

**COMPILATION OF PUBLIC COMMENTS RECEIVED
CONCERNING THE MUNICIPAL ID CARD PROGRAM PROPOSED
RULE**

Attachment A
Written Comments Received

From: Margaret Crawford [mailto:margaret.crawford@cityofny.gov]
Sent: Tuesday, October 07, 2014 10:51 PM
To: MunicipalIDRule
Subject: Municipal ID Card

The introduction of the new proposal for the Municipal ID raises suspicions and questions at its seemingly sudden emergence. The underlying proposal for having all New Yorkers to have an ID seems beneficial but poses many obstacles to the intended recipients. Upon inspection of the proposal, it appears that undocumented residents of New York are the primary targeted population, the majority of whom are Hispanic. The subsidiary population being the homeless and teens to deflect from the appearance of using the ID as a means of tracking undocumented immigrants. Hence, this proposal is bound to raise suspicion amongst the Latino community. The added incentive is implicative of a level of deceit which feeds the suspicion.

This proposal is requiring original documents to be presented and to make such a requirement is insulting and an unreasonable expectation. Many of these individuals do not have their original documents or any documents for that matter, nor can they afford to get new ones. For those who are undocumented, a state issued identification may not be plausible. For the remaining population, collection of the points as outlined in the proposal to establish identity is not worth the effort when state identification is readily available and more widely recognized.

A substantial list of documents for proof of residency has been outlined in the proposal. In further examination of these items deemed an acceptable, a pistol permit amongst them. To obtain a pistol permit requires not only a drivers licenses, but monies for application fees and notarization. If one can procure a pistol permit, is it not a fair assessment that those individuals have access to other avenues to obtain identification or already have identification? To renew a drivers license one only needs to present the old and complete forms.

To make specification that foreign passports and driver's license must be machine readable I find arrogant. I do not believe consideration was made for those who came to the USA prior to their country of origin began implementing machine readable passports. For example, the Philippines is just in beginning stages of phasing out their passports for machine readable by November 24, 2015. If an individual had no need to or could not leave the country there would be no need to renew the passport. Who is to say that foreign countries have machine readable licenses? Many of these countries of the targeted population are "third world" nations insinuating that they are underdeveloped and antiquated and may not have these options. And even if these nations had a readable license this excludes access to the older persons who came to USA prior to these changes. They would have no access to that and would have had no need to renew because they are in USA. The reason for a stipulation about readability of passports and licenses and differences in points assigned if it is or isn't readable is unclear.

There is already identification implemented by the state of New York which would have the same purpose as the proposed localized identification. The municipal identification is a duplication for many, except for the undocumented. Nowhere in this proposal do I see any benefit to having this ID except for possible screening and census purposes, nor are any real benefits to use this ID such as use at financial institutions or traveling purposes established.

The primary population for whom the municipal identification card is proposed, are not necessarily people with available money; they struggle financially. It is incredulous to request that they are made to not only pay for the identification but also its renewal and replacement fees. It does not appear that consideration has been made for large families. Amongst the proposed population are children 14 years old and up. Teens are age appropriately irresponsible and can be prone to misplacing the card and I think it unfair to charge children and their family's for its replacement.

Finally, I would like to discuss the notice and stipulations about the proposed rules. The notice of public hearing about the proposed rules, if intended for the public, should have considered the wording and language. And even if this is for the public, why do we have all the authority to make decisions for those this is being proposed for? This document should have been written in such a way that all can clearly understand, as it stands, it is quite convoluted. I also question the accessibility of the document and not give the intended population real opportunity to voice their opinions on the matter. This makes me question who is really benefiting from the implementation of the Municipal ID. I find this proposal to be more oppressive than supportive. It appears to be another means of controlling an already vulnerable and oppressed people.

Having identification is undoubtedly important and establishes a sense of security. I propose that people be allowed to bring whatever identification they have readily available without the point system; there needs to be less restriction on document requirements. Additionally, the municipal identification application, renewal and replacement should be of no cost to the applicants. For the undocumented, the real incentive to this municipal identification could be ability to receive financial support themselves as opposed to just the children who are born in the United States. Additionally, the ability to utilize the identification at financial institutions and intra-continental travel should be an additional benefit. With these changes, individuals will have more autonomy over their lives and feel like they have more relevance in society, rather than a burden.

Sent from my iPad

From: JuliaKNYC . .

Sent: Tuesday, October 07, 2014 8:25 PM

To: MunicipalIDRule

Subject: Municipal ID card

Being an immigrant and having lived in New York City for the past 10 years, I understand the importance of any government issued photo identification and the privileges that come with it. A couple of my friends happen to be undocumented immigrants and I see their struggles on daily basis. I am particularly concerned with the way the program will play out in New York City for the undocumented immigrants to access basic rights and freedoms: from opening a bank account to renting shoes in bowling alley.

Personally, I think it is an important and valuable step towards opportunity and inclusion for all NYC residents. At the same time, I believe it will be challenging to motivate undocumented immigrants to apply for Municipal ID card.

The fear of prosecution, detention and potential deportation as well as other possible legal battles is too real. People are afraid to loose whatever little they have. There is lack of trust in government especially with currently existing strong opposition to immigration reform in federal government. Some people will see the program as the way to control, monitor and track undocumented immigrants. Having Municipal ID card doesn't lead to legalization process either and therefore might seem unnecessary to some.

Record keeping is another issue that can keep people from obtaining Municipal ID card. It is great to have the local government that is concerned with well-being of vulnerable population and is in favor of immigration reform. However, the situation can change any day. People are worried about who will have access to their personal information and how it potentially can be shared. There is no clear decision in the proposed rule regarding record keeping and documents destruction.

A whole set of problems can arise with the documents that are required to apply for Municipal ID card. For many people it will be close to impossible to collect necessary 4 points. It is stated in the proposal that no expired documentation will be accepted. The reality is that many undocumented immigrants have not left the country to renew their documents; their passports, visas and IDs are long expired, have been destroyed or lost.

Education about real and meaningful benefits of Municipal ID program will be the key towards its acceptance and wide-spread usage by all residents regardless their social or immigration status.

I think, it will a big difference HOW HRA implements the new program, the way they will treat applicants and how open they will be to work with them and social service agencies.

Even though I have the regular state ID, I am planning to apply for Municipal ID card to experience its benefits first hand and help fight stigma that can potentially be attached to the ID card holder. It is going to be an easy decision for me. But will it be easy for the targeted groups? I am not so sure.

Yuliya Khripunkova

Resident



October 7, 2014

**Attn: Mayor's Office of Immigrant Affairs
253 Broadway, 14th Fl.
New York, NY 10007**

Via email: MunicipalIDRule@cityhall.nyc.gov

Comments: Proposed Rule to Implement New York City Municipal ID

Gay Men's Health Crisis (GMHC) applauds Mayor De Blasio and the Human Resources Administration for proposing the implementation of a New York City Identification Card. We fully support the initiative and urge careful consideration of our suggestions to strengthen and improve the program, which will make the card more widely recognized and used throughout the city.

Gay Men's Health Crisis (GMHC) is the world's first and leading provider of HIV/AIDS care, prevention services and advocacy, serving 9,000 people living with HIV/AIDS in New York, the epicenter of the epidemic. GMHC is on the front lines caring for people who are both HIV negative and positive, providing testing, nutrition, legal, mental health and education services.

GMHC advocates at the local, state, and federal level for policies to fight this still-deadly disease and take compassionate care of its victims. GMHC is a champion of new, lifesaving medications like PEP and PrEP - medical treatments that are over 90% effective in preventing HIV infection, and is leading the fight to end the HIV and AIDS epidemic in New York State by 2020. For more information, please visit www.gmhc.org.

Reasons for Support

Many of the New Yorkers we serve would benefit from a New York City-issued identification card. Often, their only form of identification is a public assistance benefit card. The Municipal ID would provide a means for individuals to identify themselves without being stigmatized as having low income or a disability.

The Municipal ID Card will better connect more New Yorkers, regardless of immigration status, housing status, or gender identity, to public and private sector services, programs and benefits.

New York City residents would have access to an official, government-issued document. This is particularly important for residents who have no means of obtaining identification because they are homeless or do not have documented

residence in the United States. This will prevent residents from being criminalized for simply not having proper identification.

Granting New York City identification cards would also allow for the creation of more secure and welcoming communities. For example, residents could properly file police reports, apply for social services, and enter important institutions like city agencies and libraries. Additionally, parents could enter their children's public school buildings and immigrants could open bank accounts.

The proposed card could also possibly discount goods and services at local businesses. These discounts would promote local commerce and engage local residents in their communities.

Recommendations

Gender identity

The card should explicitly allow all New Yorkers to choose their gender as they wish it to be listed on the card. This change will promote accurate representation for all transgender and gender non-conforming individuals and prevent confusion or humiliation when they are asked to present an identification card that incorrectly represents their gender identity.

Section 8-06. Proof of Residency

Expand the provision that allows a letter from a City-funded homeless shelter to be used as valid proof of residence and the applicant's address to be shown on the card. GMHC suggests that New York State and federally-funded shelters in New York City should also be included in this section.

Section on Applicability / Enforcement

One of the weaknesses we see in this proposal is a lack of a specific requirement that all City agencies, including the NYC Police Department, accept the municipal ID card as a legitimate proof of identification.

GMHC recommends expansion of these regulations to include provisions that make clear the requirement for all City agencies and authorities, public corporations, other City agencies governed by elected officials other than the Mayor (e.g. Borough Presidents, District Attorneys, etc.) accept this identification. While an executive order by the Mayor could easily address most of these concerns, we respectfully request that this requirement be codified through the regulatory process.

Encourage private businesses to accept the ID

The proposal could compel or strongly encourage businesses that operate within the City of New York to also accept this ID.

GMHC would support provisions that would mandate that all businesses and organizations that operate within New York be required to accept this ID card, except where state or federal law may require more stringent standards.

If the City of New York does not have the legal authority to mandate all businesses accept this ID, then all businesses and not-for-profit organizations applying for or receiving City funding should be mandated to accept the NYC municipal ID card as a condition of applying for or receiving any funding from any NYC agency, authority or public corporation.

GMHC views the purposed rule as an excellent beginning and urges consideration of the suggestions to strengthen the proposal. We thank the City for this opportunity to comment on these proposed regulations and look forward to their enactment into law.

Submitted by

Gay Men's Health Crisis
Kelsey Louie, CEO



October 7, 2014

VIA EMAIL: MunicipalIDRule@cityhall.nyc.gov

Attn: Mayor's Office of Immigrant Affairs
253 Broadway, 14th Fl.
New York, NY 10007

**Re: Proposed Rule Implementing NYC ID Program
Chapter 8, Title 68 of the Rules of the City of New York**

Hispanic Federation strongly supports the NYC ID Program. The following recommendations are meant to enhance the great work, thoughtfulness and attention to detail that the administration has executed in creating this rule.

Expand Acceptable Documents for Identity and Residency Verification

Hispanic Federation proposes the following additions be included as acceptable proof of identification:

- Add "Foreign National Voter Registration ID Card" to its list of identity documents that receive two points toward the three points needed to prove identity.
- Assign the following documents one point toward proof of identity (note that the NYS Dept. of Motor Vehicles assigns one point to several of these items, for the purpose of issuing NYS driver's licenses and non-driver IDs):
 - o Pay stub with name*
 - o Bank or credit union account statement*
 - o ATM or credit card*
 - o Canceled check*
 - o Utility bill*
 - o Health insurance or prescription card*
 - o Life insurance policy*
 - o Check casher card with signature*
 - o MTA Reduced-fare Metro Cards (photo)
 - o NYC Parks ID (photo)
 - o DFTA ID/Barcode Cards (photo)
 - o Medicare and SSA Cards (though no picture)
 - o Library cards

**NYS DMV currently assigns these items one point towards proof of identity needed to obtain a NYS driver's license or NYS non-driver's ID.*

As of now, the proposed rule does not allow for expired documents to be accepted, except for NYC IDs within 60 days of expiration. To ensure the success of the NYC ID program, it is important that the Human Resources Administration (HRA) accept certain forms of expired documentation. Many NYC ID applicants rely on consular IDs or passports from countries that either do not maintain an active local consulate or charge high fees for document renewal as forms of identification.

The Federation proposes that HRA accept government-issued IDs that have expired within 5 years of the date of the NYC ID application for proof of identity. Such expired documents should be assigned one or two points toward the three points required for proof of identity to obtain the NYC ID. Several DMVs throughout the country accept expired documents toward proof of identity to issue identification cards and driver's licenses. New York, Washington, Colorado and Georgia are examples of states that accept documents ranging from 1 to 10 years of expiration. Since other state agencies that must comply with the REAL ID Act accept forms of expired documentation, HF recommends that HRA accept expired forms of documentation under the NYC ID program.

Hispanic Federation also suggests that additional forms of documentation be added to the list of acceptable forms of proof of residency. Many New Yorkers face various challenges to proving residency, such as individuals who are not listed on their leases, those who pay rent in cash or share their address with other people. To assist individuals in these situations, HF recommends that the following forms of documents are added to the list of acceptable forms of proof of residency:

- Mail received at an address with the stamp of the USPS.
- Notarized letter from landlord or lease-holder affirming the individual's home address, if the individual's name is not on a lease.
- Notarized letter from a community-based organization that receives NYC funding, affirming that the individual is known to the organization and resides at his/her stated address.
- Notarized employer letter affirming that worker is a NYC resident.

Enhance Privacy Protections for NYC ID Card Applicants

We acknowledge the incorporation of privacy protections within the proposed rule. Hispanic Federation recommends that the following suggestions are incorporated into the final rule to enhance the existing privacy protections.

HRA should provide notice to any NYC ID cardholder whose information is requested by an outside entity. HRA should also plead confidentiality and withhold requested information in any case where the NYC ID cardholder does not grant permission for disclosure and the request is not related to suspected fraud by or against the cardholder. A similar provision exists within the regulations governing the Department of Social Services. In order for the Department of Social Services to release an individual's information, the department must seek the permission of the individual whose records are being requested, even when that information is being subpoenaed by a court. This provision directs the department to plead confidentiality in response to any subpoena for records where the purpose is not directly related to the administration of public assistance or the welfare of a child. We recommend that HRA adopt a similar provision within its rules regarding the NYC ID program.

In addition, regulations should require the redaction of all information not necessary for the verification of identity or residency in any document retained by the municipal ID card program. Furthermore, regulations should contain language stipulating that to disclose an individual's information would be an unwarranted invasion of personal privacy. It is important that HRA is clear and explicit in its policy regarding privacy concerns. For this reason, Hispanic Federation urges HRA to include the regulation of its facial recognition/duplicate image search in its final rule to ensure that this information is protected. It should state how HRA will limit sharing/access of photos and facial recognition in the NYC ID database with FBI, NYPD or any other local, state or national databases.

Adopt Policy Prohibiting Arrests Based on Administrative Warrants

In order to protect and enhance interactions between community members and NYPD, HF recommends that HRA enact a policy clarifying that NYPD will not arrest individuals on the basis of an outstanding administrative warrant alone. Since the NYPD has agreed to accept the municipal ID in cases where they would issue a summons in lieu of arrest, it would be critical for immigrant communities to be protected from being brought into the precinct in cases where an ICE administrative warrant appears during a warrant check. Various municipalities and states, including the District of Columbia, Chicago, New Haven, Fairfax County, and Chapel Hill have passed policies that prohibit police from arresting or detaining individuals based on administrative warrants of removal or arrest entered by ICE into the National Crime Information Center.

Additionally, to ensure that all officers are knowledgeable of this policy and that officers accept the NYC ID in cases where they would issue a summons in lieu of arrest, we recommend that all officers undergo a training on the NYC ID, or at least go over the NYC ID at their shift briefing sessions.

NYC MUNICIPAL ID COALITION

October 7, 2014

VIA EMAIL: MunicipalIDRule@cityhall.nyc.gov

Attn: Mayor's Office of Immigrant Affairs
253 Broadway, 14th Fl.
New York, NY 10007

Re: **Proposed Rule Implementing NYC ID Program
Chapter 8, Title 68 of the Rules of the City of New York**

The NYC Municipal ID coalition appreciates the opportunity to comment on the proposed rule implementing New York City's municipal ID card program. We are excited about this important initiative and look forward to continuing to work with the administration to ensure that the NYC ID card program is appealing, accessible, and safe for all New Yorkers.

