

FoodAPS PROJECT AGREEMENT
between the
THE UNITED STATES DEPARTMENT OF AGRICULTURE,
ECONOMIC RESEARCH SERVICE (ERS),
and the

_____ (name of university, institution, or agency)
(hereinafter referred to as the Organization)

SUBJECT: Access by the Organization staff to ERS National Household Food Acquisition and Purchase Survey (FoodAPS) data that have been collected and acquired for exclusively statistical purposes under a pledge of confidentiality.

NAME OF THE PROPOSED PROJECT: _____

PROJECT LEADER (Cannot be a student for university-based research):

Name:
Title:
Address:
Phone number:
Email address:

LOCATION OF DATA ACCESS:

FoodAPS data can be accessed only through an external secure data enclave that USDA uses. Access to the enclaves and the use of their resources is subject to user fees.

WHAT SPECIFIC FoodAPS DATA WILL BE USED?

Check the groups of data for which access is requested and provide justification for Groups 2-7. See the table on page 3 for further details. Data groups 2, 4, and 7 contain proprietary data. These projects must be USDA projects with USDA collaboration, and the research team will need to sign a Third-Party Agreement with vendor(s) to gain access.

- Group 1 Main FoodAPS data files and documentation
- Group 2 IRI food item classification variables
- Group 3 Geography Component—descriptors at different geographic levels
- Group 4 TDLinx/STARS store data
- Group 5 Geocodes of FoodAPS households
- Group 6 Geocodes of FoodAPS places
- Group 7 IRI point-of-sale data in FoodAPS Primary sampling units (PSUs)

END DATE: ____/____/20__

(There is a 5-year limit for all research projects. The project starts upon ERS approval of this agreement.)

PROJECT ABSTRACT:

Provide an abstract of no more than 250 words that describes the planned research. If the proposed project is approved, this abstract will be posted to the ERS website, the FoodAPS National Household Food Acquisition and Purchase Survey: <http://www.ers.usda.gov/data-products/foodaps-national-household-food-acquisition-and-purchase-survey.aspx>.

PROJECT SUMMARY:

Present an overview of the project in a minimum of one page. Include the objectives, the methodology, how FoodAPS data will benefit this project—and how this project will contribute to a further understanding of food markets, consumer behaviors, and food & nutrition assistance policy and programs.

Include, in the summary, a list of all software packages you will need for your proposed project. If a needed package is not already available at secure data enclaves that USDA utilizes, the research team will need to confer with enclave managers about uploading or otherwise gaining access to the software.

Request for Access to Specific FoodAPS Data

Group	Dataset	Requested (Y/N)?	Justification	Additional forms needed prior to authorization
1	Main FoodAPS Survey data (includes interview files, FAFH and FAH event and item files, and survey weights)	Y - default	ERS-approved project agreement	
2	Item-level IRI classification variables—proprietary food item grouping system		Briefly explain how the analysis will use these data.	Third Party Agreement with IRI is required, as is USDA collaboration
3	Geography Component—block group-, census tract-, county-aggregated store and other food environment data; TFP price indices.		Briefly explain how these data will be used.	
4	TDLinx store data/USDA’s STARS file of SNAP-authorized stores		Briefly explain how these data will be used.	Third Party Agreement with Nielsen is required, as is USDA collaboration
5	Household Geocodes		Briefly explain how these data will be used.	
6	FoodAPS places Geocodes		Briefly explain how these data will be used.	
7	IRI Point of Sale Data from FoodAPS PSUs		Briefly explain how these data will be used.	Third Party Agreement with IRI is required, as is USDA collaboration

FAFH=Food-away-from-home

FAH=Food-at-home

TFP=Thrifty Food Plan

PROJECT PARTICIPANT INFORMATION (repeat for each person):

Name:
 Title:
 Phone number:
 Email address:

MEMORANDUM OF UNDERSTANDING:

The Memorandum of Understanding associated with this Agreement serves as the foundation for the cooperation between the Organization and ERS regarding the use of FoodAPS data for strictly statistical purposes. All projects that access the FoodAPS data must adhere to and abide by the provisions laid out in the Memorandum of Understanding.

