

AGENCY REPORT
 (due on or before July 31, 2020)

Agency:	Mayor's Office		
Agency Privacy Officer:	Bess Chiu		
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Date of Report:	7/31/2020		

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)*	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<u>Biometric Information</u> <input checked="" type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs	<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 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 addresses <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 checked="" type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD <input checked="" 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 checked="" 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 checked="" 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 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): 	
<small>*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).</small>	

2. Specify the reasons why collection and retention of identifying information specified above furthers the purpose or mission of your agency.
<p>The Mayor's Office supports the functions of the Mayor of New York City.</p> <p>Administrative and Human Resources: As part of the Mayor's Office's core administrative and human resource functions, the Office engages in hiring, payroll and timekeeping, and other administrative tasks that include scheduling of meetings and other correspondence.</p> <p>Community Affairs, Public Engagement and Intergovernmental Relations:</p>

The Mayor's Office coordinates with community and governmental partners, and establishes deeper connections between the community and the administration by, for example, planning town halls, rapid response campaigns, meetings, and other outreach-related events and activities.

Constituent Services and Correspondence:

The Mayor's Office answers constituent and public inquiries, connects individuals to relevant City agencies and services, and assesses, recommends, and pursues advocacy and referral options for constituents. The Office also tracks overall inquires and effectiveness in addressing them.

Facilities:

The Mayor's Office provides oversight and management of the City's facility, technological, and space management needs.

Fiscal, Budget, and Procurement:

The Mayor's Office fulfills various budgetary and contracting functions and collects information about organizations with business dealings with the City in order to comply with Local Law 34 of 2007.

Freedom of Information Law ("FOIL") Requests:

The Mayor's Office receives, reviews, and responds to Freedom of Information Law requests submitted to the Mayor's Office.

Legal Matters:

The counsel and legal affairs units within the Mayor's Office provide counsel and advice on a variety of legal matters including, but not limited to, employment matters, conflicts of interest, transactional matters, negotiations, legal research and guidance, investigations, legal compliance matters, legal trainings, and legal matter referrals.

Policy Matters:

The Mayor's Office performs strategic planning, project management, research, data analytics, database management, policy development, and program design and administration.

N.Y.C. Admin. Code §23-1205(a)(1)(f)

3. Describe the types of collections and disclosures classified as: (1) pre-approved as “routine,” (2) pre-approved as routine by APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the 2020 Agency Guidance includes detailed examples of routine and non-routine collections and disclosures, with descriptions.

Add additional rows as needed.

Describe the Collection or Disclosure	Classification Type
Collections and disclosures described above are pre-approved as “routine.”	<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
Budget, Finance, and Procurement: The Office may collect and disclose identifying information, such as names and contact information, for purposes of procurement or payment.	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Administrative and Human Resources: Personnel, employee benefits, payroll, and other related employee and job applicant information is collected and disclosed to other City agencies as part of the Mayor’s Office’s core administrative function. The Mayor’s Office also collects and discloses information when appointing or recruiting.	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Constituent Services and Correspondence: In order to facilitate constituent requests and services, the Mayor’s Office receives identifying information that may be transmitted to the relevant agency to provide assistance.	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
Legal Matters: When engaged in civil enforcement or investigation, the Mayor’s Office collects information through research and inquiry, as well as pursuant to subpoena, discovery, and other legal methods. Disclosures may be made to support causes of action, prosecute violations and summonses, defend the City’s interests, or as required by law.	<input type="checkbox"/> Pre-approved as routine <input checked="" 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, specify the types of collections and disclosures that have been approved by the Chief Privacy Officer as being “in the best interests of the City” which involve any collections and disclosures of identifying information relating to your agency.

Add additional rows as needed.

Describe Type of Collection or Disclosure
The collection and disclosure of limited employee COVID data and information between City agencies was approved by the CPO as “in the best interests of the City.”
The collection of eligible voter registration status and disclosure to another City agency was approved by the CPO as “in the best interests of the City” to ensure the integrity of the City’s elections.
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.

