

September 12, 2019

[Resubmitted on October 2, 2019 with additional signatories]

Mayor Bill de Blasio
City Hall
New York, NY 10007

Dear Mayor de Blasio:

The undersigned community, labor, immigrant, civil rights, legal services, and economic justice organizations write to express our united and unqualified opposition to the administration's plan to add financial technology and a host of integrations to NYC's municipal identification (IDNYC) cards, which are held by more than 1.2 million New Yorkers.

We call on you to halt the City's pursuit of this dangerous, corporate-driven plan, which threatens to erode public confidence in IDNYC and expose cardholders -- particularly immigrant New Yorkers -- to serious privacy, surveillance, consumer protection, and other unwarranted risks. These very real risks far outweigh any purported benefits the plan would provide to New Yorkers.

Our organizations include leading members of the coalition that worked to design, promote, and help launch IDNYC in 2015. Collectively, we represent hundreds of thousands of low-income, immigrant, senior, homeless, and other New Yorkers who have benefited tremendously from IDNYC. Our opposition to the proposed IDNYC changes is rooted in our desire to protect the integrity of this vital program, and in our decades of work and expertise on privacy, consumer protection, immigration, financial services, federal surveillance, deportation and other relevant matters. Over the past year, many of our organizations have communicated our detailed concerns and steady opposition to this plan. We have participated in phone and in-person meetings with your administration, testified at a City Council IDNYC oversight hearing, submitted detailed memos, engaged community members, and consulted with national experts who have affirmed our assessments of the vast risks to which the proposal would expose the very New Yorkers that IDNYC is intended to support.

Last year, your administration began soliciting proposals from financial firms to host an EMV/RFID "smart chip" on IDNYC cards. According to the solicitation, the chip would allow cardholders to load funds onto their IDNYC cards, make payments to private vendors, and enable "integrations with public and private partners, such as the MTA's planned contactless fare payment system and NYC Health + Hospitals medical records."

If implemented, the proposed changes to IDNYC would facilitate unprecedented, wide-scale data collection about New Yorkers' travel, spending, and other activities. Indeed, administration officials have spoken publicly about their express interest in generating "big data" and revenue through IDNYC cards equipped with smart chips. Even if well-intended, connecting this kind of technology and data to vulnerable New Yorkers' identification cards would expose people to serious risks -- including dangerous experimentation or misuse by current or future administrations and private vendors -- that far outweigh any potential benefits. These risks are particularly heightened given the Trump administration's escalating attacks on immigrant communities.

The administration has asserted that an IDNYC-financial technology (fintech) partnership would "eliminate banking deserts." This is false. Fintech companies are not banks. They do not provide

branches and personnel that customers can readily access. They do not have legal obligations to reinvest in communities. And they are not subject to the strong, uniform federal regulations and consumer protections that govern banks and credit unions. Moreover, the fintech industry is notorious for data breaches and a business model that relies on the collection and sale of people's personal data. By steering undocumented and low income New Yorkers to these entities, the City would be perpetuating, not resolving, inequality in our banking system and potentially facilitating IDNYC cardholders' exploitation.

According to the City's own research, IDNYC cardholders want access to actual banks and credit unions. In fact, more than 9,000 people used IDNYC successfully to open bank and credit union accounts in the program's first year. The same research found that the top reason New Yorkers hesitated to get an IDNYC card was the concern that it was being used to monitor people. IDNYC cardholders simply are not clamoring for the type of "banking solution" that this proposal would advance. Recently, immigrant communities won passage of NYS Green Light legislation, which will allow undocumented New Yorkers to obtain driver licenses; this will go far to expand equitable and safe banking access for hundreds of thousands of New Yorkers.

The IDNYC fintech proposal is neither progressive nor effective. NYC is home to a robust landscape of nonprofit economic justice and immigrant rights activists; community reinvestment and fair lending advocates; consumer law attorneys; community development financial institutions; and many others that are eager to work with your administration to advance truly progressive solutions to bank redlining and economic inequality.

IDNYC was created for -- and must continue to prioritize the safety of -- undocumented, homeless, and other New Yorkers who, more than ever, face real privacy and surveillance risks. The proposed changes to IDNYC are antithetical to the program's original purpose and scope, and would expose New Yorkers to unprecedented risks at a time when they can least afford to be subjects of such experimentation. For the security and stability of our communities, we call on you to ensure that this exploration comes to an end.

For further information, please feel free to contact Mizue Aizeki, Deputy Director, Immigrant Defense Project (maizeki@immigrantdefenseproject.org); Natalia Aristizabal, Co-Director of Organizing, Make the Road New York (natalia.aristizabal@maketheroadny.org); Deyanira Del Rio, Co-Director, New Economy Project (dey@neweconomynyc.org); Betsy Plum, Vice President of Policy, New York Immigration Coalition (eplum@nyic.org); or Daniel Schwarz, Privacy & Technology Strategist, New York Civil Liberties Union (dschwarz@nyclu.org).

Signed,

African Communities Together
ALIGN
Arab American Association of New York
Association for Neighborhood and Housing Development
The Black Institute
Brandworkers
Brooklyn Cooperative Federal Credit Union
Brooklyn Defender Services
Cabrini Immigrant Services of NYC, Inc.
CASA – New Settlement Apartments
Center for Family Life in Sunset Park

Center for Popular Democracy
Chinese Progressive Association
Citizen Action - NYC
Common Cause/NY
Community Solutions
Cooper Square Community Land Trust
District Council 37
DRUM – Desis Rising Up & Moving
East Harlem-EI Barrio Community Land Trust
Families for Freedom
Frank Pasquale, author of *The Black Box Society*
Freedom to Thrive
GOLES
Green Worker Cooperatives
Housing Court Answers
Immigrant Defense Project
Inclusiv
Interfaith Center on Corporate Responsibility
Justice For Our Neighbors
LatinoJustice PRLDEF
The Legal Aid Society
Legal Services Staff Association, NOLSW/UAW 2320
Lower East Side People's Federal Credit Union
Make the Road New York
Men Talk
MinKwon Center for Community Action
Mixteca Organization, Inc.
Mobilization for Justice, Inc.
National Center for Law and Economic Justice
Neighborhood Defender Service
New Economy Project
New Immigrant Community Empowerment
New Sanctuary Coalition
New York Civil Liberties Union
New York Communities for Change
New York Immigration Coalition
New York State Youth Leadership Council
NYC Network of Worker Cooperatives
Pan-African Community Development Initiative
Peter Cicchino Youth Project of the Urban Justice Center
Queens Law Associates
Red de Pueblos Transnacionales
SEIU 32BJ
South Bronx Unite
S.T.O.P. - Surveillance Technology Oversight Project
TakeRoot Justice
UAW Region 9a New York Area CAP Council
UHAB
UnLocal, Inc.

Upturn
Violence Intervention Program, Inc.
Volunteers of Legal Service
The Working World
Worth Rises
Youth Represent

cc:

NYC Council Speaker Corey Johnson
NYC Council Member Carlos Menchaca
NYC Council Member Daniel Dromm
Commissioner Steven Banks, Human Resources Administration
Commissioner Bitta Mostofi, Mayor's Office of Immigrant Affairs
Laura Negrón, Chief Privacy Officer for the City of New York
Commissioner Lorelei Salas, Department of Consumer and Worker Protection
J. Phillip Thompson, Deputy Mayor for Strategic Initiatives