

**U.S. Department of Commerce  
U.S. Patent and Trademark Office**



**Privacy Threshold Analysis  
for the  
Office of Enrollment and Discipline Item Bank – Cloud (OEDIB-C)**

## U.S. Department of Commerce Privacy Threshold Analysis

### USPTO Office of Enrollment and Discipline Item Bank – Cloud (OEDIB-C)

**Unique Project Identifier:** EBPL-LT-04-00

**Introduction:** This Privacy Threshold Analysis (PTA) is a questionnaire to assist with determining if a Privacy Impact Assessment (PIA) is necessary for this IT system. This PTA is primarily based from the Office of Management and Budget (OMB) privacy guidance and the Department of Commerce (DOC) IT security/privacy policy. If questions arise or further guidance is needed in order to complete this PTA, please contact your Bureau Chief Privacy Officer (BCPO).

**Description of the information system:** *Provide a brief description of the information system.*

The E-Government Act of 2002 defines “information system” by reference to the definition section of Title 44 of the United States Code. The following is a summary of the definition: “Information system” means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information. See: 44. U.S.C. § 3502(8).

Office of Enrollment and Discipline Item Bank – Cloud (OEDIB-C) (commercial name Questionmark OnDemand for Government) is a Federal Risk and Authorization Management Program (FedRAMP) authorized Software as a Service (SaaS). OEDIB-C is used by the Office of Enrollment and Discipline (OED) staff to develop and maintain exam content for the Attorney and Agent Registration Exams.

Address the following elements:

**a) *Whether it is a general support system, major application, or other type of system***

Office of Enrollment and Discipline Item Bank – Cloud (OEDIB-C) is a minor application.

**b) *System location***

OEDIB-C is hosted in a FedRAMP certified Microsoft Azure Government Cloud in Virginia.

**c) *Whether it is a standalone system or interconnects with other systems (identifying and describing any other systems to which it interconnects)***

OEDIB-C interconnects with the following systems:

- **Identity and Credential Access Management (ICAM-IDaaS)-Identity as a Service (IDaaS):** ICAM-IDaaS provides authentication and authorization services to USPTO applications.

***d) The purpose that the system is designed to serve***

OEDIB-C is used by OED staff to develop and maintain exam content for the Attorney and Agent Registration Exams.

***e) The way the system operates to achieve the purpose***

The system is accessed through a web application with an updatable item repository, test creation capability, test delivery, and a report generator for OED users. OED users log-in to OEDIB-C using ICAM-IDaaS single sign-on and will navigate through OEDIB-C to develop and maintain exam content and assessments for the Attorney and Agent Registration exams.

***f) A general description of the type of information collected, maintained, used, or disseminated by the system***

The system maintains Registration Exam questions, answers, statistics, and reports. The only PII is that of the user accounts for USPTO people who are accessing questions/amending questions for the exam.

***g) Identify individuals who have access to information on the system***

USPTO Employees and contractors.

***h) How information in the system is retrieved by the user***

OEDIB-C is a web application that allows authorized users to access and view information in the system using a web browser.

***i) How information is transmitted to and from the system***

OEDIB-C users use a web browser to make a Hypertext Transfer Protocol Secure (HTTPS) connection to the web application.

**Questionnaire:**

**1. Status of the Information System**

**1a. What is the status of this information system?**

- ☒ This is a new information system. *Continue to answer questions and complete certification.*
- ☐ This is an existing information system with changes that create new privacy risks.  
*Complete chart below, continue to answer questions, and complete certification.*

Changes That Create New Privacy Risks (CTCNPR)			
a. Conversions	<input type="checkbox"/>	d. Significant Merging	<input type="checkbox"/>
b. Anonymous to Non-Anonymous	<input type="checkbox"/>	e. New Public Access	<input type="checkbox"/>
c. Significant System Management Changes	<input type="checkbox"/>	f. Commercial Sources	<input type="checkbox"/>
		g. New Interagency Uses	<input type="checkbox"/>
		h. Internal Flow or Collection	<input type="checkbox"/>
		i. Alteration in Character of Data	<input type="checkbox"/>
j. Other changes that create new privacy risks (specify):			

- ☐ This is an existing information system in which changes do not create new privacy risks, and there is not a SAOP approved Privacy Impact Assessment. *Continue to answer questions and complete certification.*
- ☐ This is an existing information system in which changes do not create new privacy risks, and there is a SAOP approved Privacy Impact Assessment. *Skip questions and complete certification.*

1b. Has an IT Compliance in Acquisitions Checklist been completed with the appropriate signatures?

- ☒ Yes. This is a new information system.
- ☐ Yes. This is an existing information system for which an amended contract is needed.
- ☐ No. The IT Compliance in Acquisitions Checklist is not required for the acquisition of equipment for specialized Research and Development or scientific purposes that are not a National Security System.
- ☐ No. This is not a new information system.

