If the birth was not registered with the appropriate government agency, then you need to submit **secondary evidence** AND a **Certificate of Non-availability.**

- **Certificates of Non-availability** are issued by Government Agencies and state that no birth information is on file for the alien. Ex: Indians born before April 1, 1970 who do not have an official birth certificate issued by a government agency, **MUST** obtain a **Certificate of Nonavailability** from the Indian government.

- **Secondary evidence** examples (*documents with dates that are closest to the year of birth and contain all of the required information are preferable*):
  - old family registers,
  - early school records,
  - early medical records,
  - early religious records, and/or
  - sworn affidavits

- **Affidavits** may be used in conjunction with the Certificate of Nonavailability. The affidavit must be executed before an official authorized to take oaths (i.e. a magistrate, commissioner of oaths, justice of the peace or the like) by the mother. If she is deceased, the father may swear to the affidavit. The affidavit should indicate:
  - that the applicant's birth was not registered;
  - the full maiden name of the mother of the applicant;
  - the full name of the father of the applicant;
  - the date of the applicant's birth;
  - the place of the applicant's birth.
- If neither parent is alive, the next closest relative, who was old enough and of such relationship as to have personal knowledge of the birth at the time and place it occurred, may execute the affidavit.

If the birth was registered late (i.e. date of birth is 1982 but the certificate was registered in 1992) supplementary secondary evidence is also required.

Documents that the USCIS generally does **NOT** accept as documentation of birth:

- Canadian/UK "short form" birth certificates (this form does not show parental information)
- If there is no birth certificate, no form of secondary evidence will be acceptable **unless** it is submitted together with a Certificate of Non-availability.

USCIS resources indicate that a birth certificate must be produced if it is common to have a birth certificate issued in the person's country of birth. The DOS (Department of State) maintains a list regarding the availability of birth certificates from each county. If this information indicates that the birth records are available from an official government source, the alien *must* obtain one, or provide written documentation that shows they have made every effort to obtain one.

In countries from which birth records are often unavailable as noted by the Department of State, or in particular situations in which a birth record might be difficult to obtain (for example, for political reasons) some alternative forms of documentation might be accepted. These include church records, school records, and other legal records, such as records of judicial proceedings.

As noted above, an alien can submit affidavits instead of birth records, sworn to by several persons familiar with the circumstance of his or her birth. If the alien chooses to submit this documentation, he/she must also submit a Certificate of Nonavailability from the appropriate government agency.