



Instructions for Submitting an Acknowledgment of Noncompliance for Entities Pursuant to 23 NYCRR § 500.17(b)(1)(ii)

Step 1: Sign into the DFS Portal.

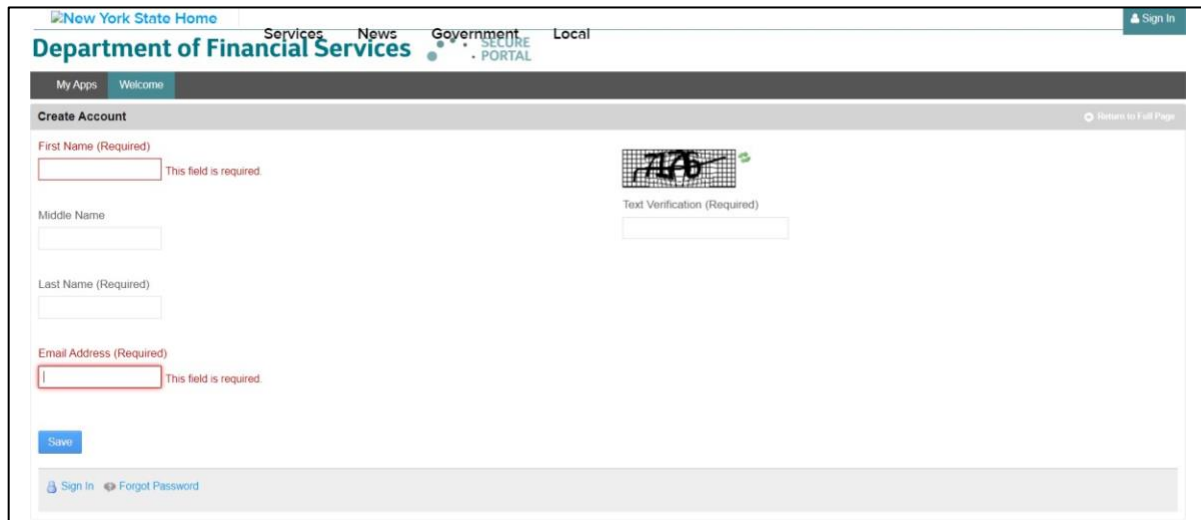
Visit the DFS Portal online at myportal.dfs.ny.gov or use the yellow “DFS Portal” button at the top right corner of any page on the DFS website.

You will be prompted to sign in:

If you have a DFS Portal account, enter your email address and password and click the “Sign In” button and go to Step 3.

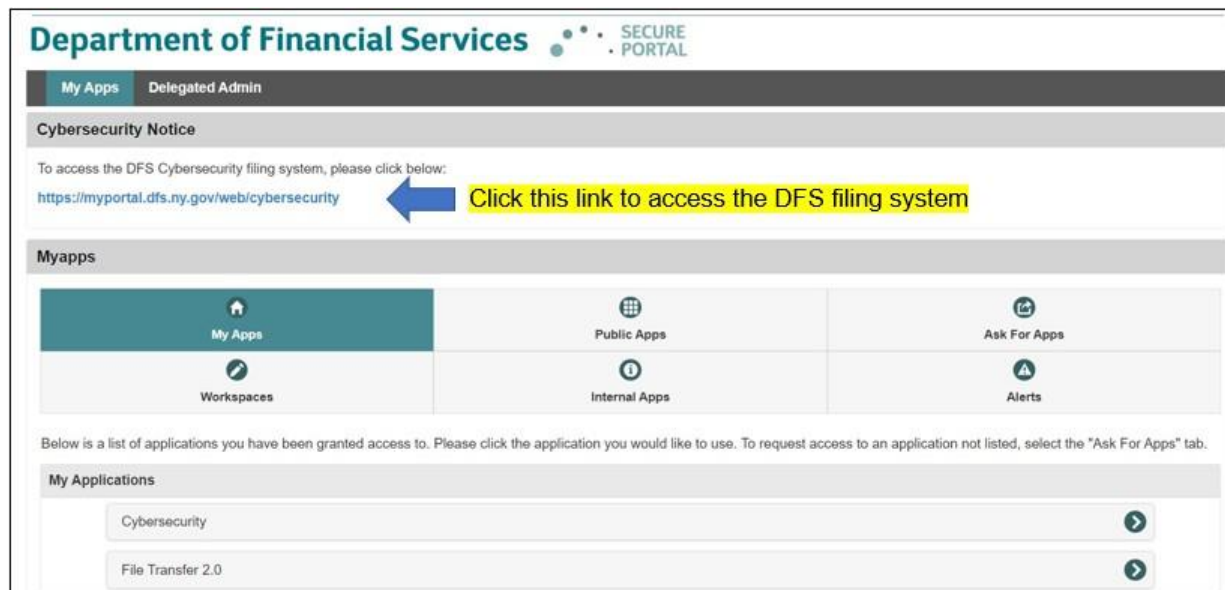
If you do not have a DFS Portal account, use the “Create Account” link at the bottom of the page to create one.