The NYC Municipal ID Coalition¹ includes more than 20 organizations that collectively represent and serve immigrant, youth, homeless, and transgender New Yorkers, among other populations. Our constituents include many of the individuals who most need the NYC ID. We are confident that the NYC ID program will benefit New Yorkers by promoting public safety, expanding access to City services and institutions, and fostering economic and social inclusion among populations that frequently face barriers due, in part, to a lack of access to government-issued photo ID. To ensure maximum benefit and to minimize any potential risks to ID applicants, our groups urge HRA and the administration to:

1. EXPAND THE LIST OF DOCUMENTS HRA WILL ACCEPT TO VERIFY IDENTITY. We appreciate the City's efforts to ensure that the NYC ID is reliable, secure, and accessible to New Yorkers who face challenges obtaining other forms of government-issued ID. Toward these goals, we encourage HRA to:

- Add "Foreign National Voter Registration ID Card" to its list of identity documents that receive two points toward the three points needed to prove identity.
- Assign the following documents one point toward proof of identity:
 - Pay stub with name*
 - Bank or credit union account statement*
 - ATM or credit card*
 - Canceled check*
 - Utility bill*
 - Health insurance or prescription card*
 - Life insurance policy*

¹ The NYC Municipal ID Coalition includes Arab American Association of New York, The Black Institute, Center for Popular Democracy, El Centro del Inmigrante, Faith in New York, The Fortune Society, Hispanic Federation, Immigrant Defense Project, Legal Action Center, La Fuente, Osborne Association, Make the Road New York, Minkwon Center for Community Action, New Economy Project, New Immigrant Community Empowerment, New Sanctuary Coalition, New York Immigration Coalition, New York Legal Assistance Group, Northern Manhattan Coalition for Immigrant Rights, Peter Cicchino Youth Project at the Urban Justice Center, Picture the Homeless, Urban Youth Collaborative, SEIU 32BJ, Streetwise and Safe, Sex Workers Project at the Urban Justice Center, Sylvia Rivera Law Project, and Voices Unbroken.

- Check casher card with signature*
- MTA Reduced-fare Metro Cards (photo)
- NYC Parks ID (photo)
- DFTA ID/Barcode Cards (photo)
- Medicare and SSA Cards (though no picture)
- Library cards

**NYS DMV currently assigns these documents one point towards proof of identity needed to obtain a NYS driver's license or NYS non-driver's ID.*

2. ACCEPT EXPIRED GOVERNMENT-ISSUED ID, WITHIN REASONABLE TIMEFRAME, TO VERIFY IDENTITY.

The proposed rule states that no expired documentation will be accepted for the purpose of issuing NYC IDs, with the exception that someone may present a NYC ID within 60 days of expiration. We urge the City to adopt a final rule that allows NYC ID applicants to present expired U.S. or foreign government-issued ID within a reasonable time frame, such as within 5 years of expiration.

- **There is strong precedent for the City to accept expired ID toward proof of identity.** DMVs in states throughout the country, for example, have long accepted expired documents toward proof of identity, for the purposes of issuing driver's licenses and non-driver's license IDs. For example, the NYS DMV accepts ID from other states, jurisdictions, and Canada within one year of expiration, as well as NYS driver's licenses expired within two years. Washington State DMV accepts foreign and U.S. passports and foreign and U.S. driver's licenses, for example, within five years of expiration. Colorado and Georgia DMVs accept certain expired documents within 10 years of expiration. are numerous additional examples and contexts in which local, state and federal government accept expired documents to verify an individual's identity.
- **Accepting documents within a reasonable timeframe of expiration is vital to the program's success.** Many NYC ID card applicants will be relying on consular IDs or passports from countries that do not maintain an active local consulate or that charge high fees for document renewal. Renewing foreign ID typically requires people to obtain copies of other documents (such as birth certificates or school records), which may be impossible or very costly to get. This could put the real cost of getting the NYC ID at hundreds of dollars and discourage people from applying.
- **Requiring that identity documents be current will impose a particular burden on refugees and asylum seekers who cannot seek assistance from their home country governments, as well as Arab and Muslim American communities.** For a variety of reasons, such as conflicts raging across the Middle East and lack of consular offices for countries like Syria and Palestine, it is an extremely onerous process for many to obtain or renew home country documents.
- **Acceptance of expired government-issued documents will not undermine the integrity of the NYC ID, and must not affect acceptance of the NYC ID among financial institutions, city agencies or other institutions.** As noted above, countless New Yorkers already use identification – from driver's licenses to passports and consular IDs – that may have been issued based on expired ID, in order to open bank accounts, obtain city services and interact with police. There is no reason why NYC should adopt more stringent requirements for the NYC ID than other governments have adopted for other types of widely-accepted ID.

3. EXPAND THE LIST OF DOCUMENTS HRA WILL ACCEPT TO VERIFY SOMEONE'S RESIDENCY. Proving residency is a challenge for many individuals, including homeless New Yorkers and others without a stable address, and individuals who are not listed on their apartment leases, pay their rent in cash, or

share an address with multiple people. We appreciate the City's efforts to address the concerns of domestic violence survivors and homeless New Yorkers, for example. However, we urge greater flexibility to ensure that many individuals who most need the NYC ID are not left out. We recommend that HRA expand its list of acceptable documents to prove NYC residency to include, for example:

- Mail received at an address with the stamp of the USPS
- Letter from landlord or lease-holder affirming the individual's home address
- Letter from employer affirming that worker is a NYC resident
- Letter from a city agency, nonprofit organization or religious institution attesting to an individual's residency in NYC (and home address, if known to the organization), issued within 90 days of application for the NYC ID
 - Individuals without stable addresses could have the address where they receive mail (often next of kin, a friend, or a community organization) listed on their NYC ID.

4. STRENGTHEN PRIVACY PROTECTIONS FOR NYC ID CARD APPLICANTS. Although the legislation authorizing the creation of a NYC ID incorporated some privacy protections, we remain concerned about the risks some in our communities may face as a result of the City's decision to retain underlying documents presented by NYC ID applicants to obtain the card, and the potential deterrent effect that such data retention will have for potential NYC ID applicants. The administration should strengthen privacy protections by adopting the following provisions in its final rule:

- **Notice:** HRA should provide notice to a NYC ID cardholder whose information is requested by an entity outside of HRA. A similar provision already exists in the regulations governing the Department of Social Services with respect to requests for public assistance records. The department must seek the permission of the individual whose records are being requested, even when the information is being subpoenaed by a court.² The provision also directs the department to plead confidentiality in response to any subpoena for records where the purpose is not directly related to the administration of public assistance or the welfare of a child.

An analogous provision in the final NYC ID program rule could direct HRA to:

1. Notify and request permission for disclosure from cardholders whose records are requested
 2. Direct HRA to plead confidentiality in any case where:
 - i. The individual cardholder does not grant permission for disclosure; and
 - ii. The request is not related to suspected fraud by or against the individual cardholder
- **Redaction:** Regulations could require the City to redact all information not necessary for the verification of identity or residency in documents it retains through the NYC ID program.
 - **Exemption from FOIL:** The final rule should stipulate that records retained by the City through the NYC ID program are not public documents and should not be treated as such by any city agency; and that such disclosure would be an unwarranted invasion of personal privacy.³
 - **Facial Recognition/Duplicate Image Search:** We understand that NYC will conduct a "duplicate image search" to ensure that an individual is not issued multiple NYC IDs. We urge HRA to explicitly include regulation of this duplicate image search/facial recognition system in its final

² Dept of Social Services Rules, 18 NYCRR § 357.3(f)(1)-(3)

³ Public Officers Law, Article 6, Section 89 [2](a)

rule, to ensure that this information – like other information submitted by card applicants – is protected to the maximum extent possible. Facial recognition data, even if used by the City solely for duplicate image search, is of increasing interest to law enforcement agencies as a form of biometric identification.⁴ Given that this information will be collected and stored along with biographical documents and information, it is critical that this data be as secure as possible.

- **Disclosure of data collection:** NYC should provide notice to NYC ID applicants about its data collection and retention practices, including how it will use facial recognition data, names of vendors used, and parties with whom data may be shared. The City should state clearly what protections exist to guard against access to and/or sharing of data collected for this program with law enforcement agencies; other local, state and federal government agencies or databases; and from public records requests. It is critical that applicants are aware of the data collection, as many people will be submitting sensitive documents as well as their facial recognition data. The requirement that the city provide disclosure of data collection and guidelines for protection of data should be stated explicitly in the final rule.

5. ADOPT AN INTERNAL POLICY PROHIBITING ARRESTS BASED ON ADMINISTRATIVE WARRANTS

Our coalition continues to have concerns about the way that NYC ID cards may affect interactions with the NYPD for certain members of our communities. Immigrants with prior orders of deportation are a particularly vulnerable group when it comes to interaction with law enforcement, because a warrant check may reveal that Immigration and Customs Enforcement (ICE) has issued an administrative warrant. In order to be able to assure those individuals that it is safe for them to present identification (whether it be the NYC ID or any other form of ID) to NYPD officers, we request that the City enact a policy or issue a directive ensuring that NYPD will not arrest individuals on the basis of an outstanding administrative warrant. Since the NYPD has agreed to accept the municipal ID as proof of identity sufficient to issue a summons in lieu of arrest, it would be critical for immigrant communities to be protected from being brought into the precinct in cases where an ICE administrative warrant appears during a warrant check.

Numerous municipalities and states, including DC, Chicago, New Haven, Fairfax County, and Chapel Hill have passed policies that prohibit police from arresting or detaining individuals based on administrative warrants of removal or arrest entered by ICE into shared databases. Below is sample language.

No person shall be detained solely on the belief that he or she is not present legally in the United States or that he or she has committed a civil immigration violation.

Law enforcement officers shall not make arrests or detain people based on administrative warrants for arrest, removal or immigration violations regardless of whether they appear in the National Crime Information Center database of the Federal Bureau of Investigation or other databases. This includes but is not limited to administrative immigration warrants for persons with outstanding removal, deportation, or exclusion orders. The Commissioner shall direct officers not to consider administrative warrants in discretionary decisions related to custodial arrests. Enforcement of the civil provisions of United States immigration law is the responsibility of federal immigration officials.

⁴ The vendor with which the City has contracted for the NYC ID program, MorphoTrust, is used by the FBI, the State Department, and the Department of Defense, raising concerns about the potential ease of interoperability between the City's data and other federal databases.

10/07/2014: HRA Hearing on Proposed Rule to Implement New York City Municipal ID

The undersigned concerned New York City residents write to support implementation of a Municipal ID in New York City. The implementation of this rule will positively impact all New York City residents.

We sign because:

- For some NYs, their only form of ID is a public assistance benefit card. The Municipal ID (hereafter MID) would give individuals a system to identify themselves without facing stigma associated with being a person of low income. These low income residents may also access much needed social services with the MID.
- The MID would provide identification for *all* NYs, including undocumented immigrants and the homeless communities. This access would prevent criminalization of some communities which notoriously lack proper forms of identification.
- Granting these identification cards to NYs would be beneficial for more secure and welcoming communities. With the MID, NYs may properly file police reports, immigrants may open bank accounts, parents could enter their children's public school buildings, and others would have the opportunity to enter important institutions, like NYC libraries.
- The proposed MID could possibly discount goods and services at local businesses. These discounts would promote local commerce and engage NYs in their local communities.
- The MID should allow for all NYs to choose their gender as they wish it to be listed on the card. This opportunity will promote accurate representation for all transgender and non-conforming individuals. Hopefully, these NYs will no longer face confusion or humiliation when asked to present their ID card that incorrectly represents their identity.

Signature

Date

| | |
|-----------------|----------|
| David C. Ingito | 10-03-14 |
| Gregory Paul | 10-03-14 |
| Hugh J. Harris | 10-3-14 |
| George Garrett | 10 3 14 |
| Richard Lodge | 10-3-14 |
| Conne Dulas | 10/3/14 |
| Isabel Sinter | 10/3/14 |
| Winston Wexler | 10/3/14 |

Signature

Date

Michael Williams

10-3-14

Robert Tucker

Oct, 03 2014

~~He Lee~~

10-03-14

William Pogany

10/3/14

Craig Fisher

~~10/8/14~~

Carman Kunk

10-3-2014

JUANITA CHESTNUT

~~9/22/13~~

Ronny Regina

Reg 10/3

Derek Mandy

10-3-14

ZERVER CLARKE

10 3 14

Brooke Cerdan

10-3-14

Albert WAP

10-3/14

Cesiliana Gill

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SEGUNDO VIGNARCA

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Daniel Palacios

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Jonathan Mastrian

10 | 3 | 14

Fernando Quintanilla

10/3/14

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Yordanos

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Harold M...

10/3/14

Signature

Date

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| John Hill | 10/2/14 |
| Edna Camp | 10/2/14 |
| ALSTON GREEN | 10/3/14 |
| Gordon Moore | 10/3/14 |
| Greg Wendt & R. Wendt | 10/3/14 |
| Stephane Valerie | 10/3/14 |
| Edward Hudson | 10/3/14 |
| DAVID "E" WILLIAMS | 10/3/14 |
| RICARDO ADARRAGA | 10/3/2014 |
| Michelle Combs | 10/3/14 |
| Travette Berton | 10/3/2014 |
| Rupert Williams | 10/3/14 |
| Angie | 10-3-14 |
| Robert Roney | 10-3-14 |
| Walter Sullivan | 10/3/14 |
| KADDI BENN | 10/3/14 |
| Michael Zillions | 10/3/14 |
| Royce E. Burkhardt | 10/3/14 |
| Gregory Andrews | 10/3/2014 |
| E. Taylor | 10/3/14 |
| KONALY SMITH | 10/3/14 |

Signature

Date

| | |
|-----------------------------|--------------------|
| Robert [unclear] | 10/3/14 |
| Alison Rattley | 10/3/14 |
| [unclear] | 10/3/14 |
| Sharon [unclear] | 10/3/14 |
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| Sharon [unclear] | 10/7/2014 |

From: Danielle [mailto:djurkiewicz@]
Sent: Tuesday, October 07, 2014 5:31 PM
To: Gus Klein; MunicipalIDRule
Subject: Municipal ID card

To the office of the Mayor:

I am in favor of the proposed Municipal ID cards. I currently work as a social worker and regularly encounter undocumented immigrants. Some of these undocumented immigrants were very young children who brought here to the United States by their parents. They had no say in the matter, they had no choice, and now they live in a country that they call home. Especially these children, more so than any other group of undocumented aliens, deserve to feel American. They deserve the peace of mind that is attached to having a valid, government issued ID that can allow them to pursue their hopes and dreams as they wait for a change in their legal status. It's unjust for a 21 year old, who immigrated to this country with their parents at the age of 4, to not feel like they belong in this country. They are just as American as anyone else and deserve the rights and privileges that come with that feeling.

MANHATTAN TOGETHER
An Affiliate of the Metro Industrial Areas Foundation
125 East 105th Street ~ New York, New York 10029
Office: (212) 369-4106 Fax: (718) 292-4603
Email: Manhattantogogether@gmail.com Website: www.mt-iaf.org

LSA Report on HRA's Proposed Changes to the Municipal ID Campaign

Little Sisters of the Assumption Family Health Service, Inc., (LSA or Little Sisters) founded in 1958, works to empower vulnerable families in East Harlem. In the fall of 2011, our members began discussing negative experiences they had had, because they didn't have universally recognized IDs. Men faced detention by police; women couldn't enter hospitals or schools, amongst other problems. As such, like many of our fellow Metro IAF member groups, LSA began issuing IDs to our clients, or those who were referred by clients or agencies we know. These IDs are recognized by local police and other important local institutions.

To get an LSA ID, one must have proof of identity, residency, and pay a \$10 fee. For proof of identity, we accept official documents such as passports, consular ID cards, birth certificates, and any other state or government issued ID. For proof of residency, one must either present an official document with the person's name and address, such as a utility bill, a hospital letter, or a court summons. If the person cannot provide these documents, he or she must bring in two people with whom LSA has worked, such as a long-time client of LSA who is documented in our database or an attorney or social worker who have visited their home or with whom he or she has had mail correspondence and a working relationship. We have observed that it is difficult for some adults to provide proof of residency, specifically if they are renting a room and are not a leaseholder.

LSA has issued 233 IDs; 119 of those people were able to present documents like consular ID cards, passports, or Electronic Benefit Transfer (EBT) Cards. As we understand HRA's proposed rules, these people would be eligible for a Municipal ID. However, 104 have reported that they are unable to acquire these documents. Fully 88 of those 104 people were able to present some of the following documents:

- Birth certificate
- National voter card
- School ID
- Phone bill
- Con Edison bill
- School letter
- Hospital letter

We urge the City to make two rule changes that would make most of these people eligible for the Municipal ID.

