

**FORM 3 (AGENCY REPORT)**  
**(Due on or before July 31, 2022)**

<b>Agency:</b>	NYC Conflicts of Interest Board ("COIB" or the "Board")		
<b>Agency Privacy Officer:</b>	Katherine J. Miller		
<b>Email:</b>	<a href="mailto:kmiller@coib.nyc.gov">kmiller@coib.nyc.gov</a>	<b>Telephone:</b>	(212) 437-0730
<b>Date of Report:</b>	8/24/2022		

<b>1. Specify the type of identifying information collected or disclosed (check all that apply):</b>	
<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Social security number (full or last 4 digits)* <input checked="" type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<b><u>Work-Related Information</u></b> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<b><u>Biometric Information</u></b> <input type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs <input type="checkbox"/> Palm and handprints* <input type="checkbox"/> Retina and iris patterns* <input type="checkbox"/> Facial geometry* <input type="checkbox"/> Gait or movement patterns* <input type="checkbox"/> Voiceprints* <input type="checkbox"/> DNA sequences*	<b><u>Government Program Information</u></b> <input type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input type="checkbox"/> Any scheduled court appearances <input checked="" type="checkbox"/> Eligibility for or receipt of public assistance or City services <input checked="" type="checkbox"/> Income tax information <input checked="" type="checkbox"/> Motor vehicle information
<b><u>Contact Information</u></b> <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	
<b><u>Demographic Information</u></b> <input checked="" type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input checked="" type="checkbox"/> Gender identity <input checked="" type="checkbox"/> Languages spoken <input checked="" type="checkbox"/> Marital or partnership status <input checked="" type="checkbox"/> Nationality <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Religion <input type="checkbox"/> Sexual orientation	<b><u>Law Enforcement Information</u></b> <input type="checkbox"/> Arrest record or criminal conviction <input type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD <input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<b><u>Status Information</u></b> <input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input type="checkbox"/> Status as victim of domestic violence or sexual assault <input type="checkbox"/> Status as crime victim or witness	<b><u>Technology-Related Information</u></b> <input type="checkbox"/> Device identifier including media access control MAC address or Internet mobile equipment identity (IMEI)* <input type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input type="checkbox"/> Internet protocol (IP) address* <input type="checkbox"/> Social media account information
<b><u>Other Types of Identifying Information</u></b> (list below):	
<ul style="list-style-type: none"> <li>- Employee identification number or employee reference number</li> <li>- Case numbers</li> <li>- Checks, which include a bank account number, a bank routing number, a check number</li> <li>- Salary/compensation</li> <li>- Employment title</li> <li>- Vendor identifiers</li> <li>- Hashes related to annual disclosure reports</li> <li>- Training certificate numbers</li> <li>- Signatures</li> </ul>	

**Identifying Information Law**

\*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).

**2. Explain why the collection and retention of identifying information described in Question 1 furthers the purpose or mission of your agency.**

The collection and retention of identifying information described in Question 1 is necessary for the Board to implement, administer, and enforce the City's Conflicts of Interest Law, Annual Disclosure Law, Affiliated Not-for-Profits Law, Legal Defense Trusts Law, and Lobbyist Gift Law, pursuant to Chapter 68 of the New York City Charter ("City Charter"), Section 12-110 of the New York City Administrative Code ("NYC Admin. Code"), Chapter 9 of Title 3 of the NYC Admin. Code, Chapter 11 of Title 3 of the NYC Admin. Code, and Sections 3-224 through 3-228 of the NYC Admin. Code, respectively, and the Rules of the City of New York Title 53 ("Board Rules"), and for the daily operation and management of the agency and its employees.

**N.Y.C. Admin. Code §23-1205(a)(1)(f)**

**3. Describe the following types of collections and disclosures: (1) pre-approved as routine, (2) pre-approved as routine by the APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the Agency Guidance on the 2022 Biennial Compliance Process includes examples of routine and non-routine collections and disclosures.**

**Add additional rows as needed.**

Describe the Collection or Disclosure	Classification Type
Collections and disclosures by the Administrative Unit for human resources and other personnel matters.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collections and disclosures by the Administrative Unit for administrative functions, including budget, procurement, accounting, and facilities management.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collections and disclosures by the Annual Disclosure Unit related to the filing of annual disclosure reports, including the collection of required filer information to facilitate the filing process and as required by the annual disclosure law. In accordance with the law, annual disclosure reports are made available to the public upon written request and the reports of elected officials are posted on the Board’s website (NYC Admin. Code Section 12-110(e)).	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collections and disclosures by the Enforcement Unit related to Board enforcement matters, including information needed to investigate and prosecute violations and, in accordance with the law, the publication of Board orders and settlements for educational purposes (City Charter Section 2603(h)(4) and Board Rules Section 2-02(f)).	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collections and disclosures by the Legal Advice Unit related to Board legal advice and compliance matters, including information needed to provide confidential advice and to facilitate compliance with relevant laws by current and former public servants, City agencies, and affiliated not-for-profits. With regard to disclosures, in accordance with the relevant laws, waivers are publicly available documents (City Charter Section 2603(e)) and the following are posted on the Board’s website: Advisory Opinions (City Charter Section 2603(c)); policymaker lists (Board Rules Section 1-02); letters from agency heads regarding consulting back arrangements (Board Rules Section 1-07(d)); designations by agency heads and Board determinations regarding public servants performing work for not-for-profits (Board Rules Section 1-13(e)); fundraising disclosures by City agencies (Board Rules Section 1-14); and fundraising disclosures of affiliated not-for-profits (Chapter 9 of Title 3 of the NYC Admin. Code).	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collections and disclosures by the Education & Engagement Unit for records management concerning completion of required training by public servants (City Charter Section 2603(b)).	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosures in response to Freedom of Information Law (“FOIL”) requests pursuant to Public Officers Law Section 87.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosures to law enforcement, such as responding to subpoenas.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies

	<input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosures to oversight agencies.	<input type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
N.Y.C. Admin. Code §23-1205(a)(1)(b)	

**4. If applicable, describe the types of collections and disclosures of identifying information involving your agency that have been approved by the Chief Privacy Officer as being in the best interests of the City.**

**Add additional rows as needed.**

**Describe Type of Collection or Disclosure**

Not applicable.