Step 2: Create a Portal Account. Enter the required information, complete the text verification, and click “Save”.



You will receive an email containing a password at the email address you provided. Use that password and your email address to sign into the DFS Portal.

Step 3: Access the Application. Once you have signed into the DFS Portal, click the blue link under the “Cybersecurity Notice” header to enter the DFS cybersecurity filing system.



Step 4: Choose a Section. You will see three options: Submit an Exemption Filing, Submit a Compliance Filing, and Report a Cybersecurity Incident. Under **Submit a Compliance Filing**, select “Begin Acknowledgment of Noncompliance.”

Submit an Exemption Filing	Submit a Compliance Filing	Report a Cybersecurity Incident
<ul style="list-style-type: none"> • Submit Notice of Exemption • Amend previously filed Notice of Exemption • Terminate previously filed Notice of Exemption 	<ul style="list-style-type: none"> • Submit a Certification of Material Compliance • Submit an Acknowledgment of Noncompliance 	<ul style="list-style-type: none"> • Report Cybersecurity Incident • Report Extortion Payment
Begin Exemption Submissions	Begin Certification of Material Compliance	Begin Cybersecurity Incident Report
Begin Bulk Exemption	Begin Acknowledgment of Noncompliance	Begin Extortion Payment Report

Step 5: Identify the Entity. You will be provided with options to identify the individual or entity on whose behalf you are filing.

Select one of the option boxes and click “Next.”

If you do not have an identifying number for any of the listed options, go to Step 7.

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Acknowledge Noncompliance

[Find My Entity](#)
[Find My Entity \(Cont\)](#)
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[Done](#)

Enter Entity Information

Choose one of the following options to identify the individual or entity on whose behalf you are filing. If you do NOT have a number for any of the listed options, select “Help find the entity or individual on whose behalf you are filing.”

☐
DFS License Number
 • Adjusters • Bail Bond Agents • Brokers • Budget Planners • Check Cashers • Licensed Agents • Licensed Lenders • Life Settlement Brokers • Money Transmitters
 • Premium Finance Agencies • Sales Finance Companies • Service Contract Providers • Trust Companies • Virtual Currency

☐
NAIC/NY Entity Number
 • Continuing Care Retiring Community • Employee Welfare Funds and Retirement Systems • Fraternal Benefit Societies • Health Maintenance Organizations
 • Managed Long Term Care Plans • DFS Licensed Insurance Companies • Municipal Cooperative Health Benefit Plan • Prepaid Health Services Plan • Rate Service Organizations
 • Student Health Plan

☐
NMLS Number
 • Budget Planners • Check Cashers • Licensed Lenders • Money Transmitters • Mortgage Institutions/Loan Originators • Premium Finance Agencies • Sales Finance Companies
 • Student Loan Servicers • Virtual Currency licensees

☐
Institution Number
 • All Banking Institutions • Consumer Credit Reporting Agencies • Trust Companies

[Help find the entity or individual on whose behalf you are filing](#)

[← Back](#)
[Next >](#)

Step 6: Enter the Identifying Number. Enter the identifying number for the individual or entity and click “Search.”

