

Puerto Rico Birth Certificates Law 191 of 2009 (As Amended) Fact Sheet

The government of Puerto Rico has enacted a new law (Law 191 of 2009, amended June 2010) to strengthen the issuance and usage of birth certificates, to combat fraud and to protect the identity and credit of all people born in Puerto Rico. The new law was based on collaboration with the U.S. Department of State (DOS) and the U.S. Department of Homeland Security (DHS) to address the fraudulent use of Puerto Rico-issued birth certificates to unlawfully obtain U.S. passports, Social Security benefits, and other federal services.

In the past, many common official and unofficial transactions in Puerto Rico *unnecessarily* required the submission, retention, and storage of birth certificates. As a result, hundreds of thousands of original birth certificates were stored without adequate protection, making them easy targets for theft. Subsequently, many birth certificates have been stolen from schools and other institutions, sold on the black market for prices up to \$10,000 each, and used to illegally obtain passports, licenses, and other government and private sector documentation and benefits. The common Hispanic names of most individuals born in Puerto Rico made the birth certificates highly desirable on the black market.

This left Puerto Rico-born citizens vulnerable to identity theft, ruined credit, stolen Social Security benefits, and increased “random” security checks at airports, among others.

Understanding the enormous risks to all individuals as well as the very significant homeland and national security concerns, the government of Puerto Rico took action to improve the security of all birth certificates and to better protect the public from fraud and identity theft.

Law 191 (as Amended) implements the following changes:

- 1) Starting July 1, 2010, the Puerto Rico Department of Health will begin issuing new, more secure birth certificates through the Vital Statistics Record Office.
- 2) On September 30, 2010, the law will invalidate all birth certificates issued before July 1, 2010. Until September 30, 2010, all birth certificates issued prior to July 1, 2010 will remain valid. The purpose of this three-month overlap in the validity of the old and the new birth certificates is to provide those Puerto Rico-born -- who may need a birth certificate for an upcoming transaction -- a three-month window to apply for and receive the new document during which time their current birth certificate will still be valid.

In order to upgrade service for those seeking the new, more secure birth certificates, the government of Puerto Rico has launched a *new on-line application process* on the E-Government website: www.pr.gov. Instructions on how to apply on-line or by mail, as well as information on Puerto Rico’s birth certificate law, can be found at: www.prfaa.com/birthcertificates/ and www.prfaa.com/certificadosdenacimiento/.

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Frequently Asked Questions

Q: Why is there a need to issue new birth certificates in Puerto Rico starting July 1, 2010?

A: Puerto Rico birth certificates need to be made more secure because of the proven risks of identity fraud. This extraordinary measure had to be taken to protect the integrity of the identity, credit and citizenship of all individuals born in Puerto Rico. In addition, this measure is necessary to protect the security of all passports and to protect the nation against criminals who might try to appropriate the identity of a citizen by using a stolen birth certificate from Puerto Rico.

Q: On July 1, 2010, will everyone need to run out and get a copy of the new birth certificate right away?

A: No. The government of Puerto Rico recommends that only people who have a specific need for their birth certificate related to the usage of this document for official purposes (such as passport application, etc.) request a new birth certificate. Those people who want to obtain a copy of the new birth certificates for their records are encouraged to do so at a later date to prevent an unnecessary rush of applications and to ensure that those individuals who have a specific need for the birth certificates are able to obtain them in a timely fashion.

Q: How much will the new birth certificates cost?

A: All new birth certificates will cost \$5. The fees will be waived for all veterans and people over the age of 60. In order to obtain their free copy all veterans must present Department of Defense Form 214 - Discharge Papers and Separation Documents. Most people will actually save money with this change because the new birth certificates issued after July 1, 2010, will have no expiration and citizens will no longer be required to submit multiple, original copies of their birth certificates for common transactions in Puerto Rico.

Q: How do I obtain a copy of the new birth certificate if I live outside of Puerto Rico?

A: The government of Puerto Rico has launched an *on-line application process* for the new, more secure birth certificates, in an effort especially aimed at upgrading service for the Puerto Rican-born community living stateside. On-line applications for the new certificates are being accepted at www.pr.gov.

Through the new on-line process, those seeking the new birth certificate will be able to complete the application, in English or Spanish, upload the necessary identification documents, such as a scanned copy of a driver's license or U.S. passport, and pay for the new certificate via Visa or Master Card. The fee is \$5, but will be waived for people over 60 and veterans. Applicants will receive a receipt of payment and information on how to check the status of their order. The on-line orders will be processed as they are received, and the new certificates will be shipped starting July 1, 2010.

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Q: What if I want to apply by mail?

A: Citizens born in Puerto Rico but residing elsewhere may also apply for the new birth certificate via mail. The application form can be downloaded at: www.prfaa.com/birthcertificates/ and <http://www.prfaa.com/certificadosdenacimiento/>.

Once an applicant completes and signs the form, they should follow these steps:

- 1) Applicants may mail the completed application to the following address:
Puerto Rico Vital Statistics Record Office
(Registro Demográfico)
P.O. Box 11854
San Juan, PR 00910
- 2) Include a photocopy of a valid government issued photo identification document. A passport or drivers license may be used; all other forms of government issued photo I.D. will be subject to approval.
- 3) Include a \$5.00 Money Order payable to the Secretary of the Treasury of Puerto Rico.
- 4) Include a self-addressed envelope with paid postage.

To send applications through premium mail services (such as: FedEx, Express Mail, Registered Mail, UPS, etc.), correspondence should be directed to:

Puerto Rico Vital Statistics Record Office
(Registro Demográfico)
171 Quisqueya Street
Hato Rey, PR 00917

Q: Who can obtain a birth certificate?

A: An individual may obtain their own birth certificate as long they are 18 years or older and were born in Puerto Rico. Interested parties may also obtain copies of an individual's birth certificate if they are the individual's parents, legal guardians, heirs or a person duly authorized by the courts.

Q: What happens if someone asks me for an original birth certificate and tells me that they will need to keep it to process a transaction?

A: The law clearly establishes that in Puerto Rico, for any purpose for which a birth certificate is needed as proof of identity, it will be sufficient for an individual to present (not give) the original copy of the birth certificate. The law allows for the submission, retention and filling of photocopies, either digital or paper, of the birth certificate, but expressly prohibits any public or private entity from retaining an original birth certificate under any circumstance. Under Puerto Rico law, any entity that violates this prohibition will be subject to a criminal misdemeanor, and could be held liable in civil court for the totality of any damages that may be incurred by any interested party affected by the violation of this law.

Q: Does the new law impact my current U.S. passport or state-issued drivers' license?

A: No, the new law does not affect current drivers' licenses or U.S. passports. Individuals born in Puerto Rico will need **the new birth certificate** if applying, after Sept. 30, 2010, for a drivers' license or U.S. passport *for the first time*. For passport application details, go to the U.S. State Department website at www.travel.state.gov. -- End --