

2018 CIPSEA Report to OMB for USDA's Economic Research Service

The Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA) is a government-wide law to provide strong confidentiality protections to Federal agencies conducting statistical information collections such as surveys and censuses as well as other statistical activities including data analysis. This manuscript documents the Economic Research Service's (ERS) CIPSEA activities in 2018 for the Agency's annual report to OMB as required in the Implementation Guidance for Title V of the E-Government Act, CIPSEA Act of 2002.

In 2018, ERS maintained three surveys that collected data under the umbrella of CIPSEA. These are the Food Acquisition and Purchase Survey (FoodAPS), the Rural Establishment Innovation Survey, and the ERS Survey on Rural Community Wealth and Health Care Provision. Of these three, only FoodAPS had agents outside of ERS in 2018.

ERS staff also accessed CIPSEA data collected and monitored by other Federal statistical agencies. This data is not covered in this ERS report. Key examples would be the Agricultural Resource Management Survey, the June Agricultural Survey, and the Census of Agriculture. These are collected by the National Agricultural Statistics Service (NASS). ERS staff accessing these data are agents of NASS. Annual confidentiality training, as required by CIPSEA, is conducted annually by NASS. In 2018, 84 ERS staff were CIPSEA agents of NASS.

Food Acquisition and Purchase Survey

USDA's National Household Food Acquisition and Purchase Survey (FoodAPS) is the first nationally representative survey of American households to collect unique and comprehensive data about household food purchases and acquisitions. Detailed information was collected about foods purchased or otherwise acquired for consumption at home and away from home, including foods acquired through food and nutrition assistance programs. The survey includes nationally representative data from 4,826 households, including Supplemental Nutrition Assistance Program (SNAP) households, low-income households not participating in SNAP, and higher income households.

ERS and the Food and Nutrition Service (FNS) of USDA jointly sponsored FoodAPS. Mathematica Policy Research, a private research firm with experience conducting large-scale data collections, designed and implemented the survey. The data became available for researchers in 2014. Plans are in progress to repeat the survey in future years.

Use of Agent's Provision in CIPSEA for FoodAPS

The number of individual agents ERS has designated during calendar year 2018 to use FoodAPS is:

- Federal or State Agencies working at ERS - 63 agents
- Academic and other researchers granted access via the NORC Data Enclave - 58 agents

CIPSEA is invoked in all three documents required by ERS to establish such a relationship with an external entity: the ERS Confidentiality Agreement, the Memorandum of Understanding between ERS and the cooperating institution, and a project agreement. Annual CIPSEA confidentiality re-certification is mandatory.

All contracts or agreements include the appropriate provisions in the Appendix of the CIPSEA Implementation Guidance, as indicated above. The “Memorandum of Understanding (MOU)” and the project management protocols are in the appendix.

The Economic Research Service has records that identify all agents with access to its confidential information such as FoodAPS. The attached “Project Agreement” and the MOU are the templates used for agent contracts and written agreements. The MOU must be signed by a qualified representative of the University.

To further protect respondent confidentiality, USDA and its agents involved in research cannot access participants’ names, addresses, or other personally identifiable information.

All key FoodAPS documents dealing with CIPSEA and confidentiality can be found at <http://www.ers.usda.gov/data-products/foodaps-national-household-food-acquisition-and-purchase-survey.aspx>

The Rural Establishment Innovation Survey (REIS)

This survey of business establishments, funded through USDA's Rural Development Mission Area, collected information on rural tradable business sectors such as manufacturing and professional services. This data will measure how rural businesses and their communities are dealing with the increasing competitive pressures and opportunities associated with the spread of new information technologies through our economy. This information is critical to the USDA's aim of creating jobs, developing new markets, and increasing competitiveness for rural businesses and communities.

Access to REIS was only available to approved ERS employed researchers in 2018. No researchers accessed REIS data in 2018. In 2019, plans are to allow two outside researchers access. The NORC Data Enclave contract in 2018 excluded REIS. Agent status was first granted to researchers outside of ERS in 2016 and those initial projects have been completed. All agents completed CIPSEA training and signed the ERS Confidentiality Agreement in the appendix.

Use of the CIPSEA Pledge

The survey uses the Bureau of Labor Statistics Business Registry as its sampling frame. All ERS employees working on the survey are required to complete BLS confidentiality training and sign the BLS pledge:

“I, [designated agent], fully understand my responsibilities to protect confidential information. I will comply with all security requirements and avoid all improper use or disclosure of confidential information.”

