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RE: Input on changes to NSF 24-1 PAPPG draft OMB Control Number 3145-0058, Federal Register
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To Whom It May Concern,

Thank you for the request to provide input on the proposed changes to the National Science Foundation (NSF) Proposal and Award Policies and Procedures Guide (PAPPG). I am pleased to submit the following comments on behalf of Bigelow Laboratory for Ocean Sciences (www.bigelow.org) in East Boothbay, Maine. References to page numbers refer to the page numbering in the NSF-24-1 document.

Topic: Questions concerning Potential Impacts on Tribal Nations (Chapter II.E.10)

Our institution welcomes the spirit of the changes in the PAPPG concerning prior informed consent of Tribal Nations for research that may occur on lands or impact resources or interests of Indigenous communities. We believe that Indigenous community consent to research that may impact those sovereign communities is important. Here, we highlight a few elements of the proposed changes to the PAPPG that we believe could benefit from more clarity, to minimize the burden on the NSF, proponents, and Indigenous communities.

First, in order for proponents to have clarity on which regions or resources or interests within the USA may fall under the requirement for prior informed consent, we ask if the NSF or other federal agency will provide resources to identify the boundaries of these regions, resources and/or interests of federally-recognized Tribal Nations with the USA. This will minimize the burden on proponents to be able to accurately identify if the areas where they are proposing research require prior consultation, and also minimize the burden on Indigenous communities to have to repeatedly provide this information to prospective researchers. Likewise, we ask if the NSF will maintain a list of approved contacts for each Indigenous community from whom approval would meet the requirements for proposal sections 10C and 10D. Based on prior experience, we caution that the amount of effort/burden required to coordinate this oversight function may be underestimated for both the agency as well as Tribal Nations.

Second, the proposed changes lack clarity on the burden of review within the “pre-proposal” stage. It is not clear who has the responsibility and authority to review these “pre-proposal” requests for research, what their expertise is to qualify them for decision making, and whether they are compensated for their efforts. For example, will NSF employ a tribal or regional facilitator for this purpose? Will the NSF provide defined restrictions on what terms like “resources” encompasses and who defines those interests, to guide the pre-proposal review? Likewise, it is not clear if such a pre-proposal review will necessarily require lengthening of the call for proposals, to enable sufficient time for effective pre-proposal review.



Third, the proposed changes may bias against early-career investigators and/or investigators from under-represented groups who have not had the time or funding support to establish relationships with people in Indigenous groups and lands. Achieving prior informed consent requires relationship-building with Indigenous communities, which takes time and resources. The proposed changes lack clarity about how NSF will address this issue in the review of proposals, to ensure that individuals who are early-career, identify with under-represented identities, or are simply new to a specific research area do not face undue burden or discrimination from the process.

Topic: Undue burden related to Malign Foreign Talent Recruitment Program

Our institution recognizes the importance of preventing malicious foreign influence and/or talent recruitment on the research enterprise of the USA. We believe that improvements to reporting to enable federal agencies to assess malicious foreign influence and/or talent recruitment are warranted. We believe that the proposed addition of a new certification requirement regarding Malign Foreign Talent Recruitment Programs (page 42) does not constitute an undue burden on our institution.

Finally, we welcome the proposed changes to supplemental documents for NSF proposals to now have the Mentoring Plan to include graduate students, the Data Management and Sharing Plan to now include plans for sharing data, and for the new Synergistic Activities document for all Senior Personnel.

Thank you for inviting input on the development of a revised PAPPG.

Sincerely,



Beth N. Orcutt, PhD
Vice President for Research

