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*Hon. Carlos Menchaca, Chair*

**February 11, 2019**

**Oversight:** IDNYC Program

**I. INTRODUCTION**

On February 11, 2019, the Committee on Immigration, chaired by Council Member Carlos Menchaca, will hold an oversight hearing examining the City's IDNYC program. The committee expects to receive testimony from the Mayor's Office of Immigrant Affairs ('MOIA') and the Human Resources Administration ('HRA'), as well as advocates, legal and social services providers and members of the public.

## II. BACKGROUND

### a. *Creation of the IDNYC Program*

The New York City Council created IDNYC, a free identification card, in the spring of 2014 to provide every New York City resident the opportunity to obtain affordable, safe, and legitimate government-issued photo identification.<sup>1</sup> The program was established pursuant to Local Law 35 of 2014 (“Local Law 35”), sponsored by Council Members Daniel Dromm and Carlos Menchaca, and then-Speaker Melissa Mark-Viverito.<sup>2</sup> Under the IDNYC program, every New York City resident can obtain an IDNYC, regardless of race, color, creed, age, national origin, alienage or citizenship status, gender, sexual orientation, disability, marital status, partnership status, any lawful source of income, housing status, status as a victim of domestic violence or status as a victim of sex offenses or stalking, or conviction or arrest record, as defined in title eight of the administrative code.<sup>3</sup>

Pursuant to Local Law 35, IDNYC is recognized by City agencies,<sup>4</sup> including the New York City Police Department.<sup>5</sup> The law also requires HRA, the administering agency, to work to promote acceptance of the card by banks and other public and private institutions, although many of these entities are not legally required to accept the card.<sup>6</sup> At this time, 14 different financial institutions throughout the city accept the card as a valid form of identification for opening a bank or credit account.<sup>7</sup> The program is also required to expand benefits associated with the card.<sup>8</sup> Some

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<sup>1</sup> Ross Barkan, *City Council Votes Overwhelmingly to Pass Municipal I.D. Bill*, <http://observer.com/2014/06/city-council-votes-overwhelmingly-to-pass-municipal-i-d-bill-2/>.

<sup>2</sup> Local Law 35 of 2014 amended the Administrative Code of the City of New York, by adding section 3-115.

<sup>3</sup> *Id.*; also see New York City Mayor’s Office, *Mayor Bill de Blasio and Council Speaker Melissa Mark-Viverito Launch IDNYC, The Country’s Most Ambitious Municipal Identification Program*, <http://www1.nyc.gov/office-of-the-mayor/news/215-15/mayor-bill-de-blasio-council-speaker-melissa-mark-viverito-over-100-000-idnyc>.

<sup>4</sup> See, NYC Administrative Code 3-115.

<sup>5</sup> Local Law 35 of 2014.

<sup>6</sup> *Id.*

<sup>7</sup> IDNYC, *Banks and Credit Unions Information Page*, available at: <http://www1.nyc.gov/site/idnyc/benefits/banks-and-credit-unions.page>.

<sup>8</sup> See, NYC Administrative Code 3-115.

private institutions have agreed to offer IDNYC cardholders a variety of discounts and benefits.<sup>9</sup> Such benefits include discounts at several cultural institutions and certain health and sports facilities, as well as prescription drug discounts at many pharmacies throughout the City.<sup>10</sup> The IDNYC program has also partnered with over 35 of the City's leading cultural institutions to grant cardholders free one-year memberships to their institutions.<sup>11</sup>

The IDNYC program was created to respond to the needs of individuals and communities that were unable to obtain identification and fully participate in and take advantage of services and institutions in the City. One such community considered in establishing the program were the estimated 500,000 undocumented immigrants living in New York City (as of 2010).<sup>12</sup> Many undocumented New Yorkers lack documents proving their identity, while others have only consular identification cards,<sup>13</sup> driver's licenses and birth certificates issued by their countries of origin.<sup>14</sup> For individuals trying to access basic services in the United States, these documents are sometimes deemed unacceptable forms of identification.<sup>15</sup> By providing individuals who lack identification with an official form of identification accepted by City agencies, the IDNYC program sought to improve public safety, removing a barrier for contacting the NYPD, facilitating

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<sup>9</sup> IDNYC, *Benefits Information*, <http://www1.nyc.gov/site/idnyc/benefits/benefits.page>.