- 1) Allow the LSA ID, or any ID with rigorous standards, produced by established nonprofits or religious organizations, to be valued at one point (as union IDs are under the proposed rules),
- 2) Allow hospital letters, or official letters from other established organizations, to be used to establish residency for anyone, not just people with unstable addresses.

Of the 104, 16 people were not able to produce any form of ID. Little Sisters has been able to provide these people with IDs due to the fact that they were either long-term clients, or related to long-term clients, and thus were in our database. In some cases, attorneys have referred their clients, and sent letters to verify their identity or residency. We strongly encourage the City to work with us, and other organizations, to examine the documentation that these and other similarly situated people can provide. These changes will help ensure that the maximum number of New Yorkers can take advantage of the Municipal ID Card without increasing risk of fraud.

MANHATTAN TOGETHER

An Affiliate of the Metro Industrial Areas Foundation

125 East 105th Street ~ New York, New York 10029

Office: (212) 369-4106 Fax: (718) 292-4603

Email: Manhattantogogether@gmail.com Website: www.mt-iaf.org

My name is Betty Turner. I'm a leader in Our Lady of Lourdes Church, Manhattan Together, and Metro IAF. We are a network of congregations and other organizations. Our organizations represent tens of thousands of families of different racial, religious and socio-economic backgrounds in New York City.

On May 9, 1930, the Grayson County courthouse in Sherman, TX was completely burned by an angry mob. Their target was, George Harris, a trial defendant who had been locked in a court vault for his protection. Mr. Harris was incinerated. Most of the county's vital records were destroyed. Among them, my mother's birth certificate.

She never drove, or had a passport. In 1970, at age 65, she needed a birth certificate to get Medicare. She had to find two people who remembered her birth to sign an affidavit to get a replacement birth certificate from Grayson County. This was, needless to say, quite difficult.

In 2010 Our Lady of Lourdes in West Harlem, along with many of our fellow Manhattan Together and Metro IAF organizations, like Little Sisters of the Assumption Family Health Service (LSA) in East Harlem, started producing our own IDs. This was largely because the lives of our undocumented members were being disrupted by the lack of recognized IDs. Men were detained by the police, women were unable to get into the hospital, amongst many other serious problems. We and our sister organizations, like LSA, worked with the police and other agencies in our communities to ensure they recognize our local IDs. Thousands of people's lives have improved as a result.

However, as the story mentioned above illustrates, it is not only immigrants who face challenges with IDs. Many older U.S. citizens, like my mother, have lost their documents, and have difficulty replacing them. Senior citizens face this challenge quite frequently. I have a dear friend suffering from a form of dementia. Her IDs have been lost. Travel to see her family by plane is out of the question. As new situations arise where she may need an ID, she and her caretakers will have serious issues. We know other people throughout our network who are in similar situations.

For all these reasons, Metro IAF strongly supports the City producing its own ID that all New Yorkers can get. Our churches, synagogues, and other organizations look forward to working with city officials to help people sign up in their facilities.

The proposed rules have many positive aspects, but a few changes are critical to ensure that these IDs can truly help as many people as possible, while still maintaining high standards. The City should:

1) Recognize official letters from religious, nonprofit, healthcare and other established organizations to prove residency for all New Yorkers, not only those who are victims of domestic violence and or who are homeless.

2) Explore allowing such organizations to issue legal affidavits for people with whom they have long term relationships, but who do not have ready access to picture IDs, in order to help them establish their identity. This will be particularly helpful to seniors who have lost other forms of ID.

3) Allow ID cards issued by religious organizations and nonprofits, like my parish and LSA, to count for one point, as union IDs do under the proposed rules. This is discussed in more detail in a report from LSA we are submitting with our testimony.

4) Allow Children under 14 to obtain the ID with the permission of their guardian. Several parents have expressed an interest in this, including members of religious education programs at Metro IAF member synagogues.

5) Consider allowing recently expired photo IDs (beyond the Municipal ID) to be counted for at least one point as well.

Further, we strongly endorse the suggestion that people have the option to include health information on the ID cards. I suffer from allergies to penicillin, aspirin, and sulfur based drugs. I've had a couple of life threatening episodes. I am a carrier of the Sickle Cell trait. An informed health provider and/or emergency care technician will know what precautions to take. This past July, another friend experienced a severe allergic reaction to penicillin that required hospitalization. Many people have such challenges. Helping to prevent incidents like this could be a major benefit to all New Yorkers and would greatly improve the card's appeal.

Metro IAF looks forward to working with the City to ensure that as many people in our organizations, and in our community, of all socio-economic groups gain access to this card which we know will be so helpful to them, and to our city as whole.

Metro IAF (www.metro-iaf-ny.org) is a network of broad-based, non-partisan, multi-issue grassroots community organizations, each made up of congregations, schools, neighborhood and other organizations throughout the country, including in Manhattan, the South Bronx, East Brooklyn, and Queens.

South Bronx Churches

An Affiliate of Metro Industrial Areas Foundation
389 East 150th Street ~ Bronx, NY 10455
Office: 718-665-5564 Fax: 718-665-5824
SouthBronxChurches@gmail.com
www.sbc-iaf.org

Hello. My name is Jose Luis Mejias. I am a leader in the Grupo Guadelupano of Immaculate Conception Roman Catholic Church, and in South Bronx Churches and Metro IAF. Because of this, I know how valuable the Municipal IDs will be. I know several men who have been detained when they were asked for IDs, because the police didn't recognize the matricula consular. I know that other people have not been able to see family in the hospital, or visit their children's teachers, because they didn't have recognized IDs.

Because of these and many other cases, my church, SBC and Metro IAF are happy to help the Municipal IDs become a reality for as many people as possible. Immaculate Conception, and other Metro IAF groups, are looking forward to hosting city officials when they come to sign people up for the municipal IDs.

However, in order for the IDs to help as many people as possible, we have a few recommendations for changes to the rules under which this program will be run:

First- Many of our members have the matricula consular and their passport, as well as other documents to help them establish residency. But many do not. We are very glad that the City has said that recognized religious organizations and other nonprofits can provide victims of domestic violence or homeless people with letters to establish their residency for this ID. However, we feel it is very important that any person who has a long term relationship with one of these organizations be able to use a similar letter to prove his or her residency. This will help many members of my church, and others, while keeping a high standard of proof.

We also recommend that the City look into recognizing picture IDs created by such organizations.

Second- Many people have documents that clearly prove their identity, which are recently expired. We recommend the City explore recognizing these documents for at least some value in receiving an ID as well.

By doing this, the City will help the largest number of people take advantage of this important program.

Thank you

BILL PERKINS
SENATOR, 30TH DISTRICT

COMMITTEE ASSIGNMENTS

Ranking Member
Corporations, Authorities and
Commissions
NYC Education Subcommittee
MEMBER

Civil Service and Pensions
Codes/ Finance
Judiciary/Labor
Rules
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ALBANY OFFICE
LEGISLATIVE OFFICE BUILDING
ROOM 517
ALBANY, NY 12247
(P) 518-455-2441
(F) 518-426-6809

DISTRICT OFFICE
ACP STATE OFFICE BUILDING
163 W. 125TH STREET, 9TH FL.
NEW YORK, NY 10027
(P) 212-222-7315
(F) 212-678-0001

E-MAIL
PERKINS@NYSENATE.GOV

TESTIMONY OF SENATOR BILL PERKINS | PROPOSED RULE BY THE NEW YORK CITY HUMAN RESOURCES ADMINISTRATION (HRA)—MUNICIPAL ID PROGRAM

As the Senator representing the 30th Senatorial District—encompassing Harlem, Washington Heights and the Upper West Side—the proposed rulemaking relative to our City’s first-ever universal Municipal ID Program is exceedingly important to the communities I have the honor of serving. I wholeheartedly agree with the fundamental basis of the underlying law and it is my earnest desire that this program is embraced by all, thrives in practice and serves as another substantial step in bringing individuals, families and whole immigrant communities out of a shadowy exile created and exacerbated by forces beyond their control.

I resoundingly concur with the great majority of the proposed rulemaking under consideration and do believe that HRA has done a very good job building upon the legislation passed by The New York City Council (Intro 253) and signed into law by Mayor Bill de Blasio (Local Law 35/2014). For instance, I think it was a prudent decision to not charge a fee for this card, to, in essence, make this a free and universally accessible benefit; in addition—the outreach that is scheduled to occur borough-by-borough—at our public libraries and through a mobile unit is also a positive and productive step. Lastly, the progress recently announced relative to “exclusive benefits” for ID holders at many of our iconic and longstanding cultural institutions is another boon, especially with respect to marketing the program.

However, after reviewing both the text of the law and of the proposed Rule, I note several important concerns that must be directly addressed by HRA. These concerns include, without limitation:

Expanding The Universe Of Accepted Documentation. The range of documents enumerated to establish both Identity and Residency are numerous but it is not exactly clear to me that they are totally exhaustive. We know for this program to function as intended, the list must be as sweeping in scope as possible. I have a specific concern with respect to individuals/families who may live in rent stabilized and/or rent subsidized residences where they are tripled or quadrupled up with others. In this situation they are often not the tenant of record and legally speaking cannot be, thus they often will not

have a mailing address or other distinguishing information and, resultantly—they may be discouraged from applying at all and/or they will not qualify under the rules with respect to those who have no permanent home or who are homeless. We must be certain that our system is entirely universal and that no one who presents a legitimate case for an ID slips through the cracks. I implore HRA to address the specific type of situation described above as well as those who may be similarly situated—and to keep an active ear and keen mind open to other possible types of documents and demonstrable evidence that can be accepted as proof of Identity and Residency.

Confidentiality Concerns. For better or worse, HRA has followed the text of the law exactly with respect to the most essential issue of confidentiality. As I understand it, there are four categories of exceptions where an applicant's information will be disclosed: (1) The individual (or parent or legal guardian) authorizes so in writing; (2) A court order compels it; (3) A City agency requests it for additional benefits determination; and/or (4) A law enforcement agency serves a judicial subpoena or judicial warrant for it. While these categories appear relatively narrow on the face of things, in practice, especially for the first few years of this program, the confidential information shared by individuals may be kept on file for at least two years and possibly longer. I am very concerned that retaining this information, as opposed to destroying it immediately upon confirmation, will: (1) Have a chilling effect on applications, particularly with reference to those who we want to apply for this card in short order and (2) Lead to the abuse of the above enumerated exceptions to confidentiality—particularly with respect to judicial subpoenas—by overzealous law enforcement officials seeking to commence immigration proceedings; and (3) The longer the information is retained, the greater the likelihood that it may be used to profile individuals, based upon certain characteristics, such as their last name, presumed country/region of origin and presumed religious affiliations, such as the Muslim faith. Too many in the African immigrant community are already familiar with this type of insidious profiling; thus, our Municipal ID Program must preserve and protect confidentiality at all costs. Concerning judicial subpoenas, we see the practice of profiling and blanket subpoenaing all the time with respect to New York State Department of Motor Vehicles (DMV) and voting records; this program must be categorically different and more rational if it is to work efficaciously. It is my understanding that the original draft of the Municipal ID legislation called for a higher level of confidentiality by ensuring that documents were retained only long enough to confirm and process applications. It would be wise, not to mention propitious, for HRA to return to this reasonable standard.

Fraud. There appears to be no additional specific rulemaking on the issue of fraud within the proposed draft rules. I have a basic concern with the potential counterfeiting of cards relative to the Municipal ID Program; in fact, I have heard reports that individuals are already "setting up shop" and distributing/selling counterfeit cards to unsuspecting individuals. I urge HRA and related agencies—such as the New York City Police Department—to address this matter with all due diligence. Furthermore, I implore

HRA to proactively conduct specific and affirmative outreach to combat fraud and educate everyone on the official roll-out of this vital program.

Outreach. Within the rulemaking, I would have preferred to see definitive plans and details for outreach to specific communities—a few examples include, but are not limited to: those with limited English proficiency, those who are homeless, banks and related financial institutions and private institutions that may be in a position to accept this card for various purposes. In addition, I wholeheartedly believe that additional institutions must be included in outreach efforts, including: (1) A range of community based organizations at the grassroots level who have intricate and longstanding connections in our immigrant enclaves; (2) The Consulate Offices of various countries that are housed here in our City; and (3) High Schools across the City, which in my view—should serve as additional access sites for those interested in applying for the Municipal ID card—so the general public may have an additional and important access point to pertinent information. This is particularly appropriate given that HRA's rulemaking specifically designates individuals as young as 14 as eligible applicants.

Acceptance At Financial Institutions. The text of the authorizing legislation specifically states that, at a minimum, the City shall seek to promote and expand acceptance of the Municipal ID at banks and other public and private institutions. Inexplicably, the rulemaking does not expand upon this requirement in detail, in any fashion. This is concerning because there is a natural and exceedingly important nexus between an individual having an ID, becoming "bankable" and commencing on the road to financial empowerment. We do not want these cards to become static entities—we want them to open every door; cultural institutions are a fine start but banks are essential as well. Therefore, I strongly recommend that HRA go into greater detail concerning effective outreach and conclusive acceptance plans for banks and related financial institutions.

In sum, I believe that HRA is maintaining a strong connection to the enabling legislation and has, in fact, improved on it in numerous ways. Conversely, and of the utmost importance are the issues that still need diligent work, including: Expanding the universe of accepted documentation, addressing persistent confidentiality concerns—specifically the prospect of holding onto the information of applicants for years on end—which may incentivize aggressive judicial subpoenaing and lead to profiling, the persistent issue of fraud, working to guarantee acceptance of the card at banks and making sure outreach is as robust as absolutely possible, including connecting with community based organizations, Consulate Offices and High Schools in this cardinal effort.



NYCLU

NEW YORK CIVIL LIBERTIES UNION

www.nyclu.org

125 Broad Street
New York, NY 10004

212.344.3005

212.344.3318

Comments of the New York Civil Liberties Union
in opposition to
Proposed Rules Governing The City Identification Card Program

October 7, 2014

The New York Civil Liberties Union (NYCLU) is pleased to provide public comments on the rules proposed to govern the New York City Identification Card program (NYC ID). While supportive of the concept of a local ID card that carries benefits for marginalized New York City residents, the NYCLU remains concerned about the absence of adequate privacy protections: first in the law itself, and now in the rules proposed to implement it.

With 50,000 members and supporters and eight offices statewide, the NYCLU is the foremost defender of civil liberties and civil rights in New York State and a longstanding advocate for the right of all people to access government functions and services. Our priorities include advocating for the rights of immigrants across New York, while also protecting individuals' privacy from government intrusion and unnecessary risk. When the NYC ID was signed into law in July 2014, we were disappointed at its lack of meaningful privacy protections and its disregard for the serious risks that participants in the program would be taking.

Specifically, the NYCLU cannot support the NYC ID program because of its requirement that the city store New Yorkers' most sensitive documentation, such as pay stubs, bank statements, health records, and even their children's educational records, for two years. While they are retained by the city, these documents can be accessed by law enforcement, including the NYPD, FBI, DHS and other agencies, without a demonstration of probable cause. Because it

does not meet constitutional privacy standards, we cannot support the current iteration of the NYC ID program.

Recommendations

1. Notice & Confidentiality

There are means to establish and strengthen privacy protections in the NYC ID program through the rulemaking process. The first of these is the establishment of a notice requirement that will be triggered by a law enforcement request for a cardholder's information. This is a basic privacy protection that exists in many local agency rules already.

The Human Resources Agency (HRA) should provide notice to any cardholder whose documentation is requested by any entity outside of HRA. As an example, a similar provision exists in regulations governing the Department of Social Services, with respect to requests for public assistance records.¹ Under these regulations, the Department of Social Services must seek the permission of any individual whose records are requested, even when that information is being subpoenaed by a court.

The Social Services rules also direct the department to plead confidentiality in response to any subpoena for records where the purpose is not directly related to the administration of public assistance or to the welfare of a child. Similarly, the NYC ID rules could direct HRA to plead confidentiality in any case where permission is not granted and the request is not related to the administration of the NYC ID itself. By sharing their personal information with HRA, participants in NYC ID are implicitly agreeing to allow HRA to use that information in the program's administration. But most applicants will have no idea that the City may share their information without consulting or even notifying them.

