

# LIVING IN THE UNITED STATES:

## A GUIDE FOR IMMIGRANT YOUTH



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# INTRODUCTION

Immigration issues are tricky. There are many ways in which your immigration status – whether you’re a green card holder or undocumented – can impact your ability to get a job, go to college, or even remain in the United States. That’s why we created this resource especially for immigrant youth. We hope you find it useful.

## About the Immigrant Legal Resource Center (ILRC)



The Immigrant Legal Resource Center (ILRC) is a nonprofit organization in San Francisco that provides trainings, materials and advocacy to advance immigrant rights. The ILRC works with immigrants and citizens to make critical legal assistance and social services accessible to all, regardless of income, and to build a society that values diversity and respects the dignity and rights of all people. Find us on the web at [www.ilrc.org](http://www.ilrc.org).

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# DO YOU KNOW YOUR IMMIGRATION STATUS?

Most people fall into one of three categories: U.S. citizens, green card holders, or undocumented. There are also other categories, like refugees and TPS; see the bottom of this page for information on those.

People with green cards are often called “LPR’s” (legal permanent residents).

For information on getting a green card, see the section “How to get a green card.” For information on being a U.S. citizen, see the section “U.S. Citizenship.”

	<b>U.S. Citizen</b>	<b>Green card holder (permanent resident)</b>	<b>Undocumented</b>
<b>Document</b>	U.S. passport or birth certificate	Green card ( <i>the color is not actually green</i> )	No U.S. papers
<b>Can you be deported?</b>	No	Yes, if you break certain laws	Yes, at any time
<b>Can you legally work?</b>	Yes	Yes	No
<b>Can you vote?</b>	Yes	No	No
<b>Do you have the right to education?</b>	Yes	Yes	Yes (but you can’t get in-state college tuition in many states)
<b>Can you get financial aid for college?</b>	Yes	Yes	No
<b>Can you get a driver’s license and social security number?</b>	Yes	Yes	No
<b>Can you help family members immigrate/ get papers?</b>	Yes	Yes, but with restrictions (you can help fewer people, and the waits are longer)	No
<b>Can you travel outside the U.S.?</b>	Yes – no restrictions	Yes, but not for long periods	If you leave, you can’t legally return

## OTHER IMMIGRATION CATEGORIES

**Special Immigrant Juvenile Status:** This category is for foster youth; it allows you to stay in the country, work, and eventually get a green card. You must be separated from your parents due to problems at home. If you are in foster care and are undocumented, you should try to apply for this. For more information, see the section titled “How to get a green card.”

**Refugee / Asylee:** In your home country, you were threatened due to your family’s religion, political views, etc. You can live and work in the U.S.

**Temporary Protected Status:** You do not have papers, but because of problems in your home country (a civil war, earthquake, etc.) the U.S. government allows you to stay until the danger has passed.

# 9 THINGS EVERY UNDOCUMENTED YOUTH SHOULD KNOW

If you do not have legal immigration status in the United States, you are at risk. Keep these points in mind:

- 1. If approached by immigration authorities, do not sign any papers and do not talk to them** unless you check with a lawyer first.
- 2. Stay out of trouble with the law.** In some places, police will hand your name over to immigration authorities. In many places, the police will not do that – but if you commit a crime, that will make it harder to get legal status in the future.
- 3. If you are charged with a crime, make sure your lawyer knows your immigration status.** That will allow them to best help you.
- 4. Don't cross the border.** Once you leave the country, you can't legally re-enter the U.S.
- 5. If you are working illegally, you should still pay taxes.** This will improve your chances of getting legal papers in the future. See the section "How to get a green card" for more info.
- 6. If you're male, register for the "Selective Service" when you turn 18.** The immigration police will NOT see your information. Like paying taxes, this will make it easier to get legal papers in the future.
- 7. If at all possible, try to become a legal resident.** See the section "How to get a green card."

**8. Having a child will not help you become legal.** Some people believe this, but it is not true. A child can only help its parent get papers if the child is over 21 years old.

**9. Do not lie and say you are a U.S. citizen when you are not.** This could hurt your chances of ever getting a green card or get you deported.



# 11 THINGS EVERY YOUTH WITH A GREEN CARD SHOULD KNOW

A green card gives you many rights, but you still have to be careful. Note these points:

- 1. Stay out of trouble with the law.** Some offenses, even minor ones, can lead to your being deported.
- 2. If you are charged with a crime, make sure your lawyer knows your immigration status.** That will allow them to best help you.
- 3. If you change your address, tell the immigration authorities immediately.** You need to do this within 10 days of the move. Go to <http://www.uscis.gov> and click on “Change your address.”
- 4. You need to get a new green card every 10 years.** Your status doesn’t change, but you will need to replace the card. Look at your green card to find its expiration date.
- 5. If approached by immigration authorities, do not sign any papers and do not talk to them** unless you check with a lawyer first.
- 6. To travel outside the United States, you need a passport from your home country.** If you later become a U.S. citizen, you can use a U.S. passport.
- 7. Don’t leave the country for long periods.** If you are gone for six months, you might have complications, and if it’s more than a year you might not be able to re-enter the United States. If you have a good reason be gone for a long time, you can ask for permission; you need to do this before the trip, if possible.
- 8. If you’re male, register for the “Selective Service” when you turn 18.** This will make it possible for you to receive certain benefits, and get U.S. citizenship.
- 9. If you are working, pay taxes if you owe them.** This will keep you out of legal trouble and allow you to become a U.S. citizen later. For more information, see the section titled “Taxes.”
- 10. Apply for U.S. citizenship** when you are eligible. For more information on why and how, see the section “U.S Citizenship.”
- 11. Do not lie and say you are a U.S. citizen when you are not.** This could get you deported.