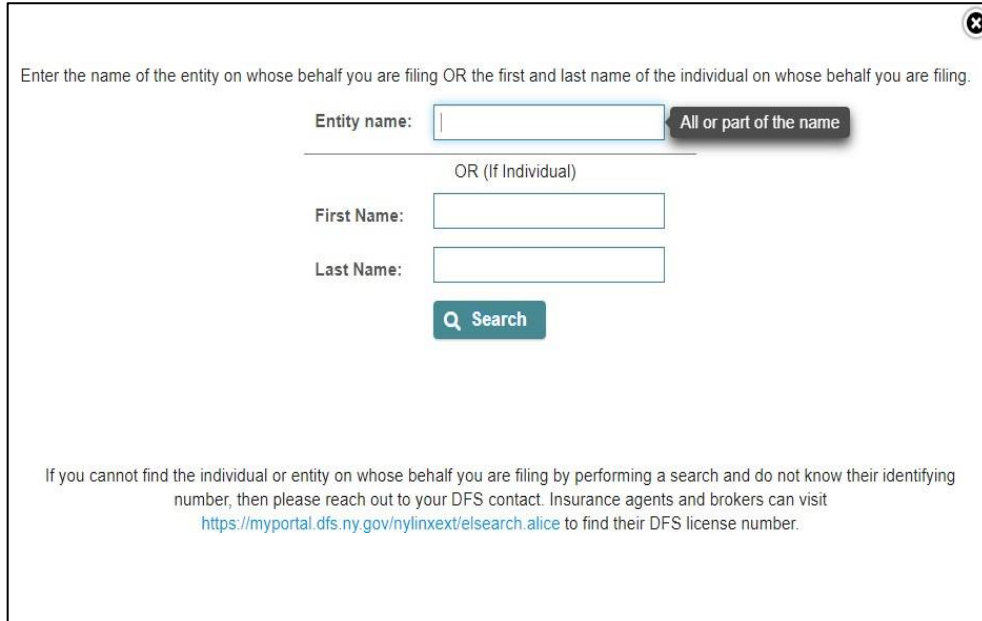
The screenshot shows the 'Acknowledge Noncompliance' interface. At the top, there is a navigation bar with a 'Back to Main Menu' button and a title 'Acknowledge Noncompliance'. Below this is a horizontal menu with buttons: 'Find My Entity', 'Find My Entity (Cont)' (which is highlighted), 'Signatory Info', 'Submitter Info', 'Acknowledgment', 'Acknowledgment (Cont)', and 'Other Cyber Contacts'. A 'Done' button is located below the menu. The main content area is titled 'Enter Entity Information' and contains the text 'Please provide your entity's Identification#:' followed by an input field. Below the input field is a 'Search' button with a magnifying glass icon. At the bottom of the main content area is a blue link that reads 'Help find the entity or individual on whose behalf you are filing'. The footer contains a 'Back' button on the left and a 'Next >' button on the right.

When the name of the entity or individual on whose behalf you are filing appears in the bottom half of the screen, click “Next.”

This screenshot shows the same 'Acknowledge Noncompliance' interface as the previous one, but at a later stage. The 'Find My Entity (Cont)' button remains highlighted. The 'Search' button has been clicked, and the main content area now displays a message: 'The following entity or individual has been found, and if you are filing on their behalf, you may continue by clicking 'Next'. Please carefully review the entity information listed below to ensure you select the correct information.' Below this message is a text box containing the text 'Entity Name'. The blue link 'Help find the entity or individual on whose behalf you are filing' is still present at the bottom of the main content area. The 'Back' and 'Next >' buttons are also visible in the footer.