The failure of the current rules to include any provisions for notice is a breach of the public's trust. Without a notice requirement, the City is stripping NYC ID cardholders of their ability to defend their own privacy against requests by agencies including Immigrations and Customs Enforcement and the Department of Homeland Security. This leaves the City

¹ Department of Social Services Rules, 18 NYCRR §357.3(f)(1)-(3)

responsible for defending the privacy interests of the program's participants, of which there will likely be at least tens of thousands. Without a requirement that HRA plead confidentiality in response to requests outside of its responsibility for administering the program, the City leaves cardholders' information vulnerable to an ever-expanding universe of requestors who obtain court orders. Some of these requestors will be serving purposes directly at odds with NYC ID's goal of protecting vulnerable populations.

2. Redaction

Second, we recommend that the rules include provisions for redacting information that is irrelevant to the administration of the NYC ID program from applicants' duplicated documents before they are stored. The documents at issue contain some of most sensitive and private information that people have in their possession, information that people take the greatest care to protect and preserve from disclosure to third parties, including family members and close friends. This includes information like education and health records that are protected by federal law. Not coincidentally, these are documents that law enforcement would never have legal access to without a court order— except through the NYC ID program.

The City can make a serious commitment to protecting that information by directing HRA to redact information contained in a document that is not relevant to the reason for which the document was proffered. For example, if an applicant provides a hospital record as proof of residency, all information beyond the person's name and address, and any letterhead or insignia that authenticates the document, should be redacted from the copy in the city's possession. This will prevent unnecessary information leakage that could put things like special education status or a health diagnoses into the hands of law enforcement without a judicial warrant. Redaction is an inexpensive strategy that will not harm the City's goal of carefully monitoring for fraud but will make enormous difference in the security and sanctity of private information.

3. Facial Recognition Software

Finally, we understand that the administration intends to adopt facial recognition technology in administering NYC ID. We are concerned about the complete lack of proposed regulations

regarding the use of this technology. Facial recognition technology is not immune to error,² and can be easily abused. For these reasons we strongly suggest the following three regulations be adopted as minimum protections regarding this technology.

First, we recommend the rules limit both the use of the technology and the retention of photos. Specifically, facial recognition technology must be used only at the time of application for the card. The photos and results of any matches should be subject to at least the same privacy protections and retention schedule as the other information in the program. In keeping with the character of a program designed to benefit undocumented people and other marginalized New Yorkers, the rules should explicitly state that the program will limit photo comparisons to other photos in the NYC ID database and not permit comparisons with FBI, NYPD, or any other local, state, or national databases.

Second, the city should provide notice to NYC ID card applicants that facial recognition software is being used in administration of the program. Before an applicant's photo is taken, HRA should explicitly state that facial recognition software is being used, explain what data is being collected, how the city will store and use that data, and whether it can be accessed or shared with any other agencies. As is the case with other aspects of this program, New Yorkers have a right to know when they are taking a privacy risk.

Finally, the rules should create a transparent and meaningful appeals process for people who believe they were mistakenly matched through the facial recognition process. Not only has the FBI experienced a 20% error rate with its use of facial recognition technology,³ experts on the software have voiced concerns that databases of photos or biometric data may be susceptible

² See e.g., J.D. Tuccille, "Wrong Person May Be Identified 20 Percent of the Time With Facial Recognition Software," *Reason*, Oct. 8, 2013, available at <http://reason.com/blog/2013/10/08/wrong-person-may-be-identified-20-percen>; Meghan E. Irons, "Man Sues Registry After License Mistakenly Revoked," *The Boston Globe*, Jul. 17, 2011, available at http://www.boston.com/news/local/massachusetts/articles/2011/07/17/man_sues_registry_after_license_mistakenly_revoked/.

³ See *Reason*, *supra* note 2.

to breaches and hacking.⁴ Given these potential avenues for error, an accessible appeals process is critical to remedy the likely instance of mistaken matches.

Conclusion

NYC ID's lack of privacy protections creates unacceptable risk for too many potential applicants. Combined with the City's failure to create notice provisions in the administration of this program, these lapses mean that vulnerable New Yorkers will likely not know when and how their information is being used, stored, and shared by City agencies. The NYCLU encourages the City to consider the rulemaking process as a way to improve and strengthen this program through adopting commonsense privacy protections. We recommend the City give notice before applicants' documents are disclosed, direct HRA to plead confidentiality if served with a subpoena, redact information not necessary for verifying residency or identity, and articulate specific privacy protections regarding image retention and how photos captured by the program will be kept private. We urge the City to refocus its implementation of this program on the vulnerable communities it was intended to serve, rather than allowing NYC ID to become a tool for law enforcement. By adopting simple privacy protections, it can make important steps in that direction.

⁴ Federal Trade Commission, *FACING FACTS: BEST PRACTICES FOR COMMON USES OF FACIAL RECOGNITION TECHNOLOGIES*, Oct. 2012, at 7.



New York Bankers Association

99 Park Avenue

New York, NY 10016-1502

212.297.1699 Fax 212.297.1658

msmith@nyba.com

October 6, 2014

Michael P. Smith
President and CEO

The Honorable Nisha Agarwal
Commissioner, Mayor's Office of Immigrant Affairs
253 Broadway, 14th floor
New York, New York 10007

Dear Commissioner Agarwal:

The New York Bankers Association (NYBA) appreciates the opportunity to submit comments on the proposed rules designed to implement the New York City (NYC) Identification Card Program ("Municipal ID Card Program") established in Local Law No. 35 of 2014. In discussions with you and NYC Department of Consumer Affairs Commissioner Julie Menin over the last few months, and in a comment letter sent to you and Commissioner Menin on July 9, 2014 (attached) NYBA has already expressed that its members share the goals of the City to reduce the number of its unbanked residents, and we have pledged our support to help facilitate this goal, to the extent permitted by law and regulation. We have also emphasized the importance our industry places on federal and State bank regulators providing guidance relative to the documentation requirements for card issuance; without such guidance, the ability of our member banks to accept the Card as primary identification may remain an elusive goal. NYBA is comprised of the community, regional and money-center commercial banks and thrift institutions operating in New York State, with over 200,000 New York employees, including many thousands who are residents of the City.

Our attached July 9, 2014 letter laid out in some detail, the array of laws and regulations - including the USA PATRIOT Act, the Bank Secrecy Act and the Anti-Money Laundering Act (BSA/AML) - all of which have been enacted over the past fifteen years in response to money laundering, foreign sanctions imposed by the United States Government on certain foreign statutes and individuals, and concerns about terrorism. We also emphasized that failure to comply with these laws can result in serious consequences to the integrity of the financial system, our nation's security and to financial institutions deemed to be in violation of the applicable laws. As such, we will limit this comment letter to several specific concerns we have with the proposed regulation's methodology for determining a New York City resident's qualifications for receiving a Municipal ID Card.

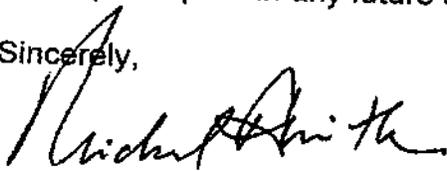
The Honorable Nisha Agarwal
October 6, 2014
Page 2

Before doing so, we note that the City has clearly worked very hard to make its Municipal ID Card among the most secure and least likely to be fraudulently reproduced of those municipal id cards in existence to date nationwide and we very much appreciate those efforts. Nevertheless, some aspects of the regulation's protocols continue to create regulatory compliance challenges for our members. Our first concern is that the Card identification requirements do not fulfill the identification requirements for a non-US person as set out by the USA PATRIOT Act. While federal law does provide some degree of flexibility with respect to which documents a financial institution may accept as primary identification, the standards those documents must meet are not flexible.

In this regard, we note that the New York State Department of Motor Vehicles issues an Identification Card which is accepted by many financial institutions as primary identification, and acknowledge that many of the same documents appear on both the NYC Municipal ID Card Program and State ID lists of acceptable forms of identification. However, NYC requires only three points of identification, while the State requires six. Additionally, NYC gives considerably more weight to documents such as medical records and employer identification cards, which can be easier to fabricate and are created by third parties whose standards are unknown and unverifiable. Even where the NYC protocols could authenticate such an individual document, in many cases that specific type of document is currently only relied on by banks as a secondary form of identification for account opening purposes. For example, many banks would accept a school ID as a secondary form of identification, while requiring a valid foreign passport with valid visa as primary identification in order to open an account. In contrast, under the proposed rules NYC would issue a Municipal ID Card to a non-resident who could provide a school transcript, a medical record and an employer identification card, none of which would be sufficient to meet those banks' identification policy for primary documents.

Consequently, while NYBA continues to pledge to work cooperatively with the City on this initiative, we re-emphasize the importance of receiving guidance from our federal and state regulators in order to further reduce the number of unbanked NYC residents. We hope to continue our work with the City on the Municipal ID Card, and to be an active participant in any future discussions you may have with bank regulators.

Sincerely,



Michael P. Smith

cc: NYC Department of Consumer Affairs Commissioner Julie Menin
Tamara Lindsay, Office of Financial Empowerment
Lincoln Restler, Mayor's Office of Operations



New York Bankers Association

99 Park Avenue

New York, NY 10016-1502

212.297.1699 Fax 212.297.1658

email msmith@nyba.com

Michael P. Smith
President

July 9, 2014

The Honorable Nisha Agarwal
Commissioner
NYC Mayor's Office of Immigrant Affairs
100 Gold Street
New York, NY 10038

The Honorable Julie Menin
Commissioner
NYC Department of Consumer Affairs
42 Broadway
New York, NY 10004

Dear Commissioners Agarwal & Menin:

The New York Bankers Association (NYBA) appreciated the opportunity to meet with you recently to begin the process of assessing the comments and concerns of the banking community as New York City (City) implements the new ordinance authorizing a City Identification Card (ID Card). As discussed at the meeting, NYBA and its members share the goals of the City to reduce the number of its unbanked residents, and pledge our support to help facilitate this goal, to the extent permitted by law and regulation. In this regard, we believe it is essential that the federal and State bank regulators be included in any discussions relative to the documentation requirements for card issuance, as it is their legal responsibility to enforce the major laws and regulations which have been enacted over the past fifteen years in response to money laundering, foreign sanctions imposed by the United States Government on certain foreign statutes and individuals, and concerns about terrorism. NYBA is comprised of the community, regional and money-center commercial banks and thrift institutions operating in New York State, with over 200,000 New York employees, including many thousands who are residents of the City.

NYBA has always had as one of its missions making banking accessible to New Yorkers. In this regard, with NYBA's support, New York was among the first states to pass *basic banking*¹ legislation and is still unique in the breadth of coverage of its basic banking account. In fact, in recent years, we supported a basic banking incentive program regarding the earned income tax credit, which was spearheaded by the New York City Department of Consumer Affairs and the then State Banking Department. Through our combined efforts, hundreds of consumers were able to open new bank accounts with their federal income tax credit checks – introducing a whole new generation of consumers to the advantages of banking with a reliable community partner – their neighborhood banks.

¹NY DFS Basic Banking Accounts Website: <http://www.dfs.ny.gov/consumer/brbba.htm>

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However, it is important to recognize, that the financial services industry is a highly regulated one, with various forms of overlapping regulatory oversight by many federal and state agencies, including, among others, the Treasury Department, Federal Reserve Bank, the Office of the Comptroller of the Currency (OCC), the Office of Foreign Assets Control (OFAC), the Federal Deposit Insurance Corporation (FDIC) and the New York State Department of Financial Services (DFS). For the reasons set forth below, these agencies effectively hold veto power over the banks' ability to rely on the City ID as a primary source for account opening purposes. Accordingly, their direct involvement is essential.

Failure to comply with applicable laws and regulations can result in serious consequences to the integrity of the financial system, and to our nation's security. In light of these potential risks, the penalties for banks which are deemed non-compliant can be staggering. Nowhere is this more true than when dealing with Bank Secrecy Act and Anti-Money Laundering Act (BSA/AML) compliance.²

In this regard, it is critical to remember that federal law and regulations – many of which were adopted in the wake of the events of September 11, 2001 – constrain the forms of identification which banks may accept for account-opening purposes. Section 326 of the USA PATRIOT Act mandates that banks and other financial institutions maintain a written Customer Identification Program (CIP). (Implementing federal regulations can be found at 31 CFR 1020.220 (formerly 103.121)). The CIP must be incorporated into an institution's BSA/AML written compliance program which, in turn, is required to be approved by the bank's board of directors. The CIP must also include reasonable and practical risk-based procedures for verifying the identity of each customer. These procedures must be based on the bank's assessment of the relevant risks, including those presented by the various types of accounts maintained by the bank, the various methods of opening accounts provided by the bank, the various types of identifying information available and the bank's size, location and customer base. As a result, banks may ask for additional information beyond CIP minimum requirements because, although regulators do not specify which IDs are acceptable or not, they reserve the right to question bank practices (account opening procedures, record retention obligations and why certain IDs were acceptable).

While some degree of flexibility is baked into the regulations, certain specific standards must be adhered to in every instance of an account opening. For example, the bank must obtain a potential customer's (i) name; (ii) date of birth; (iii) a residential or business street address (Post Office boxes – other than Army or Fleet PO Boxes – are not acceptable); and (iv) an identification number. The CIP must contain procedures for verifying the identity of the prospective customer as well.

² Over the last ten years, billions of dollars of fines have been assessed against financial institutions for violations of BSA/AML and OFAC requirements, including recent mammoth penalties obtained by the DFS. According to the IRS Manual, Bank Secrecy Act civil penalties arising from CIP violations can be as high as \$25,000 per day (for failure to establish a written customer identification program, which includes failure to create and retain records of customer identification.) Criminal penalties may also be imposed on violators.

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Critically, federal regulations require that the identification for a U.S. person (defined as a U.S. citizen, 31 C.F.R. 1010.100(iii)) must be a taxpayer identification number (TIN); and for a non-U.S. person, must be one of the following: a TIN; a passport number and country of issuance; an alien identification card number; or number and country of issuance of any other unexpired government-issued document evidencing nationality or residence and bearing a photograph or similar safeguard. Given these requirements, a bank seeking to open an account for a person who does not have the required information set forth above - which is a specifically stated goal of the City Council in enacting this ordinance - would be likely to face significant hurdles. The issue is whether there are questions about the identification originally presented in order to obtain the City ID. Such hurdles would, obviously, be far easier to overcome if the documentation criteria for account-opening purposes at a minimum mirrored the requirements currently reflected for issuance of the New York State Identification Card, issued by the Department of Motor Vehicles - even if those requirements were not necessarily required for ID card issuance for other purposes.

In this regard, it should be noted that the CIP rule requires that a bank retain the identifying information obtained about the customer at the time of account opening for five years after the date the account is closed with steep penalties for non-compliance. For credit card accounts the information must be kept for five years after the account is closed or becomes dormant. Similarly, Article 2 of New York's Vehicle and Traffic Law mandates that any application for a driver's license, including any document required to be filed with any such application, may be destroyed after such application shall have been on file for a period of five years. The new City ordinance, however, contemplates a much shorter record retention period of two years, and perhaps, over time, none at all. The City's policy - which is inconsistent with that mandated by federal regulation - is therefore likely to raise additional "red flags" for a bank's reliance upon this new, untried and untested form of identification and may likely call into question the efficacy of the City ID card as a basis for customer identification verification for purposes of opening bank accounts. As noted above, however, these problems could be improved if the City's shorter documentation retention requirements were removed.

In conclusion, New York's banking industry continues its pledge to enable unbanked City residents who can provide forms of identification which banks have established in order to fulfill federal regulatory standards, to open bank accounts. However, in light of the risks to national security and the financial system, to say the least of the Pyrrhic penalties to which banks are subject for violating the CIP rules, we must proceed extremely carefully in our account-opening practices. In this regard, we would ask that NYBA representatives be included in your discussions relating to implementation of the City ID Card, including discussions with bank regulators, so that we can be part of the

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dialogue in formulating final standards for documentation required for the City ID Card. Our participation in these discussions would be the most likely path to an outcome that benefits New York City residents.

Sincerely,



Michael P. Smith

cc: Tamara Lindsay, Office of Financial Empowerment
Lincoln Restler, Mayor's Office of Operations

Hello,

My name is Frances Wood and I serve as the administrator of MCCNY Charities, Inc. In addition to other social services, MCCNY Charities, Inc. operates MCCNY Homeless Youth Services: Sylvia's Place, which provide emergency shelter and supportive services to LGBTQI runaway and homeless youth aged 18-24. Many youth come to our program with no government-issued or photo ID of any kind, having fled abusive family situations. We are excited about the ways in which the municipal ID card will streamline their access to city services. As a 90-day shelter, we have a limited amount of time to help these youth, and very often the full 90 days can be spent trying to secure some form of identification. We hope that the municipal ID process will circumvent some of the challenges we have faced in helping youth in obtaining identification and, with it, access city services.

