



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Violet Varona-Lukens, Executive Officer
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Chief Administrative Officer

At its meeting held February 8, 2005, the Board took the following action:

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The following item was called up for consideration:

Receive and file annual review of Board policy on acceptance of Foreign Consulate Identification Cards (FCICs); and approve amendment to Board policy regarding the acceptance of FCICs, to clarify the types of reliable identifying information which are required to obtain the card, as determined acceptable by the Chief Administrative Officer.

Ruben Beltran, Consul General of Mexico, and Margaret Donnellan Todd, County Librarian responded to questions posed by the Board. Francisco Rivera, Celes King IV, Miriam Galicia Duarte, Dr. Genevieve Clavreul and other interested persons also addressed the Board.

After discussion, Supervisor Antonovich made the following statement:

“Consulate issued cards provide an open door to criminals. The limited background checks conducted are not shared with our criminal databases or terrorist watch lists. Meanwhile, cardholders are able to travel on airplanes, open bank accounts and assume new identities. Acceptance of these cards encourages illegal immigration which constitutes de facto amnesty for illegals.

“Furthermore, these cards open opportunities for obtaining additional identification cards and threaten our domestic security while undermining the general welfare of the citizens of this nation. Federal authorities have concluded that these cards are not reliable sources of identification. In a 2003 testimony before the House Judiciary Subcommittee on Immigration, officials from the FBI stated that “the Mexican Consular can be a perfect breeder document for establishing a false identity.”

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"The Chief Administrative Officer's Board letter and report suggest that the previously issued cards by the Mexican Consulate, which are also the cards predominantly in circulation today, are being accepted by County staff. These cards do not expire until early 2007 and are easily counterfeited. Without solicitation, a member of the public obtained a Matricula Consular card using my photograph, name and business address on three separate occasions. While the counterfeit card greatly resembles the genuine cards issued by the Mexican Consulate, there are some differences even among the genuine cards issued by the Consulate such as the color, the type and size of the lettering and the signature block on the back of the card."

Therefore, Supervisor Antonovich made a motion, seconded by Supervisor Knabe, that the Board rescind their acceptance of Foreign Consulate Identification cards.

The following statement was entered into the record for Supervisors Burke and Molina:

"The County's policy of accepting Foreign Consulate Identification Cards (FCIC) has produced positive results in early stages of implementation. For example, it has resulted in the increased utilization of Public Library resources which presumably lead toward higher literacy rates. It has also assisted individuals to establish child support cases and it has been used by law enforcement to contact and identify individuals.

"However, given the issues raised today about the potential problems associated with the authentication of FCICs, it would be prudent for the County to maximize training of all employees who may come in contact with such cards. Increased training and awareness by County personnel should not only assist in the authentication of the FCICs but also serve as a deterrent for anyone seeking to present false identification of this type."

Therefore, Supervisor Burke made a substitute motion, seconded by Supervisor Molina, that Board take the following actions:

1. Approve the Chief Administrative Officer's attached recommendations;
and

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14 (Continued)

2. Instruct the Chief Administrative Officer to:

- Coordinate with all participating foreign consulates participating in the Foreign Consulate Identification Card (FCIC) Program in order to further develop training that will assist County employees to properly authenticate FCICs; and
- Continue to monitor the outcomes of the FCIC Program and report back its findings to the Board in one year.

Said substitute motion was duly carried by the following vote: Ayes: Supervisors Burke, Yaroslavsky and Molina; Noes: Supervisors Knabe and Antonovich.

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Attachment

Copies distributed:
Each Supervisor
County Counsel



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

February 8, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ANNUAL REVIEW AND RECOMMENDATION TO APPROVE AMENDMENT TO POLICY ON
THE ACCEPTANCE OF FOREIGN CONSULATE IDENTIFICATION CARDS
(ALL DISTRICTS AFFECTED) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Receive and file the annual review of the Board policy on acceptance of Foreign Consulate Identification Cards (FCICs), Policy Number 3.050.
2. Approve the amendment to Board policy regarding the acceptance of FCICs, to clarify the types of reliable identifying information, as determined acceptable by the Chief Administrative Officer (CAO), which are required to obtain the card.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Subsequent to your Board's approval of the FCIC policy on January 14, 2003, the CAO has determined that the criterion which requires that the issuing country accept the FCIC as an alternative to a passport for re-entry into the issuing country was problematic. At the time that this provision was included in the policy, the rationale was unique to Mexico and the acceptance of their FCIC (the Matricula Consular). However, upon further review, we have now determined that it would be inconsistent with Homeland Security procedures and guidelines and Federal Aviation Administration regulations to require a foreign nation to accept anything less than a passport for re-entry into that country.

