

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:	Public Design Commission		
Agency Privacy Officer:	Julianna Monjeau		
Email:	jmonjeau@cityhall.nyc.gov	Telephone:	212-788-9860
Date of Report:	9/22/2022		

1. Specify the type of identifying information collected or disclosed (check all that apply):	
<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)*	<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 type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input type="checkbox"/> Any scheduled court appearances <input type="checkbox"/> Eligibility for or receipt of public assistance or City services <input 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 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 type="checkbox"/> Country of origin <input type="checkbox"/> Date of birth* <input type="checkbox"/> Gender identity <input type="checkbox"/> Languages spoken <input type="checkbox"/> Marital or partnership status <input type="checkbox"/> Nationality <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Sexual orientation	<p><u>Technology-Related Information</u></p> <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
<p><u>Status Information</u></p> <input type="checkbox"/> Citizenship or immigration status <input 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	<p><u>Other Types of Identifying Information</u> (list below):</p>
<small>*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).</small>	

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

All collection and retention of identifying information activities are related to core agency functions. These functions include public design review, administration of public records access, and personnel/hiring. The PDC collects identifying information, including name, email, name of employer, phone number and address (home or work), for the purpose of public testimony sign-ups, meeting attendance, identifying applicants for projects that are reviewed and approved by the Commission, conducting public tours of City Hall and the archives, administering research requests through our website, and inviting attendees to annual Design Awards. In each case, the requested information is used to provide points of contact to respond to requests from the public for testimony or records requests or to provide information to the public regarding updates to in-person or virtual events. Aside from the disclosure of public submission forms including applicant information, no other disclosures of identifying information are made in the course of routine work.

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
Name, emails, office/agency name, and phone number on public testimony sign-in forms and meeting attendance sign-in for the administering of monthly public hearings, in particular via teleconference. This information is used to respond to testimony requests, receive written testimony and call on individuals to speak at meetings in the order in which they sign up. The only “disclosed” information is the person’s name, which is called upon when it is their turn to testify. No other information is disclosed.	<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
Name, email, office/agency name, and phone number on sign-up forms for City Hall and Archive tours through our website to provide points of contact to confirm sign-up for tours and follow-up for possible cancellations or location updates. This information is not disclosed.	<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
Name, email, phone number, and best contact address for research request form for archival records through website. This information is used to respond to requests by email and phone and address is used if anything is requested by mail. This information is not disclosed.	<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
Name, email, phone number, and work address for submission forms submitted to the PDC for project submissions. This information provides a point of contact for the submitting architect, landscape architect, engineer, designer, artist, conservator or owner of a private structure. The submission form is a public document and can be disclosed upon request as part of routine business by the PDC through research request or FOIL.	<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
Name and emails for annual Design Award attendee RSVP forms. This information provides point of contact to provide event information and updates to attendees. This information is not disclosed.	<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
Name and contact information for routine personnel activities, specifically collection of resumes for hiring. PDC collects identifying information to process applications for new hires. This information is shared with other divisions within the Mayor’s Office, including Human Resources and Fiscal, as the normal routine for hiring.	<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

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.

In PDCs normal course of operations we sometimes receive requests for copies of design review submission forms which, once reviewed and acted upon by the commission, are public documents. These forms request the name, email, phone number and work address of submitting entities. This disclosure is pre-approved as routine. No other disclosures of identifying information are made during the course of regular business for hiring, testimony sign-ups, tour sign-ups, or event sign-ups. Additional policies and training will be developed to further this progress.

6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors? Yes No

7. If YES, do those policies specify that access to identifying information must be necessary to perform their duties? Yes No

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.

PDC releases identifying information only for approved public submission documents, which is necessary to fulfill our agency function. Additional policies and training will be developed to further this progress.

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.

PDC has not received proposals for disclosures of identifying information to other City agencies, local public authorities, or local public benefit corporations, and third parties.

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.

Requests for disclosure as necessitated by the existence of exigent circumstances will be routed to our Legal Counsel in the New York City Law Department. Requests for disclosure as routine are pre-approved by the Agency Privacy Officer. Additional policies and training will be developed to further codify this process.

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.

Disclosures of identifying information, only made in the case of submission forms which have been requested for research or through FOIL requests facilitated by our Legal Counsel, are handled by the Archivists and Records Manager, Executive Director or Senior Director.

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.

N/A

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

N/A

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
Members of the public	Applicant information included on submission forms requested through Archival research or FOIL request	Projects reviewed and acted upon by the Public Design Commission are public documents and must be made available upon request.
Other City Agencies	Hiring, personnel	Processing of personnel actions and other related matters by other city agencies and Mayoral divisions involved with human resources, budget and administration.

N.Y.C. Admin. Code §23-1205(a)(1)(e)

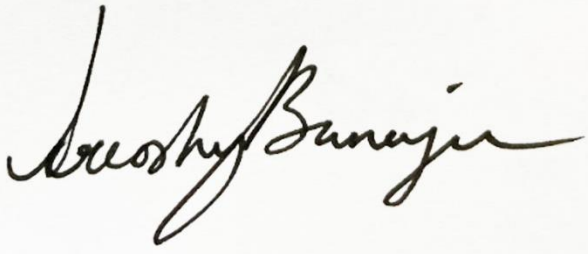
- Proceed to Next Question on Following Page -

<p>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).</p>
<p>The Identifying Information Law resulted in PDC designating an APO who can approve and provide guidance for our small staff regarding the handling of identifying information.</p>
<p>N.Y.C. Admin. Code §23-1205(a)(2)</p>

<p>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).</p>
<p>N/A</p>
<p>N.Y.C. Admin. Code §23-1205(a)(3)</p>

APPROVAL SIGNATURE FOR AGENCY REPORT

Preparer of Agency Report:			
Name:	Julianna Monjeau		
Title:	Archivist & Senior Records Manager		
Email:	jmonjeau@cityhall.nyc.gov	Phone:	212-788-9860

ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW			
Agency Head (or designee):			
Name:	Sreoshy Banerjea		
Title:	Executive Director		
Email:	sbanerjea@cityhall.nyc.gov	Phone:	2127883081
Electronic Signature:		Date:	9.21.22

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