2. Is the IT system or its information used to support any activity which may raise privacy concerns?

NIST Special Publication 800-53 Revision 4, Appendix J, states “Organizations may also engage in activities that do not involve the collection and use of PII, but may nevertheless raise privacy concerns and associated risk. The privacy controls are equally applicable to those activities and can be used to analyze the privacy risk and mitigate such risk when necessary.” Examples include, but are not limited to, audio recordings, video surveillance, building entry readers, and electronic purchase transactions.

- ☐ Yes. *(Check all that apply.)*

Activities			
Audio recordings	<input type="checkbox"/>	Building entry readers	<input type="checkbox"/>
Video surveillance	<input type="checkbox"/>	Electronic purchase transactions	<input type="checkbox"/>
Other (specify):			

☒ No.

3. Does the IT system collect, maintain, or disseminate business identifiable information (BII)?

As per DOC Privacy Policy: "For the purpose of this policy, business identifiable information consists of (a) information that is defined in the Freedom of Information Act (FOIA) as "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential." (5 U.S.C.552(b)(4)). This information is exempt from automatic release under the (b)(4) FOIA exemption. "Commercial" is not confined to records that reveal basic commercial operations" but includes any records [or information] in which the submitter has a commercial interest" and can include information submitted by a nonprofit entity, or (b) commercial or other information that, although it may not be exempt from release under FOIA, is exempt from disclosure by law (e.g., 13 U.S.C.)."

☒ Yes, the IT system collects, maintains, or disseminates BII.

☐ No, this IT system does not collect any BII.

4. Personally Identifiable Information (PII)

4a. Does the IT system collect, maintain, or disseminate PII?

As per OMB 17-12: "The term PII refers to information that can be used to distinguish or trace an individual's identity either alone or when combined with other information that is linked or linkable to a specific individual."

☒ Yes, the IT system collects, maintains, or disseminates PII about: *(Check all that apply.)*

- ☒ DOC employees
- ☒ Contractors working on behalf of DOC
- ☐ Other Federal Government personnel
- ☐ Members of the public

☐ No, this IT system does not collect any PII.

***If the answer is "yes" to question 4a, please respond to the following questions.***

4b. Does the IT system collect, maintain, or disseminate Social Security numbers (SSNs), including truncated form?

☐ Yes, the IT system collects, maintains, or disseminates SSNs, including truncated form.

Provide an explanation for the business need requiring the collection of SSNs, including truncated form.

Provide the legal authority which permits the collection of SSNs, including truncated form.

- ☒ No, the IT system does not collect, maintain, or disseminate SSNs, including truncated form.

4c. Does the IT system collect, maintain, or disseminate PII other than user ID?

- ☒ Yes, the IT system collects, maintains, or disseminates PII other than user ID.
- ☐ No, the user ID is the only PII collected, maintained, or disseminated by the IT system.

4d. Will the purpose for which the PII is collected, stored, used, processed, disclosed, or disseminated (context of use) cause the assignment of a higher PII confidentiality impact level?

Examples of context of use include, but are not limited to, law enforcement investigations, administration of benefits, contagious disease treatments, etc.

- ☐ Yes, the context of use will cause the assignment of a higher PII confidentiality impact level.
- ☒ No, the context of use will not cause the assignment of a higher PII confidentiality impact level.

***If any of the answers to questions 2, 3, 4b, 4c, and/or 4d are “Yes,” a Privacy Impact Assessment (PIA) must be completed for the IT system. This PTA and the SAOP approved PIA must be a part of the IT system’s Assessment and Authorization Package.***

## CERTIFICATION

☒ The criteria implied by one or more of the questions above **apply** to the Office of Enrollment and Discipline Item Bank – Cloud (OEDIB-C) and as a consequence of this applicability, a PIA will be performed and documented for this IT system.

☐ The criteria implied by the questions above **do not apply** to the Office of Enrollment and Discipline Item Bank – Cloud (OEDIB-C) and as a consequence of this non-applicability, a PIA for this IT system is not necessary.

<b>System Owner</b> Name: Michael Christensen Office: Office of the General Counsel (OGC) Phone: (571) 272-5091 Email: Michael.Christensen@uspto.gov   Signature: _____ Date signed: _____	<b>Chief Information Security Officer</b> Name: Don Watson Office: Office of the Chief Information Officer (OCIO) Phone: (571) 272-8130 Email: Don.Watson@uspto.gov   Signature: _____ Date signed: _____
<b>Privacy Act Officer</b> Name: Caitlin Trujillo Office: Office of General Law (O/GL) Phone: (571) 270-7834 Email: Caitlin.Trujillo@uspto.gov   Signature: _____ Date signed: _____	<b>Bureau Chief Privacy Officer and Co-Authorizing Official</b> Name: Henry J. Holcombe Office: Office of the Chief Information Officer (OCIO) Phone: (571) 272-9400 Email: Jamie.Holcombe@uspto.gov   Signature: _____ Date signed: _____
<b>Co-Authorizing Official</b> Name: David L. Berdan Office: Office of the General Counsel (OGC) Phone: 571-272-7000 Email: David.Berdan@uspto.gov   Signature: _____ Date signed: _____	