

BIENNIAL AGENCY REPORT

INSTRUCTIONS

The Identifying Information Law requires City agencies to submit comprehensive biennial agency reports related to their collection, retention, and disclosure of identifying information and their privacy protection practices.

To complete the 2024 biennial agency report:

- Review Form 2s ([APO Designation of Collection and Disclosures as “Routine”](#)) made since the 2022 compliance cycle;
- Review Form 5s ([Agency Privacy Officer Approval of Collections and Disclosures on a “Non-Routine” Basis](#)) made since the 2022 compliance cycle;
- Use Forms 2 & 5 to complete [Worksheet 1](#) for all new and existing **collections** between 2022-2024;
- Use Forms 2 & 5 to complete [Worksheet 2](#) for all new and existing **disclosures** between 2022-2024.
- Complete the Biennial Agency Workbook;
- Submit the biennial agency report by **July 31, 2024**.

Submit the biennial agency report to:

- Mayor at MOReports@cityhall.nyc.gov
- City Council Speaker at reports@council.nyc.gov
- Chief Privacy Officer and the Citywide Privacy Protection Committee at ojp@oti.nyc.gov
- Department of Records and Information Services (DORIS) online submission portal at <https://a860-gpp.nyc.gov>

THIS REPORT IS PUBLIC. PREPARERS SHOULD CONSULT AGENCY COUNSEL OR THE CHIEF PRIVACY OFFICER TO ENSURE THE RESPONSES ARE PROVIDED ACCORDING TO APPLICABLE LAW AND CITY POLICY.

VERSION CONTROL

Version	Description of Change	Approver	Date
4.0	New design for ease of use and technological enhancements, and miscellaneous clarifying revisions.	Michael Fitzpatrick Chief Privacy Officer, City of New York	April 2024
3.0	Updated completion date; miscellaneous clarifying revisions.	Aaron Friedman Principal Senior Counsel Office of Information Privacy	April 2022
2.0	Updated completion date; miscellaneous clarifying revisions.	Laura Negrón Chief Privacy Officer, City of New York	April 2020
1.0	First Version	Laura Negrón Chief Privacy Officer, City of New York	April 2018

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**BIENNIAL AGENCY REPORT
(Due on or before July 31, 2024)**

1. Agency: Department of Small Business Services

2. APO Contact Details
 - a. Name: Shormina Ahmed
 - b. Title: Associate General Counsel
 - c. Email: shoahmed@sbs.nyc.gov
 - d. Telephone: 212-618-8818

COLLECTIONS

3. How many collections does the agency have to describe?
18

4. **COLLECTIONS.** Upload worksheet 1.



- Proceed to the next page -

5. For all **collections**, select the types of identifying information collected (check all that apply). See [Citywide Privacy Protection Policies and Protocols § 3.1](#).

<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)*	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<u>Biometric Information</u> <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* <input type="checkbox"/> Height <input type="checkbox"/> Weight	<u>Government Program Information</u> <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
<u>Contact Information</u> <input checked="" type="checkbox"/> Current and/or previous home address <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	<u>Law Enforcement Information</u> <input checked="" type="checkbox"/> Arrest record or criminal conviction <input type="checkbox"/> Date and/or time of release from custody of ACS, DOCS, or NYPD <input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<u>Demographic Information</u> <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 type="checkbox"/> Religion <input type="checkbox"/> Sexual orientation	<u>Technology-Related Information</u> <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
<u>Status information</u> <input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input type="checkbox"/> Status as a victim of domestic violence or sexual assault <input type="checkbox"/> Status as crime victim or witness	
<u>Other Types of Identifying Information</u> (list below): 	
<p>*Type of identifying information designated by the CPO (see CPO Policies & Protocols, §3.1.1).</p>	

DISCLOSURES

6. How many disclosures does the agency have to describe?

13

7. **DISCLOSURES.** Upload worksheet 2.