The main concern to the County in determining whether or not to accept a foreign consulate's identification card is that sufficiently reliable forms of identification were presented to the consulate by the applicant in order to obtain the card. Certainly, passports are one of these types of identification, and the remaining criteria contained within the policy regarding the types of identification which are acceptable for obtaining FCICs, as deemed appropriate by the CAO, are sufficient to authorize acceptance of these cards. Should the Mexican government wish to

continue to allow its nationals crossing the border into that country to present the Matricula Consular in place of a passport, that is a matter for their determination. However, we do not believe it is appropriate, or in any way advantageous to the County, to include this requirement of other nations consistent with County consideration of acceptance of their FCIC for purposes of identification.

Accordingly, we are recommending that the Board policy be amended as follows:

- Add language to identify the types of identification required to obtain the FCIC, including presentation of a valid passport, birth certificate, or other identification determined acceptable to the CAO; and
- Remove the criterion for acceptance of the FCIC which requires that the issuing country authorize the use of the card as an alternative to a passport for re-entry into said issuing country.

A copy of the policy, as amended, is attached as Attachment I.

Implementation of Strategic Plan Goals

This action supports the following County Strategic Plan Goals and Strategies:

Goal: **Service Excellence** – Provide the public with easy access to quality information and services that are both beneficial and responsive.

Goal: **Organizational Effectiveness** – Ensure that service delivery systems are efficient, effective, and goal-oriented.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

FACTS AND PROVISIONS

On January 14, 2003, your Board approved policy to accept FCICs as valid photo identification for County services and/or programs. At that time, the policy was primarily structured based upon acceptance of the Matricula Consular Identification Card (MCIC) issued by the Consulate of Mexico.

The FCIC policy provides delegated authority to the CAO to approve the acceptance of additional foreign consulate identification cards, provided they meet a set of established requirements. Since the policy was established, the CAO has authorized acceptance of the FCIC issued by the Argentinean Consulate.

Amendment to the FCIC policy, as delineated in the recommendation, will allow the CAO to approve the acceptance of FCICs from foreign consulates that may not authorize the use of the card as an alternative to a passport for re-entry into their countries.

Annual Review

Furthermore, in accordance with your Board's request for an annual review, this office administered the FCIC Annual Survey to County departments in order to obtain information on: 1) the use of the FCICs, 2) problems with accepting FCIC as valid photo identification, and 3) comments/suggestions/concerns regarding the FCIC Policy. Attachment II provides a matrix of all responses from the departments. The following are highlights from the responses.

- Fourteen County departments indicated they have been presented with FCICs as a form of photo identification. Of these departments, all 14 were presented the MCIC, and five were presented with the Argentine Consulate Identification Card.
- Eleven departments reported that FCICs have been presented to obtain access to information and/or services including, Affirmative Action Compliance, Animal Care and Control, Child Support Services, Children and Family Services, the Community Development Commission, Health Services, Public Safety, the Public Library, Public Social Services, Public Works, and the Registrar-Recorder/County Clerk.
- In general, departments report that the use of FCICs has not been extensive and no significant problems were reported related to the acceptance of the card.
- The Public Library reported that some staff has been presented with FCICs from Guatemala and suggested that this card be approved for acceptance, as well. The CAO has not received a request from the Guatemalan Consulate to accept their identification cards.
- The Public Library reports that some cards that have been presented have been faded, "homemade," or expired. These cards were generally accepted by the libraries; however, descriptions and procedures for accepting these cards will be reissued to staff for retraining.
- The Sheriff's Department reported that, as with most forms of identification other than California identification cards and driver licenses, it is difficult to determine the validity and authenticity of the cards. The Sheriff's Department has distributed a newsletter that describes the FCICs to assist personnel with recognizing authentic cards.
- The Department of Health Services (DHS) reported that although the Department accepts the FCIC to verify a patient's identity and address, some cards contain addresses that differ from those reported by the bearer of the card. In addition, expired FCICs are not valid to use as verification of address. Training on FCICs is incorporated into the Department's training for patient identification and address verification conducted by DHS' Revenue Management.

The Honorable Board of Supervisors
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IMPACT ON CURRENT SERVICES

There is no projected impact on current services. Based upon information gathered through the CAO's annual survey of County departments, the FCIC has allowed bearers access to information and services for persons who are otherwise unable to provide another form of identification.

Respectfully submitted,



DAVID E. JANSSEN
Chief Administrative Officer

DEJ:MKZ
AG:nl

Attachments (2)

- c: All Department Heads
 - Sylvia Sevilla de Heimes, Coordinator for Political, Economic and Social Affairs
Consulate General of Mexico
 - Julian Adem, Legal Affairs
Consulate General of Mexico
 - Roberto Diez, Deputy Consul
Consulate General of the Argentine Republic