



OFFICE OF THE GOVERNOR

The Chickasaw Nation
Post Office Box 1548 • Ada, Oklahoma 74821
(580) 436-2603 • Fax (580) 436-4287
<http://www.chickasaw.net>

BILL ANOATUBBY
GOVERNOR

June 6, 2023

Ms. Suzanne H. Plimpton
Reports Clearance Officer
National Science Foundation
2415 Eisenhower Avenue, Suite E7400
Alexandria, VA 22314

Dear Ms. Plimpton

On behalf of the Chickasaw Nation, we are pleased to respond to the Dear Tribal Nation Leader notice dated April 26, 2023. We welcome the opportunity to provide input and offer our comments and recommendations on the proposed changes to the National Science Foundation's Proposal and Award Policies and Procedures Guide.

If you have any questions, please contact Dr. Charles Grim, Secretary to the Department of Health, at Charles.Grim@Chickasaw.net or at (580) 421-6247.

Sincerely,

A handwritten signature in black ink that reads "Bill Anoatubby". The signature is written in a cursive, flowing style.

Bill Anoatubby, Governor
The Chickasaw Nation

BJA:mg

Enclosure

**CHICKASAW NATION COMMENTS AND RECOMMENDATIONS ON THE
NATIONAL SCIENCE FOUNDATION PROPOSAL/AWARD INFORMATION -
PROPOSAL AND AWARD POLICIES AND PROCEDURES GUIDE
OMB APPROVAL NUMBER: 3145-0058**

Page 1 of 2

The Chickasaw Nation values the opportunity to provide comments and recommendations on the proposed changes to the National Science Foundation's (NSF) Proposal and Award Policies and Procedures Guide.

The Chickasaw Nation appreciates the National Science Foundation recognizing the need to protect participant rights and Tribal Sovereignty. This new section establishes the policy and instructional guidance for principal investigators in cases where a scientific proposal may impact the resources or interests of a federally recognized American Indian or Alaska Native Tribal Nation.

The following represents Chickasaw Nation's comments and recommendations on chapter two of the draft:

1. Chapter II, Section E.10 (page II-43), Seeking and Obtaining Tribal Nation Permission for Proposals that May Impact Tribal Resources or Interests.

b. Based on the guidance received, submit a written request to the relevant Tribal Nation(s), or the authorized designee(s) of the Tribal Nation(s), for approval to carry out the proposed activities/activity that require(s) Tribal review and approval.

Recommendation:

The Chickasaw Nation recommends the first step include the tribal nation's involvement in developing the research questions and associated activities.

2. the participation of tribal citizens as human subjects in a study (note that this type of proposal may also require a separate tribal IRB).

Recommendation:

The Chickasaw Nation recommends this language be broader to include the process or body the tribe might have in place for research functions, as some tribes do not have a tribal IRB.

3. c. Any proposal for NSF funding that may impact tribal resources or interests must:
 - (i) Check the box on the Cover Sheet entitled "Potential Impacts on Tribal Nations" if, pursuant to the above, the proposal may impact the resources or interests of a Tribal Nation. Please note that simultaneously submitted collaborative proposals and proposals that include subawards are a single unified project and, as such, the lead organization is responsible for checking the box on the Cover Sheet, if applicable.
 - (ii) Include one of the following: (a) a copy of the written request to the relevant Tribe(s) to carry out any proposed activities/activity that require(s) prior approval from the Tribal Nation(s);

**CHICKASAW NATION COMMENTS AND RECOMMENDATIONS ON THE
NATIONAL SCIENCE FOUNDATION PROPOSAL/AWARD INFORMATION -
PROPOSAL AND AWARD POLICIES AND PROCEDURES GUIDE
OMB APPROVAL NUMBER: 3145-0058**

Page 2 of 2

Recommendation:

The Chickasaw Nation recommends this paragraph be further clarified to ensure a copy of the request to the tribe alone is not sufficient to start research activities. Instead, it should be clearly written that approval from the tribal nation is required to start research activities.

4. d. NSF funding for a proposal that includes an activity that requires prior approval from a Tribal Nation or Tribal Nations will not be awarded until the required documented approval from the relevant Tribal Nation(s) has been submitted to NSF.
- e. An exception to this requirement may occur when the proposal includes an initial phase for planning collaboratively with the tribe(s). However, under this exception, subsequent phases may not proceed until written prior approval from the Tribal Nation(s) is submitted to the cognizant NSF program officer.

Recommendation:

The Chickasaw Nation recommends there be some type of documentation to indicate that the tribal nation has agreed to the planning phase, if it is to be a true collaboration.

General Comment and Recommendation:

As we did not observe any language insertion on discussing/negotiating upfront issues concerning data ownership, access, use and publication of research results with the tribe, the Chickasaw Nation recommends such language be added to the draft.

Again, thank you for the opportunity to provide these comments and recommendations and we applaud the effort by the National Science Foundation to provide guidance for the conduct of research in tribal nations in an ethical and culturally appropriate manner. The research ethics principal of justice requires that groups should not be targeted as populations of convenience for research purposes, nor should they be excluded from potentially beneficial research; this guidance is a good initial effort to find that balance.