For requests for disclosures of identifying information, the Mayor’s Office complies with the Citywide Privacy Protection Policies and Protocols (“Policies and Protocols”), issued by the Chief Privacy Officer (“CPO”) on January 28, 2019. The Mayor’s Office has also adopted the Citywide Model Protocol for Handling Third Party Requests for Information Held by City Agencies, issued by the First Deputy Mayor in April 2017 (“Model Protocols”).

In accordance with the Policies and Protocols, all Mayor’s Office staff are required to determine whether the request for information falls under a routine designation made by the Agency Privacy Officer, in that it is made during the normal course of business (i.e. in carrying out certain functions of the Mayor’s Office which further its purpose or mission) and is in accordance with applicable law. Agency Privacy Officers for all Mayor’s Office units have pre-approved routine disclosures of certain identifying information for certain functions. These routine disclosures may be made without further Agency Privacy Officer approval. In some cases routine disclosures will require additional case-by-case review by legal counsel or the Agency Privacy Officer, as indicated in each applicable routine designation.

For requests for disclosures of identifying information that are not routine, Agency Privacy Officer approval must be sought on a case-by-case basis. Applicable law and other obligations towards the confidentiality of information is considered in order to determine whether the information may be disclosed. Other considerations include ownership interests in data, the purposes for which the information will be used, and whether the scope of the disclosure should be limited prior to making a disclosure. The Agency Privacy Officer works closely with the Chief Privacy Officer as necessary.

In accordance with the Policies and Protocols, disclosures of identifying information are permitted under “exigent circumstances” and staff making such disclosures must notify the Agency Privacy Officer as soon as practicable, who in turn reports it to the Chief Privacy Officer.

6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7. If YES, do such policies specify that access to such information must be necessary for the performance of their duties?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8. Describe whether the policies are implemented in a manner that minimizes such access to the greatest extent possible while furthering the purpose or mission of the agency.	Pursuant to the Policies and Protocols, staff considers whether requests for information can be minimized without providing any identifying information or whether the scope of request can be limited. In addition, where a disclosure has been pre-approved as routine, disclosure is limited to certain types of identifying information and in the performance of specified Mayor’s Office functions.

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.

As referenced in the response to Question 5, the Mayor’s Office has adopted the Policies and Protocols and the Model Protocol. The Mayor’s Office would apply the framework established therein when handling proposals for disclosures of identifying information. Proposals for disclosures of identifying information are reviewed by Mayor’s Office legal staff in order to determine whether a permissible basis exists in applicable laws, regulations, and policies for the proposed disclosure. Legal staff may determine that an agreement is required to limit the use of such information provided and limit further re-disclosure by any recipient party.

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.

Mayor's Office Agency Privacy Officers have designated certain disclosures of identifying information as routine. Routine disclosures have been pre-approved to the extent they further the purpose or mission of the Mayor's Office (comprised of its sub-offices), and are necessary in carrying out its functions.

In accordance with the requirements of the Policies and Protocols, disclosure of identifying information may be made under exigent circumstances. Such circumstances exist where there is an urgent need for the information and during which normal procedures cannot be followed. Where a disclosure of identifying information has been made under exigent circumstances, staff making the disclosure must notify their Agency Privacy Officer as soon as possible. The Agency Privacy Officer must then notify the Chief Privacy Officer of the disclosure as soon as possible.

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 within an agency make disclosures of identifying information following the approval of the privacy officer.

Routine disclosures of identifying information may be made by office staff when within the scope of their job functions and solely for a permitted purpose. For example, Mayor's Office human resources staff are pre-approved to disclose certain identifying information when carrying out personnel or human resource functions (which may include such tasks as payroll or benefits processing). Disclosures of identifying information by staff that have not been pre-approved as routine must be approved by Agency Privacy Officers on a case-by-case basis.

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 that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the purpose or mission of such agency.

The Mayor's Office follows the Policies and Protocols developed by the Chief Privacy Officer.

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.

The Mayor's Office uses data sharing agreements, memoranda of understanding, project agreements and other contractual vehicles to memorialize certain exchanges and disclosures of identifying information, particularly as between City agencies or the City and other entities. These data sharing and other agreements will often include comprehensive privacy and data security provisions to safeguard identifying information and to clearly set forth the terms governing the confidentiality and use of identifying information. In other contracts with third parties, including contracts for consultants, professional, technical, human and client services, the City incorporates the terms of Appendix A, which include terms governing the confidentiality of information.

