



Legislation Text

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By Council Members Holden and Marte

A Local Law in relation to creating a task force to conduct a feasibility study on a digital identification program

Be it enacted by the Council as follows:Section 1. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Digital identification program. The term “digital identification program” means a program providing digital identification that is verified and authenticated across digital platforms, that is unique and is established with individual consent and that protects user privacy and control over personal data.

Financial institution. The term “financial institution” means a company with expertise in technology and financial services.

Task force. The term “task force” means the digital identification program task force established by this local law.

§ 2. Task force established. There is hereby established a task force to be known as the digital identification program task force to conduct a study to assess and determine the feasibility of a pilot digital identification program.

§ 3. Membership. a. The task force shall be composed of the following members:

1. The chief technology officer of the city of New York or such officer’s designee who shall serve as chair of the task force;
2. The commissioner of the department of social services or such commissioner’s designee;
3. The chair of the New York city commission on human rights or such chair’s designee;

4. The chief privacy officer or such officer's designee;
5. Two experts in the field of cyber security appointed by the mayor;
6. Two experts in the field of privacy protection. One such expert shall be appointed by the mayor, and one by the speaker of the council;
7. Two experts in the field of cryptography appointed by the mayor;
8. Two experts in the field of digital identity verification appointed by the mayor;
9. Two representatives of organizations providing services to homeless individuals and low-income households. The organization representatives shall be appointed by the mayor; and
10. Two representatives of financial institutions. One representative shall be appointed by the mayor, and one by the speaker of the council.

b. The task force shall invite experts and stakeholders, including members of financial institutions, to attend its meetings and to provide testimony and information relevant to the topic.

c. All appointments required by this section shall be made no later than 30 days after the effective date of this local law. In the event of a vacancy on the task force, a successor shall be appointed in the same manner as the original appointment for the remainder of the unexpired term. All members of the task force shall serve without compensation.

§ 4. Meetings. a. The chair shall convene the first meeting of the task force no later than 30 days after the last member has been appointed.

b. The task force shall meet no less than once each month, and hold at least one public hearing before submitting the report required by section five.

§ 5. Feasibility study report. a. No later than 6 months after such task force is established, the task force shall electronically submit to the mayor and the speaker of the council a feasibility study report that shall include:

1. The pilot program's design, including, but not limited to, the scope, the technology, the staffing and

the rationale for such design;

2. Information on participation in the pilot program, including, but not limited to, the criteria to participate and the number of participants;

3. The plan to ensure the privacy of the participants, including, but not limited to, ensuring that transactions between individuals, and government entities are secure and confidential;

4. The plan to administer and conduct public outreach and feedback on the pilot program;

5. The plan to use the digital identification program to determine eligibility for public benefits and access to city services;

6. The risks related to potential criminal exploitation of digital identity and the plan to mitigate these risks;

7. The evaluated options for a decentralized identity pilot program that utilizes block chain technology;

8. The channels that provide better access to financial services;

9. The plan to promote fairness, transparency, and accountability of the digital identification program;

10. Recommendations on enforcement and oversight mechanisms on the part of entities and organizations designing and deploying the digital identification technology;

11. Data protection and privacy principles such as data minimization, data use limitations, storage limitations, confidentiality, data integrity, data retention policy, and a framework for collection and access to the data collected beyond the data provided by the user such as data collected through tracking technologies;

12. The mechanisms and policies to avoid unwanted surveillance and the use of digital identification that can be linked across digital platforms;

13. Possible effects on civil rights;

14. The plan to ensure compliance with chapter 126 of title 42 of the United States code and any

applicable guidelines or regulations pursuant to such law;

15. The estimated cost of the digital identification pilot program; and

16. The metrics used to evaluate the pilot program.

§ 6. Agency support. Each agency affected by this local law shall provide appropriate staff and resources to support the work of such agency related to the task force.

§ 7. Termination. The task force shall terminate 90 days after the date on which it submits its report, as required by section five.

§ 8. No digital identification program shall be established by or on behalf of the city prior to submission of the report required by section five.

§ 9. This local law takes effect immediately.

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