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> New York City Department of City Planning, *The Newest New Yorkers: Characteristics of the City's Foreign-born Population* (2013), [https://www1.nyc.gov/assets/planning/download/pdf/data-maps/nyc-population/nny2013/nny\\_2013.pdf](https://www1.nyc.gov/assets/planning/download/pdf/data-maps/nyc-population/nny2013/nny_2013.pdf), at 186.

<sup>13</sup> A consular identification card is a "document that many consulates issue to identify the citizens of their country who reside abroad." A consular identification card is not meant to provide proof of legal residency, but provides a valid form of identification, provide certain protections, and may grant access to certain financial institutions. A Consumer Action Publication, *Consular ID Cards*, 1 (2007), <http://www.consumer-action.org/downloads/english/ConsularIDCards.pdf>.

<sup>14</sup> *See*, New York City Council Committee on Immigration Hearing Testimony on the Creation of a New York City Identity Program, <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1709715&GUID=96D7B94F-F24B-4308-8F29-6C559BF444EB>.

<sup>15</sup> *See*, The Center for Popular Democracy, *Who We Are: Municipal ID cards as a local strategy to promote belonging and shared community identity* (Dec. 2013), <https://populardemocracy.org/sites/default/files/municipal%20id%20report.pdf>.

the ability of police officers to identify crime victims, witnesses, and suspects, and improving communication and understanding between the police and immigrant communities.<sup>16</sup>

A second community in need of legitimate identification is LGBTQ<sup>17</sup> youth.<sup>18</sup> Transgender youth face the unique struggle of trying to obtain appropriate identification that accurately reflects their gender.<sup>19</sup> LGBTQ youth who are rejected by their family because of their sexual orientation or gender identity may also end up homeless without any documentation to establish their identity.<sup>20</sup> In New York State, the average age at which lesbian, gay, and bisexual youth become homeless is 14 and the average age that transgender youth become homeless is 13.<sup>21</sup> In general, the homeless population also encounters difficulty when trying to obtain proper identification. Many homeless individuals live in the City's shelters and therefore lack a permanent address.<sup>22</sup>

Senior citizens who are disabled or are living on a fixed income also reportedly have a difficult time maintaining identification, mainly due to the cost.<sup>23</sup> In fact, eighteen percent of all senior citizens over the age of 65 do not have photo identification.<sup>24</sup> Although the IDNYC program

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<sup>16</sup> See New York City Council Committee on Immigration Hearing Testimony on the Creation of a New York City Identity Program, <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1709715&GUID=96D7B94F-F24B-4308-8F29-6C559BF444EB>.

<sup>17</sup> LGBTQ stands for lesbian, gay, bisexual, transgender, and questioning.

<sup>18</sup> See New York City Council Committee on Immigration Hearing Testimony on the Creation of a New York City Identity Program, <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1709715&GUID=96D7B94F-F24B-4308-8F29-6C559BF444EB>.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> Center for American Progress, *Gay and Transgender Youth Homelessness by the Numbers*, (June 21, 2010), <http://www.americanprogress.org/issues/lgbt/news/2010/06/21/7980/gay-and-transgender-youth-homelessness-by-the-numbers/>.

<sup>22</sup> See New York City Council Committee on Immigration Hearing Testimony on the Creation of a New York City Identity Program, <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1709715&GUID=96D7B94F-F24B-4308-8F29-6C559BF444EB>.

<sup>23</sup> See New York City Council Committee on Immigration Hearing Testimony on the Creation of a New York City Identity Program, <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1709715&GUID=96D7B94F-F24B-4308-8F29-6C559BF444EB>.

<sup>24</sup> See The Center for Popular Democracy, *Building Identity: A Toolkit for Designing and Implementing a Successful Municipal ID Program* (July 2015) <https://populardemocracy.org/sites/default/files/Municipal-ID-Report-web.pdf>.

responds to the needs of the members of these communities, it was developed to be accessible for and usable by all residents of the city.<sup>25</sup>

*b. Program Launch*

On January 12, 2015, the de Blasio Administration launched the IDNYC program.<sup>26</sup> IDNYC is managed by HRA,<sup>27</sup> with the aid of MOIA<sup>28</sup> and the Mayor's Office of Operations (MOO).<sup>29</sup> HRA administers the enrollment centers and the application process in addition to conducting eligibility reviews and application approvals.<sup>30</sup> MOIA works with HRA to “identify and implement measures, including but not limited to staff training, community outreach, and language assistance tools, to address the needs of limited English proficient individuals in the administration of the New York [C]ity identity card program.”<sup>31</sup> Lastly, MOO helps to ensure communication and coordination between the various agencies involved in the IDNYC program.<sup>32</sup>