# U.S. CITIZENSHIP

**It's a good idea to apply for U.S. citizenship. Once you become a U.S. citizen, you...**

- Can't be deported. (If you have a green card, you might get deported if you have problems with the law.)
- Can more easily and quickly help family members come to the United States.
- Can get government jobs, and can more easily receive government benefits.
- Can vote!

**You may already be a U.S. citizen.**

Some people are citizens but don't realize it.

- If you were born in the United States, you are *automatically* a U.S. citizen.
- If you were born in another country, but one of your parents was a U.S. citizen, you *may* be a U.S. citizen.
- If your parent became a U.S. citizen, and at the time you were under 18 and had a green card, you are *probably* a U.S. citizen.

If you are not sure, talk to a lawyer. The laws for this are complicated. Note: Having a green card does not make you a U.S. citizen!





## **To apply to become a U.S. citizen, you need to...**

- Be at least 18 years old.
- Have a green card for 5 years (less if you marry a U.S citizen or join the military).
- Pay all your taxes and child support, if you owe them.
- Stay out of trouble with the law. (Minor crimes may not be a problem; talk to a lawyer.)
- Register for selective service when you are 18. (Males only.) If you are over 18, do it now! It will save you problems later. For more information, see the page titled “Immigrants and the U.S. Military.”
- Send an application and fee to the U.S. Citizenship & Immigration Service, attend an interview and take an oath of allegiance to the United States.

**WARNING:** When you apply for citizenship, you are inviting the government to review all of your records. This could lead them to find something that could lead them to deport you – having committed a crime, lied to the government, etc. Talk to a lawyer first to make sure everything is okay.

# HOW TO GET A GREEN CARD (IF YOU'RE UNDOCUMENTED)

Don't wait! Talk to an immigration lawyer to figure out what your options are. If you are in foster care, and your lawyer does not know much about immigration law, ask for one who does. The laws are complicated, and it's important to find a lawyer who has experience in this area.

## **If you are in foster care:**

Ask your social worker and lawyer about getting Special Immigrant Juvenile Status (SIJS). This protects you from deportation, allows you to work, and makes it possible to get a green card. To see if you are eligible, ask your social worker and lawyer. If you have a lawyer who doesn't know immigration law, ask for a new one.

### **To be eligible for SIJS, there are some requirements, which must be accepted by a judge.**

- You can't be reunited with either of your parents because of problems at home (abuse, neglect, or abandonment).
- It's not in your best interest to go back to your home country.
- You must be under 21 years old and unmarried. (You can have kids of your own.)
- If you are adopted, or live with other family members, it may still be possible to get SIJS.
- If you get SIJS, you cannot help your parents come to the United States later.

You cannot get SIJS once you are emancipated or married. In California, you may be emancipated at age 18, so start early. Also, you can hurt your chances if you commit crimes or lie about your immigration status.

## **If a family member is a U.S. citizen or has a green card:**

They might be able to help you get your papers. If they have a green card, the relative must be your husband, wife, or parent. If they are a U.S. citizen, they can also be your brother or sister (as long as they are over 21). Note that aunts, uncles, etc. can't help you.

### **If you come from an abusive household:**

You may have options under the VAWA Act. This law helps you if your parent, husband or wife is a U.S. citizen or a green card holder but they won't help you get your immigration papers. You have to have lived with them at some point, and if they are your parent you have to be under 25. The abuse does not have to be physical.

### **If you have been the victim of a crime:**

You may be eligible for a T visa or U visa. You have to help the police as they investigate the crime. The T visa is for people who have been trafficked – which usually means being forced to work, or being a prostitute under age 18.

### **If you are working, you should pay taxes. Immigration authorities will not see your tax information.**

Paying taxes now will improve your chances of becoming legal in the future. By law, your tax info is not shared with the immigration police. You will need an Individual Tax Identification Number (ITIN); to get one, call 1-800-829-3676 and ask for form W-7.

**WARNING: Having a child will not help you get papers!** For a child to help its parent, the child must be at least 21 years old.



# DEPORTATION AND OTHER IMMIGRATION PROBLEMS

When the U.S. government kicks someone out of the United States and forces them to go back to their home country, this is called **deportation** or **removal**.

## Who can be deported?

*Anyone* who is not a U.S. citizen can be deported! This means even people with green cards who have been here since they were babies can be deported. It does not matter if you feel like you've lived here your whole life or you cannot speak the language of your home country or you do not know anyone in your home country – if you are not a U.S. citizen, you can be deported.

## Why do people get deported?

There are lots of different reasons why people may be deported, only some of which are listed below. Watch out for these!