N.Y.C. Admin. Code §23-1205(a)(1)(d)

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

Add additional rows as needed.

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the purpose or mission of the agency
Other City Agencies	Information is disclosed to other City agencies pursuant to agreement or local laws or rules in order to further policy development and ensure effective project delivery.	Disclosure furthers policy development and/or project delivery and ensures compliance with local laws and regulations.
Federal Agencies	Information is disclosed to federal agencies to ensure compliance with federal laws and regulations.	Disclosure ensures compliance with federal laws and regulations.
New York City Council	Information is disclosed to the NYC Council in order to further policy development and ensure effective project delivery.	Disclosure furthers policy development and/or project delivery.
New York State Agencies	Information is disclosed to New York State agencies in order to ensure compliance with state laws and regulations.	Disclosure ensures compliance with state laws and regulations.
Governor's Office, New York State Senate	Information is disclosed to the Governor's Office and New York State Senate in order to further policy development and ensure effective project delivery.	Disclosure furthers policy development and/or project delivery.
Office of the New York State Comptroller, Office of the New York City Comptroller, agencies with audit authority	Information is disclosed to the Office of the New York State Comptroller, Office of the New York City Comptroller, and other agencies with audit authority in order to ensure compliance with audits.	Disclosure ensures compliance with audits.
Court, enforcement agency, or other entity issuing a subpoena	Information is disclosed to courts, enforcement agencies, or other entities issuing a subpoena in order to ensure compliance with legal requirements.	Disclosure ensures compliance with legal requirements.
Members of the Public	Information is disclosed to members of the public in order to ensure that constituents receive assistance and service, and to ensure that the Mayor's Office is in compliance with the Freedom of Information Law.	Disclosure ensures that assistance and services are provided to constituents, and that the Mayor's Office is in compliance with the Freedom of Information Law.
Consultants, Contractors, and Vendors	Information is disclosed to consultants, contractors, and vendors in order to further policy development and ensure effective project delivery.	Disclosure furthers policy development and/or project delivery.
Community Partners / NGOs	Information is disclosed to community partners and NGOs in order to further policy development and ensure effective project delivery.	Disclosure furthers policy development and/or project delivery.

N.Y.C. Admin. Code §23-1205(a)(1)(e)

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15. Describe the impact of the Identifying Information Law and other applicable laws upon your agency's practices in relation to collection, retention, and disclosure of identifying information.

The Identifying Information Law prompted the Mayor's Office to inventory its collection, retention, and disclosure practices in relation to identifying information. The Identifying Information Law required the Mayor's Office to determine which of these practices are necessary for its functioning and further its mission or purpose in order to designate certain collections and disclosures of identifying information as routine. They also required the Mayor's Office to determine certain collections and disclosures as requiring Agency Privacy Officer approval on a case-by-case basis.

In furtherance of implementing the Identifying Information Law, the Mayor's Office has also developed a structure for Agency Privacy Officers whereby each office or unit under the Mayor's Office has designated an Agency Privacy Officer. Each of these Agency Privacy Officers reports to a Managing Agency Privacy Officer positioned within the Office of the Counsel to the Mayor's Office.

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 the collection, retention, and disclosure of identifying information.

The privacy Policies and Protocols as promulgated by CPO have assisted the Mayor's Office with assuring compliance with the Identifying Information Law. The Policies and Protocols have governed the collection, retention and disclosure of identifying information by the Mayor's Office. The Mayor's Office incorporates the Policies and Protocols in decision-making and operations where privacy interests are implicated.

N.Y.C. Admin. Code §23-1205(a)(3)

APPROVAL SIGNATURE FOR AGENCY REPORT

Preparer of Agency Report:

Name:	Bess Chiu		
Title:	Chief of Staff		
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SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Agency Head (or designee):

Name:	Kapil Longani		
Title:	Counsel to the Mayor		
Email:	KLongani@cityhall.nyc.gov	Phone:	(212) 341-5074
Signature:	<i>Kapil Longani</i>	Date:	7/31/2020

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