I have reviewed the proposed rule and wanted to follow up with two questions/concerns as to the how the proposed rule would be applied to the LGBTQI runaway and homeless youth at Sylvia's Place and the Gary Skala Drop-In Clinic.

1) On page 12 of the proposed rule, it is stated that a letter from a homeless shelter that receives City funding can be used as proof of address. Would a letter from a shelter that receives only discretionary contracts, rather than RFP funding, through DYCD and/or other city agencies still qualify as proof of address?

2) On page 14, the requirements to demonstrate proof of relationship between applicant and caretaker for people aged 21 and younger without photo ID includes a signed letter from an executive official at an ACS designated NYC foster care agency establishing relationship of youth applicant to foster parent or agency caseworker. This is a concern for several reasons. First, many LGBTQI runaway and homeless youth come to the city from out of state without their documentation, but have not been in the foster care system. Second, some LGBTQI youth who HAVE been in the foster care system leave their homes because of homophobia or transphobia, and are (rightly) resistant to being reconnected to foster parents and/or case workers. There needs to be some provision for staff of youth emergency shelters (perhaps through affidavit?) to serve as caretakers for these youth for the purpose of the application process, otherwise access to municipal IDs will be impossible for many of the youth we serve.

Thanks for all you work on this. It's important step in making sure our youth have the identification they need to move forward.

--

Frances Wood

Administrator

MCCNY Charities, Inc.

446 West 36th St., New York, NY 10018

Phone: 212-629-7440 x 227

Fax: 212-279-1185

frances@mccny.org

Having read the rules about who is eligible for the new Municipal ID Card, and what documents will be needed for proof of identity and residency, I am greatly in favor of this new proposal. I love the fact that there are incentives for everyone to obtain one, because it is not a stigmatizing form of ID like a public assistance ID. Unlike other identification cards where there are several documents and many points that are needed to obtain them, you only need four points to obtain this ID, and these points can come from a minimum of one document. It's great that it is free to obtain, and that it includes a contact name and number with the individual's preferred language. Teenagers, homeless, and people who can't afford ID can now have one and do not have to fear being stopped by the police for ID. This ID can assist many people to obtain services that they would not be able to get otherwise, such as counseling. Other opportunities such as museum discounts are provided, therefore giving incentive for all to obtain it. The only drawback is that many people will not be able to afford the cost of replacing the card if it is lost.

Respectfully,

Elizabeth Trapasso
Sent from my iPad

MunicipalIDRule@cityhall.NYC.Gov

Attn: Mayor's Office of Immigrant Affairs
253 Broadway, 14th Floor
New York, NY 10007

Re: Municipal ID Card

Dear Sir/Madam:

The New York City Department of Health and Mental Hygiene (NYC DOHMH) has reviewed the proposed Municipal ID Card rule published in the City Record on September 5, 2014. The following are our comments.

In sections 8-05(c)(2), 8-05(c)(3) and 8-07 of the proposal, a "U.S. Birth Certificate or Certified Copy" is listed as a possible form of identification. The language in these sections appears to suggest that a birth certificate that has been photocopied may be used to establish the identity of an applicant for a Municipal ID inasmuch as a "U.S. Birth Certificate" is listed as an alternative to a certified copy of same.

If our interpretation of that language is correct, we suggest that before a photocopied birth certificate is accepted to establish identity that it first be verified through the Electronic Verification of Vital Events (EVVE) system. EVVE is a system developed by the National Association for Public Health Statistics and Information Systems that provides quick, reliable, and secure validation of birth and death information drawing from vital record databases across the nation. EVVE may be used to verify the contents of a paper birth certificate or to request an electronic certification in lieu of a paper birth certificate. We strongly urge the use of EVVE to verify uncertified copies of birth certificates used to establish identity.

In addition, Section 8-03 of the proposal refers to section 8-07(3). However, the proposal does not appear to include a paragraph (3).

We appreciate the opportunity to comment on the proposed rule.

Sincerely,


Thomas Merrill
General Counsel

CATHOLIC COMMUNITY RELATIONS COUNCIL

Catholic Community Relations Council Recommendations for Modifications of the Municipal ID Proposed Rules October 7, 2014

The Catholic Community Relations Council ("CCRC") was established in 2008 and works to identify and implement the public policy objectives of the Archdiocese of New York and the Diocese of Brooklyn by engaging government officials in their policy and decision making process. CCRC strongly supports the creation of the Municipal ID Card and has testified on numerous occasions before the City Council and Mayor on the need to enact and implement this important initiative. CCRC has two recommendations for modifying the proposed rules.

1. **Lower the Age of Eligibility to Obtain the Card.** Section 8-03 states that the card is available to any resident of New York City who is over 14 years of age. We encourage the City to lower the threshold to receive this card to New York City residents who are 10 years of age. The Municipal ID card is legitimately heralded as being a card that can benefit all New Yorkers in terms of access to government services but is primarily targeted towards the undocumented immigrant community and especially the population of unaccompanied minors, which continues to grow in New York City. Students in middle schools under the age of 14 receive identification cards which they are required to present at school and for access to cultural events and institutions. The proposed rules establish many guidelines in Section 8-07 for Applicants under Age 21 that will help to ensure the legitimate use of a Municipal ID card. Lowering the age threshold to those who are 10 years of age and older expands the list of New York City residents who can benefit from the card, while sending an important message to the immigrant community, that those under the age of 14 will not be left behind in terms of being treated like New York City residents.
2. **Expanding the Time Frame to Permit Expired Documents to be Considered Proof of Identity.** A large percentage of the New York City Immigrant Community comes from countries that have little presence in New York City. It is difficult, time consuming and costly for them to obtain updated foreign identification cards or other items such as birth certificates in order to establish identify. We therefore urge the acceptance of identification documents issued by foreign governments as valid proof of identification pursuant to the Municipal ID program if provided to the New York City Human Resource Administration within 5 years of expiration.

TO: Malcolm Sanborn-Hum

CC: Bertha Lewis, President, The Black institute

FROM: Donna Burnett

SUBJECT: Testimony at City Hall supporting the Municipal ID card program

DATE: October 9, 2014

Please find below a summary of my testimony given at New York City Hall on October 8, 2014.

I am Donna Burnett and today I am representing 2 organizations, The Black Institute and the Russian-Speaking Community Council of Manhattan & the Bronx, Inc. At The Black Institute, we focus on 4 areas of advocacy, namely: education, economic empowerment, environmental justice and immigration. The Russian Council advocates for Russia speaking immigrants.

We would like to applaud the Mayor, Commissioners, city employees and departments for their work in the creation of this ID card.

Our organizations believe that in order to solidify and legitimize the reasons for this card, the city should require that all their employees apply for, and carry the card. This move would lessen suspicion and stigma based on the holder's immigration status. To show our support for this program, The Black Institute will require all its employees to carry this ID Card when it becomes available.

We also believe that the City should actively advertise the ID among all New York City businesses, whether for profit or non-profit, so that these employers could encourage their staff to sign up for the card.

Once again, thank you for allowing us the opportunity to testify and give recommendations and we are looking forward to the implementation of the program in the very near future.

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Public comments for: Municipal ID Card Program

Comments

yuliya khripunkova

Comment:

Being an immigrant and having lived in New York City for the past 10 years, I understand the importance of any government issued photo identification and the privileges that come with it. A couple of my friends happen to be undocumented immigrants and I see their struggles on daily basis. I am particularly concerned with the way the program will play out in New York City for the undocumented immigrants to access basic rights and freedoms: from opening a bank account to renting shoes in bowling alley. Personally, I think it is an important and valuable step towards opportunity and inclusion for all NYC residents. At the same time, I believe it will be challenging to motivate undocumented immigrants to apply for Municipal ID card. The fear of prosecution, detention and potential deportation as well as other possible legal battles is too real. People are afraid to loose whatever little they have. There is lack of trust in government especially with currently existing strong opposition to immigration reform in federal government. Some people will see the program as the way to control, monitor and track undocumented immigrants. Having Municipal ID card doesn't lead to legalization process either and therefore might seem unnecessary to some. Record keeping is another issue that can keep people from obtaining Municipal ID card. It is great to have the local government that is concerned with well-being of vulnerable population and is in favor of immigration reform. However, the situation can change any day. People are worried about who will have access to their personal information and how it potentially can be shared. There is no clear decision in the proposed rule regarding record keeping and documents destruction. A whole set of problems can arise with the documents that are required to apply for Municipal ID card. For many people it will be close to impossible to collect necessary 4 points. It is stated in the proposal that no expired documentation will be accepted. The reality is that many undocumented immigrants have not left the country to renew their documents; their passports, visas and IDs are long expired, have been destroyed or lost. Education about real and meaningful benefits of Municipal ID program will be the key towards its acceptance and wide-spread usage by all residents regardless their social or immigration status. I think, it will make a big difference HOW HRA implements the new program, the way they will treat applicants and how open they will be to work with them and social service agencies. Even though I have the regular state ID, I am planning to apply for Municipal ID card to experience its benefits first hand and help fight stigma that can potentially be attached to the ID card holder. It is going to be an easy decision for me. But will it be easy for the targeted groups? I am not so sure.

Agency: HRA

Nicholas Katz

Comment:

Make the Road New York Comments on Proposed Rule for Municipal ID Card Program

Below are abridged comments from Make the Road New York on the Proposed Rule for the Municipal ID Card Program. Make the Road's full comments are included as an attachment. As an organization that empowers immigrant communities who often lack any form of identification, Make the Road New York believes the Municipal ID program is a crucial step forward in fully integrating all members of our communities into the fabric of New York City. In an effort to ensure the success and inclusiveness of this program, we would like to make the following comments and recommendations: 1. HRA should accept expired identity documents as proof of ID. By not accepting expired ID documents, the City risks excluding the very populations it seeks to benefit through the municipal ID program. Many municipal ID card applicants will be relying on consular IDs or passports from countries which either do not maintain an active local consulate, or which charge high fees for document renewal. Renewing foreign ID typically requires people to obtain copies of other documents (such as birth certificates or school records), which may be impossible or very costly. This could put the real cost of getting the NYC ID at hundreds of dollars. Many MRNY members have difficulty obtaining current identity documents, such as passports or consular IDs, due to financial reasons or lack of accessibility of consulates. At a minimum, identification documents issued by foreign governments, including but not limited to passports and consular IDs, should be accepted as valid proof of identity if they have expired within the last 5 years. 2. HRA should expand the list of documents accepted as proof of residency or identity and make it as flexible as possible. We recommend expanding the list of documents used to prove residency and/or identity to include: o NYC Parks ID (photo) o DFTA ID/Barcode Cards (photo) o Library cards o Medicare and SSA Cards o Check casher card with signature o ATM or credit card* o Canceled check* o Health insurance or prescription card* o Receipt Notice from U.S. Citizenship and Immigration Services (as distinct from approval notice) o Mail received at an address with the stamp of the USPS o Notarized letters from landlords testifying to the individual's residency if the individual's name is not on a lease o A notarized letter from a community based organization receiving city funding testifying that the individual resides at the stated address o A notarized letter from a roommate testifying that the individual lives at the same address o Any professional licenses or certifications with photos that also require ID verification in order to receive them, such as scaffold licenses. * Documents marked with an asterisk are given at least one point towards proof of identity by the Department of Motor Vehicles.

Supporting Document:



make the road new york comments on proposed rule for municipal id card program.p
Agency: HRA

Ana Dipres

Comment:

My comment/suggestion are composed of many little comments and a suggestion at the end. As a Social worker, I have experienced HRA's workers attitudes and a broken system first hand when assisting the people that I work with for many years. This experience has left me quite concerned with the new Municipal ID process due to the negative attitudes many HRA workers have towards those they are charged with helping. I have seen first-hand HRA workers who rather than being helpful humiliate people and abuse their power. I think the new Municipal ID is a good way for people without IDs to get one, but the implementation process must include extensive training for the HRA workers who are already struggling to provide services to an extremely vulnerable population. I am

also concerned with the documentation requirements that are similar to the requirements for getting a state ID and Driver's permit for citizens/documentated New Yorkers or applying for benefits. I am wondering if a new unit is being created to handle the municipal ID cases. I also will like to know who the applicants can complain to if the process does not play out as supposed to. The Municipal ID is supposed to be for applicants who are 14 and older; however, I do not see how this is supposed to be a simple process for teenagers who are homeless or are not living with parents and don't have their documents. Furthermore, this is not really a teenage friendly process because of all the documents that are required (if applying by themselves), and if they don't have the documents then they need to be accompanied by a caretaker who can demonstrate proof of a relationship to them. Additionally, I think it's a great idea to help undocumented residents have some kind of ID; nonetheless, the ID does not change anything in regards to helping them be more integrated in society (ability to drive as in other states) (they can open a bank account with their passport and use their passport in other places as identification). In my opinion, I don't think a lot of undocumented residents will go for it because in a way it is a way to tract who is in the city rather than a help them with their immigration status. Furthermore, who can assure the confidentiality of undocumented applicants is protected; who can assure that their information will not be accessible to the United States Citizenship and Immigration Services. Despite of my concerns and ambivalence, I think is a good opportunity for all New Yorkers to have an alternative to the State ID; but in order for the Municipal ID initiative to be truly successful, the documentation needs to be revised to reflect the realities of many New Yorkers.

Agency: HRA

Ana Villanueva

Comment:

I am a worker for a supportive housing facility located in Harlem. Many of our young adults who have failed to get a state ID due to certain circumstances can no longer obtain a state ID due to their age. Because they do not have a state ID it has been hard for them to obtain jobs and it has put them at risk in the streets. One can be arrested for not having an ID and also there is no way for a person to be identified if something happens to them. Its unfortunate that something so simple as an ID can set someone back. I believe the municipal ID is a great idea and it will help many of those be identified as an actual person and will be a new stepping stone for many people.

Agency: HRA

Laurie Lieberman

Comment:

Laurie Lieberman As a human service worker who has served various marginalized populations for the last seventeen years, I do applaud efforts to make identification available for all regardless of immigration or homeless status. its a great step in ensuring access to legitimate verification of identify in lieu of various other photo Identification. However as I review the proposed plan I have several questions that surface. First, there seems to be a point system similar to the DMV procedure to obtain a non driver license. This may prove difficult for those who have been living homeless outside of the shelter system. Second, It may also be a challenge to gain the trust of these individuals to sign up for this card. This is particularly true for immigrants not here legally. Third, it is unclear to me exactly where this identification card will be legitimized and accepted. Fourth, the point system seems complicated and quite lengthy; it was hard time

understand for a college educated individual and I am mindful that within the target populations exist people that has literacy issues, language barriers and traumatic Braun Iuries among other limitations. Will there be an effort to streamline and simplify. The last concern I have is a question; what exactly is the ultimate goal of instituting such a costly ambitious program. What is the outcome measure the city is looking at to see whether it is successful or not. Are we looking at these marginalized people having any kind of life improvement. Thank you.

Agency: HRA

Martine Pierre-louis

Comment:

This is a continuation of my previous comment: .For instance, there should be a fee waiver for a Birth Certificate and Social Security card for people who most need it. I suggest some buses going to all the five boroughs to help alleviate the long lines and alleviate the work for HRA staff (HRA staff aren't the nicest individuals). It will also help reaching the communities who are skeptical of this ID due to the fear of being deported. If there can be a department to help individuals obtain the most basic of documents, this ID will likely be a total success. I also suggest the face of the ID card be the same as the NYS ID card with a minute difference to help government agencies and workers differentiate between the two. I suggest this because there can be a negative stigma created for people with obvious Municipal ID cards. Also, I think that attaching incentives to the card, like attaching discounts to some grocery stores, movie theaters, or various yearly New York events will have everyone running to get a Municipal ID card.