N.Y.C. Admin. Code §23-1202(b)(2)(b); 23-1205(a)(1)(b)

**5. Describe the agency’s current policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.**

**NOTE: For questions 5 – 11, refer as necessary to the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies (on file with the Office of Information Privacy) and the Identifying Information Rider.**

If not designated as “routine,” a request for disclosure must go through the APO, who will review the request in accordance with the Model Protocol.

<b>6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>7. If YES, do those policies specify that access to identifying information must be necessary to perform their duties?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>8. Describe whether the policies are implemented in a manner that minimizes access to the greatest extent possible while furthering the purpose or mission of the agency.</b>	<p>Because records of the Board are confidential pursuant to City Charter Section 2603(k), the law significantly limits the Board’s disclosure of identifying information to other City agencies, local public authorities or local public benefit corporations, and third parties.</p> <p>When the APO reviews requests for disclosures, the APO considers methods of anonymization to minimize the disclosure of identifying information to what is necessary to accomplish the purpose of the disclosure.</p>

N.Y.C. Admin. Code §§23-1205(a)(1)(c)(1), and (4)

**9. Describe the agency’s current policies for handling proposals for disclosures of identifying information to other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.**

A proposal for disclosure must go through the APO.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(2)

**10. Describe the agency's current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine. Be as specific as possible.**

The APO is responsible for classifying disclosures.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(3)

**11. Describe the agency's current policies regarding which divisions and categories of employees have been approved by the agency privacy officer to disclose identifying information. Be as specific as possible.**

Administrative Unit: Given the tiny size of the Administrative Unit (two employees), all employees in the unit are permitted to disclose information necessary to the core functioning of the agency.

Under current policies, all other disclosures of identifying information would occur only after review and approval by the head of the relevant unit, the General Counsel, the Special Counsel, the Executive Director, or the Board.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(4)

**12. Describe whether the agency has considered or implemented, where applicable, any alternative policies since 2020 that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the agency's purpose or mission.**

Not applicable.

N.Y.C. Admin. Code §23-1205(a)(4)

**13. Describe the agency's use of agreements for any use or disclosure of identifying information.**

Not applicable.

N.Y.C. Admin. Code §23-1205(a)(1)(d)

**14. Using the table below, describe the types of entities requesting the disclosure of identifying information or proposals for disclosures of identifying information. For each entity, describe (1) why the agency discloses identifying information to the entity, and (2) why any disclosures further the purpose or mission of the agency.**

**Add additional rows as needed.**

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the agency's purpose or mission
NYC Department of Investigation ("DOI")	As needed to facilitate the investigation of potential violations of the laws that the Board is responsible for enforcing.	Necessary to the Board's enforcement function. Per City Charter Section 2603(f), DOI conducts investigations on behalf of the Board.
NYC Office of Management and Budget	To obtain funding.	Necessary to the daily operation of the agency.
NYC Office of the Comptroller	Audit.	Necessary to comply with Comptroller's Directive.
Law Enforcement	As required by law or a court.	Necessary to comply with legal obligations.
Public	As required by FOIL.	Necessary to comply with legal obligations.
Public	As required by law.	Necessary to implement the laws under the Board's jurisdiction in furtherance of the Board's mission to preserve the perception and reality of integrity in City government.

N.Y.C. Admin. Code §23-1205(a)(1)(e)

*- Proceed to Next Question on Following Page-*

**15. Describe the impact of the Identifying Information Law and other local, state, or federal laws upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if such practices would differ in the absence of these laws).**

COIB reviews its practices to comply with the Identifying Information Law.

N.Y.C. Admin. Code §23-1205(a)(2)

**16. Describe the impact of the privacy policies and protocols issued by the Chief Privacy Officer, or by the Citywide Privacy Protection Committee, as applicable, upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if they have affected such practices).**

COIB utilizes the privacy policies and protocols issued by the CPO and the Committee to inform its practices with regard to identifying information.


N.Y.C. Admin. Code §23-1205(a)(3)

**APPROVAL SIGNATURE FOR AGENCY REPORT**

**Preparer of Agency Report:**

<b>Name:</b>	Katherine J. Miller		
<b>Title:</b>	Director of Annual Disclosure & Special Counsel / Agency Privacy Officer		
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**ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW**

<b>Agency Head (or designee):</b>			
<b>Name:</b>	Katherine J. Miller		
<b>Title:</b>	Director of Annual Disclosure & Special Counsel / Agency Privacy Officer		
<b>Email:</b>	<a href="mailto:kmiller@coib.nyc.gov">kmiller@coib.nyc.gov</a>	<b>Phone:</b>	(212) 437-0730
<b>Electronic Signature:</b>		<b>Date:</b>	8/24/2022

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