



Protect Oral History

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Objective:

Ensure that oral historians remain free from Institutional Review Board oversight and other unnecessary and restrictive government regulation.

Background:

Beginning in the 1990s, oral historians began to face increasingly disruptive intervention from Institutional Review Boards (IRBs). IRBs exist at universities and research institutions around the country and are charged by the government with protecting human subjects in research. Their intended purpose is to regulate the use of human subjects in biomedical and behavioral research. The inclusion of oral history under these rules created a contentious, chaotic, and confusing review process, which often prevented important historical research from being conducted.

From the outset, NCH advocated strongly for a clarification of the federal rule to ensure that oral history was exempt from such review. In 2015, fifteen of our member organizations endorsed a letter NCH sent to the Department of Health and Human Services urging such a change. Finally, in January 2017, the federal government formally confirmed the change, issuing regulations exempting oral history and other scholarly and journalistic activities from IRB control. The new rule was scheduled to take effect January 19, 2018, but has been delayed multiple times. It is currently scheduled to take effect on January 21, 2019, but institutions are allowed to take advantage of certain provisions of the new rule right away, including the provision exempting oral history from IRB oversight.

Why it matters:

Because IRBs were not designed with oral history in mind, their assessments often imposed impractical limits like asking researchers to submit questions in advance, requiring anonymity for interviewees, and even the destruction of tapes and transcripts. Many projects had to be curtailed as a result of such oversight, impeding the progress of historical research and knowledge.

Historians have long maintained their own explicit ethical standards concerning the wishes and rights of the narrators in oral history interviews, based around the principle of informed consent. We believe that those standards are sufficient to ensure ethical conduct in oral history interviews without additional government oversight.