

FORM 3

Agency Report Template

(Revised April 2022)

INSTRUCTIONS

The Identifying Information Law requires City agencies to submit comprehensive biennial agency reports (Form 3) related to their collection, disclosure, and retention of identifying information and their privacy protection practices.

To complete a 2022 Form 3:

- Update the agency's 2020 Form 1 (Inventory Form) with new information (including from any new or updated Forms 2 and 5 completed by the agency since 2020);
- Update or complete new Form 2s (APO Designation of Collections and Disclosures as "Routine") based on new information in the updated 2022 Form 1;
- Update or complete new Form 5s (Agency Privacy Officer Approval of Collections and Disclosures on a "Non-Routine" Basis) based on new information in the updated 2022 Form 1;
- Make sure all updated or new Forms 2 and 5 are consistent with the updated 2022 Form 1;
- Use the updated or new Forms 1, 2, and 5 to complete a new Form 3.

Before submission, Form 3 must be signed by the agency head or their designee. It is strongly recommended that agency counsel conduct a final review and approval before submission.

Submit Form 3 to:

- CPO at PrivacyOfficer@cityhall.nyc.gov
- Mayor at MOReports@cityhall.nyc.gov
- City Council Speaker at reports@council.nyc.gov
- Citywide Privacy Protection Committee at NYCPrivacyCommittee@cityhall.nyc.gov
- Department of Records and Information Services's (DORIS) online submissions 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.

DO NOT SUBMIT PAGES 1-3

VERSION CONTROL

Version	Description of Change	Approver	Date
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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FORM 3 (AGENCY REPORT)

(Due on or before July 31, 2022)

Agency:	New York City Department of Veterans' Services		
Agency Privacy Officer:	Glenda V. Garcia		
Email:	ggarcia@veterans.nyc.gov	Telephone:	(646) 891-9101
Date of Report:	July 31, 2022		

1. Specify the type of identifying information collected or disclosed (check all that apply):			
<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Social security number (full or last 4 digits)* <input type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<p><u>Work-Related Information</u></p> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address		
<p><u>Biometric Information</u></p> <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*	<p><u>Government Program Information</u></p> <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 checked="" type="checkbox"/> Income tax information <input type="checkbox"/> Motor vehicle information		
<p><u>Contact Information</u></p> <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	<p><u>Law Enforcement Information</u></p> <input checked="" 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		
<p><u>Demographic Information</u></p> <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	<p><u>Technology-Related Information</u></p> <p style="background-color: yellow;">(The below is for DVS Employees only, not Clients)</p> <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 checked="" type="checkbox"/> Internet protocol (IP) address* <input type="checkbox"/> Social media account information		
<p><u>Other Types of Identifying Information</u> (list below):</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> State Government ID Military ID Veterans ID Ethnicity Military Affiliation Branch of Service Service Era </td> <td style="width: 50%; border: none;"> Service Dates Military Discharge Type Disability (yes/no) Social Security Card U.S. Passport/Passport Card Permanent Resident Card Foreign Password </td> </tr> </table>		State Government ID Military ID Veterans ID Ethnicity Military Affiliation Branch of Service Service Era	Service Dates Military Discharge Type Disability (yes/no) Social Security Card U.S. Passport/Passport Card Permanent Resident Card Foreign Password
State Government ID Military ID Veterans ID Ethnicity Military Affiliation Branch of Service Service Era	Service Dates Military Discharge Type Disability (yes/no) Social Security Card U.S. Passport/Passport Card Permanent Resident Card Foreign Password		

Identifying Information Law

Birth Certificate School ID	NYC ID
*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 Department of Veterans' Services (DVS) was established in 2016 by Mayor Bill de Blasio and City Council and through the hard work of veteran advocates. In that time, it has grown from a small shop in the Mayor's Office to a standalone agency with roughly 40 employees. DVS is the first new agency in New York City in over 20 years.

New York City is also the first major city in the country with an agency dedicated solely to serving veterans and their families. At DVS, we seek to honor veterans for their service to our country by connecting them to opportunities that will help them further lead purpose driven lives as well as by honoring the incredible sacrifice that they have made.