Step 7: Help Find the Entity. If you do not have an identifying number associated with any of the four options provided, select “Help find the entity or individual on whose behalf you are filing” located at the bottom of the page.

A set of searchable fields will appear.



Enter the name of the entity on whose behalf you are filing OR the first and last name of the individual on whose behalf you are filing.

Entity name: All or part of the name

OR (If Individual)

First Name:

Last Name:

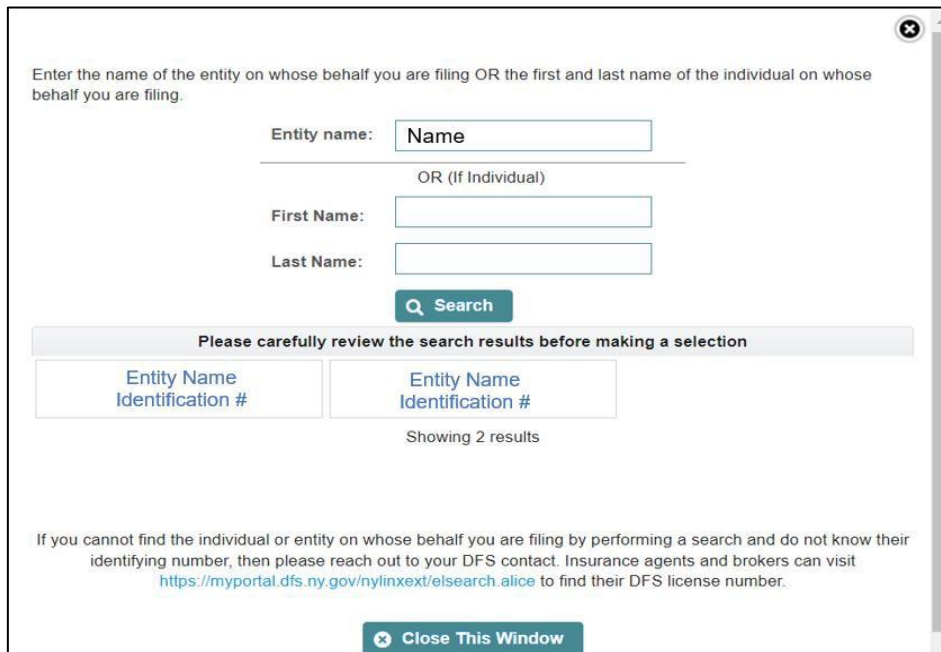
If you cannot find the individual or entity on whose behalf you are filing by performing a search and do not know their identifying number, then please reach out to your DFS contact. Insurance agents and brokers can visit <https://myportal.dfs.ny.gov/nylinxext/elsearch.alice> to find their DFS license number.

You can search by entity name or individual name.

If you are searching for an entity, enter the name in the first text box and click “Search.”

If you are searching by individual, enter the first name and last name and click “Search.”

There may be more than one entity or individual with all or part of the name you enter; so, you may see more than one choice, as shown in the screen below. The image below shows two results, but there may be more depending on the name entered.



Enter the name of the entity on whose behalf you are filing OR the first and last name of the individual on whose behalf you are filing.

Entity name:

OR (If Individual)

First Name:

Last Name:

Please carefully review the search results before making a selection

Entity Name Identification #	Entity Name Identification #

Showing 2 results

If you cannot find the individual or entity on whose behalf you are filing by performing a search and do not know their identifying number, then please reach out to your DFS contact. Insurance agents and brokers can visit <https://myportal.dfs.ny.gov/nylinxext/elsearch.alice> to find their DFS license number.

Choose the name of the entity or individual on whose behalf you are filing.

Step 8: Signatory Info. Once you have filled out all of the requested information, click “Next.” (Please note: A red asterisk on the screen indicates it is a required field.)

