

Basic Facts about the *Matrícula Consular*

Last updated DECEMBER 2015

What is the *matrícula consular*?

- The *matrícula consular* is an identity card that Mexican consulates issue to Mexican citizens who reside outside Mexico. Consulates have issued the *matrícula consular* since 1871.
- The 1963 Vienna Convention on Consular Relations, which Mexico and the United States signed, provides the legal basis for issuing the identity card.¹
- The *matrícula consular* helps the Mexican government locate its nationals in case of emergencies, such as accidents, national disasters, or people going missing.²
- A *matrícula consular* is available to Mexican nationals living in the U.S., including to those who have lawful status in the U.S. It does not confer any U.S. immigration status on the person to whom it is issued.

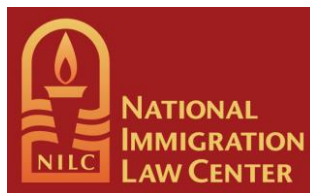
What are the requirements to obtain a *matrícula consular*?

- To obtain a *matrícula consular*, a Mexican citizen must apply in person at a Mexican consulate in the U.S. and provide biographic and biometric information (including a digital photograph and fingerprint), pay a fee, and present:
 - a Mexican birth certificate;
 - an official Mexican ID, such as a voter ID card; and
 - proof of address within the issuing consulate's consular district.³
- The requirements to obtain a *matrícula consular* are the same as those to obtain a Mexican passport, with the addition of proof of residence within the consular district.⁴
- Applicants who have a criminal record, are subject to prosecution, or face a judicial or administrative process in Mexico are not eligible for a *matrícula consular*.⁵

How do consulates verify the validity of documents presented to obtain a *matrícula consular* and ensure that duplicate IDs are not issued?

- The consular ID database is linked to the Mexican national security databases.⁶
- Issuance of the *matrícula consular* is “[s]upported by a centralized system to avoid duplications and confirm the authenticity of required documents and information.”⁷
- Consulates have access to an electronic consular ID database (the *Sistema Integral de Identificación Consular*).⁸

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How has the Mexican government enhanced the security features of the *matrícula consular*?

- In 2006, the Mexican government created the centralized database of *matrícula consular* information and added the following security features:
 - Visual security features include security paper with a special security pattern; “Advantage Seal” with Mexican seal that appears over the bearer’s photo and changes color in natural light; and a bi-dimensional bar code (PDF417) and optical character recognition (OCR).⁹
 - Invisible security features include security marks that can be read only through a special decoder. The marks include the word “Mexico” on the left side of the card, the words “Matrícula Consular” and “Mexican ID” on the bottom front, the bearer’s name over his/her picture and, turned 90 degrees, the letters SRE (the abbreviation for *Secretaría de Relaciones Exteriores*) and the bearer’s date of birth over his/her picture; and the letters “SRE” in multiple other locations on the front and back.¹⁰
 - Commercially available document authentication systems are available to verify the authenticity of a *matrícula consular*, e.g., the B5000 Document Authenticator, which is sold by L1 Solutions and used by San Francisco for municipal IDs.¹¹
- In November 2014, the Mexican government incorporated “new security features such as encrypted data, including biometrics, of the applicant,” and the following elements:¹²
 - Printing on a plastic card (PET) with visible and invisible marks.
 - A background design (*guilloché*) with high quality print and micro text frames.
 - Text with different colors of ink.
 - Embedded identity data on a cryptographic chip.
 - A photograph that is clearer than previous versions.
 - A laser engraved unique card number.

Do the U.S. government, states, and local governments allow the *matrícula consular* to be used as proof of identity?

- Yes. Many banks accept the *matrícula consular* as proof of identity for critical activities such as banking.¹³ In 2003, as required by section 326 of the Patriot Act, the Treasury Department issued regulations setting standards for proof of identity for the purpose of opening accounts with financial institutions. The Treasury Department rejected calls from some members of Congress to prohibit acceptance of the *matrícula consular*.¹⁴
- National identity cards such as the *matrícula consular* may be used to obtain an Individual Taxpayer Identification Number (ITIN) in order to pay federal income taxes.¹⁵
- Many states and local governments specifically allow the *matrícula consular* to be used as identification for purposes such as obtaining a driver’s license¹⁶ or identification for law enforcement purposes.¹⁷
- The Mexican Embassy has reported that, “[a]s of August 2013, more than 371 counties, 356 financial institutions, and 1,036 police departments accepted *matrícula consular* cards as a valid proof of ID.”¹⁸

¹ Vienna Convention on Consular Relations (done at Vienna on Apr. 24, 1963; entered into force on Mar. 19, 1967), United Nations, *Treaty Series*, Vol. 596, http://legal.un.org/ilc/texts/instruments/english/conventions/9_2_1963.pdf, p. 261.