- Being in the United States without permission (not having papers)
- Saying you're a U.S. citizen when you're not (to vote, to enter the United States, to get a job, or for almost any other reason)
- Marrying someone just to help them get a green card or so you can get a green card
- Drug convictions
- Stealing things
- Violent crimes such as rape, murder, assault, battery
- Domestic violence or violating a protection order
- Gun convictions
- Sex offenses including statutory rape (having sex with someone who is under 18)
- Prostitution

If you are ever arrested for a crime and required to go to court, make sure your public defender knows that you are not a U.S. citizen!! They may be able to help you avoid deportation, even if you end up going to jail.

Also, some crimes may make it difficult for you to become a U.S. citizen in the future. It is important for your public defender to know that you are not yet a U.S. citizen so you can avoid hurting your chances of becoming one later.



# KNOW YOUR RIGHTS

## REMAIN SILENT!

### If the Immigration Service arrests you:

- Do not answer any questions.
- Do not say anything about where you were born or how you entered the United States.
- Do not show any documents, except a letter from a lawyer. Above all, do not show any false documents!
- Do not sign anything, especially an Order of Voluntary Departure, without first talking to a lawyer.
- Should tell the Immigration Service official that you want your hearing in the city closest to where you live where there is an immigration court (so that they do not transfer your case to somewhere far away).

## DO NOT OPEN THE DOOR!

### If the Immigration Service comes to your home:

- Ask to see a Search Warrant. If the official does not show you one, you do not have to open the door.
- Do not sign anything, especially an Order of Voluntary Departure, without first talking to a lawyer.
- Do not answer questions. Do not tell them anything about where you were born or how you came to the United States.
- Do not show any documents if the officials do not show you a Search Warrant.
- Do not allow the official to enter your home. If you allow them in, you lose some of your rights.

## DO NOT PANIC!

### If the Immigration Service comes to your workplace:

- Do not run! It is better to remain calm. You can calmly leave an area where the Immigration Service has come.



# ADOPTION AND YOUR IMMIGRATION STATUS

If you are adopted, you might be able to change your immigration status for the better. The laws are complicated, so talk to a lawyer – but here's some basic information.

## **If you are undocumented:**

Once adopted by U.S. citizen or green card holder parents, they can petition for you to become a permanent resident (in other words, get a green card). If one or both of your adoptive parents is a U.S. citizen, the process is much faster. If you are adopted by green card holders, it can take years.

### **You must meet all of these requirements:**

- You are adopted before your 16th birthday. (If the same family adopts your brother or sister earlier, you can be up to age 18.)
- You live with your adopted parent(s) for 2 years (before or after the adoption).
- Your adopted parent(s) have legal custody of you for 2 years (before or after the adoption).

NOTE: The process will slow down significantly if you are over 21, or married.



### **If you already have a green card:**

If one or both of your adoptive parents is a U.S. citizen, and you are under 18 when adopted, you may automatically become a U.S. citizen too.

If you are adopted by green card holders, your immigration status will not change. However, if your adoptive parents later become U.S. citizens and you are still under 18, you can get citizenship along with them.

No matter what, if you are over 18, you can still apply for U.S. citizenship for yourself. You must meet the “normal” requirements – having a green card for 5 years, staying out of trouble with the law for 5 years, etc. See the section titled “U.S. Citizenship” for more information.

### **Can you help your birth parents get a green card or U.S. citizenship?**

Once you are adopted, you cannot help your birth parents for immigration purposes. However, if you legally separate from your adoptive parents and reunite with your birth parents, you might be able to help them. In that case, here’s how it works:

If your adoptive parents helped you get an immigration benefit (for example, they helped you get a green card), then you cannot help your birth parents.

If you never got any immigration benefit through your adoptive parents, then you can help your birth parents. Remember, for this to happen, you must be legally separated from your adoptive parents.

# HELPING FAMILY MEMBERS

**You can help family members come to the U.S. (or get immigration status, if they are already here).**

To do this, you need to have a green card or be a U.S. citizen.

- U.S. citizens and green card holders can bring over their husbands, wives, and unmarried children.
- U.S. citizens over 21 can also bring their married children, parents, and brothers and sisters.

A U.S. citizen can bring their husband, wife or young kids (under age 21) fairly quickly. All the other categories require years of waiting. The number of years depends on the person's country, and their relation to you.

Also some things like the U visa, the T visa or the VAWA self-petition allow you to help certain family members get status as well.

Note that if you have Special Immigrant Juvenile Status (SIJS), you can't help your birth parents get papers. For more information on SIJS, see the section titled "How to become legal."

**Having a child will not help you get papers.**

As mentioned above, kids can only help their parents if the child is over 21 years old.



**WARNING:** This process is complicated, and you could possibly hurt the person you are trying to help. Make sure to talk to a lawyer first.





# IMMIGRANTS AND THE U.S. MILITARY

## What is Selective Service?

The Selective Service System is used to keep information about men who could be recruited in to the military. The U.S. government has not required men to serve in the military since 1973.

## I'm not a U.S. citizen. Do I still have to register for the Selective Service?

If you are a man between the ages of 18 and 26 and you live in the United States, then you must register with Selective Service – even if you are here without papers. In other words, U.S. citizens, green card holders and undocumented men all must register. It's the law. Women and girls do NOT have to register for the Selective Service. Also, men living temporarily in the United States on a valid visa (such as a student visa, work visa or other temporary visa) are NOT required to register.

## How do I register for the Selective Service?

You can register by filling out a form at any U.S. Post Office or on the Selective Service System website at [www.sss.gov](http://www.sss.gov). You do not need a social security number to register. The Selective Service does not collect any information to find out what your immigration status is.