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<sup>25</sup> New York City Mayor's Office, *Mayor Bill de Blasio and Council Speaker Melissa Mark-Viverito Launch IDNYC, The Country's Most Ambitious Municipal Identification Program*, available at: <http://www1.nyc.gov/office-of-the-mayor/news/021-15/mayor-bill-de-blasio-council-speaker-melissa-mark-viverito-launch-idnyc-country-s-most#/0>.

<sup>26</sup> *Id.*

<sup>27</sup> See Executive Order No. 4 of 2014, designating the Human Resources Administration as the administering agency of the IDNYC program, available at <http://www1.nyc.gov/assets/idnyc/downloads/pdf/EO6-2014.pdf>. HRA serves more than 3 million low-income New York City residents through various programs aimed at addressing poverty and income inequality, and preventing homelessness. HRA's programs and services include: temporary cash assistance, public health insurance, Supplemental Nutrition Assistance Program (SNAP) benefits, emergency food assistance to food pantries and community kitchens, home care for seniors and the disabled, child care, child support enforcement, adult protective services, services for survivors of domestic violence, HIV/AIDS support services, rental assistance to prevent homelessness, and legal services. See Testimony of Steven Banks, Commissioner, Human Resources Administration, before the Committee on General Welfare, New York City Council, Fiscal Year 2016 Preliminary Budget Hearing (Mar. 17, 2015).

<sup>28</sup> See Local Law 35 of 2014.

<sup>29</sup> See Local Law 35 of 2014. The Mayor's Office of Operations is charged with implementing initiatives that cut across agencies and working to make the City's government efficient and user friendly. It operates the 311 Call Center, and produces the annual Mayor's Management Report, which compiles data about the performance of over 40 agencies. See New York City Mayor's Office of Operations Website, *About Operations Page*, available at: <http://www.nyc.gov/html/ops/html/about/about.shtml>, (last visited Apr. 30, 2015).

<sup>30</sup> See Testimony of Commissioner Steve Banks, *supra* at 26.

<sup>31</sup> See NYC Administrative Code 3-115.

<sup>32</sup> See generally, New York City Mayor's Office of Operations Website, *Mission*, <https://www1.nyc.gov/site/operations/about/about.page>.

After advocacy from the Council, the Administration allocated approximately \$8 million in Fiscal Year 2015 for the implementation of the program.<sup>33</sup> The initial allocation included funds for marketing and staffing, among other key components.<sup>34</sup> The Council then advocated for an additional \$5 million, which was included by the Administration to increase the program's resources.<sup>35</sup>

All New York City residents age 10 and older can apply for an IDNYC card, and the card can be used to enter all City buildings, such as schools, and access City services.<sup>36</sup> The IDNYC card displays the cardholder's photograph, name, date of birth, address and expiration date. At the cardholder's discretion, the card may also display the applicant's self-identified gender, emergency contact, and organ donor status.<sup>37</sup> Under the law, those without a permanent address, as well as domestic violence survivors, can make arrangements to provide a 'care of' address.<sup>38</sup> New Yorkers can make an appointment to process their application at any of the program's several enrollment centers or pop-up locations<sup>39</sup> by accessing the IDNYC website<sup>40</sup> or by calling 311.<sup>41</sup> On the day of the appointment, applicants must present sufficient documentation to prove identity and meet residency requirements.<sup>42</sup>

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<sup>33</sup> See Samar Kurshid, *\$8.4M Muni ID Program Budget Includes \$1.8M for Advertising*, <http://www.gothamgazette.com/index.php/government/5509-84m-muni-id-program-budget-includes-18m-for-advertising>.

<sup>34</sup> *Id.*

<sup>35</sup> See Aaron Morrison, *Immigrant Identification Card: New York Adds \$5 Million for Staffing in ID Application Rush*, <http://www.ibtimes.com/immigrant-identification-card-new-york-city-adds-5-million-staffing-id-application-1811768>.

<sup>36</sup> IDNYC, *Frequently Asked Questions*, <http://www1.nyc.gov/site/idnyc/frequently-asked-questions/frequently-asked-questions.page>.