This CIPSEA pledge precedes any data collection for the Rural Establishment Innovation Survey:

YOUR RESPONSE IS VOLUNTARY. YOUR ANSWERS TO ALL QUESTIONS ARE CONFIDENTIAL. All information that is provided by participants to the National Survey of Business Competitiveness will only be used for statistical research purposes and reported in summary form. Your name and that of the business you represent will not be connected to your answers in any way. In accordance with the Confidential Information Protection provisions of Title V, Subtitle A, Public Law 107-347 and other applicable Federal laws, individual responses will be kept confidential and will not be disclosed in identifiable form to anyone outside of the research team. By law, every ERS and SESRC employee is subject to a jail term of up to 5 years, a fine of up to \$250,000 or both if he/she discloses any identifiable information about research participants.

Survey on Rural Community Wealth and Health Care Provision

The Survey on Rural Community Wealth and Health Care Provision (SRCWHCP) was completed in 2015, through a cooperative agreement with Iowa State University. The objectives of the survey were to improve understanding about how the assets and investments of rural communities affect recruitment and retention of health care providers, and about the effects of rural health care provision on economic development in rural communities. The survey was conducted in 150 small rural towns in nine states, and involved semi-structured key informant interviews with administrators of health care facilities and community leaders, and a structured survey of health care providers. All data from the survey have been delivered to ERS.

Use of the CIPSEA pledge

All ERS employees with access to the data collected for this survey were required to complete confidentiality training, pass a test on CIPSEA procedures, and sign a form confirming that they have read the ERS CIPSEA training package, understand their duties to maintain confidentiality with ERS data, and know the Federal penalties for disclosure of confidential information.

The materials sent to prospective respondents to the survey (both key informants and health care provider survey respondents) included the following statement concerning confidentiality:

All information that is provided by participants in the Community Assets/Community Health project will only be used for statistical research purposes and reported in summary form, either by groups of communities or groups of respondent types. In accordance with the Confidential Information Protection provisions of Title V, Subtitle A, Public Law 107-347 and other applicable Federal laws, individual responses will be kept confidential and will not be disclosed in identifiable form to anyone outside of the research team. By law, every ERS and SBRIS employee is subject to a jail term of up to 5 years, a fine of up to \$250,000 or both if he/she discloses any identifiable information about research participants.

In addition, prospective respondents were informed that participation was completely voluntary, provided the OMB Control Number for the Information Collection, and provided contact information for the ERS project leader and the Iowa State University Institutional Review Board Administrator, in case the prospective respondents had questions about their rights.

Use of the agent's provision in CIPSEA

All SRCWHCP data is maintained only at ERS. In 2018, no researchers outside of ERS were granted agent status. All ERS employees with access are ERS agents following CIPSEA guidelines.

ECONOMIC RESEARCH SERVICE
U.S. Department of Agriculture
355 E Street SW, Washington, DC 20024-3221

**CERTIFICATION AND RESTRICTIONS
ON THE USE OF CONFIDENTIAL ERS DATA**

I, _____, understand and agree to the following conditions concerning the use of confidential data provided by the Economic Research Service (ERS) under CIPSEA regulations.

The specific data to which this request applies are:

The specific conditions of the agreement are:

- a. All individual data are confidential, and (check one):
 must be used on-site in ERS; or
 must be used at an ERS approved remote location at _____
- b. These data will be used for "statistical and economic research purposes" only. **The data cannot be used for non-statistical purposes including administrative, regulatory, law enforcement, adjudicatory, or other purposes that affect the rights, privileges, or benefits of a particular identifiable respondent.**
- c. No paper or electronic copies of individual survey responses can be created and removed from the site or published. Summary statistics that could possibly reveal individual survey responses must not be removed from the site or published.
- d. A report of any type using the confidential data listed above will be provided to a representative of the ERS Associate Administrator for disclosure clearance prior to publication or presentation. Any data contained in the report such that the identity of the respondent providing the particular information is discernible, must be appropriately modified or removed before the report may be published or released to the public.
- e. I will not disseminate or share the individual survey data, whether in original form or aggregated, with persons other than those who have completed this agreement and are directly associated with the project for which the data were obtained.
- f. The data provided have not been published by the Economic Research Service (ERS) and cannot be considered as official estimates.
- g. All questions regarding access to these data shall be referred to the ERS Associate Administrator.

In addition to the above conditions, I have been provided (shown on reverse side) PL 107-347, Sec. 513, *Fines and Penalties*, and Sec. 512, *Limitations on Use and Disclosure of Data and Information*; 18 U. S. Code 1902, *"Disclosure of crop information and speculation thereon"*; 18 U. S. Code 1905, *"Disclosure of confidential information generally"*; and 7 U. S. Code 2276, *"Confidentiality of information"*

This agreement must be renewed annually.

I certify that I have read the above-mentioned regulations this _____ day of _____, 20____, and will abide by them.

Signature _____ Organization or Agency/Div./Br. _____ City and State _____

Witnessed by: _____
Representative of Associate Administrator, Economic Research Service _____ Date _____