## What could happen if I don't register for the Selective Service?

Failing to register for the Selective Service could prevent you from getting federal financial aid for college, a federal job or federal job training. It could also affect your chances of getting a green card or becoming a U.S. citizen. Failing to register can also lead to prison time or a big money fine – but this is really rare.

## Can I join the military if I am not a U.S. citizen?

Immigrants with green cards can join the U.S. military if they have a residence in the United States. However, jobs in the military are more limited for green card holders than for U.S. citizens because immigrants cannot become commissioned officers or get jobs that require a security clearance. Undocumented immigrants cannot join the military.



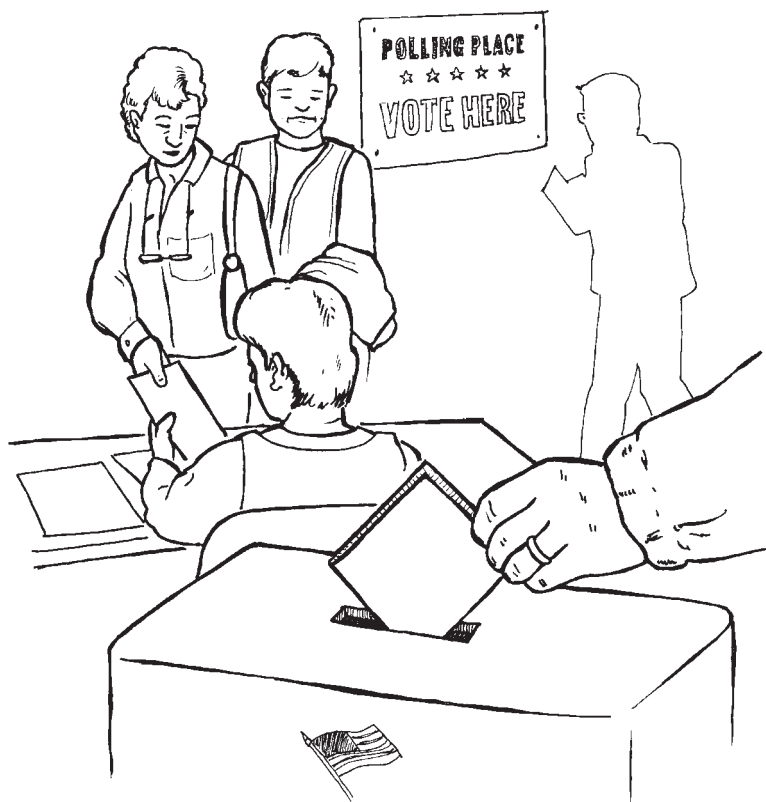
# VOTING

## Who can vote?

To vote, you must be 18 years old and a U.S. citizen. This is true everywhere in the United States.

Some other details vary from state to state. In most states, including California, you can't vote if you are in prison or on parole.

In California, to vote in an election, you need to register at least 15 days before. Once you register, you are covered for all future elections. However, if you move to a new address, you need to re-register.



## If you are eligible, you should register to vote.

This is not required by law. However, it is one of the basic rights and responsibilities of U.S. citizenship. If you don't make your voice heard by voting, who else is going to do it for you?

## It is easy to register.

Voter registration forms are available in schools, libraries, post offices, etc. To get one in the mail, call 1-800-345-VOTE or go to [http://www.sos.ca.gov/elections/elections\\_vr.htm](http://www.sos.ca.gov/elections/elections_vr.htm).

## You can support any political party, or none at all.

When you register, you check a box saying you are a Democrat, Republican, or a member of

another party. If you don't support any party in particular, you can also check a box saying you "decline to state a political party."

If you register as a Democrat, you can still vote for Republicans, and vice versa.

## If you are not a U.S. citizen, be careful to not register accidentally.

As mentioned above, it is easy to register. For example, they give you a voter registration form when you are getting your drivers' license. This is nice for U.S. citizens, but sometimes it leads non-citizens to register without

**WARNING:** If you are not a U.S. citizen, or not 18 years old, do not register and do not vote. Sometimes people do this accidentally and they get in big trouble with the law.

# SOCIAL SECURITY NUMBERS

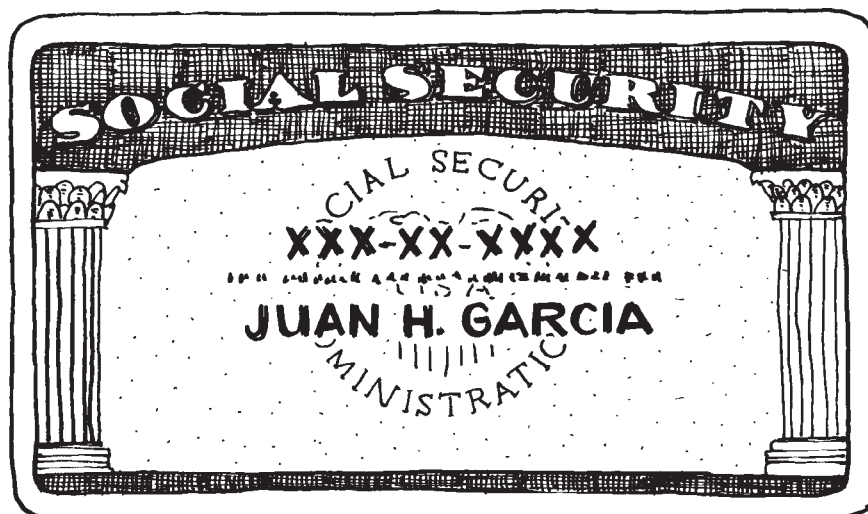
## What is a Social Security Number (SSN)?

