§ 63.33

age of consent to participate in re-
search as determined under the appli-
cable law of the jurisdiction in which
such research is to be conducted.

“Data-collection instruments”
means tests, questionnaires, inven-
tories, interview schedules or guides,
rating scales, and survey plans or any
other forms which are used to collect
information on substantially identical
items from 10 or more respondents.

“Respondents” means individuals or
organizations from whom information
is collected.

(b) Applicability. This section does not
apply to instruments which deal solely
with (1) functions of technical pro-
ficiency, such as scholastic aptitude or
school achievement, or (2) routine de-

gographic information.

(c) Protection of privacy. (1) No project
supported under this part may involve
the use of data collection instruments
which constitute invasion of personal
privacy through inquiries regarding
such matters as religion, sex, race, or
politics.

(2) A grantee which proposes to use a
data collection instrument shall set
forth in the grant application an expla-
nation of the safeguards which will be
used to restrict the use and disclosure
of information so obtained to purposes
directly connected with the project, in-
cluding provisions for the destruction
of such instruments where no longer
needed for the purposes of the project.

(d) Clearance of instruments. (1) Grant-
ees will not be required to submit data-
collection instruments to the Assistant
Secretary or obtain the Assistant Sec-

tary’s approval for the use of these
instruments, except where the notifica-
tion of grant award specifically so pro-

vides.

(2) If a grantee is required under
paragraph (d)(1) of this section to sub-
mit data-collection instruments for the

approval of the Assistant Secretary or
if a grantee wishes the Assistant Sec-

tary to review a data-collection in-
strument, the grantee shall submit
seven copies of the document to the As-
sistant Secretary along with seven cop-
ies of the Office of Management and
Budget’s standard form No. 83 and
seven copies of the Supporting State-
ment as required in the “Instructions
for Requesting OMB Approval under
the Federal Reports Act” (Standard
form No. 83A).

(e) Responsibility for collection of infor-
mation. A grantee shall not in any way
represent or imply (either in a letter of
transmittal, in the data-gathering in-
struments themselves, or in any other
manner) that the information is being
collected by or for the Federal Govern-
ment or any department, agency or in-
strumentality thereof. Basic responsi-
bility for the study and the data-gath-
ering instruments rests with the grant-
ee.

(f) Parental consent. In the case of any
survey using data-collection instru-
ments in which children are involved
as respondents, the grantee, in addition
to observing the other requirements
contained in this section, and in Part
46 of his subtitle as appropriate, shall
provide assurances satisfactory to the
Assistant Secretary that informed con-
sent will be obtained from the parents
of each such respondent prior to the
use of such instruments, except that a
waiver from the requirements of this
paragraph for specific data-collection
activities may be granted upon the
written request by the grantee and a
determination by the Assistant Sec-

tary that a waiver is necessary in
order to fully carry out the purposes
of the grant.

§ 63.33 Treatment of animals.

If animals are utilized in any project

receiving assistance, the applicant for
such assistance shall provide assur-

ances satisfactory to the Assistant
Secretary that such animals will be
provided with proper care and humane
treatment; in accordance with the Ani-
mal Welfare Act (7 U.S.C. 2131 et seq.)
and regulations set forth in (9 CFR
Parts 1, 2, 3, 4).

§ 63.34 Principal investigators.

The principal investigator(s) des-
ignated in successful grant applica-
tions as responsible for the conduct of
the approved project, shall not be re-
placed without the prior approval of
the Assistant Secretary or his des-
ignee. Failure to seek and acquire such
approval may result in the grant award
being terminated in accordance with
the procedures set forth in § 74.114 of
this subtitle or such other regulations