



October 30, 2015

U.S. Department of Health and Human Services  
Office for Human Research Protections (OHRP)  
1101 Wootton Parkway  
Suite 200  
Rockville, MD 20852

**Docket Number:** HHS–OPHS–2015–0008

**Subject:** National Coalition for History (NCH) Comments on Notice of Proposed Rulemaking: Federal Policy for the Protection of Human Subjects

To Whom It May Concern:

The National Coalition for History (NCH) is a non-profit educational organization providing leadership in history-related advocacy. We represent the interests of over 55 diverse organizations including historians, archivists, researchers, teachers, students, preservationists, political scientists, museum professionals, genealogists, and other stakeholders.

NCH welcomes the recently published Notice of Proposed Rulemaking: Federal Policy for the Protection of Human Subjects, issued by the Department of Health and Human Services in conjunction with various other federal agencies and departments. In its content, tone and recommendations, the document reflects a sensitivity toward and appreciation of the work that historians do. We strongly endorse the recommendation to exclude oral history from the Common Rule. Please note that 15 NCH member organizations are included as signatories to the comments and are listed below.

In particular, the document mentions “oral history, journalism, biography, and historical scholarship activities that focus directly on the specific individuals about whom the information is collected.” In these kinds of research activities, “the ethical requirement is to provide an accurate and evidence-based portrayal of the individuals involved, and not to protect them from public scrutiny. Therefore, the protections afforded to individuals by the Common Rule seem unhelpful in furthering the aforementioned ethical goal in this context. Additionally, these fields of research have their own codes of ethics, according to which, for example, consent is obtained for oral histories. It is believed that because of these reasons, explicit exclusion of these activities from the scope of the Common Rule is appropriate.”

We concur with this recommendation of full exclusion of such activities from IRB oversight. It reflects an appreciation that these activities should not be evaluated under frameworks originally designed with the sciences in mind. It recognizes the value and attributes of these forms of scholarship. It eliminates any ambiguity about review, regulation and enforcement, and thus removes an enormous and contentious burden for both scholars and IRBs.

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The historical fields specified by HHS for exclusion have long maintained their own explicit ethical standards concerning the wishes and rights of the narrators in oral history interviews. We firmly believe in the principle and practice of informed consent and will continue to work to ensure that scholarship in these areas is of a high ethical quality. We also believe that the salutary effects on research of full exclusion far outweigh any potential risk.

For more information, please feel free to contact me at [lwhite@historycoalition.org](mailto:lwhite@historycoalition.org) or 202-544-2422, x-116.

Sincerely,

Lee White  
Executive Director

**NCH Member Organizations Endorsing the Statement**

- American Association for State and Local History
- American Council of Learned Societies
- American Historical Association
- American Political Science Association
- History Associates, Inc.
- National Council on Public History
- New England Historical Association
- Oral History Association
- Organization of American Historians
- Records Preservation and Access Committee
- Society for Historians of American Foreign Relations
- Society for History in the Federal Government
- Society for Military History
- Society of American Archivists
- Southern Historical Association