Your SSN is an important piece of your identity. To work legally, you need an SSN. Many other organizations also use your SSN as an ID number.

Most people born in the United States get a SSN when they are born. It's easy to get an SSN for a baby, along with a birth certificate. If you are older when you apply, you have to show documents.

## Who can get an SSN?

U.S. citizens, and immigrants who are legal to work, can have a legal SSN. If you are not legal to work, you can apply only if you need an SSN to get a government benefit (such as food stamps, etc.). You must be eligible for the benefit. A driver's license doesn't count as a benefit!



## You don't need an SSN to apply for...

- \* A bank account
- \* Educational tests
- \* School lunch or low-cost housing
- \* School
- \* Private health insurance

These things usually use your SSN to identify you. However, if you don't have an SSN, just tell them and they can give you another ID number. For a bank, you will need an ITIN. (See below.)

## If you can't get an SSN, you should get an Individual Taxpayer Identification Number (ITIN).

Having an ITIN will allow you to pay your taxes, open a bank account, etc. If you are undocumented, applying for an ITIN will not get you in trouble with the immigration police.

To get an ITIN, call 1-800-829-3676 and ask for form W-7.

# WORKING IN THE UNITED STATES

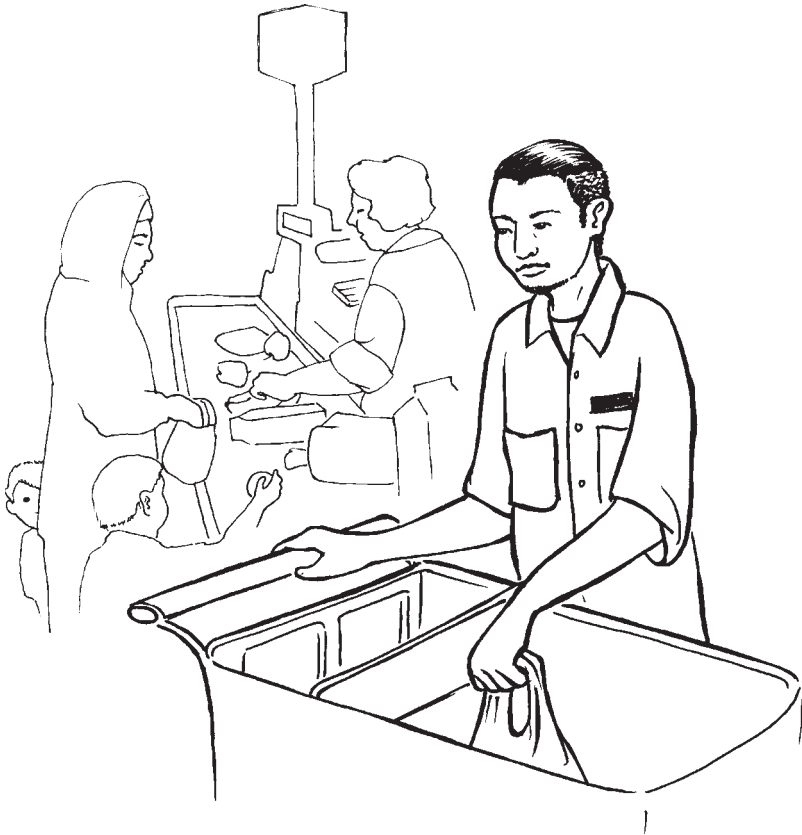
## What do I need to work legally in the United States?

To work legally in the United States, you must

- be old enough to work
- have some kind of identification document and
- have proof that you are eligible to work in the United States

## How old do I have to be to work?

If you are 18, you can get any kind of job. If you are 16 or 17, you can only get jobs that are not considered to be hazardous. If you are 14 or 15, you can only get jobs that are not considered to be hazardous and for very limited hours during the school year. Some jobs you can get at any age. They include: delivering newspapers, babysitting in someone's home, performing in television, movie or theatrical productions, mowing a neighbor's lawn, etc.



## **What documents will I need to show to work legally?**

Once you're hired for a job, you will need to fill out a form called an I-9. As part of this form, you will need to provide documentation to show that you can legally work in the United States and documentation to show your identity.