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8. For all **disclosures**, select the types of identifying information disclosed (check all that apply).
See [Citywide Privacy Protection Policies and Protocols § 3.1](#).

<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)*	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<u>Biometric Information</u> <input type="checkbox"/> Fingerprints <input 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* <input type="checkbox"/> Height <input type="checkbox"/> Weight	<u>Government Program Information</u> <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
<u>Contact Information</u> <input type="checkbox"/> Current and/or previous home address <input type="checkbox"/> Email address <input type="checkbox"/> Phone number	<u>Law Enforcement Information</u> <input type="checkbox"/> Arrest record or criminal conviction <input type="checkbox"/> Date and/or time of release from custody of ACS, DOCS, or NYPD <input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<u>Demographic Information</u> <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 type="checkbox"/> Religion <input type="checkbox"/> Sexual orientation	<u>Technology-Related Information</u> <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
<u>Status information</u> <input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input type="checkbox"/> Status as a victim of domestic violence or sexual assault <input type="checkbox"/> Status as crime victim or witness	
<u>Other Types of Identifying Information</u> (list below): 	
<p>*Type of identifying information designated by the CPO (see CPO Policies & Protocols, §3.1.1).</p>	

9. Separate from the Citywide Privacy Protection Policies and Protocols, what are the agency's policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties? Please **summarize or upload a copy of the policy**. See *N.Y.C. Admin. Code § 23-1205(a)(1)(c)(1)*.
10. Which divisions of employees within the agency make disclosures of identifying information following the approval of the privacy officer? See *§ N.Y.C Admin. Code § 23-1205(a)(1)(c)(4)*.
11. Which categories of employees within the agency make disclosures of identifying information following the approval of the privacy officer? See *§ N.Y.C Admin. Code § 23-1205(a)(1)(c)(4)*.
12. Do any of the agency's policies address **access** to identifying information by employees, contractors, and subcontractors? See *§ N.Y.C. Admin Code § 23-1205(a)(4)*.
- Yes – **GO TO QUESTION 13**
- No – **GO TO QUESTION 16**
13. Do these policies state that **access** to identifying information must be necessary for the employees, contractors, and subcontractors to perform their duties? See *N.Y.C. Admin Code § 23-1205(a)(4)*.
- Yes – **GO TO QUESTION 14**
- No – **GO TO QUESTION 16**
14. Are these policies implemented so that **access** is limited to the greatest extent possible, but also furthers the purpose or mission of the agency?
- Yes – **GO TO QUESTION 15**
- No – **GO TO QUESTION 16**

15. Describe how **access** is limited to the greatest extent possible while furthering the purpose or mission of the agency.

16. **Summarize or upload** the agency's current policies for handling **proposals for disclosures to other** City agencies, local public authorities, or local public benefit corporations, and third parties. *See N.Y.C Admin Code § 23-1205(a)(1)(c)(2).*

17. **Summarize or upload** the agency's current policies regarding the classification of **disclosures** as necessitated by the existence of **exigent circumstances or as routine**. *See N.Y.C Admin Code § 23-1205(a)(1)(c)(3).*

18. Since 2022, has the agency **considered or implemented**, where applicable, policies that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the purpose or mission of the agency? *See N.Y.C Admin Code § 23-1205(a)(3).*

Yes – **GO TO QUESTION 19**

No – **GO TO QUESTION 20**

19. Summarize the policies that the agency has **considered or implemented** regarding data minimization for the collection, retention, and disclosure of identifying information. *See N.Y.C Admin Code § 23-1205(a)(4).*

20. Summarize the agency's use of agreements for any use or disclosure of identifying information. *See N.Y.C Admin Code § 23-1205 (a)(1)(d).*
21. Since 2022, describe the impact of the Identifying Information Law and any other local, state, or federal laws upon your agency's practices in relation to the collection, retention, and disclosure of identifying information (i.e., if such practices would differ in the absence of these laws). The impact can be positive or negative. *See N.Y.C Admin Code § 23-1205(a)(2).*
22. Describe how the current privacy policies and protocols issued by the Chief Privacy Officer, or the guidance issued by the Citywide Privacy Protection Committee affected your agency's practices in relation to the collection, retention, and disclosure of identifying information. The effects can be positive or negative. *See N.Y.C Admin Code § 23-1205(a)(2).*