We do this by:

- o Engaging veterans in the neighborhoods where they live
- o Advocating for their needs at the city, state, and federal level
- o Making sure that they have access to the benefits, services, and resources that they need

In other words, DVS's job is to connect, mobilize, and empower our veterans, caregivers, survivors, and their families so that their lives are made better.

There are over 210,000 veterans in our city, and we are dedicated to working with all of them and their families - regardless of background, need, or discharge status. We do this through outreach, programs, partnerships, and by assisting veterans in areas that are important to them such as housing, economic empowerment, education, health and wellness. Our core functions focus on these areas and include specific areas such as veteran suicide and funeral services.

DVS collects the names, contact information, and applicable military status from clients who wish to be connected with resources around housing, City employment, education, entrepreneurship and events. This information is held internally and may be disclosed for purposes related to administration, identity verification, or facilitating access to benefits, services, and care, all in the normal course of business.

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
<p>Human Resources and IT. Identifying information may be collected and disclosed in the course of performing human resources and other personnel related matters, including, but not limited to, new hire processing, retiree and benefits processing, payroll processing, equal employment opportunity matters, training, occupational health and safety matters, professional development, etc.</p> <p>Technology-Related Information</p> <ul style="list-style-type: none"> • Device identifier including media access control MAC address or Internet mobile equipment identity (IMEI)* - YES - INTERNAL ONLY - This is only for DVS employees this is collected based on Asset Management – Active Lines Report, Remote Log Reports through OTI. • GPS-based location obtained or derived from a device that can be used to track or locate an individual* - YES - INTERNAL ONLY - This is only for DVS employees this is collected based on MDM – AirWatch through OTI. • Internet protocol (IP) address* - YES – INTERNAL ONLY – Logged on reports for remote logging and csc.nyc.net. 	<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
<p>Governmental oversight purposes. DVS may disclose, subject to applicable law, identifying information to its federal or state oversight agency in order to comply with such agency’s regulations, rules, guidelines, or conditions to funding.</p>	<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
<p>Agreements with Contractors, City Agencies, and Non-profits. Identifying information may be disclosed to contractors, subcontractors, experts, consultants, City agencies, or non-profit organizations who have entered into agreements with DVS so that such entities or persons may carry out their roles and responsibilities under such agreements.</p>	<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
<p>Compliance with Freedom of Information Law. Identifying information may be disclosed in order to seek advice regarding a request for information under FOIL, or as part of information released in response to a FOIL request, including identifying information disclosed voluntarily in response to OpenRecords requests (e.g., documents or requestor-assigned titles), provided appropriate agency personnel determines that disclosure of such information is permissible under applicable law.</p>	<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
<p>Authorized release to Elected Officials. Identifying information may be disclosed as part of a response to an inquiry from a federal, state or local elected official, subject to applicable law.</p>	<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
<p>Disclosure for Customer Service Purposes. Identifying information may be disclosed, subject to applicable law, if such disclosure is part of the service to an agency client or customer. Such disclosures include addresses to process inquiries and claims and name and other information for identity verification.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies

Identifying Information Law

	<input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure to Labor Organizations. The names, employment status, contact information, addresses, and other identifying information of agency employees may be disclosed, subject to applicable law, to labor organizations when such information is needed by a labor organization to perform its duties as the collective bargaining representative of Agency employees in an appropriate bargaining unit.	<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
Lobbying Disclosures. The names, addresses, and telephone numbers of lobbyists or clients may be disclosed in order to comply with the NYC Lobbying Law’s reporting and registration requirements.	<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
Disclosure in Response to a Data Breach. Identifying information may be disclosed, subject to applicable law, to appropriate agencies, entities, or persons where it has been determined or suspected that the security or confidentiality of identifying information has been compromised, and that such disclosure is either required by law or is reasonably necessary to assist in efforts to prevent, minimize, or remedy potential or actual harm.	<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
Collection and Disclosures Related to Procurement. In order to comply with applicable federal, state, and local procurement rules, certain identifying information may be collected and disclosed, such as bidders’ and contractors’ names and contact information.	<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 Inquiries from Federal, State or Local Elected Officials. Identifying information may be disclosed as part of a response to an inquiry from a federal, state or local elected official, subject to applicable law.	<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
Collection and Disclosure for Public Benefits Processing. The agency may collect and disclose identifying information to process applications or claims for public benefits, including names, addresses, contact information, employment status, race, nationality, and eligibility for or receipt of public assistance, in accordance with applicable law.	<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
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 at this time

