

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



**Privacy Threshold Analysis
for the
Planning and Budgeting Products (PBP)**

U.S. Department of Commerce Privacy Threshold Analysis

USPTO Planning and Budgeting Products (PBP)

Unique Project Identifier: PTOC-030-00

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 and its purpose: *Provide a general description (in a way that a non-technical person can understand) of the information system that addresses the following elements:*

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).

Planning and Budgeting Products (PBP) is a Master System composed of the following three (3) subsystems: 1) Activity Based Information System (ABIS), 2) Analytics and Financial Forecasting (AFF), and 3) Enterprise Budgeting Tool (EBT).

Activity Based Information System (ABIS)

ABIS utilizes a COTS product, CostPerform, to streamline and automate business processes. The system capabilities include: 1) develop, update and maintain the Activity Based Costing (ABC) models, 2) assist in preparing quarterly reports and briefings which are utilized to communicate with Program Managers and Executives in USPTO; 3) assist in preparing quarterly Statement of Net Cost and supporting notes, and 4) provide cost input and analysis for the Annual Performance and Accountability Report perform ad hoc cost studies on proposed fee legislation, OMB, and Congressional inquiries and internal management requests.

Analytics and Financial Forecasting (AFF)

The Analytics and Financial Forecasting (AFF) system improves and supports the analysis of fee collection information and decision-making by providing the ability to load, manipulate, query, model, analyze, and report fee collections and forecasting data as needed. The purpose of the system is to address identified business problems and risks associated with manually intensive processes through automation and to provide the USPTO with a powerful forecasting tool to provide inputs to other business processes and to decision-making.

Enterprise Budgeting Tool (EBT)

The USPTO Enterprise Budgeting Tool (EBT) is a central planning and budgeting application supporting various organizations across the USPTO. The software behind EBT, Oracle Hyperion Planning and Oracle Business Intelligence (OBI), provides automation throughout the USPTO's budgeting lifecycle.

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

PBP is a major application.

b) System location

600 Dulany Street, Alexandria VA 22314

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

PBP interconnects with Enterprise Data Warehouse (EDW). The EDW system is an automated information system (AIS) that provides access to integrated United States Patent and Trademark Office (USPTO) data to support the decision-making activities of managers and analysts in the USPTO's business areas as needed to achieve business goals.

d) The purpose that the system is designed to serve

ABIS utilizes a COTS product, CostPerform, to streamline and automate business processes. The Analytics and Financial Forecasting (AFF) system improves and supports the analysis of fee collection information and decision-making by providing the ability to load, manipulate, query, model, analyze, and report fee collections and forecasting data as needed. The main purpose of EBT is to allow the Office of Planning and Budget (OPB) and business units across the USPTO to project employee compensation and benefits within the current fiscal year

e) The way the system operates to achieve the purpose

PBP implements a large, distributed and complex computing environment and each of its applications resides physically on a collection of hardware and software subsystems. PBP uses the USPTO's network infrastructure to allow interaction between subsystems

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

Information in the system: Employee ID, name, occupation, Job title, work address, work telephone number, work email address, and salary. The PII/BII in the system is for administrative matters and will not be shared with external agencies/entities.

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

Individuals who have access to information on the system are authorized USPTO personnel.

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

Users enter orders directly, receive the orders, and make inquiries via the Internet

i) How information is transmitted to and from the system

Information is transmitted to and from the system via the internet.

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"/> | g. New Interagency Uses | <input type="checkbox"/> |
| b. Anonymous to Non-Anonymous | <input type="checkbox"/> | e. New Public Access | <input type="checkbox"/> | h. Internal Flow or Collection | <input type="checkbox"/> |
| c. Significant System Management Changes | <input type="checkbox"/> | f. Commercial Sources | <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 (version 01-2018).
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 (version 01-2019 or later). *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

☒ I certify the criteria implied by one or more of the questions above **apply** to the Planning and Budgeting Products (PBP) and as a consequence of this applicability, I will perform and document a PIA for this IT system.

☐ I certify the criteria implied by the questions above **do not apply** to the Planning and Budgeting Products (PBP) and as a consequence of this non-applicability, a PIA for this IT system is not necessary.

| | |
|--|---|
| <p>System Owner Name: Gita Zoks Office: Office of Financial Management Systems (C/OFMS) Phone: (571) 272-6363 Email: Gita.Zoks@uspto.gov</p> <p>Signature: <u>Gita Zoks</u> <small>Digitally signed by Gita Zoks Date: 2021.05.20 11:06:34 -04'00'</small></p> <p>Date signed: _____</p> | <p>Chief Information Security Officer Name: Don Watson Office: Office of the Chief Information Officer (OCIO) Phone: (571) 272-8130 Email: Don.Watson@uspto.gov</p> <p>Signature: <u>DON R Watson</u> <small>Digitally signed by DON R Watson Date: 2021.05.24 20:12:45 -04'00'</small></p> <p>Date signed: _____</p> |
| <p>Privacy Act Officer Name: John Heaton Office: Office of General Law (O/GL) Phone: (571) 270-7420 Email: Ricou.Heaton@uspto.gov</p> <p>Signature: <u>Users, Heaton, John (Ricou)</u> <small>Digitally signed by Users, Heaton, John (Ricou) Date: 2021.05.17 14:32:26 -04'00'</small></p> <p>Date signed: _____</p> | <p>Bureau Chief Privacy Officer and Co-Authorizing Official Name: Henry J. Holcombe Office: Office of the Chief Information Officer (OCIO) Phone: (571) 272-9400 Email: Jamie.Holcombe@uspto.gov</p> <p>Signature: <u>Users, Holcombe, Henry</u> <small>Digitally signed by Users, Holcombe, Henry Date: 2021.05.25 11:41:36 -04'00'</small></p> <p>Date signed: _____</p> |
| <p>Co-Authorizing Official Name: Dennis J. Hoffman Office: Office of the Chief Financial Officer (C/CFO) Phone: (571) 272-9200 Email: Jay.Hoffman@uspto.gov</p> <p>Signature: <u>Users, Mildrew, Sean</u> <small>Digitally signed by Users, Mildrew, Sean Date: 2021.05.27 10:48:06 -04'00'</small></p> <p>Date signed: _____</p> | |