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APPROVAL SIGNATURE FOR AGENCY REPORT

PREPARER OF AGENCY REPORT

Name: Shormina Ahmed

Title: Associate General Counsel

Email: shoahmed@sbs.nyc.gov

Phone: 212-618-8818


ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Name: Anthony Dell'olio

Title: Anthony Dell'Olio

Email: adellolio@sbs.nyc.gov

Phone: 2125139259

Signature: 
[Anthony Dell'olio \(Jul 26, 2024 15:17 EDT\)](#)

Date: 07/26/2024

Describe the following types of disclosures. *Note, you may have multiple disclosures of the same type.*

DISCLOSURES					
	<i>Type of Disclosure</i>	<i>Describe the Specific Activity</i>	<i>Classification</i>	<i>Describe the agency purpose or mission served by this Disclosure.</i>	<i>Was this disclosure made pursuant to an external request?</i>
1	Compliance	Sharing quarterly certification data	Pre-approved as routine	Information needs to be shared with MOCS for their compliance reporting	Yes
2	Audit	Contract data are shared with an auditing firm	Pre-approved as routine	This task needs to be completed to be in compliance with Admin Code 6-129	Yes
3	Strategic Initiatives	Sharing quarterly certification data	Pre-approved as routine	Data is shared with city agencies for their own reporting and planning to work with M/WBEs	Yes
4	Research	Disparity Study	Pre-approved as routine	While also compliance driven, this research study is routinely done to maintain compliance with M/WBE program activities	Yes
5	Compliance	Sharing of quarterly service delivery activities to program active firms	Pre-approved as routine	Information is shared with MOCS, Agency and Federal grantor	Yes
6	Legal Matters or Proceeding	Responding to DOI, District Attorney's offices, and other law	Approved by the APO on a case-by-case basis	Information shared with the requester based on	Yes

		enforcement agencies and litigation support		investigations or subpoenas	
7	Compliance	Daily/ Weekly Uploads of Customer and Service Data to NY State One-Stop Operating System	Pre-approved as routine	Required, regulatory data uploads of customer data to maintain compliance and report on activities. Secure data connection with State entities	Yes
8	Compliance	Monthly Uploads of Customer and Service Data to NYC Open Data for Compliance with City-wide Workforce Development Reporting	Pre-approved as routine	Required data uploads of customer data to maintain compliance and report on activities. Secure data connection with City entity	Yes
9	Client or Customer Service	Sharing client/applicant information with program vendors	Pre-approved as routine	Client information is shared with program vendors to provides services	Yes
10	Audit	Provision of Sample Customer Data to US Dept. of Labor Auditors for Regular WIOA Audit	Pre-approved as routine	Required, regulatory data upload provided through secure transfer to allow USSDOL Auditors to conduct their reviews of Customer data and activities in compliance with Federal law	Yes
11	Audit	Information about program participants was provided to the NYS Comptroller's audit team	Pre-approved as routine	Compliance with State Audit requirements	Yes

12	Response to a Request or Demand	Information regarding MWBE certified company	Approved by the APO on a case-by-case basis	Agency oversight	Yes
13	Human Resources and other Personnel Matters	Employment information and verification	Pre-approved as routine	Personnel management	Yes

Please add additional rows, if needed

For each **disclosure**, select the type of entity **and** provide the name of the entity that received the identifying information.