² *Consular ID Card* (PowerPoint presentation) (Consulate of Mexico, Secretaría de Relaciones Exteriores, May 2011), www.nilc.org/document.html?id=1034.

³ PowerPoint presentation about the *matrícula consular* (Consulate General of Mexico in Atlanta, Georgia, 2010), www.directoamexico.com/jornadas/2010/salvador-de-lara.pdf (available at <https://web.archive.org/web/20121021042151/http://www.directoamexico.com/jornadas/2010/salvador-de-lara.pdf>).

⁴ See the PowerPoint presentation cited in note 2, *supra*.

⁵ Affidavit of Carlos Gonzalez Gutierrez, Consul General of Mexico in Austin, Texas, attachment to Amicus Brief of the United Mexican States as Amicus Curiae in Support of Plaintiffs' Emergency Application for Preliminary Injunction, filed on Aug. 24, 2015, in *Serna v. Texas*, Case 1:15-cv-00446-RP.

⁶ See the PowerPoint presentation cited in note 2, *supra*.

⁷ *Id.*

⁸ See the Power Point presentation cited in notes 2 and 3, *supra*.

⁹ See the PowerPoint presentations cited in notes 2 and 3, *supra*.

¹⁰ See the PowerPoint presentations cited in notes 2 and 3, *supra*.

¹¹ "B5000 Document Authenticator: Automatically Authenticate Passports, Driver's Licenses, and ID Cards with L-1's Cutting Edge Document Reader" (L-1 Identity Solutions, undated product brochure), http://store.fraudfighter.com/pdf/L1_B5000.pdf.

¹² Affidavit of Carlos Gonzalez Gutierrez, *supra* note 5.

¹³ "Know the Score: Immigration and Financial Matters" (CapitalOne webpage), www.capitalone.com/financial-education/life-events/immigration/.

¹⁴ "House Appropriations Committee Votes Against *Matrícula Consular*," NILC's *Immigrants' Rights Update*, Aug. 9, 2004, www.nilc.org/document.html?id=707.

¹⁵ Instructions for Form W-7 (U.S. Internal Revenue Service webpage), www.irs.gov/instructions/iw7/cho1.html#doe223.

¹⁶ *Deciding Who Drives: State Choices Surrounding Unauthorized Immigrants and Driver's Licenses* (The Pew Charitable Trusts, Aug. 2015), www.pewtrusts.org/~media/assets/2015/08/deciding-who-drives.pdf, p. 17.

¹⁷ See, e.g. Municipal Code of Chicago, sec. 2-160-065, [http://library.amlegal.com/nxt/gateway.dll/illinois/chicago_il/municipalcodeofchicago?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:chicago_il](http://library.amlegal.com/nxt/gateway.dll/illinois/chicago_il/municipalcodeofchicago?f=templates$fn=default.htm$3.0$vid=amlegal:chicago_il); Appendix to Title 13, Division 1, Chapter 1, Article 2.0 - Driver Licenses and Identification Cards, <http://dmv.ca.gov/portal/wcm/connect/95ba022a-f1ac-46ec-971f-b3eae328eb79/Adopted+Regulatory+Text.pdf?MOD=AJPERES>; Letter from Oregon Governor John A. Kitzhaber to Oregon's May Day rally participants and marchers indicating that Oregon State Police may accept Mexican consular IDs as identification, May 1, 2012, http://media.oregonlive.com/politics_impact/other/mayletter.pdf.

¹⁸ Silvia Mathema, *Providing Identification to Unauthorized Immigrants: The State and Local Landscape of Identification for Unauthorized Immigrants* (Center for American Progress, Nov. 2015), <https://cdn.americanprogress.org/wp-content/uploads/2015/11/23122616/ProvidingIDs1.pdf>, p. 13.