The screenshot shows the 'Signatory Info' step of a multi-step process titled 'Acknowledge Noncompliance'. The process steps are: Find My Entity, Find My Entity (Cont), Signatory Info (current), Submitter Info, Acknowledgment, and Acknowledgment (Cont). There are also buttons for 'Back to Main Menu', 'Other Cyber Contacts', and 'Done'. The form contains two radio button options: 'Highest-Ranking Executive and CISO/Senior Officer' (selected) and 'Individual Licensee functionally acting as the Highest-Ranking Executive and the Senior Officer responsible for my Cybersecurity Program'. Below these are two columns of text input fields, each with a red asterisk indicating a required field. The left column fields are: 'Highest-Ranking Executive: *', 'Title: *', 'Email: *', and 'Phone Number: *'. The right column fields are: 'CISO, or if there is no CISO, the Senior Officer responsible for the Cybersecurity Program: *', 'Title: *', 'Email: *', and 'Phone Number: *'. At the bottom are 'Back' and 'Next' buttons.

Step 9: Submitter Info. Fill out the requested information and click “Next.” You can change the name and email address that automatically appear in the “Submitter Name” and “Submitter Email Address” fields. (Please note: The submitter does not need to be the same individual as the signatory.)

The screenshot shows the 'Submitter Info' step of the 'Acknowledge Noncompliance' process. The process steps are: Find My Entity, Find My Entity (Cont), Signatory Info, Submitter Info (current), Acknowledgment, and Acknowledgment (Cont). There are also buttons for 'Back to Main Menu', 'Other Cyber Contacts', and 'Done'. The form has a header 'Enter Submitter Information' and four text input fields, each with a red asterisk indicating a required field: 'Submitter Name: *', 'Submitter Title: *', 'Submitter Phone Number: *', and 'Submitter Email Address: *'. At the bottom are 'Back' and 'Next' buttons.

Step 10: Acknowledgment. Select whether your entity (1) is a Class A Company, (2) qualifies for a limited exemption, or (3) neither. If you are not sure what kind of entity you should select, you can find detailed information on [DFS's Cybersecurity Resource Center](#) to help you. (Please note: You must check one of the three options.)

← Back to Main Menu Acknowledge Noncompliance

Find My Entity Find My Entity (Cont) Signatory Info Submitter Info **Acknowledgment**

Acknowledgment (Cont) Other Cyber Contacts Done

Highest-Ranking Executive and CISO acknowledge that:

(1) **Covered Entity**

☐ qualifies as a Class A Company;

☐ does not qualify for an exemption to Part 500 or as a Class A Company; or

☐ qualifies for the following limited exemptions (check all applicable exemptions below)

☐ Section 500.19(a)(1)

☐ Section 500.19(a)(2)

☐ Section 500.19(a)(3)

☐ Section 500.19(c)

☐ Section 500.19(d)

When determining whether the Covered Entity qualifies as a Class A Company or for the Section 500.19(a) exemptions, you must take into account the number of employees, gross annual revenue, and assets of Affiliates. The definition of "Affiliate" is defined very broadly in Section 500.1(a) to include almost all related companies.

(2) **Covered Entity** did not materially comply with the requirements in Part 500 applicable to **Covered Entity** for 2023.

← Back Next →

If your entity qualifies for any limited exemptions, check all applicable boxes corresponding to the exemptions for which such entity qualifies. You can find detailed information about exemptions on the [Cybersecurity Resource Center: Part 500 Exemptions](#).