<p>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.</p> <p>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.</p> <p>Requests for disclosures for information that are designated as routine are facilitated through the intake process and necessary for the performance of connecting clients to housing, employment, and benefits, and only when consented to and approved by client.</p> <p>Requests for identifying information that are not designated as routine are reviewed and determined by the General Counsel. These requests are usually made during the course of litigation or responding to FOIL requests.</p>	
<p>6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>7. If YES, do those policies specify that access to identifying information must be necessary to perform their duties?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>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.</p>	<p>General Counsel evaluates, in conjunction with Deputy Commissioner or Chief of Staff, to determine the relevance of information, importance of disclosure and impact to client in light of current municipal rules regarding privacy protection.</p>
<p>N.Y.C. Admin. Code §§23-1205(a)(1)(c)(1), and (4)</p>	

<p>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.</p> <p>DVS generally follows policies listed in Question #5. DVS also enters into data sharing agreements with other City of NY agencies for the disclosure of PII used for the purpose furthering the purpose or mission of the agency.</p>
<p>N.Y.C. Admin. Code §23-1205(a)(1)(c)(2)</p>

<p>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.</p> <p>Requests for disclosures during emergency or exigent circumstances are flagged for expedited and high priority review by the General Counsel/APO, who will approve or deny in light of applicable local laws, and guidance from CPO and Law Department.</p>
<p>N.Y.C. Admin. Code §23-1205(a)(1)(c)(3)</p>

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.

Requests are frequently fielded from Intake Coordinators, who then relay to their Assistant Commissioners. Requests for disclosures made through Assistant Commissioners are then flagged for General Counsel review in light of applicable local laws.

- Administration and Human Resources
- General Counsel
- Client Services
- Housing
- Technical Services

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.

Agency will implement policies and procedures in anticipation of CPO's policies and protocols.

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.

Intake forms with consent waivers are utilized, where DVS collects the names, contact information, and applicable military status from clients who wish to be connected with resources around housing, City employment, education, entrepreneurship and events. This information is held internally and occurs during the normal course of business.

Also, DVS routinely enters into MOU's with City agencies, non-profit orgs, or other entities or organizations for the disclosure or collection of identifying information, usually program or event driven, and in furtherance of the agency's purpose or mission.

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
Local, State, Federal Governmental agencies	When authorized by the client, DVS shares personal identifying information with government agencies for the purposes related to administration, identity verification, or facilitating access to benefits, services, and care, all in the normal course of business.	Assists in connecting clients to benefits.
Federal oversight agencies	When authorized by the client, DVS shares contact information with federal entities such as the VA for connection to their federally eligible benefits.	Assists in connecting client to federal benefits.
Members of the public seeking referrals	When authorized by the client, DVS shares contact information with non-profit, private and governmental institutions for the purposes of connecting clients with services.	Assists clients in connecting to services.
Elected Officials	When authorized by the client, DVS shares contact information with elected officials for the purposes of advocacy and connecting clients with services.	Assists clients in connecting with advocacy and general support services in their communities.
Members of the Press	When authorized by the client, DVS shares contact information with the press for purposes of advocacy and transparency.	Assists in aiding governmental transparency.

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).

As the agency matures and enters into more robust agreements with outside entities to continue to provide and connect various services to veterans, the APO is will update its Inventory of Collections and Disclosures (Form #1); Routine Designations (Form #2); and Non-routine Designations (Form #5) forms accordingly.

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).

Helps to streamline internal processes and provides guidance and assurance that PII retained, disclosed, or collected in certain circumstances are compliant with City privacy protection laws.

N.Y.C. Admin. Code §23-1205(a)(3)

APPROVAL SIGNATURE FOR AGENCY REPORT

Preparer of Agency Report:

Name:	Glenda V. Garcia		
Title:	Interim Deputy Commissioner of Ops/General Counsel/APO		
Email:	ggarcia@veterans.nyc.gov	Phone:	(646) 891-9101

ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Agency Head (or designee):

Name:	James Hendon		
Title:	Commissioner		
Email:	jhendon@veterans.nyc.gov	Phone:	(212) 416-5250
Electronic Signature:		Date:	7/20/2022

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