

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: Office of Emergency Management

2. APO Contact Details
 - a. Name: Robert Wilson
 - b. Title: Director of Legal Affairs / Agency Privacy Officer
 - c. Email: rwilson@oem.nyc.gov
 - d. Telephone: (718) 422-4836

COLLECTIONS

3. How many collections does the agency have to describe?
13

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 checked="" type="checkbox"/> Height <input type="checkbox"/> Weight	<u>Government Program Information</u> <input checked="" type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input checked="" type="checkbox"/> Any scheduled court appearances <input checked="" type="checkbox"/> Eligibility for or receipt of public assistance or City services <input 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 checked="" type="checkbox"/> Religion <input type="checkbox"/> Sexual orientation	<u>Technology-Related Information</u> <input checked="" type="checkbox"/> Device identifier including media access control (MAC) address or Internet mobile equipment identity (IMEI)* <input checked="" 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 checked="" 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 checked="" type="checkbox"/> Status as a victim of domestic violence or sexual assault <input checked="" 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?

12

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



- Proceed to the next page -

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 type="checkbox"/> Social security number (full or last 4 digits)* <input type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<u>Work-Related Information</u> <input type="checkbox"/> Employer information <input 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 checked="" type="checkbox"/> Height <input type="checkbox"/> Weight	<u>Government Program Information</u> <input checked="" type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input checked="" type="checkbox"/> Any scheduled court appearances <input checked="" type="checkbox"/> Eligibility for or receipt of public assistance or City services <input type="checkbox"/> Income tax information <input 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 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 checked="" type="checkbox"/> Status as a victim of domestic violence or sexual assault <input checked="" type="checkbox"/> Status as crime victim or witness	
<u>Other Types of Identifying Information</u> (list below): Family composition, Lease Information, Language Class Information, School Enrolment Information, Medical	
*Type of identifying information designated by the CPO (see CPO Policies & Protocols, §3.1.1).	

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: Robert Wilson
Title: Director of Legal Affairs / Agency Privacy Officer
Email: rwilson@oem.nyc.gov
Phone: (718) 422-4836

ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Name: Zach Iscol
Title: Commissioner
Email: ziscol@oem.nyc.gov
Phone: 718-422-4616

Signature: *Zach Iscol*
Zach Iscol (Jul 31, 2024 11:09 EDT)

Date: 07/31/2024

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	Human Resources and other Personnel Matters	NYCEM personnel related information and records - any records collected by our Bureau of Human Capital for its performance of core administrative and human resource functions within the agency.	Pre-approved as routine	Administrative
2	Public Safety and Health	Other City Agency employee/contact information. (1) NYCEM engages with other City agencies for citywide support in emergency planning, response, and recovery. (2) City employees may be called upon as volunteers to support the City's response to an emergency. (3) This information is utilized for the purposes of training and exercises.	Pre-approved as routine	Charter Responsibilities
3	Public Safety and Health	Health Care Facility Partner employee/contact information (Non-City). This information is collected and maintained for plan development, training, and response to emergency	Pre-approved as routine	Charter Responsibilities

		events that impact public health and public safety.		
4	Utilities & Infrastructure	<p>Public Utility Partner employee/contact information.</p> <p>This information is collected and maintained for plan development, training, and response to emergency events that impact the provision of utility services.</p>	Pre-approved as routine	Charter Responsibilities
5	Public Safety and Health	<p>State and Federal Partner employee/contact information.</p> <p>This information is collected and maintained for plan development, training, and emergency response/support.</p> <p>NYCEM works closely with our State and Federal Partners particularly during major disasters/events.</p>	Pre-approved as routine	Charter Responsibilities
6	Legal Matters or Proceeding	<p>Responses to Subpoenas</p> <p>Each response is thoroughly vetted and released documentation is reviewed on a case-by-case basis prior to release.</p>	Pre-approved as routine	Legal Responsibilities
7	Client or Customer Service	<p>The collection and retention of identifying information (including, but not limited to, name, address, and preferred contact information) of</p>	Pre-approved as routine	Charter Responsibilities