### **Examples of documents that prove both your identity and ability to work in the United States include:**

- A U.S. passport
- A foreign passport with a stamp that shows you're a lawful permanent resident
- A green card
- A work permit issued by U.S. Citizenship & Immigration Services (CIS)

### **Examples of documents that prove your identity include:**

- A California driver's license or ID card
- School ID card with photograph

### **Examples of documents that provide ability to work in the United States:**

- U.S. social security card (if it does NOT say "no valid for employment" or "valid only with work authorization")
- Original or certified U.S. birth certificate

# PAYING TAXES

## What are taxes?

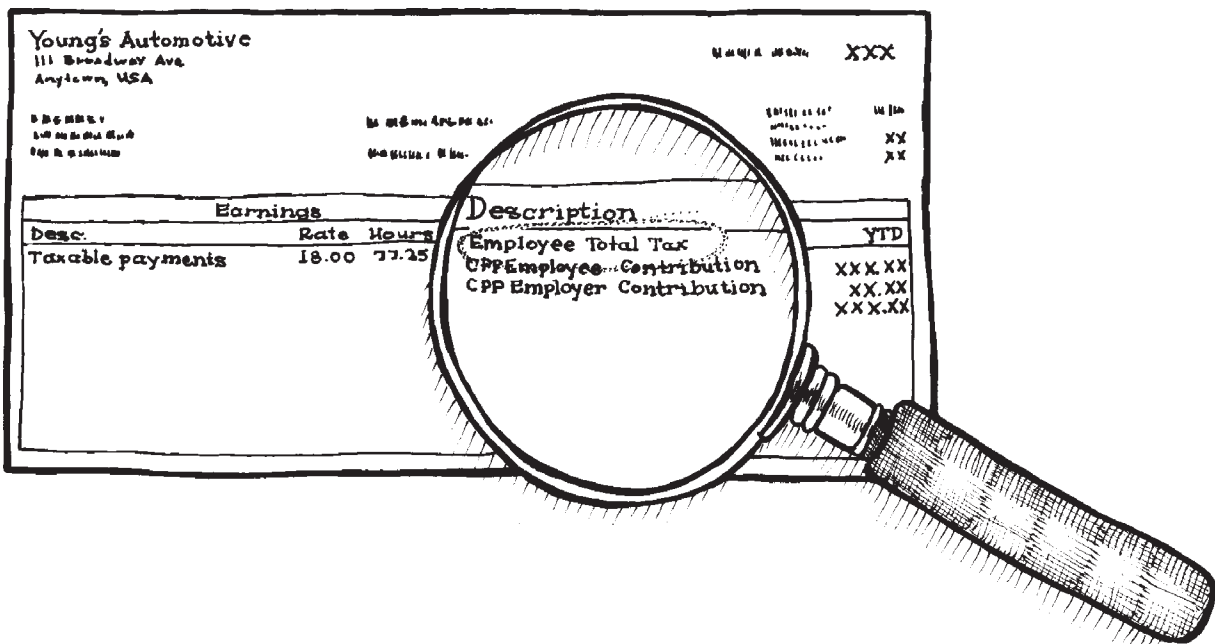
Taxes are the money people must pay to the government for things like public schools, parks, roads and other services. Taxes can be taken out of your paycheck at the federal, state, and local levels.

## Do I have to pay taxes?

Generally, if you are working, you will have to pay taxes and every year you will have to file paperwork with the government called an income tax return. Only people who make a certain amount of money must pay incomes taxes. For example, in 2006, you may have only had to pay taxes if you earned more than \$5150 that year. You have to pay taxes whether or not you have immigration papers. Undocumented immigrants are required to pay taxes the same as anyone else. Paying taxes will NOT get you in trouble with the immigration police, and in fact could make it much easier for you to get immigration status later if you don't have it already.

## If you do not file a tax return or pay your taxes, there could be severe consequences:

- The government could charge you more money.
- You could go to jail.
- It could negatively impact your immigration status, and affect your chances of getting a green card or of becoming a U.S. citizen.



## How do I pay taxes if I don't have papers?

If you are working, but do not qualify for a social security number, you should request an Individual Taxpayer Identification Number (ITIN).

### ITIN

- You don't need immigration papers to get one.
- The government tax office (also known as the Internal Revenue Service or the "IRS") **will not** give your information to immigration.
- You can use it to pay your taxes.
- It does **not** give you permission to work in the United States legally or provide eligibility for Social Security benefits or other tax-related benefits.
- You **cannot** have both a social security number and an ITIN.

## What if I've been working, but haven't paid taxes?

If you have a social security number, but you haven't paid your taxes, you should file a tax return right away. You will find out if you owe money, or you will receive a refund if you already paid too much money.

If you don't have papers, you should apply for an ITIN. Then, you will be able to file a tax return for all the previous years.

# RECEIVING PUBLIC BENEFITS

The government has many different public benefits programs. Some are for everyone, and some are especially for people with low incomes. This section focuses on benefits for low-income people.

This information is specific to California. If you live in another state, some of the information will be the same and some will be different. Even if you live in California, keep in mind that this is just a rough outline of the programs and the rules.

If you think you may be eligible for a benefit, be sure to check. Immigrant youth in the foster care system can ask their social workers. Others may want to check with their local legal services agency. Other good resources on immigrant eligibility for public benefits are the materials on the National Immigration Law Center website at [www.nilc.org](http://www.nilc.org).

## What kind of benefit programs are there?

There are numerous public benefits programs for low-income people who qualify. The more common ones include: **SSI** for people who are blind or disabled; **Cash Assistance Program for Immigrants (CAPI)** in California for immigrants who can't get SSI; **Food Stamps** to buy groceries; **WIC** for pregnant mothers and kids under 5 years old to buy nutritious foods; **CalWORKS/TANF** cash aid to families with kids; and **Medi-Cal / Medicaid / Healthy Families** for health care.





## Who can get benefits?

What benefits you can receive depends on your immigration status. Of course, no matter what, you still need to meet other guidelines – like having a low income.