Agency: HRA

Martine Pierre-louis

Comment:

First, I'd like to say how I love that New York is recognizing the need for people who are undocumented to get ID's easier. The fact that the municipal ID needs only four points as opposed to a NYS ID which needs six points is great. The problem is that people who are undocumented in the first place do not have the documents needed to get these IDs. They may have one point (Benefit card without the picture) but nothing else. The homeless and other undocumented people like people just released from prison may have no documents. What can be done to help these people? I suggest a different department within the Municipal building to help these individuals obtain a Social Security card or Birth certificate. I also suggest widening the scope of required documents to obtain these basic needs. One of the most important documents needed to obtain anything in New York is a Birth Certificate. Without a birth certificate or any other ID, people that have lived in New York all of their lives are invisible. There needs to be focus on helping these people obtain these documents in order for them to be seen by society and a part of the economy. A classmate of mine said it well, how does it help people who are undeserved if these people can't even obtain the most basics of these documents? I have an individual on my caseload who would like to open a bank account. Unfortunately, she cannot obtain any ID because she can't get her birth certificate. We have written her a letter to help her obtain the birth certificate, but it isn't enough. She doesn't have any utility bills in her name and doesn't have the second document needed to obtain a Birth certificate. What can be done to help her and others who are in her situation that want to be a part of the economy but cannot, due to the small scope of documents required to get the most basic document? Also, why should four points continue to be required for a Municipal ID if the person

doesn't have a permanent residence? The requirements say that an address will not be on the ID if this were the case, among other situations (Section 8-02). There should be a reduction of points needed for Municipal IDs that do not have an address on it. I cannot stress enough the fact that some of the people in the population most needing the ID do not have the basic documents needed. It would be great if there were allowances or waivers in order for people who do not have a Birth Certificate or Social Security card to get one.

Agency: HRA

Harpreet Toor

Comment:

First let me thank you for giving me this opportunity to comment on the rules generated to implement New York City's ambitious Municipal ID program. My name is Harpreet Singh Toor and I represent The Sikh Cultural Society, Inc as a Chairman of Public Policy and External Affairs. The program as a whole is tremendous undertaking and the Mayor and the Office of Immigrant Affairs, HRA and all of the City Agencies should be commended for that. My one specific comment on the proposed rules in relation to Section 8-03. Under the proposed rules, HRA will require proof of identify and proof of residence that totals 4 point under the structure that the rules lay out. I want to applaud you for creating a system that takes into account those without stable addresses and allowing the ID Card to omit their addresses. Looking at the points allocated, many new immigrants to New York City will have a hard time proving a stable address since it is common for even documented new immigrants to live in the household of a relative or close family contact. They may not have the supporting documentation that proves their place of current residence. Your system appropriately accounts for their situation. The one item of concern in the rules relates to the retention and destruction of documentation. In the rules there is a lack of a penalty for anyone who intentionally or negligently releases confidential HRA collected municipal ID data. This needs to be included to explicitly to give confidence to municipal ID applicants and to deter anyone who would use this data for their own purposes Another item covers language access. The South Asian community is diverse and we speak many dozens of languages. The City's language access rules should account for this diversity and materials promoting the Municipal ID program should be found in multiple South Asian languages.

Agency: HRA

Rhonda Ryan

Comment:

As a social worker who works with many adults who are living here illegally but their children are legal I think this is a great rule. It will give these people more than just an ID but it will give them access into public places without feeling humiliated. I recently was with a family whose child was hospitalized with cancer and her relatives were not given permission to visit the child in the hospital without showing ID. Also, I have had parents who are told they cannot apply for SSI for their child without proper ID, even though the child is a US citizen. Although I know this is not true many of the parents I work with have been turned away for this reason. Many of these same parents cannot open up bank accounts because they do not have ID. The less barriers for these people the better. I also feel that it is a basic human right to be counted as a person. Everyone deserves to be able to carry a document that says who they are. My concern however, is getting illegal persons to trust the process and to sign up for the card. They are very worried about

getting caught in the country illegally, therefore I think there will need to be major training and sensitivity around this issue in order to get the most vulnerable population the card they deserve. Lastly, I am wondering how the people will prove who they are if they have no ID to begin with?

Agency: HRA

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OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN
THE CITY OF NEW YORK

1 Centre Street, 19th floor, New York, NY 10007
(212) 689-8300 p (212) 689-4308 f
169 West 125th Street, 5th floor, New York, NY 10027
(212) 531-1609 p (212) 531-4615 f
www.manhattanbp.nyc.gov

Gale A. Brewer, Borough President

**Testimony of Gale A. Brewer, Manhattan Borough President
Regarding Proposed Rules
For Implementing the Municipal I.D. Card System
October 8, 2014
New York City Human Resources Administration**

Good afternoon. My name is Gale Brewer, and I am the Manhattan Borough President. I would like to thank HRA, and Commissioner Banks for an opportunity to speak, and for promulgating these rules. They clearly reflect a determination to have the program succeed. I congratulate everyone involved in bringing this project to implementation. Many New Yorkers have been awaiting a program to help them access essential services. Resident identification cards have been used in other cities for years, and my understanding is that they are working well. I am proud that we are joining them.

After looking over the proposed rules, and the requirements for obtaining a Municipal Identification Card, I believe that the "point" system is a good idea, and that the Rules reflect a conscious effort to ensure that as many New Yorkers as possible are able to obtain I.D. Cards. However, I have several questions and concerns.

The locations where people can apply for the cards are not specified, other than a reference to the new law itself, which specifies that there must be at least one site in each borough. However, having more sites and types of locations where people can submit an application and obtain an I.D. are crucial to the program's success. We all want to see these cards reach as diverse an audience as possible. As you know, this is the best way to ensure that

no stigma is attached and that the card identifies the user as a member of our New York community. I would like to see applications processed at senior centers, elected officials' offices, libraries, courthouses, and so on, as well as HRA's offices. In addition, to address this very deep need for identification among our young people, applications must be available at high schools, CUNY, and all college campuses. High school students are particularly excited about the Municipal I.D. as many only have a school I.D. now.

One way that the Administration has suggested that the I.D. be used is to make it a free ticket for at least a year to the larger cultural institutions. These institutions welcome a broader audience of New Yorkers, I am sure, but I hope that the Department of Cultural Affairs will work to support the institutions with additional funding if really needed. Also, I hope that the smaller cultural programs will also benefit, as they too need more audience participation. Another suggestion is that the I.D. could double as a library card. I hope that we can explore that function in the future.

In addition, it is my understanding that the proposed Rules make no provision for a website, but the new Administrative Code section requires that all applications be available on-line. Obviously this issue needs to be addressed.

Next, the types of identification used for calculating points toward proof of identity and residency reflect a great effort to be reasonable. I foresee a problem for a specific type of New Yorker, however. Many residents live in an "all cash" world. They do not have pay stubs. They may occupy a room in a relative's apartment. They don't have a lease, even though they pay rent. Many others don't have utility bills in their own name, even if they pay their share. As you know, not everyone has a child in the school system. We need a provision whereby someone in these situations could, with appropriate sworn statements, or witnesses, along with

less formal evidence, such as personal letters to their address as proof of residency, could nevertheless obtain an I.D. Card.

Cities such as New Haven, San Francisco, and Los Angeles already have municipal I.D. programs in place. I believe that some of these cities have used the I.D. cards to address the serious problem of the residents who are without banking services. I don't need to tell you that carrying cash around to pay bills and rent puts this "unbanked" population at risk. I would urge HRA and the Mayor to investigate how other cities are using these cards as debit and banking cards and pursue that use here in New York.

I look forward to the implementation of this program, and bringing all New Yorkers into the fold of a stronger, more self-identified and visible New York community.

Attachment B

Transcript of Public Hearing Held on October 8, 2014

Public Hearing Transcript PROCEEDINGS
Municipal ID Card Program Proposed Rule

NEW YORK CITY HUMAN RESOURCES ADMINISTRATION

PUBLIC HEARING: PURSUANT TO THE
CITY ADMINISTRATIVE PROCEDURE ACT

MUNICIPAL ID CARD PROGRAM PROPOSED RULE

Date: October 8, 2014
5:00 p.m.

HELD AT: NYC HUMAN RESOURCES ADMINISTRATION
1 Centre Street
New York, NY 10007

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1 MR. JORDAN DRESSLER: Can I have everyone's
2 attention, please. Thank you very much for coming.
3 Before we begin formally, I want to let everybody
4 know we have foreign language interpreting here
5 available to anybody who might need it. We have a
6 number of interpreters here. I'm going to let them
7 tell you what language, languages they interpret. So
8 the following languages are available.

9 [All Interpreters Announced]

10 MR. DRESSLER: So we have headsets for live
11 interpreting and they're available at the front desk
12 right there. I'll give everybody a minute if they
13 need it. We'll get started in just a moment.
14 Regarding the proposed rules for the New York City
15 identification card program by the Human Resources
16 Administration, also known as HRA. This hearing is
17 required. This hearing is required as part of the
18 Citywide Administrative Procedure Act, also known as
19 CAPA. And I'm Jordan Dressler and I'm Senior Advisor
20 for Strategic Initiatives and the External Affairs
21 Unit at HRA and I'm very happy to be with you
22 tonight.

23 As many of you know, on July 10th, 2014,
24 Mayor de Blasio signed Local Law Number 35 of 2014,
25 which established the New York City Identification

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1 Card Program, also known as the Municipal ID Card
2 Program. This program will better connect more New
3 Yorkers regardless of their immigration status, their
4 homeless status, or their gender identity to public
5 and private sector services, programs, and benefits,
6 and will ensure that every New Yorker is provided
7 with the opportunity and peace of mind that comes
8 with possessing a government issued photo
9 identification.

10 Under the mayor's executive order number 6,
11 HRA was designated as the administering agency of the
12 Municipal ID Card Program. So now in accordance with
13 local law number 35 and executive order number 6, HRA
14 proposes to add Chapter 8 to Title 68 of the Rules of
15 the City of New York to implement the Municipal ID
16 Card Program and to set forth more details regarding
17 the program.

18 Now, the full text of the rule is available
19 online and I'm going to read you the web address:
20 [http://rules.cityofnewyork.us/content/municipal-id-
22 card-program](http://rules.cityofnewyork.us/content/municipal-id-
21 card-program). We can provide that afterwards if
23 anybody needs it, but we also have hard copies
24 available at the front table where you came in in a
25 variety of languages.

I'm not going to read the rule, but

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1 specifically the rule as drafted does the following.
2 It establishes that a municipal ID card will be
3 provided to applicants free of charge. It
4 establishes the cards will expire after five years.
5 It creates a mechanism for homeless New Yorkers
6 without a permanent address to obtain a card. It
7 sets the minimum age to apply for the card at 14
8 years of age. It provides protections to survivors
9 of domestic violence. It sets forth the documents
10 with which applicants may demonstrate identity and
11 residency and the weight each document will have.
12 And, finally, it establishes security and private,
13 privacy protections that safeguard information
14 collected for issuing the identification card, to
15 protect against identity theft, and fraud.

16 So now by way of a very brief agenda, we're
17 going to begin with some introductory remarks from
18 HRA Commissioner Steven Banks and Mayor's Office of
19 Immigration Affairs Commissioner Nisha Agarwal. Then
20 we will open the hearing to public comment. I will
21 call out the numbers of the speakers who have signed
22 in at the front table. All of your comments are
23 going to be transcribed by our stenographer and as is
24 customary for the formal CAPA process, we will not be
25 responding directly to comments tonight. But we will

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1 review and consider all of your comments and all of
2 your input along with any other comments we received
3 in writing since the public comment period began
4 before a final rule is disseminated. I want to
5 stress that this is not a formality. Your thoughts
6 and your comments on this program are extremely
7 important to us and they will be seriously considered
8 as we move forward. We appreciate that you've taken
9 the time and made the effort to share your views with
10 us tonight and we thank you.

11 Speaking of appreciation and gratitude, I
12 just want to take this opportunity to especially
13 thank the New York Immigration Coalition. The New
14 York Immigration Coalition graciously lent us for the
15 evening the equipment for the simultaneous
16 interpretation and that's how we can translate what
17 we hear tonight into the languages in real time. So
18 we are very, very grateful and I want to say on
19 behalf of HRA and the mayor's office thank you very
20 much for your generosity and your assistance.

21 I also want to recognize that tonight we
22 have here Manhattan Borough President Gale Brewer.
23 We look forward to hearing from you and thank you
24 very much for joining us.

25 So just a reminder, since this is a public

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1 hearing, all comments will be transcribed and they
2 may be published at a later date. But anyone who
3 wishes to comment anonymously may do so. You do not
4 have to state your name if you do not want to. So if
5 you were refraining from signing in to comment
6 because of that, please feel free to sign in now if
7 that's what you want to do. We have to limit the
8 length of the comments to two minutes apiece or
9 that's what we're going to do tonight. I'll be
10 letting you know when you're getting close to your
11 time is up if that occurs.

12 Okay, enough with the ground rules. We're
13 ready to go. Thank you very, very much. It gives me
14 great pleasure to introduce Commissioner's Banks and
15 Agarwal. Thank you.

16 [Applause]

17 MS. NISHA AGARWAL: Thank you so much,
18 Jordan. Thank you all for being here today. We're
19 very excited to be in the, receiving comments and
20 hearing your feedback on the rules for the Municipal
21 ID Program. As all of you hopefully know, we've been
22 working for months with community partners and other
23 stakeholders on the Municipal ID Program, thinking
24 through how the program will work, how to make it
25 safe and accessible for all New Yorkers to use the

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1 card, and we genuinely take all of that feedback very
2 much into account in deciding on the final rules as
3 well as all of the other features of the ID card
4 program. So for those who have been in conversation
5 with us about Municipal ID's so far, thank you. And
6 for those who are going to be sharing your ideas now,
7 the many dozens of other groups and individuals who
8 couldn't be here today, but will submit comments in
9 writing or share through our website, again, thank
10 you so much. This is a program that has the
11 potential to really be transformative for New York
12 City. And so the input of the broad range of New
13 Yorkers that are here, as well as who have been
14 engaging with us so far, is really very meaningful.
15 Thank you very much and I'm now going to turn it over
16 to Steve Banks from HRA, which is the program
17 administrator for Municipal ID.

18 [Applause]

19 MR. STEVE BANKS: Thank you, Jordan. Thank
20 you, Nisha. As the Commissioner of HRA, we're very
21 pleased to be playing the role of helping with the
22 implementation of this very critical program. I can
23 say in the life that I had before I became the
24 commissioner I represented many, many clients over
25 the years for whom identification was a missing

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1 ingredient to be able to move forward with some of
2 the basic activities of daily life and we're very
3 pleased to be able to be part of the implementation
4 of the mayor's priority providing that kind of
5 assistance to people in the city who desperately need
6 the ability to have identification.

7 I can assure you, as Jordan Dressler said,
8 that we're going to take all of the comments very
9 seriously. Nisha and I will be here to hear them.
10 And we will be considering them before the final rule
11 is ultimately issued. And we appreciate all of you
12 who have come to either participate or to listen to
13 the presentations that are made and this is part of
14 the great strength of our city that we have a City
15 Administrative Procedure Act in which this type of
16 input is provided for and you have commissioners and
17 key staff here to listen and to take into account the
18 impact, the input as we proceed with the
19 implementation. Thank you very much.

20 [Applause]

21 MR. DRESSLER: Thank you, Commissioners.
22 With that we'll turn to public comment. I call up
23 Manhattan Borough President. Thank you.

24 MS. GALE BREWER: Thank you very much,
25 George. Thank you, both commissioners. You're both

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1 great attorneys, great commissioners. You've reached
2 out to all of us. Thank you, both. You're very,
3 very special. So I'm here to talk about the resident
4 identification cards. I know they've been used in
5 other cities successfully. I'm sure we'll do an even
6 better job here in New York City, but it's very
7 exciting that we're joining other cities. After
8 looking at the proposed rules and the requirements
9 for obtaining a Municipal ID, I know that the points
10 system is a great idea and that the rules reflect a
11 conscious effort to ensure as many New Yorkers,
12 people who have ID's, people who don't have ID's, all
13 of us, we all need to obtain ID cards.

14 That's a point, I think, of one of the
15 points of having these municipal ID cards. I have
16 just a couple of questions and concerns that I want
17 to bring to your attention. 1. The locations where
18 people can apply for the cards are not yet specified.
19 I know you're working on it. But other than a
20 reference to the law itself, which specifies that
21 there must be at least one site in each borough.
22 However, having more sites and types of locations
23 where people can submit an application and obtain an
24 ID are crucial to the program success, as I'm sure
25 you know. We all want to see these cards result in

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1 as diverse an audience as possible.

2 And as you know, this is the best possible
3 way to ensure that there's no stigma attached to the
4 cards and that the card identifies a user as a member
5 of our New York community. I would like to see an
6 application process at senior centers, for instance,
7 elected officials' offices, libraries, courthouses,
8 as well as, of course, at HRA offices. In addition
9 to address this very deep need for identification
10 among our young people, applications must be
11 available at high schools, CUNY, and all college
12 campuses. And as I think you all know, high school
13 kids are the most excited about having this ID,
14 because right now all they have is their school ID.
15 God knows what they can do with this new ID.

