

**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 of the information system in a way that a non-technical person can understand.*

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).

PBP is a Master System composed of the following four (4) subsystems: 1) Corporate Planning Tool (CPT), 2) Activity Based Information System (ABIS), 3) Analytics and Financial Forecasting (AFF), and 4) Enterprise Budgeting Tool (EBT).

Corporate Planning Tool (CPT)

CPT improves the efficiency and effectiveness of the business processes for which the USPTO Office of Planning and Budget (OPB), Financial Resources Management Division (FRMD) of OCIO, and Office of Financial Management Systems (OFMS) are responsible. CPT possesses the ability to integrate and streamline the USPTO's execution, compensation projection, and performance processes. In addition, the tool serves as an improved means of gathering, analyzing, and reporting pertinent information.

CPT leverages information from all OPB, FRMD OCIO, and OFMS processes but focuses primarily on the budget execution and compensation projection processes. With COTS software, OPB, FRMD OCIO, and OFMS are able to create a consistent process for generating, consolidating, and reporting information. Information can be reviewed and approved by the appropriate OPB, FRMD OCIO, and OFMS staff and then be shared among all OPB, FRMD OCIO, and OFMS staff as well as the USPTO program areas. CPT also allows OPB, FRMD OCIO, and OFMS staff to store and retrieve historical information.

While CPT focuses on budget execution and compensation projections, it draws from and contributes to the strategic planning, fee workload analysis, and performance measurement reporting processes.

Activity Based Information System (ABIS)

ABIS utilizes a COTS product, SAP's Profitability and Cost Management (PCM), 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 the current 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. EBT will replace the Corporate Planning Tool (CPT) via a phased implementation. The software behind EBT, Oracle Hyperion Planning, provides automation throughout the USPTO's budgeting lifecycle. EBT will be incorporated under the Planning and Budgeting Products (PBP) Master System.

Questionnaire:

1. 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		d. Significant Merging		g. New Interagency Uses	
b. Anonymous to Non-Anonymous		e. New Public Access		h. Internal Flow or Collection	
c. Significant System Management Changes		f. Commercial Sources		i. Alteration in Character of Data	
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.*

 x 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 01-2015 or later). *Skip questions and complete certification.*

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. *Please describe the activities which may raise privacy concerns.*

 x 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 about: *(Check all that apply.)*

_____ Companies

_____ Other business entities

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

4. Personally Identifiable Information

4a. Does the IT system collect, maintain, or disseminate personally identifiable information (PII)?

As per OMB 07-16, Footnote 1: "The term 'personally identifiable information' refers to information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, etc... alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc..."

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

 x DOC employees

 x Contractors working on behalf of DOC

_____ 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 PII other than user ID?

 x 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.

4c. 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.
- ___x___ 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, and/or 4c are “Yes,” a Privacy Impact Assessment (PIA) must be completed for the IT system. This PTA and the approved PIA must be a part of the IT system’s Assessment and Authorization Package.

CERTIFICATION

 x 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.

Name of System Owner (SO): Gita Zoks

Signature of SO: Gita Zoks Date: 2/7/19

Name of Senior Information Security Officer (SISO): John Pardun

Signature of SISO: John Pardun Date: 2-14-19

Name of Authorizing Official (AO) & Bureau Chief Privacy Officer: David Chiles

Signature of AO & BCPO: David Chiles Date: 2/22/2019

Name of Authorizing Official (AO) or Designated Representative: Anthony Scardino

Signature of AO: Anthony Scardino Date: 2/22/19