**If you are a U.S. citizen:** You are eligible for all of the programs mentioned.

**If you are a victim of trafficking (being forced to work, being a teen prostitute, etc.):** You, and your kids, are eligible for all of the programs mentioned.

**Everyone else:** It depends on two things.

1. Are you a “qualified immigrant”?
2. If you are “qualified,” did you enter the U.S. before or after August 1996?

See below to learn what a “qualified” immigrant is. Even if you are “not qualified,” you are still eligible for other benefits not listed here. Check the NILC website for more details or ask your immigration attorney.

### What is a “qualified immigrant”?

One of these must apply to you:

- You have a green card
- You are a refugee or asylee
- You were ordered to be deported, but later allowed to stay
- You are from Cuba or Haiti
- You or your parent were battered by a family member, and have applied for permission to stay in the United States

### One more thing

Some of the programs listed here are federal (national) programs, some are California state programs, and some are local. Many immigrants can't get SSI and Food Stamps, but the California state government has similar programs to help those immigrants.

# GETTING AN ID

It's important to have some sort of identification. You need an ID to open a bank account, get on an airplane, etc. If the police stop you for any reason, they can ask to see your ID. If you don't have one on you, they can bring you down to the police station – even if you haven't done anything wrong.

The most common form of ID is a driver's license. You can also use a green card, or other documents issued by the U.S. government. If you don't have any of those, consider these two options:

## State ID

You can get a state ID card from the Department of Motor Vehicles (also known as the "DMV") – the same people who issue drivers' licenses. They generally need to see the same documents. In California, that means they need a social security number, proof of your birth date, and proof that you are a legal resident. (*Note: Some other states have fewer requirements.*) There is no age limit, and you don't have to take any driving-related tests.

Call the Department of Motor Vehicles office closest to you to make an appointment. You can't get a state ID over the internet or through the mail.

## Matricula Consular – an option for undocumented people (and legal residents too)

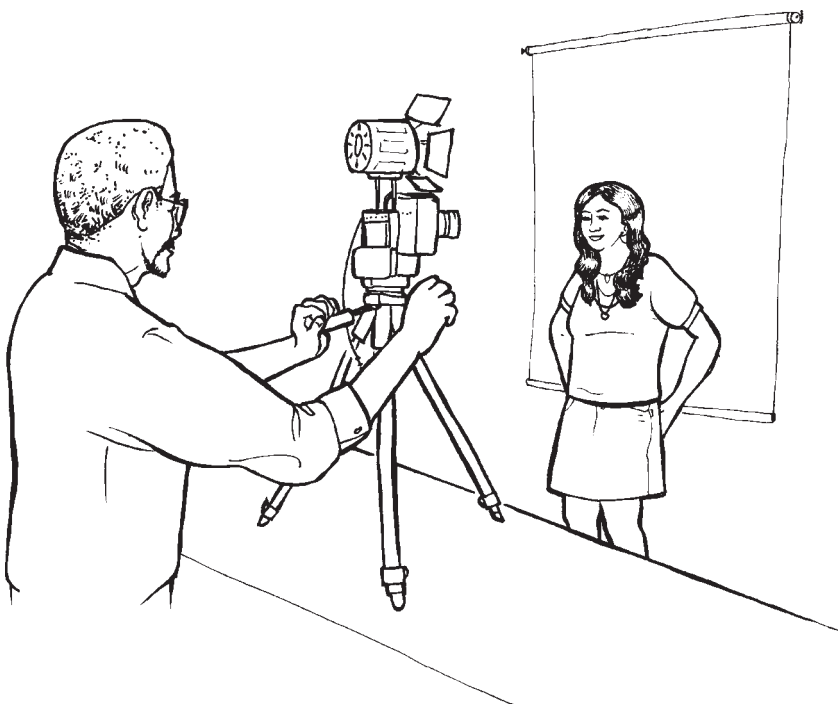
Mexico, and a number of other countries, provide "matriculas consular" to their people living in the United States. This section will talk about Mexico as an example. The details are similar for other countries that have the matricula.

To get a Mexican matricula, you do not show that you have immigration papers; you only need to show that you were born in Mexico and now live here. To prove you are Mexican, you can bring documents like a birth or

baptismal certificate, or a Mexican passport (it can be expired). To prove you live here, you can bring things like a student ID or a paycheck from a local company. Lastly, you need to pay \$28.

Call the consulate from your home country closest to where you live to check on the details of what you need.

Not every bank, police department, etc. recognize a matricula as a valid ID. However, many do. In some states (but not California), you can use a matricula to get a driver's license.



# GETTING A DRIVER'S LICENSE

Every state has slightly different driving laws. The following are for California.

## Who needs to apply for a license?

If you have a license from another state or country, you can legally drive in California. However, people living in California are supposed to get a California license.

## If you are undocumented, do not try to get a California drivers' license!

The only way you can do this is by lying – and if you lie to a government agency, that can make it much harder to get legal status in the future.