← Back to Main Menu Acknowledge Noncompliance

Find My Entity Find My Entity (Cont) Signatory Info Submitter Info **Acknowledgment** Acknowledgment (Cont) Other Cyber Contacts

Done

Highest-Ranking Executive and CISO acknowledge that:

(1) **Covered Entity**

☐ qualifies as a Class A Company;

☐ does not qualify for an exemption to Part 500 or as a Class A Company; or

☒ qualifies for the following limited exemptions (check all applicable exemptions below)

☐ Section 500.19(a)(1)

☐ Section 500.19(a)(2)

☐ Section 500.19(a)(3)

☐ Section 500.19(c)

☐ Section 500.19(d)

When determining whether the Covered Entity qualifies as a Class A Company or for the Section 500.19(a) exemptions, you must take into account the number of employees, gross annual revenue, and assets of Affiliates. The definition of "Affiliate" is defined very broadly in Section 500.1(a) to include almost all related companies.

(2) **Covered Entity** did not materially comply with the requirements in Part 500 applicable to **Covered Entity** for 2023.

← Back Next →

Step 11: Acknowledgment (Cont). If you did not select any limited exemptions, a screen similar to the one below appears. If you selected limited exemptions, you will see fewer sections. Select the sections the entity did not materially comply with during calendar year 2023.

← Back to Main Menu Acknowledge Noncompliance

Find My Entity Find My Entity (Cont) Signatory Info Submitter Info Acknowledgment Acknowledgment (Cont)

Other Cyber Contacts Done

Covered Entity did not comply with the following section(s) (or portions thereof):

Select all that apply, then complete the additional sections below

- ☐ Section 500.2 Cybersecurity program
- ☐ Section 500.3 Cybersecurity policy
- ☐ Section 500.4 Cybersecurity governance
- ☐ Section 500.5 Vulnerability management
- ☐ Section 500.6 Audit trail
- ☐ Section 500.7 Access privileges and management
- ☐ Section 500.8 Application security
- ☐ Section 500.9 Risk assessment
- ☐ Section 500.10 Cybersecurity personnel and intelligence
- ☐ Section 500.11 Third-party service provider security policy
- ☐ Section 500.12 Multi-factor authentication
- ☐ Section 500.13 Asset management and data retention requirements
- ☐ Section 500.14 Monitoring and training
- ☐ Section 500.15 Encryption of nonpublic information
- ☐ Section 500.16 Incident response and business continuity management
- ☐ Section 500.17 Notices to superintendent

☐ By checking this box, the submitter certifies that they are authorized to submit this Acknowledgment on behalf of **Covered Entity** and the information above is accurate to the best of their knowledge.

← Back Next →

For each section the entity did not materially comply with, a text box similar to the one below appears. Describe the nature and extent of noncompliance in the text box. Then, indicate whether remediation was completed. Click “Yes” if remediation was completed. Otherwise, click “No.”

Section 500.2 Cybersecurity program

Describe the nature and extent of noncompliance for Section 500.2 Cybersecurity program

Has remediation been completed for Section 500.2 Cybersecurity program?

☐ Yes ☒ No

Provide the date you expect remediation to be completed for Section 500.2 Cybersecurity program. The Department may follow up with you to get a more detailed remediation timeline.

If remediation was not completed, enter the date you expect remediation to be completed. Then, check the box at the bottom of the page click “Next” to advance to the next screen.

Step 12: Other Cyber Contacts. From time to time, DFS sends updates with cybersecurity developments, recommendations, and compliance deadlines. Please enter contact information for any other individuals (besides the ones whose names and email addresses you have already entered) who should receive cybersecurity communications from DFS. If you do not have any additional contacts to enter, click “Submit” to proceed to the next screen.

Back to Main Menu

Acknowledge Noncompliance

Find My Entity
Find My Entity (Cont)
Signatory Info
Submitter Info
Acknowledgment
Acknowledgment (Cont)
Other Cyber Contacts
Done

Please enter contact information for any individuals (besides the ones whose names and email addresses you have already entered) who should receive cybersecurity communications – including alerts and guidance – from DFS.

Title:

Name:

Phone:

Email:

Add Another Contact

Back
Submit

You may add another contact by clicking “Add Another Contact.”