<sup>37</sup> See NYC Administrative Code 3-115.

<sup>38</sup> *Id.*

<sup>39</sup> IDNYC, *How to Apply: Locations*, <http://www1.nyc.gov/site/idnyc/card/locations.page>.

<sup>40</sup> IDNYC, *How to Apply*, <http://www1.nyc.gov/site/idnyc/card/how-to-apply.page>.

<sup>41</sup> IDNYC, *Frequently Asked Questions*, <http://www1.nyc.gov/site/idnyc/frequently-asked-questions/frequently-asked-questions.page>.

<sup>42</sup> See NYC Administrative Code 3-115; also see IDNYC, *How to Apply*, <http://www1.nyc.gov/site/idnyc/card/how-to-apply.page>.

*c. IDNYC Program Milestones*

In December 2015, approximately 100 staff were hired and trained ahead of the program launch, and in January 2015, the IDNYC program officially launched with 11 permanent enrollment centers, taking appointments through the IDNYC website and 311.<sup>43</sup> The first round of pop-up enrollment centers was launched in February 2015, and 6 new permanent enrollment centers were opened in April, quadrupling enrollment capacity.<sup>44</sup> In July 2015, IDNYC added the Veteran's designation to the card.<sup>45</sup> With the official start of the program's second year, in January 2016 new benefits were announced.<sup>46</sup> In April 2016, IDNYC announced partnerships with NYC Health + Hospitals to allow the IDNYC number to link to healthcare services.<sup>47</sup> New administrative rules for increased card accessibility also took effect, including acceptance of additional documents and added caretaker status to individuals with physical and mental health disabilities.<sup>48</sup> In May 2016, IDNYC was announced as a membership card for ActionHealthNYC, a health care access program for uninsured residents not eligible for public health insurance.<sup>49</sup> In January 2017, IDNYC created a capability for individuals to access their own or their children's official immunization records from the Citywide Immunization Registry, at My Vaccine Record.<sup>50</sup> By the first quarter of 2017, IDNYC had issued more than 1 million unique cards to New Yorkers.<sup>51</sup> It also launched its Online Portal, enabling applicants to complete their application prior

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<sup>43</sup> IDNYC: A Tool of Empowerment: A Mixed-Methods Evaluation of the New York Municipal ID Program (Aug. 2016), [https://www1.nyc.gov/assets/idnyc/downloads/pdf/idnyc\\_report\\_full.pdf](https://www1.nyc.gov/assets/idnyc/downloads/pdf/idnyc_report_full.pdf).

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

<sup>48</sup> *Id.*

<sup>49</sup> *Id.*

<sup>50</sup> New York City Identity Card Program Quarterly Report (Sept. 30, 2017), [https://www1.nyc.gov/assets/idnyc/downloads/pdf/IDNYC\\_Q3\\_9\\_30\\_17.pdf](https://www1.nyc.gov/assets/idnyc/downloads/pdf/IDNYC_Q3_9_30_17.pdf).

<sup>51</sup> New York City Identity Card Program Quarterly Report (March 31, 2017), [https://www1.nyc.gov/assets/idnyc/downloads/2017-pdfs/IDNYC\\_Q1\\_3\\_31\\_17.pdf](https://www1.nyc.gov/assets/idnyc/downloads/2017-pdfs/IDNYC_Q1_3_31_17.pdf).

to their appointment, making the enrollment process faster and easier.<sup>52</sup> Additionally, IDNYC launched ‘IDNYC on the Go!,’ a mobile command center equipped to enroll New Yorkers across the city.<sup>53</sup> In August 2018, the age eligibility for IDNYC was reduced from 14 years of age to 10 years of age.<sup>54</sup> Also, several new technological upgrades were made, which allowed City residents who receive services from select City agencies to more easily apply for the card.<sup>55</sup> Finally, in January 2019, the IDNYC program announced it would let cardholders to self-designate their gender or choose not to declare a gender.<sup>56</sup> Further, building upon the work with NYC Health + Hospitals, cardholders can now link their IDNYC cards with their hospital/clinic registration records at all NYC Health + Hospitals facilities.<sup>57</sup> In addition to these milestones, since its inception, IDNYC has increased its partner organizations and announced several new benefits and discounts for its cardholders.<sup>58</sup>