		individuals who self-register for various emergency services.		
8	Public Safety and Health	The collection and retention of identifying information during emergency situations pursuant to NYCEM’s Charter obligations.	Pre-approved as routine	Charter Responsibilities
9	Client or Customer Service	The collection and retention of Reasonable Accommodation documentation for clients of the HERRCs and other temporary housing options run by the City.	Pre-approved as routine	HERRC MOU; Emergency Executive Order 224 of 2022
10	Client or Customer Service	The collection and retention of Extenuating Circumstance documentation for clients of the HERRCs and other temporary housing options run by the City.	Pre-approved as routine	HERRC MOU; Emergency Executive Order 224 of 2022
11	Client or Customer Service	The collection and retention of documents related to the Permanent Residing Under the Color of Law (PRUCOL) population.	Pre-approved as routine	HERRC MOU; Emergency Executive Order 224 of 2022
12	Client or Customer Service	The collection and retention of client information for the purpose of reticketing clients of the HERRCs and other temporary housing options run by the City.	Pre-approved as routine	HERRC MOU; Emergency Executive Order 224 of 2022
13	Client or Customer Service	The collection and retention of client information for those seeking placement on the waitlist or placement in an overflow site, HERRC, or other temporary housing location run by the City.	Pre-approved as routine	HERRC MOU; Emergency Executive Order 224 of 2022
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	<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>
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	<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>
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Please add additional rows, if needed

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

DISCLOSURES					
	Type of Disclosure	Describe the Specific Activity	Classification	Describe the agency purpose or mission served by this Disclosure.	Was this disclosure made pursuant to an external request?
1	Legal Matters or Proceeding	Responses to Subpoena - Each response is thoroughly vetted and released documentation is reviewed on a case-by-case basis prior to release.	Pre-approved as routine	As required by law	Yes
2	Audit	Responses to oversight audits. Each response is vetted, and documentation is reviewed prior to release.	Pre-approved as routine	As required by Law	Yes
3	Compliance	Responses to oversight investigations and mandated reporting. Each response is vetted, and documentation is reviewed prior to release.	Pre-approved as routine	As required by Law	Yes
4	Law Enforcement	Responses to criminal investigations by local law enforcement - administration of NYCEM duties for Humanitarian Emergency Response and Relief Centers (HERCCs); NYCEM reviews law enforcement requests on a case-by-case basis prior to release.	Approved by the APO on a case-by-case basis	In accordance with the Humanitarian Emergency Response and Relief Centers (HERRC) MOU	Yes
5	Client or Customer Service	Responses to information requests made by current or former clients (or their representatives) of the	Approved by the APO on a case-by-case basis	In accordance with the HERRC MOU	Yes

		HERCCs and other temporary housing run by the City.			
6	None of the above	Data provided to internal NYCEM data team; responsible for program analysis to improve operations and services; for internal use only.	Approved by the APO on a case-by-case basis	In accordance the HERRC MOU	No
7	Legal Matters or Proceeding	Responses to so ordered subpoenas related to HERCCs and other temporary housing run by the City; Each request is thoroughly vetted and released documentation is reviewed on a case-by-case basis prior to release.	Approved by the APO on a case-by-case basis	As required by Law; and the HERRC MOU	Yes
8	Research	Response to reticketing data and report requests for internal City purposes and redisclosure to contracted research partner(s).	Approved by the APO on a case-by-case basis	As required by Law and by agreement	Yes
9	Response to a Request or Demand	Response to City Hall requests for aggregate deidentified information for redisclosure to press.	Approved by the APO on a case-by-case basis	In accordance with the HERRC MOU	Yes
10	Client or Customer Service	Access to client information provided to City/State staff and contractors serving HERCCs and other temporary housing options run by the City; access for each individual is reviewed and vetted on a case-by-case basis.	Approved by the APO on a case-by-case basis	In accordance with the HERRC MOU	Yes (External Requests) and No (Internal Requests)

