

**SECONDARY REVIEW PROCESS FOR APPLICANTS
CHALLENGING THE DENIAL OF A NEW YORK CITY IDENTITY
CARD (IDNYC)**

TO: Martha Calhoun, General Counsel
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CC: Nisha Agarwal, Commissioner, Mayor's Office of Immigrant Affairs
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FROM: Steven Banks, Commissioner 

I. INTRODUCTION

Pursuant to New York City Administrative Code Section 3-115 and the Mayor's Executive Order No. 6 of 2014, the New York City Human Resources Administration (HRA) is designated as the administering agency of the New York City Identity Card (IDNYC) Program. The purpose of the IDNYC program is to provide access to government-issued photo identification for all New Yorkers, regardless of immigration status, homeless status or gender identity. HRA and the IDNYC Program are committed to providing individuals who have applied for and been denied a card, and wish to challenge the denial, with a meaningful administrative review process before the agency's decision on their application becomes final.

II. INTEGRITY REVIEW PROCESS AND APPLICATION DENIALS

All IDNYC card applications will be reviewed at the enrollment site by the IDNYC Specialist accepting and processing the application to ensure that the application is filled out completely and that the applicant is presenting documents that are sufficient on their face to establish the applicant's identity and residency in accordance with NYC Administrative Code Section 3-115 and the agency's implementing rules. All complete

applications that meet these requirements will be submitted by the IDNYC Specialist for processing.

All submitted application materials will undergo a series of additional checks by the IDNYC Program Integrity Unit staff to prevent potential instances of fraud or identity theft and to ensure the applicant is eligible for the card.

If an application is denied following this review, Program Integrity Unit staff will inform the applicant of the denial in writing by mail. The letter will include information regarding the reason(s) for the denial.

III. REQUEST FOR SECONDARY REVIEW

An individual whose application has been denied may request reversal of the denial by mailing a completed Request for Secondary Review form to the IDNYC Program within 30 days of the date of denial.

The Request for Secondary Review form will be included with each denial letter and will also be made available on the HRA and IDNYC websites. This form must be completed in writing by the denied applicant and submitted to the IDNYC Program by mail at an address specified on the form within 30 days of the date of the denial letter.

Each request for secondary review will be assigned to a supervisor and investigator who were not involved in the original application determination. These reviewers will examine the original application submission as well as any additional information included by the applicant on or appended to the Request for Secondary Review form and make a recommendation to the Executive Director to reverse or uphold the original determination. If the Executive Director reverses the denial decision, the application will be processed as an approval, and the applicant will receive a card in the mail. If the Executive Director upholds the denial decision, the applicant will be so informed by mail.

The IDNYC Program shall respond to all requests for secondary review within 30 days of receipt of the request. In the event that the IDNYC Program does not respond within 30 days, then the determination under review shall be the agency's final decision on the application.

IV. SUBSEQUENT APPLICATIONS AFTER A DENIED APPLICATION

Applicants who have been denied an IDNYC card may submit a new application with new 1, 2, 3 or 4 point documents at any time. All applications will be considered, regardless of the status of any request for secondary review.

Classification 1

Effective: Immediately