Add Another Contact

Title	Name	Phone	Email	
Title	Name	Phone	Email	Remove

After you enter the information, click “Submit” to proceed to the next screen.

Step 13: Done. You will receive an online confirmation once the certification is successfully submitted. Please print the screen for your records.

[← Back to Main Menu](#)

Acknowledge Noncompliance

[Find My Entity](#)[Find My Entity \(Cont\)](#)[Signatory Info](#)[Submitter Info](#)[Acknowledgment](#)[Acknowledgment \(Cont\)](#)

[Other Cyber Contacts](#)[Done](#)

Success

You have successfully submitted an Acknowledgment of Noncompliance for **Covered Entity**.

Receipt number: **NC-####-###**
Highest-Ranking Executive and **CISO** acknowledge that:

(1) **Covered Entity** qualifies for the following limited exemption(s)

Section 500.19(a)(1)

Section 500.19(a)(2)

(2) **Covered Entity** did not materially comply with all of the requirements in Part 500 applicable to **Covered Entity** for 2023.

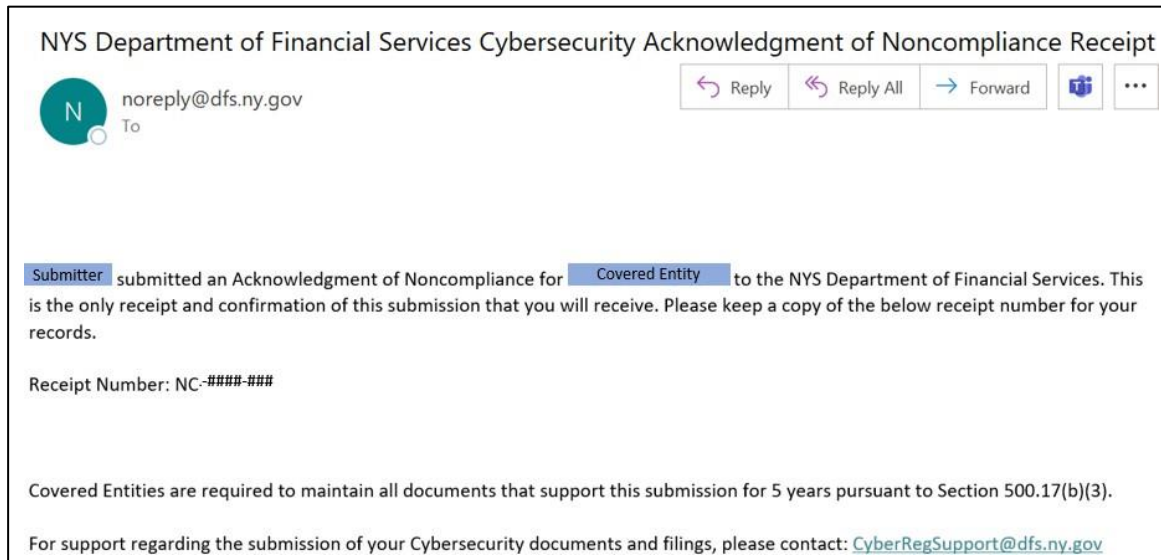
Section 500.2 Cybersecurity program

Section 500.3 Cybersecurity policy

Signed by Highest-Ranking Executive
Signed by CISO
Submitted by Submitter
Date XXXX

Please note: Covered Entities are required to maintain all documents that support this submission for 5 years pursuant to Section 500.17(b)(3).

Step 14: Email Receipts. The person(s) whose email address(es) you provided in Steps 8 and 9 will receive an email with a receipt number.



IMPORTANT: SAVE A COPY OF YOUR EMAIL RECEIPT FOR YOUR RECORDS. THIS IS THE ONLY CONFIRMATION EMAIL THAT DFS WILL PROVIDE.

If you have questions regarding these instructions, you may send them to cyberregsupport@dfs.ny.gov.