16 One way that the administration has
17 suggested that the ID be used is to make it free
18 ticket for at least a year to the larger cultural
19 institutions. It's a great idea, but these
20 institutions and these institutions welcome a broader
21 audience of New Yorkers. But I hope that the
22 Department of Cultural Affairs will also be involved,
23 because I want to make sure that the cultural
24 institutions who need it perhaps get additional
25 funding. And I also want to make sure that the small

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1 ethnic neighborhood based cultural institutions also
2 benefit, 'cause they too need identification, need
3 audience participation.

4 I know there was a suggestion that it be a
5 library card. I think that's a great idea, but I
6 lose my library card all of the time and I get a new
7 one for free. So if this is going to cost \$10 in the
8 future, how do I also get my library card for free?
9 I just want to bring that up, 'cause I love my
10 library card. And in addition that it is my
11 understanding that the proposed rules make no
12 provision for a website, but the new administrative
13 code section requires that applications be available
14 online. Obviously, this issue needs to be addressed.

15 Next, the types of ID used for calculating
16 points toward proof of identity and residency reflect
17 a great effort to be reasonable and congratulations
18 to everyone involved. But I think we all know, and
19 certainly Commissioner Banks knows from his previous
20 job, that there's a problem for a specific type of
21 New Yorker. Many residents live in an all cash
22 world. They do not have paystubs. They may occupy a
23 room in a relatives' apartment. They don't have a
24 lease, even though they pay rent. They don't
25 necessarily have utility bills in their own name even

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1 if they pay their share. And not everyone, as we
2 know, has a child in the school system. So we need a
3 provision whereby someone in this situation could
4 with appropriate sworn statements or witnesses along
5 with less formal evidence, perhaps personal letters
6 to their address, as proof of residency could
7 nevertheless get an ID.

8 So we know that New Haven, San Francisco,
9 Los Angeles already have municipal programs. These
10 cities have used the ID cards to address the serious
11 problem of the residents who are without banking
12 services. I don't need to tell any of you that
13 carrying cash around to pay bills and rent puts this
14 un-bank population at risk. So I know that we'll
15 look at ways, like following other cities or even
16 doing better, to how we can use these cards as debit
17 and banking cards.

18 I hope, also, we'll use the community
19 boards, work with the community boards in
20 implementing the municipal ID. So thank you for this
21 opportunity. I know that many of you will have much
22 better and more innovative ideas and I do, but I want
23 to congratulate everyone and I look forward to the
24 implementation. We'll bring all New Yorkers into the
25 fold of a stronger, more self-identified, and visible

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1 New York community. Thank you very much.

2 [Applause]

3 MR. DRESSLER: Thank you. I'll call up
4 Rebecca Engel of NYCLU.

5 MS. REBECCA ENGEL: Good evening. My name
6 is Rebecca Engel. I'm policy counsel at the New York
7 Civil Liberties Union. The NYCLU represents 50,000
8 members and supporters across New York State. And
9 our priorities include advocating for the rights of
10 immigrants, but also protecting individuals' privacy
11 from government intrusion and unnecessary risk. For
12 that reason, the NYCLU doesn't support the NYC ID in
13 its current form, because the retention of documents
14 that it allows for doesn't meet basic Constitutional
15 privacy standards.

16 But we think that there are means to
17 establish and strengthen the privacy standards in the
18 program through this rulemaking process. The first
19 of these is the establishment of a notice requirement
20 that would be triggered whenever a law enforcement
21 agent requested a cardholder's information. This
22 form of notice is a really basic privacy protection
23 that exists in many other local agency rules. The
24 rules could also direct HRA to plead confidentiality
25 in any case where the request is not related to the

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1 administration of the card itself. Again, to limit
2 the unnecessary expansion of document sharing and,
3 again, the direction to plead confidentiality is a
4 provision that already exists in lots of local agency
5 rules and could be adapted for this purpose.

6 We believe the rules should also include
7 provisions for redacting information. The city can
8 make a serious commitment to protecting retained
9 information by directing HRA to redact information
10 contained in a document that isn't relevant to the
11 reason for which the document was offered. So, for
12 example, if an applicant provided a hospital record
13 as a proof of residency, all of the information
14 besides the person's name and address and any
15 letterhead on the, on the document that authenticated
16 could be redacted from the copy in the city's
17 possession. And this would prevent information
18 leakage that could put things like special education
19 status or a sensitive health diagnosis in the hands
20 of law enforcement without a judicial warrant.

21 We think redaction is an inexpensive
22 strategy that will not harm the city's goal of
23 carefully monitoring for fraud and it will make an
24 enormous difference in the security and sanctity of
25 private information. And then, finally, we

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1 understand that the administration intends to use
2 facial recognition technology in administering the
3 card and we are concerned that there is a complete
4 lack of proposed regulations regarding the use of
5 this technology. And we would like the rules to
6 explicitly limit the application of the technology,
7 including the restriction that the photos will only
8 be checked against other photos in the NYC ID
9 database and not permit comparisons with other local,
10 state, or national databases.

11 The city should also provide notice to card
12 applicants that facial recognition software is being
13 used. As is the case with other aspects of this
14 program, New Yorkers have a right to know when they
15 are taking a privacy risk. And, finally, HRA should
16 create a transparent and meaningful appeals process
17 for people who believe they were mistakenly matched
18 through the facial recognition process, because
19 researchers actually revealed that facial recognition
20 technology is not immune to error.

21 So, in conclusion, the NYCLU encourages the
22 city to consider this rulemaking process as a way to
23 really improve and strengthen the program through
24 adopting comments and privacy protections and we urge
25 the city to refocus its implementation of this

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1 program on the vulnerable communities it was intended
2 to serve rather than allowing NYC ID to become a tool
3 for law enforcement. By adopting these kind of
4 simple privacy protections, we think it can make
5 important steps in that direction. Thank you.

6 [Applause]

7 MR. DRESSLER: Betty Turner of Manhattan
8 Together.

9 MS. BETTY TURNER: My name is Betty Turner
10 and I'm a leader of a Lady of Lourdes Church in West
11 Harlem, Manhattan Together, and Metro IAF. We are a
12 network of organizations and congregations and we
13 represent tens of thousands of families of different
14 racial, religious, and socioeconomic backgrounds in
15 New York City.

16 However, on May 9th, 1930, the courthouse in
17 Sherman, Texas was completely burned by an angry mob
18 targeting a trial defendant. Most of the county's
19 vital records were destroyed. Among them, my
20 mother's birth certificate. Years later at age 65
21 she had to find two people who remembered her birth
22 to sign an affidavit to get the replacement birth
23 certificate to register for Medicare. This was,
24 needless to say, quite difficult.

25 In 2010 my church, among some other Metro

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1 IAF members like Little Sisters of the Assumption
2 Family Health Service in East Harlem, started
3 producing our own ID's. This was largely because the
4 lives of our undocumented members were being so
5 disrupted by their lack of recognized ID's. We
6 worked with local police and other agencies to ensure
7 that they would recognize our ID's. Thousands of
8 lives were improved as a result.

9
10 However, as the story above shows, it is not
11 only immigrants who face challenges with ID's. Many
12 older US citizens, like my mother, lost their
13 documents and had difficulty replacing them. This is
14 especially true of those like a dear friend of mine
15 who is suffering from dementia. Metro IAF strongly
16 supports the city producing its own ID and that all
17 New Yorkers can get. Our churches, synagogues, and
18 other organizations look forward to working with
19 officials to help people sign up in our facilities.
20 A few changes to proposed rules would help more
21 people have access to the cards without the risk of
22 fraud.

23 Recognized official letters from religious
24 non-profit healthcare and other established
25 organizations to prove residency allows such
organizations to issue legal affidavits for people

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1 with whom they have had long-term relationships.
2 Allow ID cards issued by religious organizations and
3 non-profits like my parish and Little Sister to count
4 for one point as union ID's do so under the proposed
5 rules. Allow children under 14 to obtain ID's with
6 the permission of their guardian. Consider allowing
7 recently expired ID's beyond the municipal ID card to
8 be counted for one point.

9 Further, we strongly endorse the option to
10 include health information on ID cards. I suffer
11 from a number of allergies, penicillin, aspirin, and
12 sulfur based drugs. I've had a couple of life
13 threatening experiences. This past July another
14 friend experienced a severe allergic reaction to
15 penicillin and required hospitalization. Many people
16 have such challenges. Hoping to prevent incidents
17 like this could be a major benefit to all New Yorkers
18 and greatly improve the cards' appeal.

19 Metro IAF looks forward to working with the
20 city to ensure as many people as possible from all
21 socioeconomic groups gain access to this card. This
22 would be so helpful to them and our city as a whole.
23 Thank you.

24 [Applause]

25 MR. DRESSLER: Thank you. Jose Luis Mejia

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1 of Soul Bronx Church.

2 MR. JOSE LUIS MEJIA: Hello. My name is
3 Jose Luis Mejia. I'm a leader in a group of
4 Immaculate Concepcion Church, Roman Catholic Church,
5 and in several churches and Metro IAF. Because of
6 this, I know how valuable the municipal ID's will be.
7 I know several men who have been detained and when
8 they were asking for ID's, because the police didn't
9 recognize the Metro ID's. I know that other people
10 have not been able to see family in the hospital or
11 visit their children's teachers because they didn't
12 have recognized ID's.

13 Because of this and many other cases, my
14 church, as we see in Metro IAF, are happy to help the
15 municipal ID's become a reality for as many people as
16 possible. Immaculate Conception and other Metro IAF
17 groups are looking for work to house the city
18 official when they come to sign people up for the
19 municipal ID's. However, in order for the ID's to
20 help as many people as possible, we have a few
21 recommendations for change to the rules under which
22 this program will be run.

23 First, many of our members have a particular
24 counselor and a passport as well as other documents
25 to help them establish residency. But many do not.

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1 We are very glad that the city has said that it
2 recognizes religious organizations and other not for
3 profit - - of domestic violence or homeless people
4 with letters to establish their residence for this
5 ID. However, we feel it is very important that any
6 person who has a long term relationship with one of
7 these organizations be able to use a similar letter
8 to prove they, his or her residency. This will help
9 many members of my church and others while keeping a
10 high standard of proof. We also recommend that the
11 city look into recognizing picture ID's created by
12 such organizations.

13 Second, many people have documents that
14 clearly prove their identity which are recently
15 expired. We recommend the city explore recognizing
16 these documents for at least some value in receiving
17 an ID as well. By doing this, the city will have the
18 largest number of people taking advantage of this
19 important program. Thank you.

20 [Applause]

21 MR. DRESSLER: I apologize in advance if I
22 get this wrong. Shena Elrington of the Center for
23 Popular Democracy. How bad did I do?

24 MS. SHENA ELRINGTON: That's pretty good.

25 MR. DRESSLER: Okay. You'll, you'll make it

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1 clear. Thanks.

2 MS. ELRINGTON: Hi. Good afternoon,
3 everyone. And thanks to Commissioner Banks and
4 Commissioner Agarwal for helping to convene today's
5 hearing and for the opportunity to testify on this
6 very important issue. My name is Shena Elrington.
7 I'm the director of immigrant rights and racial
8 justice policy at the Center for Popular Democracy in
9 Brooklyn where I work on state and local policy
10 initiatives to protect immigrant rights and promote
11 racial justice.

12 CPD has been deeply involved in the
13 Coalition of Advocates who have worked in
14 collaboration with the mayor's office and the city
15 council to bring municipal ID's to New York City.
16 And we are extremely excited at the speed with which
17 the program is becoming a reality. We believe that
18 the program sends a powerful message of welcome and
19 inclusion to immigrants and other vulnerable
20 populations and that it has the potential to ease
21 access to cities services for thousands of New
22 Yorkers.

23 We appreciate the months of working together
24 with the city to make the card accessible and safe
25 and we think that it will be really transformative

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1 for all New Yorkers. In reviewing the proposed rule,
2 our coalition has developed several recommendations,
3 two of which I'll focus on today, to help ensure that
4 the program is both accessible and understandable to
5 the people it is designed to help.

6 The first focus is on expired documents. As
7 many of you know, the proposed rules states that no
8 expired documents will be used for the purpose of
9 issuing the ID's. We urge the city to adopt a final
10 rule that allows New York City ID applicants to
11 present expired US or foreign government issued ID
12 within a reasonable timeframe. Such as within five
13 years of expiration. DMV's and states across the
14 country have long accepted expired documents towards
15 proof of identity, including New York, Washington,
16 Colorado, and Georgia.

17 Outside of DMV's, there are a number of
18 additional examples and contacts where local, state,
19 and federal government accepts expired documents to
20 verify someone's identity. Many New York City ID
21 card applicants will be relying on consular ID's or
22 passports from countries that either do not maintain
23 an active local consulate or charge high fees for
24 document renewal and we think that that will require
25 people to obtain copies of documents that might be

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1 impossible or very costly. As already noted, many
2 New Yorkers already use identification that may have
3 been issued based on expired ID in order to open bank
4 accounts, obtain city services, and interact with
5 police and we urge the city to do the same. With
6 respect to our second recommendations with respect to
7 facial recognition, we urge you to explicitly include
8 regu-, regulations of this facial recognition
9 technology in the final rule to ensure that this
10 information, like other information, submitted by
11 card applicants is protected to the maximum extent
12 possible.

13 The final rule should specifically state how
14 the program will operate and how the city will limit
15 sharing and access of photos and facial recognition
16 data in the New York database with other national,
17 state, and local databases. The final rule should
18 also require that the city notify applicants about
19 its use of the technology, what it is, what kind of
20 data will be collected, with whom it will be shared,
21 and what protections exist to guard against data
22 sharing with law enforcement agencies.

23 Thank you, again, for the opportunity to
24 testify today and all of the tremendous work you and
25 others have put in to making municipal ID's a

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1 reality. We deeply appreciate your commitment and
2 look forward to working with you to support the
3 implementation process and make the municipal ID
4 program a success. Thank you.

5 [Applause]

6 MR. DRESSLER: Okay. I'm going to do this
7 one by number, because I'm having trouble reading the
8 name. But I believe it might be--it's number 7 and
9 Mr. and Mrs. Rivas and it's FINY is the organization.
10 Thank you.

11 MR. RIVAS [THROUGH INTERPRETER]: Hi, good
12 evening. He introduced himself. His name is Rendila
13 [phonetic]. He's a volunteer and he's thanking
14 everybody for him to be here, 'cause this, this, the
15 way that he feels is this is going to do a lot of
16 good. This program is going to help a lot of his
17 people or our people, our minority people. He is
18 Catholic. And he said that what is happening here
19 today is going to be so wonderful that everybody as a
20 community has united to make this program happen.
21 And he thanks Jesus for this. He said to keep up the
22 good work by working together and in being united it
23 will make a difference. And he's so happy that this
24 program is going to happen and he thanks Jesus and
25 everyone for that. Thank you he says.

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1 [Applause]

2 MR. DRESSLER: Thank you. Since this is
3 being recorded and transcribed, we should just make
4 it clear. Mr. Rivas's comments were translated for
5 the room from Spanish into English by one of our
6 Spanish language interpreters. We're now calling
7 number 8, Mr. Anthony Perez, again of FINY.

8 MR. ANTHONY PEREZ: Good evening. I'm
9 Anthony Perez. I'm a community organizer with Faith
10 in New York. We're an interfaith organization that
11 promotes social justice issues. Excuse me. I didn't
12 expect to speak this evening. But I'd like to
13 applaud the mayor's office and all of the council
14 members that were, and everyone in city government
15 that worked really hard to get this municipal ID card
16 passed. It's going to be of great benefit to people
17 of all faiths and to our immigrant population.

18 And I'd like to say that although I also
19 would like to applaud comments made by other
20 advocates here, the need to tighten up some of the
21 privacy issues, the need to expand the points system
22 by allowing certain, certain expired documents to
23 count as points towards, towards the obtaining of the
24 municipal ID card. I do see that a lot of good work
25 has been done to be able to compromise and negotiate.

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1 But hopefully more work will be done. And I would
2 like to, I would like to add that I hope to see the
3 city in partnership with advocacy groups, bringing
4 perhaps some mobile units out to community centers
5 and churches of all faiths, so that their communities
6 can sign up and get onboard.

7 While the card may have some shortcomings
8 and may exclude a few in the marginalized
9 communities. In general, it will benefit thousands
10 and millions of people here in the city. I think
11 it's a good thing to unite our city, to make everyone
12 feel that they're part of this city. Thank you very
13 much.