	<i>Type of Entity</i>	<i>Name of Entity</i>
1	City Agency	MOCS
2	City Agency	H+H
3	City Agency	NYCHA
4	City Agency	DDC
5	City Agency	DCAS
6	City Agency	Parks
7	City Agency	Public Schools
8	Private Firm	SAMCO
9	City Institution	CUNY ISLG
14	City Agency	DOB
15	State Agency	DOL
16	State Agency	Comptroller's Office
17	Federal Agency	Department of Labor
18	City Agency	DOI
19	City Agency	Manhattan District Attorney's Office
20	State Agency	OIG
21	City Agency	New York City Law Department
22	City, State, Federal Agency and Private firms	Employing entity

Describe the following types of collections. *Note, you may have multiple collections of the same type.*

COLLECTIONS				
	<i>Type of Collection</i>	<i>Describe the Specific Activity</i>	<i>Classification</i>	<i>Describe the agency purpose or mission served by this Collection.</i>
1	Research	Disparity Study	Pre-approved as routine	While also compliance driven, this research study is routinely done to track performance of M/WBE program activities.
2	Compliance	M/WBE Capacity Building event data in Dynamics	Pre-approved as routine	Event attendance numbers are confirmed for compliance reports via Dynamics.
3	Compliance	Employment address collected through DLS Employment Reports	Pre-approved as routine	To compile company addresses and worksite locations for compliance related matters and field auditing purposes.
4	Compliance	Employer Information collected through DLS Employment Reports	Pre-approved as routine	Collected through DLS Employment Reports.
5	Client or Customer Service	Applicant information for M/WBE, LBE and EBE programs.	Pre-approved as routine	Data collected is used to evaluate firms for eligibility under the City's Rules of the M/WBE, LBE and EBE programs.
6	Client or Customer Service	Certification Hotline and M/WBE inbox for customer inquiries	Pre-approved as routine	The hotline and the inbox are used to allow businesses to receive support with their inquiries.

7	Audit	Desk Audit conducted with principals	Pre-approved as routine	Interview conducted with the applicants in order to determine eligibility and maintain program integrity.
8	Records Management	M/WBE, LBE and EBE paper application files post certification review	Pre-approved as routine	Paper applications are archived for a minimum of 7 years.
9	Client or Customer Service	Collection of contact information	Pre-approved as routine	Serving constituents and connecting them to SBS services.
10	Response to a Request or Demand	Collection of contact information	Pre-approved as routine	Serving constituents and connecting them to SBS services. Receiving and resolving inquiries from relevant stakeholder.
11	Strategic Initiatives	Collection of contact information	Pre-approved as routine	Serving constituents and connecting them to SBS services.
12	Strategic Initiative	Collection of contact information	Pre-approved as routine	Marketing Programs and Services offered by SBS, building greater public awareness of SBS services.
13	Client customer service	We collect data to be able to assist a client either by assigning them to a program or enrolling them in a course. This is across the DBS portfolio: Business Solution Centers, Industrial Business Service Providers, Hotline,	Pre-approved as routine	We collect this information to best determine the best assistance for a client.

		Business Preparedness, Incentives, Emergency Response, Business Education, and NYC BEST.		
14	Human Resources and other Personal Matters	Personnel, employee benefits, payroll and other related employee information	Pre-approved as routine	Collects personnel-related information and records in the performance of core administrative and human resource functions and EEO functions.
15	Compliance	Client information related to job and employment information gathered while providing services in workforce development initiatives	Pre- Approved as routine	Preparing New Yorkers to find jobs by developing skills and connecting jobseekers to employers as part of Agency's mission.
16	Customer Service	Client information related to job and employment information gathered while providing services in workforce development initiatives	Pre- Approved as routine	Preparing New Yorkers to find jobs by developing skills and connecting jobseekers to employers as part of Agency's mission.
17	Procurement	Individual contact information found on procurement documents	Pre- Approved as routine	Required by City, State and Federal laws, rules and funding requirements for collecting information regarding vendors and potential vendors.
18	Compliance	Payroll records- city contractor and subcontractors	Pre-Approved as routine	Records collected to ensure vendor compliance.

Please add additional rows, if needed