11	Client or Customer Service	Data transfers between agencies/entities responsible for HERRCs and other temporary housing options run by the City; relates to operational needs and closures/transfers between sites.	Approved by the APO on a case-by-case basis	In accordance with the HERRC MOU	Yes
12	Client or Customer Service	Requests for information made by NYC/NYS agencies to assess funding, client needs, and client eligibility for various programs.	Approved by the APO on a case-by-case basis	In accordance with the HERRC MOU	Yes
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	<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>
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99	Choose an item.		Choose an item.		Choose an item.
100	Choose an item.		Choose an item.		Choose an item.

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	Mayor’s Office (and Contractors)
2	City Agency	Department of Health and Mental Hygiene
3	City Agency	Office of Management and Budget
4	City Agency	Department of Social Services
5	City Agency	Department of Homeless Services
6	City Agency	Department of Education – New York City Public Schools
7	City Agency	Department of Investigation
8	City Agency	Department of Housing Preservation and Development (and Contractors)
9	City Agency	Department of Small Business Services
10	City Agency	New York City Police Department
11	City Agency	Office of Technology and Innovation (and Contractors)
12	City Agency	New York City Fire Department
13	City Agency	Administration for Children’s Services
14	City Agency	Department of Citywide Administrative Services (and Contractors)
15	Other	New York City Law Department
16	Other	New York City Comptroller
17	Other	Health and Hospitals Corporation (and Contractors)
18	Other	Office of the District Attorney
19	Other	Legal Aid Society
20	Other	SafeHorizon
21	State Agency	New York State Police
22	State Agency	New York State Department of Labor
23	State Agency	New York National Guard
23		
23	Choose an item.	
24	Choose an item.	
25	Choose an item.	

26	Choose an item.	
27	Choose an item.	
	<i>Type of Entity</i>	<i>Name of Entity</i>
28	Choose an item.	[free text]
29	Choose an item.	
30	Choose an item.	
31	Choose an item.	
32	Choose an item.	
33	Choose an item.	
34	Choose an item.	
35	Choose an item.	
36	Choose an item.	
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55	Choose an item.	
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	<i>Type of Entity</i>	<i>Name of Entity</i>
57	Choose an item.	[free text]
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61	Choose an item.	
62	Choose an item.	
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	<i>Type of Entity</i>	<i>Name of Entity</i>
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Please add additional rows, if needed

OPTIONAL QUESTION: Using the table below, describe any proposals for disclosures of identifying information that your agency declined to approve.

	<i>Type of Entity that Requested the Identifying Information</i>	<i>Name of the Entity</i>	<i>Reason for the Request</i>	<i>Description of Agency's Rationale for Rejection</i>
1	Choose an item.	[free text]	[free text]	[free text]
2	Choose an item.			
3	Choose an item.			
4	Choose an item.			
5	Choose an item.			
6	Choose an item.			
7	Choose an item.			
8	Choose an item.			
9	Choose an item.			
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	<i>Type of Entity that Requested the Identifying Information</i>	<i>Name of the Entity</i>	<i>Reason for the Request</i>	<i>Description of Agency's Rationale for Rejection</i>
26	Choose an item.	[free text]	[free text]	[free text]
27	Choose an item.			
28	Choose an item.			
29	Choose an item.			
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	<i>Type of Entity that Requested the Identifying Information</i>	<i>Name of the Entity</i>	<i>Reason for the Request</i>	<i>Description of Agency's Rationale for Rejection</i>
54	Choose an item.	[free text]	[free text]	[free text]
55	Choose an item.			
56	Choose an item.			
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	<i>Type of Entity that Requested the Identifying Information</i>	<i>Name of the Entity</i>	<i>Reason for the Request</i>	<i>Description of Agency's Rationale for Rejection</i>
82	Choose an item.	[free text]	[free text]	[free text]
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99	Choose an item.			
100	Choose an item.			

Please add additional rows, if needed