14 [Applause]

15 MR. DRESSLER: Thank you. I'm going to call
16 the next two up together. Mr. Rabin Biswokarma and
17 Ms. Luna Ranjit, both of Adhikaar. Ms. Ranjit will
18 translate from Nepali for Mr. Besuacarma. And then
19 speak on her own behalf.

20 MR. RABIN BISWOKARMA [THROUGH INTERPRETER]:
21 Namaste. My name is Rabin Biswokarma. I am a member
22 of Adhikaar. I have lived in New York for three
23 years. I have faced many problems, because I don't
24 have an ID. From trying to find a job, going to
25 work, when I try to rent a room, sometimes when I get

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1 sick going to hospital becomes a problem. And often
2 times when I try to enter office buildings I, I have
3 problems. And this is not just my problem. Many of
4 my friends have similar problems. So today I'm very
5 happy that this ID is becoming a reality. But I'm
6 also worried, because I may not be able to provide
7 all of the necessary documents to prove that I'm
8 here. And so I think it would be nice if you accept
9 letters from organizations like Adhikaar to prove
10 that we live here. Thank you.

11 [Applause]

12 MS. LUNA RANJIT: So I'll just piggyback on
13 that and to issue my own statement as well. My name
14 is Luna Ranjit. I'm the executive director of
15 Adhikaar. As you may have guessed, we organize
16 Nepali speaking immigrants. We are among the newest
17 to New Yorkers and one of the fastest growing groups
18 of immigrants in this city. Thank you,
19 commissioners, for this opportunity to comment.

20 We are happy that the municipal ID is
21 finally becoming a reality, but we also want to raise
22 some concerns as like one of the things is the proof
23 of residency is going to be very hard in some. It's
24 been raised earlier of that. Because our members
25 operate in a very informal economy, live without much

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1 documentation and that's one of the reasons that our
2 members need this ID is because they don't have many
3 of the things that would prove their iden-, ID. And
4 so we would, I request to you to expand what is
5 acceptable to prove residency. And we'd also like to
6 emphasize that expired documents, especially when it
7 comes to foreign passports or foreign national ID's
8 be accepted, because there are some countries that
9 are refusing to renew document passports for their
10 citizens who have, who have overstayed their visas.
11 So if you are undocumented your own country is not
12 allowing the passport to be renewed. So that those
13 people would definitely be excluded from this
14 program.

15 We also want to also just re-emphasize that
16 to strengthen privacy protections, because that's
17 another issue we faced with our members because of
18 the fear of governments. Like when we're working
19 around census issues, a lot of people did not
20 participate because of the fear of information
21 retention. That's another consideration. One thing
22 I would as an advocate for language justice, we are
23 very happy to see so many different languages being
24 represented here today. But our language is still
25 not one of them and we realize that as a small

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1 community we often don't meet the threshold. There
2 are many times it would not.

3 Our community is excluded from outreach and
4 from the services, so we hope that we get to work
5 with HRA and come up with proactive measures to reach
6 out to communities, especially emerging communities.
7 We're not saying this just for our Nepali or Tibetan
8 communities, but at least there is Adhikaar to
9 advocate for our community. But there are other new
10 immigrant communities which don't even have community
11 groups to be advocating for them, so I feel that it
12 is the HRA's job to actually be even more proactive
13 for those communities. Thank you very much.

14 [Applause]

15 MR. DRESSLER: Betsy Plum, New York
16 Immigration Coalition.

17 MS. BETSY PLUM: Good evening and thank you
18 for calling tonight's hearing and the opportunity to
19 testify. My name is Betsy Plum and I'm the director
20 of special projects at the New York Immigration
21 Coalition, an umbrella policy and advocacy
22 organization. I would like to take this opportunity
23 to echo the formal comments submitted on behalf of
24 the NYC Municipal Coalition yesterday, which offer
25 concrete recommendations to ensure that the NYC ID is

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1 the best ID possible for the most New Yorkers.

2 Paramount to this desire in ensuring that
3 New Yorkers are not deterred from applying for the ID
4 out of fear for their security and safety and are not
5 prohibited from applying because they lack sufficient
6 or adequate documentation. We emphasize that the
7 city must consider its documentation requirements
8 with the pragmatic focus and not create requirements
9 that are more onerous than those in place when
10 applying for a New York State driver's license,
11 excuse me, or many immigration benefits.

12 For example, the city should allow, as many
13 have said, the use of expired government issued ID's
14 to establish identity. Not only is there strong
15 precedent for this, but accepting such documents will
16 be key to the program's early success. Many
17 immigrants, a critical target population of this ID,
18 will plan to use their foreign passport or consular
19 ID. While the NYIC has worked with consulates to
20 provide nearly 15,000 immigrants with consular ID's
21 they can be expensive and could put the real cost of
22 this ID at hundreds of dollars. Thus defeating the
23 intent for the ID to be free in its first year.

24 Furthermore, not every nationality will have
25 a consulate here in New York. And for those that do,

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1 there can be risks associated with accessing the
2 services here in New York, particularly in the case
3 of a refugee or an asylum seeker. For individuals
4 not listed on their apartment lease or who are paid
5 in cash, we anticipate difficulties in proving
6 residency and reiterate the coalition's request that
7 other proofs be made acceptable, such as mail
8 received at an address with a postal service stamp or
9 a notarized letter from a community based
10 organization that receives New York City funding
11 stating the address of the individual. These common
12 sense proofs are simple yet secure.

13 We encourage a thorough review of the
14 additional recommendations submitted by the NYC
15 Municipal ID Coalition as these will help to ensure
16 the integrity and success of the program. Thank you
17 again for this opportunity to testify and we look
18 forward to continuing to work together over the
19 coming months to ensure a successful initiative and
20 congratulations.

21 [Applause]

22 MR. DRESSLER: Donna Burnett, the Black
23 Institute.

24 MS. DONNA BURNETT: Good afternoon,
25 everyone. Today I'm representing two organization,

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1 the Black Institute and the Russian Speaking
2 Community Council of Manhattan and the Bronx. First
3 of all, the Black Institute advocates for
4 immigration, education, economic empowerment, and
5 environmental justice. The Russian Speaking Council
6 advocates for Russian immigrants. On behalf of these
7 two organizations, I would like to thank the mayor,
8 our commissioners, and all of the employees and
9 agencies who were involved in the creation process of
10 this ID card.

11 We believe that in order to lessen stigma
12 and suspicion of the applicant based on their
13 immigration status that the city should require that
14 all city employees apply for an ID card. We believe
15 that this move would legitimize and solidify the
16 reason for the ID card. Also, we believe that the
17 city should actively advertise among all city
18 employees, all businesses, whether for profit or
19 nonprofit, so that these employers could encourage
20 their staff to apply for the ID card.

21 To show our solidarity with the city, the
22 Black Institute will be requiring all of their
23 employees to apply for and have this ID card when it
24 comes into place. So, once again, thank you for this
25 forum whereby we can give our comments and we hope

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1 that we will see the realization of this ID card in
2 the very, very near future. Thank you.

3 [Applause]

4 MR. DRESSLER: Deyanira Del Rio, the New
5 Economy Project.

6 MS. DANA DEL RIO: Hi. Good evening.
7 Thanks for holding the hearing tonight. My name's
8 Deyanira Del Rio. I'm a co-director of the New
9 Economy Project. We're an economic justice
10 organization here in New York City and we're a member
11 also, like many others who have testified so far, of
12 the New York City Municipal ID Coalition, which did
13 submit detailed comments on the proposed regulation.

14 We want to thank the city for its work to
15 create a New York City ID that's accessible, that's
16 safe, that is going to promote public safety, and
17 inclusion in many ways for New Yorkers of all
18 stripes. Our organization's particularly interested
19 in working with the city to make sure that this ID
20 expands economic opportunities, including access to
21 safe, affordable credit union and bank accounts in
22 the city and are very excited to work with hand in
23 hand with the administration to make sure that that
24 happens.

25 I want to focus on just a couple of

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1 identification issues. One thing that I think has
2 not yet been mentioned tonight is that we do
3 recommend that the city expand the types of ID's that
4 are acceptable towards proof of identity as well as
5 residency. In particular, there are several items
6 that the New York State Department of Motor Vehicles
7 accepts towards proof of identity that, for driver's
8 licenses and for just regular state ID cards that are
9 not included in the proposed regulation and we think
10 that those should be included. They include things
11 like paystubs from an employer or a utility bill or a
12 bank account statement or cancelled check. All of
13 these under the DMV rules get a point towards proof
14 of identity and we would love to see New York City to
15 do the same for the municipal ID.

16 I want to also talk a little bit about the
17 expired identification issue, which others have
18 mentioned. Just to make it clear, under the proposed
19 rule as it stands, because no ID that has expired is
20 acceptable, someone who does have a government issued
21 ID, a driver's license or a passport that expired
22 yesterday would not be able to get the New York City
23 ID. I think this goes counter to what the city's
24 trying to do. And, again, other DMV's throughout the
25 country, including New York State's DMV, does accept

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1 some types of expired identification. We're asking
2 the city specifically to accept certain forms of
3 expired ID that are government issued, US or foreign
4 government issued, within a reasonable timeframe of,
5 for example five years, towards verifying your
6 identity.

7 We think that the acceptance of the
8 government, of certain expired documents towards
9 proof of identity does not undermine the credibility
10 of the ID and certainly should not undermine the
11 acceptance of the New York City ID by banks, by other
12 institutions, and agencies in the city. Again, right
13 now someone could, with expired ID, get a New York
14 State driver's license and go open a bank account
15 registered owner have that ID recognized for a
16 variety of purposes. So there should be no reason
17 for New York City to adopt a stricter standard or for
18 any agency or entity to expect New York City to adopt
19 a higher standard especially given that the goal of
20 this is to put government issued ID in the hands of
21 people who currently can't get it. In the case of
22 individuals who can go to their consulates, and as
23 you heard, many people cannot, again there's high
24 fees and other hurdles that they would have to face
25 to renew that foreign government issued ID.

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1 Once they have that in hand, the need for
2 another government issued ID, a New York City ID,
3 becomes much less and we think undermines the goal of
4 the program to get this in as many hands as possible.
5 So, again, we want to thank the city for all of the
6 work. We know that so many people and departments
7 and agencies have been working really hard on this
8 and we're committed to continuing to work with you.
9 And thank you again.

10 [Applause]

11 MR. DRESSLER: The next speaker is scheduled
12 to be our last speaker. It's Mr. Jason Chang, Number
13 15. I'm sorry, I can't read the organization.
14 Before we break, if there's anybody else who would
15 like to speak, if you could just meet me over by the
16 side here we'll make those arrangements. If not,
17 then this will be our last speaker of the evening.
18 Thank you.

19 MR. JASON CHANG: Good evening. My name is
20 Jason Chang with the National Federation of Community
21 Development Credit Unions and I'm here to reiterate
22 the Federation's support of New York City's Municipal
23 ID Program. To this end, the Federation has recently
24 began engaging with the federal regulators of credit
25 unions so that credit unions understand that

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1 municipal ID's can be accepted in compliance with
2 know your customer rules.

3 I also want to echo the point of expanding
4 documents that HRA can accept to verify identity as
5 raised by the NYC ID coalition, including expired ID
6 documents. As the Federation has built on a
7 historical mission to provide financial access to the
8 unbanked and the under banked, we believe expand the
9 list of acceptable documents is significant to help
10 people gain access. The Federation is pleased to
11 support the New York City Municipal ID initiative and
12 we look forward to the positive impact that the
13 program will generate in the new coming year. Thank
14 you.

15 [Applause]

16 MR. DRESSLER: Thank you. We do have one
17 more, Audrey Carr of Legal Services NYC.

18 MS. AUDREY CARR: Hi. Good evening. My
19 name is Audrey Carr. I'm the director of immigration
20 at Legal Services NYC. I don't have any prepared
21 comments, but I just wanted to say that we echo many
22 of the comments made here today, specifically around
23 accepting expired documentation. I run into a lot of
24 immigrants who have been in this country and in this
25 city specifically for very, very many years.

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1 Sometimes 20 plus years. They have passports that
2 they have not been able to renew or have been denied
3 renewal of their passports by their consulates.

4 The other thing I wanted to mention is that
5 HRA should consider expanding the list of immigration
6 documents that the city will accept when it comes to
7 issuing the municipal ID. For example, in the list
8 of documents listed you indicate approval notices
9 issued by the US Citizenship and Immigration
10 Services. There are very many documents that USCIS
11 issues, such as receipt notices for a variety of
12 applications that may be pending with the immigration
13 services. The ICE, Immigration Customs Enforcement,
14 issues what's called an order of supervision for
15 individuals who may be deportable but are being
16 allowed to stay in this country. They will not have
17 any type of passport, because that's usually
18 confiscated by ICE. But they would be issued a piece
19 of paper called an order of supervision.

20 There are prima facie notices that are
21 typically issued to applicants who have applied for
22 relief under the Violence Against Women's Act. That
23 should be an accepted document. In addition, there
24 are individuals who are granted deferred action,
25 whether they applied for DACA, temporary protected

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1 status, Violence Against Women's Act. There's a huge
2 slew, over 40 plus immigration documents, that may be
3 issued either through ICE, the Customs and Border
4 Protection, as well as the US Citizenship and
5 Immigration Service.

6 And one more document I would advise the
7 city would consider including would be Immigration
8 Court notices. Again, there are very many people who
9 get their documents taken from them upon re-entry in
10 the country and those are in the custody of the
11 government, and they are placed in deportation
12 proceedings. All they might have is a notice of when
13 to appear in immigration court. So I would strongly
14 recommend that the city agree to accepting those
15 types of documents. Thank you.

16 [Applause]

17 MR. DRESSLER: Okay. We do have one more,
18 Maria Flores of Iglesia Garifuna and she'll be
19 speaking with the assistance of the Spanish
20 interpreter.

21 MS. FLORES [THROUGH INTERPRETER]: Good
22 afternoon, ladies and gentleman. My name is Theresa
23 Maria Garcia Flores. I am coming from the Bronx. I
24 represent the Church, Garifuna Church of New York. I
25 say thank you to what you are doing right now to give

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1 the municipal ID for all of the people of New York.

2 But I have a question, because of the people
3 that doesn't have any identification from the
4 countries or here and if it's possible for them to
5 get this municipal ID. I would like that you include
6 them in this program, because they don't have money
7 and the Honduras consulate asks for a lot of money to
8 get the identification from their country. They are
9 in need of your help.

10 We are also working with the group of people
11 that came to the borders and they don't have also
12 documentation and I am asking you for help with this
13 group. Thank you very much. God bless you.

14 [Applause]

15 MR. DRESSLER: Pradeep Thapa, US Nepal
16 Online.

17 MR. PRADEEP THAPA: Hello. Good evening.
18 My name is Pradeep Thapa, editor of US Nepal Online.
19 This is a New York based Nepalese news portal. We
20 have been serving to Nepalese community since 2007
21 and our estimate is about 30 to 40,000 Nepalese live
22 in New York City. But according to the 2010 US
23 census there are only 7,000 Nepalese are residing
24 here. Our understanding is many Nepalese are
25 undocumented. That means they don't have those ID's

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1 we are talking about point 3 and point 4. These are
2 out of context for those undocumented people. So I'm
3 looking at this number 2 and number 1.

4 Those people they may obtain, they may have
5 foreign passports, two points, and they may have
6 their national ID, identification, card, two points,
7 or they may not have. In that case, the stumbling
8 block is the proof of residency. I could see so many
9 Nepalese and Asian people living with the four or
10 five people in one home due to their identification
11 due to their undocumented. So in that case, they
12 will not be able to provide proper residency address.

13 In that case, just before Rabin Biswokarma
14 of Adhikaar requested that not only the agency who
15 serve for the homeless or the domestic violence, but
16 the agency who serve for the immigrants, like
17 Adhikaar. They are a very powerful and they are
18 working for those undocumented lot of Nepalese
19 hundreds and thousands of Nepalese. So I think in
20 this provision the agencies like Adhikaar should be
21 included to provide the letters for those
22 undocumented. This way we can accommodate those
23 undocumented immigrants into this city ID.

24 Otherwise, we're talking a lot of about
25 number point 3 and point 4. That is there is no

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relevancy in this case. If we are really want to
serve this ID to those undocumented immigrants.
Thank you.

[Applause]

MR. DRESSLER: Okay. I think we're through
all of the public comments. Thank you all for coming
tonight and have a good night.

[Applause]

[END OF HEARING]