*d. Program to Date*

On December 31, 2018, HRA, MOIA and MOO, shared the most recent quarterly report on the IDNYC program with the Mayor and the Speaker.<sup>59</sup> This report included the following information, as required by Local Law 35:

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<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> New York City Identity Card Program Quarterly Report (Sept. 30, 2018) [https://www1.nyc.gov/assets/idnyc/downloads/pdf/2018\\_09\\_30\\_IDNYC\\_Final.pdf](https://www1.nyc.gov/assets/idnyc/downloads/pdf/2018_09_30_IDNYC_Final.pdf)

<sup>55</sup> *Id.*

<sup>56</sup> *On Its Fourth Birthday, Mayor de Blasio and First Lady McCray Announce IDNYC Adds Third Gender Designation*, (Jan. 15, 2019), <https://www1.nyc.gov/office-of-the-mayor/news/032-19/on-its-fourth-birthday-mayor-de-blasio-first-lady-mccray-idnyc-adds-third-gender>.

<sup>57</sup> *Id.*

<sup>58</sup> IDNYC, *Benefits Information*, <http://www1.nyc.gov/site/idnyc/benefits/benefits.page>.

<sup>59</sup> New York City Identity Card Program Quarterly Report (Dec. 31, 2018) (on file with the Committee on Immigration).

1. *The number of IDNYC applications received:* 1,384,308.<sup>60</sup> Of this total, the greatest number of enrollments came from Queens, at approximately 418,518, and the smallest number came from Staten Island, at approximately 33,595.<sup>61</sup>
2. *The number of New York City identity cards issued:* 1,351,129.<sup>62</sup>
3. *The number of New York City identity cards issued to minors:* 53,407 cards to minors (individuals aged 10 to 17).<sup>63</sup>

The report also details: the number of requests made by city agencies for information collected about IDNYC applicants, the number of times DSS shared application eligibility documents with other city agencies, the number of denials to share information collected about IDNYC applicants, the number of IDNYC applicants disclosed to law enforcement, the number of fraud and/or criminal activity related to the IDNYC program, and additional questions related to IDNYC enrollment and usage outreach, partnerships with financial institutions, etc.<sup>64</sup>

*e. IDNYC Funding*

First funded in Fiscal Year 2015 (FY2015), IDNYC was initially funded at \$8.4 million, with \$1.8 million to promote the card with an outdoor public awareness campaign. This was coordinated amongst different City agencies, advocates, and community organizers by a Campaign Outreach Director hired by the Mayor's Office of Immigrant Affairs (MOIA).<sup>65</sup> Since FY2015, funding for IDNYC has increased. IDNYC's funding and headcount history from FY2016 to FY2019 is below.