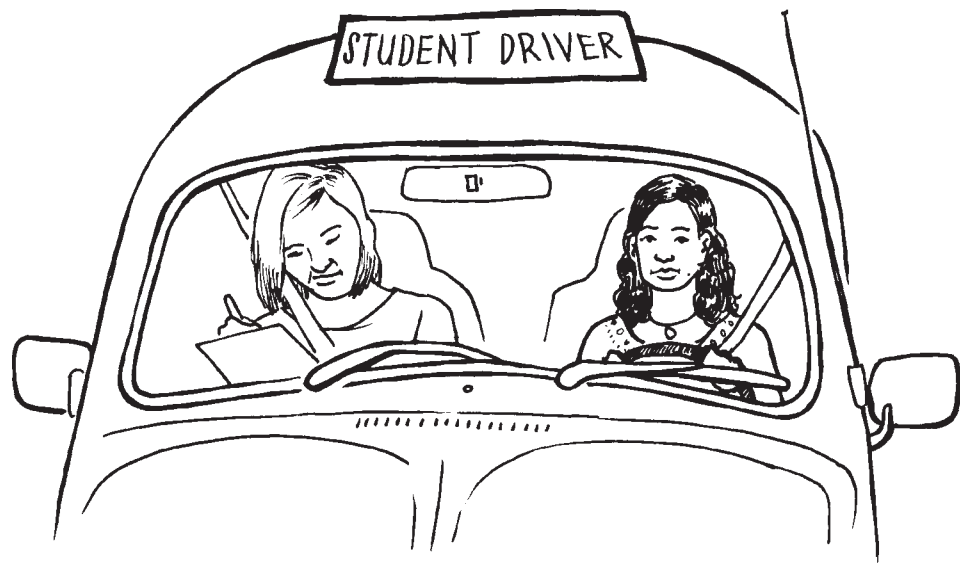
## How to apply for a license

To apply, visit the closest office of the Department of Motor Vehicles (DMV). You can wait in line, or call them first to make an appointment.

You will need to provide official documents – not copies – which show who you are and show you have the right to live in the United States. *Note that in some states, you do not need to prove you are a legal resident. There, you can use a matricula consular to help get a driver's license. For information on the matricula consular, see the section titled "Getting an ID."*

You will also need to provide a social security number. Bring your Social Security card to prove this. If you are not eligible to have a social security number (this is the case for some people), you will be excused from this requirement.

You will take a written test on traffic safety, and (if you pass) given a learner's permit. With a learner's permit, you can practice driving as long as there is an adult with you. After some time, you can take the driving test and get a "real" license.



# GOING TO COLLEGE

## **I want to go to college, but I'm undocumented. Will I have to pay more in tuition?**

California passed legislation called AB 540 which lets undocumented students pay the same in-state tuition as other California students at all its public colleges and universities. (In many other states, undocumented students must pay out-of-state or foreign student tuition which is much higher.)

### **If you are undocumented, you may be eligible for in-state tuition if you:**

- attended a high school in California for three or more years.
- graduated from high school or acquired a GED.
- must file an affidavit with your college or university stating that you have or will file an application to fix your immigration status as soon as you are eligible. Most California state colleges and universities have standard affidavits that you just need to sign. The information you provide is confidential and will not be shared with the immigration police.
- are not on a current nonimmigrant visa. This means you do not already have something like a tourist visa or a student visa.

### **Other States that Let Undocumented Students Pay In-State Tuition**

Utah

New York

Oklahoma

Washington

Kansas

Illinois

New Mexico

Nebraska

Texas

## Do I have to be a U.S. citizen to get financial aid?

To receive federal financial aid, you must either be a U.S. citizen OR be one of the following:

- A green card holder
- A refugee, asylee, or parolee
- A person who had been ordered deported, but the government decided to let you stay
- An abused spouse or child of a U.S. citizen or green card holder with a pending or approved immigration application

In addition, you must:

- Have a valid social security number
- Be registered with Selective Service, if required (see page xx for more information)
- Have a high school diploma or a GED certificate or pass an “ability-to-benefit (ATB) test”
- Be enrolled or accepted for enrollment as a regular student working toward a degree or certificate
- Be able to show financial need
- NOT have been convicted for certain drug crimes



# BANKING & CREDIT CARDS

## Can I open a bank account if I don't have a Social Security Number?

Yes, most banks will accept an Individual Taxpayer Identification Number (ITIN) instead of a social security number. If you don't have a social security number or an ITIN, the bank may allow you to instead just fill out a form. For all banks, to open a bank account you will also need two forms of identification. Check with the bank first, though, to make sure that they will accept your ITIN or another form if you don't have a social security number.

### The forms of ID that the bank will accept are:

At least one has to be one of the following:

- Driver's License
- Passport
- State ID
- Military ID
- Matricula Consular
- Green Card

The second one can be one of these:

- Work ID
- School ID
- Credit card
- Debit card from another bank

**WARNING:** Do NOT use a false social security number! If you do, the bank will find out, and they will close your account, return your money, and not let you open another account.

## Can I apply for a credit card without a social security number?

It depends on the credit card company. Some will accept an ITIN, and most offer a “prepaid” credit card in which you deposit the money first and use it as your credit limit. These cards are mainly for establishing credit for people who don’t have any credit history or have bad credit.

**BE CAREFUL** with credit cards! It is very easy to accumulate debt, and can be very hard to get out of it. Credit cards usually have very high interest rates and high fees for late payments and for going over your limit. This means you may end up owing much more money to the credit card company than you ever charged on the credit card! It is very important to understand how credit cards work, and to pay them off every month. Beware of unfamiliar credit card companies and those that offer “great deals” – these deals are usually temporary and involve a catch.

