

14.01 Appendix ANIST Administrative Manual, Subchapter 14.01  
Transmittal Date - 1/24/00

APPENDIX A

SAMPLE EXEMPTION MEMORANDUM  
MEMORANDUM FOR Name of Chairperson  
NIST Institutional Review Board

From: OU Director  
Laboratory

Subject: Exemption of Proposal for Research Involving Human Subjects

I have determined, in consultation with technical and legal experts, that the use of human subjects described in the attached proposal on "[insert name of project]" ([insert name and phone extension of NIST P.I.]) meets the criteria for exemption from the policy of Part 27 of Title 15 of the Code of Federal Regulations.

This project involves two groups of human subjects. The first involvement of human subjects in this project fits into the category described in 15 CFR 27.101(b)(2) which is exempt from this policy:

Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (i) Information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (ii) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation.

In this project, human subjects will be identifying images of human faces on a computer screen, which is both cognitive testing and public behavior of these subjects. Any information obtained through the project that could be linked to these human subjects will not reasonably place the subjects at risk.

The human subjects whose faces are projected on the computer screen make up the second group of human subjects involved in this project. The involvement of these subjects fits into the category described in 15 CFR 27.101(b)(4) which is exempt from the policy of Part 27:

Research, involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator in such a manner that subjects cannot be identified, directly or through identifiers linked to the subjects.

The existing database of human faces being used in this project is publicly available to researchers who agree not to distribute the database further.

Concur

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Michael Rubin, Counsel for NIST

Do Not Concur

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Michael Rubin, Counsel for NIST

Attachment

cc: J. Gagner

[insert name of DoC Financial Assistance Law Division staff member assigned to NIST, if appropriate]

[insert name of Grants Officer, Contracts Officer, Chief of the Finance Division, as appropriate]

[insert name of NIST P.I.]

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