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<sup>60</sup> *Id.*

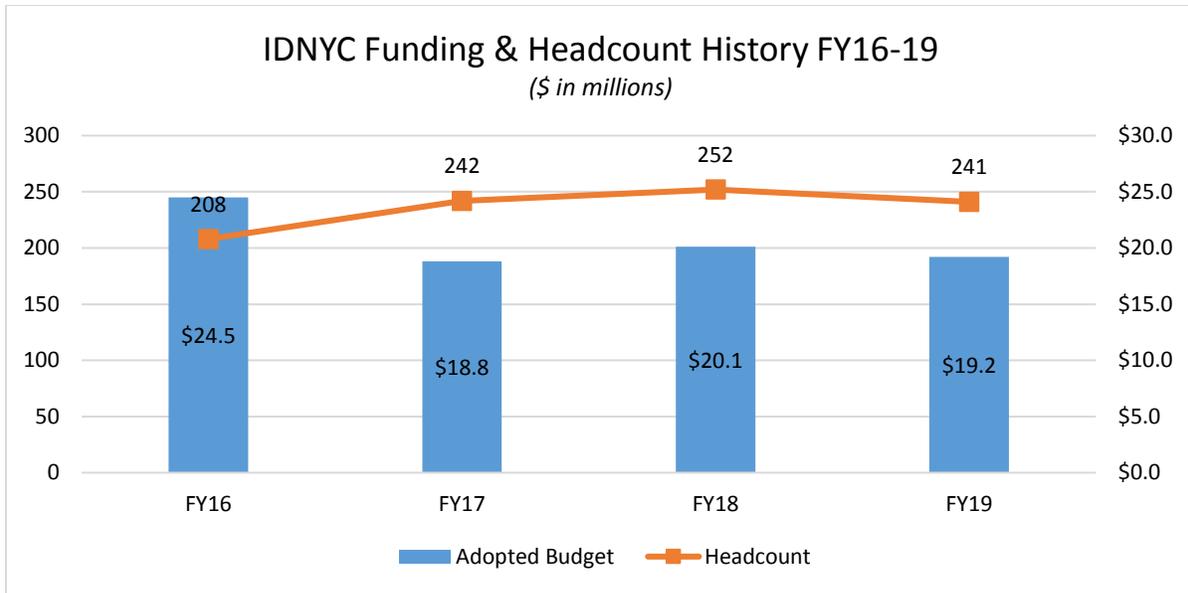
<sup>61</sup> *Id.*

<sup>62</sup> *Id.*

<sup>63</sup> *Id.*

<sup>64</sup> All quarterly IDNYC reports are available at: <https://www1.nyc.gov/site/idnyc/about/legal-library.page>

<sup>65</sup> Gotham Gazette, *\$8.4M Muni ID Program Budget Includes \$1.8M for Advertising*, (Jan. 12 2015), <http://www.gothamgazette.com/government/5509-84m-muni-id-program-budget-includes-18m-for-advertising>.



IDNYC funding increased to \$24.5 million in FY2016, with a headcount of 208. This decreased to \$18.8 million in FY2017, increased to \$20.1 million in FY2018, and is now at \$19.2 million as of the FY2019 Adopted Budget. As the chart demonstrates, funding level is relatively stable from FY2017 to FY2019, but funding decreases by \$5.7 million or 23%, from FY2016 to FY2017. Despite the headcount increase from FY2016 to the outyears, total funding for IDNYC has decreased. It is unclear why funding has decreased, while headcount has increased. Additionally, the Mayoral Administration released a request for expressions of interest to upgrade the existing IDNYC card with an embedded smart chip in May of 2018. However, it is unclear whether the update will be executed using existing funds or if the Mayoral Administration plans to include funding for the smart chip in the upcoming FY2020 Preliminary Budget.

*f. The Future of IDNYC*

For cardholders over the age of 14, the IDNYC card is valid for five years from the date of application approval. The City has begun planning for the first card renewal period, to begin in early 2020. In preparation for the first renewal period, in conjunction with a desire to enroll more

New Yorkers in the IDNYC program and increase access to banking for unbanked and underbanked populations, the Mayoral Administration has begun taking steps to possibly integrate a smart chip into the IDNYC. In May 2018, the IDNYC program, partnering with the Mayor’s Office of the Chief Technology Officer, released a Request for Information (RFI)<sup>66</sup> seeking proposals from a range of financial institutions and non-traditional services (fintech, payment gateways, etc.). This RFI solicited proposals for a way to “transform IDNYC into a payment tool,”<sup>67</sup> intending to “dramatically expand the utility of the card by making it capable of storing money and paying for goods and services, including transit fares.”<sup>68</sup> On December 14, 2018, DSS in partnership with MOIA, released a “Notice of Intent” to solicit applications for the negotiated acquisition of a provider to “host and execute a payment and banking feature on a dual interface smart chip on the IDNYC card.”<sup>69</sup> The application period closed on January 18, 2019. Community organizations have raised concerns related to privacy, the viability of a City banking card, and the type of vendor that could be chosen. Based on the “Notice of Intent,” should the administration enter into a contract with a vendor, that contract is charted to begin January 1, 2020.<sup>70</sup>

### **III. CONCLUSION**

The Immigration Committee hopes this hearing will highlight the successes of the IDNYC program to provide a form of reliable and robust identification for individuals facing barriers to accessing identification. As the program enters its renewal phase in 2020, and seeks to expand its utility, the committee hopes to hear how lessons learned through the program’s first four years

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<sup>66</sup> Mayor’s Office of the Chief Technology Officer. *IDNYC Smart Chip Request for Information (RFI)*. (May 30, 2018).

<sup>67</sup> *Id.*

<sup>68</sup> *Id.*

<sup>69</sup> NYC Department of Social Services. *Re: Financial Services Provider(s) to Host and Execute a Banking Access Feature on a Dual Interface IDNYC Smart Chip Card*. (December 14, 2018).

<sup>70</sup> *Id.*

have informed the planning for the future of the IDNYC program. The committee also hopes to hear from advocates and community members about the strengths and pitfalls of the program's implementation and projected expansion.