DATA SHARING:

The Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA), Title V of the E-Government Act of 2002 (Public Law 107-347), Subtitle A, as reauthorized and expanded in Title III of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L. No. 115-435, tit. III, 132 Stat. 5544 (Jan. 14, 2019) establishes standards and requirements that provide the legal authority for any party entering into this Memorandum of Understanding. CIPSEA allows Federal agencies that collect data under the pledge of confidentiality to share individual identifiable data for statistical purposes only, to deny use of the data for non-statistical purposes (such as enforcing regulations or release under the Freedom of Information Act (FOIA)), and to punish those who disclose identifiable information about individual respondents.

PENALTIES:

The protection of data collected under this law is supported by a penalty of a Class E Felony for a knowing and willful disclosure of confidential data. This penalty includes imprisonment for up to 5 years and fines of up to \$250,000. Any violation of the Memorandum of Understanding may also be a violation of Federal criminal law under the Privacy Act of 1974, 5 U.S.C. 552a. In addition to the imposition of civil/criminal fines and penalties, any violation of data confidentiality will result in the termination of this Agreement and the Memorandum of Understanding.

DISSEMINATION AND DISCLOSURE REVIEW OF INFORMATION:

When an approved member of the project's research team requests a download from the secure data enclave of any material related to analysis or other use of the restricted FoodAPS data, the material must first be submitted to ERS for disclosure review and approval. The ERS review will:

1. Check to ensure that dissemination of the submitted material will not risk disclosure of confidential information that could lead to identification of a respondent in the FoodAPS data collection.

2. Check to ensure that the submitted material does not provide names of individuals, retail outlets, schools, churches, food organizations, other organizations, food manufacturers, branded food items, or individual or establishment locations; and
3. Check to see that the submitted analyses conform to the analysis plan presented in the approved Project Agreement, as amended.

Materials needing review and approval include (but are not limited to) tables, charts, figures, slides, and text, whether in draft, revised, or final form. All reports, papers, manuscripts, presentations and speeches must be prepared subsequently using the material cleared from the secure data enclave.

Until cleared by ERS, the Organization shall not disclose data or any product (manuscripts, presentations, speeches, etc.) derived from the data to anyone other than individuals for whom access is authorized under this MOU and who have executed an ERS Confidentiality Agreement. Only reviewed and ERS-approved materials may be circulated beyond members of the project research team with signed confidentiality agreements or otherwise disseminated or published.

SECURITY:

- 1) Each member of the project, including the Project Leader, must participate in annual ERS CIPSEA training and sign an ERS Confidentiality Agreement.
- 2) Each member will ensure that his/her computing environment does not expose confidential data to unauthorized individuals.
- 3) Each member will respect the confidentiality of the data at all times, including after the end date of this Agreement.
- 4) Until cleared by ERS, the members shall not disclose data or other information containing or derived from the data to anyone other than individuals for whom access is authorized under this MOU and who have executed a Confidentiality Agreement.

SIGNATURES:

The Organization's Project Leader shall sign this Project Agreement below. The Project Leader certifies, by his/her signature, that all provisions of this Project Agreement and Memorandum of Understanding referenced in this document will be adhered to and enforced by all participants of this project.

Signature of Project Leader: _____

Type or Print Name: _____

Date: _____

The Organization's designated Senior Official shall sign this Project Agreement below. The Senior Official certifies, by his/her signature, that:

- 1) The Organization has the authority to undertake the commitments of this Project Agreement;
- 2) The designated Senior Official has the authority to bind the Organization to the provisions of this Project Agreement;
- 3) The designated Senior Official has the authority to enforce the provisions of this Project Agreement; and
- 4) This Project has been reviewed and approved for access and use of FoodAPS data.

Signature of Senior Official: _____

Type or Print Name: _____

Title: _____

Date: _____

The Economic Research Service (ERS) concurs in the Project Agreement and authorizes access by the Organization to the FoodAPS data. This agreement is effective as of the date of the ERS Official's signature below.

Signature of ERS Official: _____

Name: _____

Title: Director, FED, Telephone: (202)694-5400

Date Approved: _____

The information you provide will be used for statistical purposes only. Your responses will be kept confidential and any person who willfully discloses ANY identifiable information about you or your operation is subject to a jail term, a fine, or both. This survey is conducted in accordance with the Confidential Information Protection provisions of Title V, Subtitle A, Public Law 107-347 and other applicable Federal laws. Response is voluntary.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB number is 0536-xxxx. The time required to complete this information collection is estimated to average 95 minutes per project, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.