



TO: Anthony Nerino, Office of Management and Budget

FROM: Linda Kantor, Economic Research Service

DATE: September 15, 2022

SUBJECT: OMB CONTROL NUMBER: 0536-0073
Non-substantive Change Resulting from the Revised Procedures for the *Request to Conduct Exploratory Semi-Structured Interviews on Retail Food Loss*

This memo describes revisions to the data collection and data management procedures for the semi-structure interviews with retail companies that are being conducted as part of the approved information request titled, *Request to Conduct Exploratory Semi-Structured Interviews on Retail Food Loss*.

- Challenges around transferring the interview recordings from the Zoom environment to the contractor's (RTI International) Enhanced Security Network, as well as assessment of how the recordings would be used after the interviews led us to decide that we could capture key information from the interviews directly in RTI's Enhanced Security Network environment via electronic notes instead of recording the interviews. We believe this change will not impact the quality of the data collected and will improve security compared to the original plan. As detailed below, we revised the OMB memo and relevant appendices to remove information regarding recording the interviews.
- Because of the assurances regarding data confidentiality provided under CIPSEA, we determined that ERS will have access to the raw interview data and the identity of the companies interviewed. As detailed below, we revised the OMB memo and relevant appendices to remove information indicating that ERS would not have access to the data.

As detailed below, the OMB memo and affected appendices have been updated to reflect these changes.

OMB Memo:

- Deleted the statement on page 9, "ERS will not know the identity of the companies selected and the companies that decide to participate in the interviews."
- Eliminated Appendix F-1, the disclaimer, since this information is now incorporated into the informed consent (now labeled as Appendix F) and changed references to the number of attachments sent recruited retailers from three to two (multiple pages in memo).
- Deleted the statement on page 12, "and will solicit companies' feedback on RTI's proposed data confidentiality and security procedures" because the protections under CIPSEA are well defined.

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- On page 12, noted specifically that Qualtrics will be used to obtain informed consent electronically (previously stated “a link”).
- On page 13, deleted the statement, “Additionally, RTI will ask each participant for their verbal consent to record the interview immediately before conducting the interview. If any participant does not give their consent to record, RTI will still conduct the interview. The recordings will only be used to supplement the notes; transcripts will not be prepared from the recordings.”
- On page 13, deleted the statement, “RTI will use the interview responses to prepare a summary report for ERS. RTI will report aggregate information and will not associate information in the report with individual companies.
- On page 13, deleted the statement, “Under no circumstances will the interview responses (contained in the Word and Excel files) be transferred outside of RTI’s Enhanced Security Network (i.e., they will not be stored on computer hard drives or external memory devices) or transferred to ERS.”
- On page 13, revised the bullet regarding data destruction to state, “and the Excel file used to organize and summarize the interview data will be transferred to ERS’s secure FISMA-moderate cloud-based network using FISMA-moderate Kiteworks file sharing network. RTI will destroy the files on their Enhanced Security Network and provide documentation of the destruction to ERS.
- On page 16, added text to note that the following statements will be displayed in the informed consent for the interview and the “Assurance of Confidentiality” box
“The data are being collected under the Confidential Information Protection and Statistical Efficiency Act, otherwise known as CIPSEA. CIPSEA provides protection for information collected for statistical purposes under a pledge of confidentiality. CIPSEA-protected information is not subject to Freedom of Information Act requests. RTI will combine your interview responses with the responses from other companies to prepare a summary report for USDA, ERS.”

Assurance of Confidentiality: All information which would permit identification of an individual, a practice, or an establishment will be held confidential, will be used for statistical purposes only, will be used only by contractors authorized by USDA ERS to perform statistical activities only when required and with necessary controls, and will not be disclosed or released to other persons without the consent of the individual or establishment in accordance with the Confidential Information Protection and Statistical Efficiency Act (PL-107-347). By law, every employee as well as every agent has taken an oath and is subject to a jail term of up to five years, a fine of up to \$250,000, or both if he or she willfully discloses ANY identifiable information about you or your company.

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Attachments:

Appendix E-2: Scheduling Email – Participant Identified for Non-FMI Members or FMI Referral.

- On page 1, removed mention of the disclaimer.
- Added the following statement on page 1, “Please note that all participants in the interview will need to sign the informed consent; please provide us with email addresses for any additional attendees so that we can send them the informed consent prior to the interview.”

Appendix F: Informed Consent for Interviews.

- On page 1, removed mention of the disclaimer.
- On page 1, deleted the following statements regarding recording the interviews and data sharing.
 - “The study’s confidentiality and data security procedures are described below:”
 - “Permission to audio-record the interview will be obtained from each individual at your company participating in the interview before the interview begins. If anyone declines to be recorded, then we will not record the interview.”
 - “Interview notes and audio recordings (if applicable) will be saved in individual files on RTI’s Enhanced Security Network. Data access will be limited to a small number of RTI study staff and will require double authentication.”
 - “The individual information you provide during the interview and the name of your company will not be shared with USDA, ERS.”
- On pages 1 and 2, added the following text followed by the “Assurance of Confidentiality” box
 - “The data are being collected under the Confidential Information Protection and Statistical Efficiency Act, otherwise known as CIPSEA. CIPSEA provides protection for information collected for statistical purposes under a pledge of confidentiality. CIPSEA-protected information is not subject to Freedom of Information Act requests. RTI will combine your interview responses with the responses from other companies to prepare a summary report for USDA, ERS.”
- On page 2, added text to indicate that informed consent will need to be obtained electronically from all participants using Qualtrics.

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Appendix G: Informational List of Interview Questions and Topics.

- On page 1 deleted the following text:
 - “USDA, Economic Research Service will never have access to your individual interview responses and will not know the identity of companies that participate.
 - The interview responses will be stored on RTI’s Enhanced Security Network (ESN) which is designated FIPS Moderate. Access will be limited to a small number of study staff and will require double authentication.
 - RTI will only share aggregated information with USDA, Economic Research Service in the form of a summary report.”
- On page, 1 added the “Assurance of Confidentiality” box.
- For Question 15 (page 3), deleted mention of the disclaimer.
- For Question 16 (page 3), deleted “Are there other safeguards you would like to see in place?”

Appendix J: Interview Guide.

- On page 1, deleted the text, “USDA, ERS will never have access to your interview responses. We will combine your interview responses with the responses from other companies to prepare a summary report, “ and “We will also discuss our proposed data security procedures.”
- On page 1, added the “Assurance of Confidentiality” box.
- On page 1, added text to indicate that informed consent will need to be obtained electronically using Qualtrics from all interview participants.
- On page 6, revised the third bullet for Question 16 to state, “[If yes] The informed consent provides information on the study data confidentiality and security procedures. Do you have any questions about these procedures?”