



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

National Institutes of Health
Bethesda, Maryland 20892
Office of Extramural Programs
6705 Rockledge Drive, RKLG I
Suite 350
Bethesda, MD 20892

Date: August 22, 2007

From: NIH Extramural Program Policy Officer

Subject: Applicability of the Privacy Act: "Second Survey to Evaluate the NIH SBIR Program"

To: JoAnne Goodnight, NIH SBIR/STTR Program Coordinator

I have reviewed your draft submission to OMB requesting approval for the Second National Survey to Evaluate the NIH SBIR Program. The survey requests information about NIH-supported small business concerns (i.e. companies) and therefore does not involve human subjects, which are defined as "living individuals about whom an investigator (whether professional or student) conducting research obtains (1) data through intervention or interaction with the individuals, or (2) identifiable private information." Therefore, 45 CFR 46, "Protection of Human Subjects," does not apply to this survey.

If you have any questions, please contact me at (301) 435-2690.

A handwritten signature in black ink, appearing to read "Carlos E. Caban".

Carlos E. Caban, Ph.D., M.P.H.