ZOE LOFGREN, California RANKING MEMBER

Congress of the United States

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY 2321 RAYBURN HOUSE OFFICE BUILDING WASHINGTON, DC 20515–6301 (202) 225–6371 http://science.house.gov

May 8, 2025

Acting Director Brian Stone National Science Foundation 2415 Eisenhower Avenue Alexandria, VA 22314

Dear Acting Director Stone:

Congratulations on your new role as Acting Director of the National Science Foundation (NSF). We write to you in the wake of a disastrous week for the agency you now lead. Within 24 hours, from May 1 to May 2, 2025, NSF crossed the billion-dollar mark of terminated awards,¹ froze all funding actions with no indication of duration,² and announced the implementation of a 15% cap on indirect costs for new awards.³ Mere months ago, each of these individual decisions would have been an unprecedented shock. Today, President Trump has made this chaos and destruction commonplace. However, we refuse to accept this as our new reality, and we demand answers on how these decisions are being made at NSF.

As Ranking Member Zoe Lofgren expressed in her April 17th letter to Director Panchanathan,⁴ cancelation of active awards for politically motivated reasons is a betrayal of NSF's gold-standard merit review process. Since that letter, more than 1400 meritorious grants have been terminated, totaling over \$1 billion in obligated funds. For three straight Fridays, researchers and educators have opened their inboxes to emails telling them they are no longer funded for their work that was previously selected in NSF's highly competitive grant review process.⁵ NSF awards had once been considered prestigious. Now, with this post-hoc politicization of the merit review process, they are merely a stamp indicating that a funded proposal has passed a secretive political test administered by an Administration that is unparalleled in its hostility to American science.

Though NSF has transmitted lists of canceled grants to the Science Committee, the agency has not made public any information about the scope of the terminations. The so-called Department of Government Efficiency

¹ Document on file with the Committee.

² Dan Garisto, "Exclusive: NSF stops awarding new grants and funding existing ones," *Nature*, May 1, 2025, accessed here: <u>https://x.com/axios/status/1918329689044910311?s=46&t=uwBnghZ989JOOEaViY614g</u>

³ "Policy Notive: Implementation of Standard 15% Indirect Cost Rate," National Science Foundation, accessed here: <u>https://www.nsf.gov/policies/document/indirect-cost-rate</u>

⁴ Letter from Ranking Member Zoe Lofgren to NSF Director Sethuraman Panchanathan, April 17, 2025, accessed here: <u>https://democrats-science.house.gov/imo/media/doc/2025-04-17%20Letter%20to%20Director%20Panchanathan.pdf</u>.

⁵ "NSF By The Numbers," National Science Foundation, accessed here:

https://tableau.external.nsf.gov/views/NSFbyNumbers/Trends?%3AisGuestRedirectFromVizportal=y&%3Aembed=y&%3Alinktarget =_blank&%3Atoolbar=top

(DOGE), however, took to X to crow about "402 wasteful DEI grants" that NSF canceled on April 18⁶ and the "701 wasteful DEI grants" NSF canceled on April 25.⁷ DOGE's posts go on to say that "grant awards will be based on merit, competition, equal opportunity, and excellence." The accusation that these terminated awards lack merit is a lie, as most, if not all these awards, carry a statement from the agency declaring that "This award reflects NSF's statutory mission and has been deemed worthy of support through evaluation using the Foundation's intellectual merit and broader impacts review criteria." The cancelation of these awards suggests instead that NSF is willing to apply political censorship of awards under direction from President Trump and the DOGE teenagers, which is a clear violation of the statutory mission of the agency. Taking inspiration from Senator Ted Cruz's approach to merit-review is nothing to crow about.⁸

A cursory review of the list of terminated awards you provided the Committee demonstrates the breadth of research that will be eliminated due to your decision, including:

- A rural after-school program that gives middle school students an opportunity to use mathematics and design thinking to address agricultural issues, such as designing water catchment systems for drought conditions.⁹
- Research on developing a tool that uses machine learning to detect deepfakes, which are used for all manner of disinformation, be it political content planted by foreign adversaries or the creation of child sexual abuse material.¹⁰
- A grant to study improved mental health interventions for engineering students, who across demographics are statistically less likely than students in other disciplines to seek mental health treatment. This research was aimed at improving outcomes for engineering students in mental health distress and with mental health disabilities.¹¹
- An industry-focused workforce development program that trains the next generation of quantum technicians, including through accessible experiential learning and certification opportunities for entry-level professionals.¹²
- A National Research Traineeship award, supporting 25 graduate students, to develop new interdisciplinary studies applying AI to better understand "legal system processes, impacts, and institutions" as well as to develop "tools and methods for leveraging newly available data from the

⁶ Department of Government Efficiency, "Great work by @NSF canceling 402 wasteful DEI grants (\$233M in savings), including \$1M for "Antiracist Teacher Leadership for Statewide Transformation". See the NSF update below. Grant awards will be based on merit, equal opportunity, and excellence." *X*, April 18, 2025, accessed here: <u>https://x.com/DOGE/status/1913403692906324405</u>. ⁷ Department of Government Efficiency, "Great work by @NSF canceling 701 wasteful DEI grants (\$203M in savings), including "Building Racial Equity in Marine Science." This brings the total to over \$325M saved in the past 2 weeks. See NSF's update linked below, re-emphasizing that grant awards will be based on merit, equal opportunity, and excellence." *X*, April 25, 2025, accessed here: <u>https://x.com/DOGE/status/1915899958974464017</u>.

⁸ "Defending the Hidden Figures: A Rebuttal of Erroneous Attacks on Merit-Based, Fair, and Competitive STEM Grants," Minority Staff Report prepared for Members of the Committee on Science, Space, & Technology, April 2025, accessed here: <u>https://democrats-science.house.gov/imo/media/doc/democratic_staff_report-defending_hidden_figures.pdf</u>.

⁹ Award Abstract # 2215382 – Engaging Rural, Latinx Youth in an After School Program That Integrates Design Thinking, Making and Math, accessed here: <u>https://www.nsf.gov/awardsearch/showAward?AWD_ID=2215382</u>.

¹⁰ Award Abstract # 2310131 – Collaborative Research: SaTC: TTP: Small: DeFake: Deploying a Tool for Robust Deepfake Detection, accessed here: <u>https://www.nsf.gov/awardsearch/showAward?AWD_ID=2310131</u>.

¹¹ Award Abstract # 2225567 – Research: Identifying intervention targets to increase mental health help seeking in undergraduate engineers, accessed here: <u>https://www.nsf.gov/awardsearch/showAward?AWD_ID=2225567</u>

¹² Award Abstract # 2243822 - NRT-HDR: Computational Research for Equity in the Legal System" (CRELS), accessed here: https://www.nsf.gov/awardsearch/showAward?AWD_ID=2243822.

criminal legal system, and ethical and social implications of big data and AI in the context of criminal justice."¹³

Not only are these terminations an abdication of NSF's mission and a betrayal of the scientific community, including the thousands of graduate students and early career researchers whose careers will be derailed, but they are also of questionable legal merit. The grant terminations are in direct defiance of a court-ordered preliminary injunction enjoining NSF from impeding the disbursement of appropriated federal funds under awarded grants or other executed financial obligations directed or implied by Executive Order 14151, Office of Management and Budget Memorandum M-25-13, or any other materially similar policy.¹⁴

Moreover, some of the terminated grants were issued by programs that are explicitly codified in law. The CyberCorps program was most recently re-authorized in CHIPS & Science and is essential for creating a cybersecurity workforce for the protection of the United States' economic and national security.¹⁵ One of the grants terminated on April 18th was a program to expand cybersecurity education to underrepresented communities to meet the high demand for trained professionals.¹⁶ An award funding broadening participation efforts in mathematics¹⁷ was terminated from another Congressionally authorized grant program – the Eddie Bernice Johnson INCLUDES Initiative.¹⁸ Former Science Committee Chairwoman Eddie Bernice Johnson was a tireless advocate for STEM education, and to this day, her impact is noted on NSF's INCLUDES National Network webpage.¹⁹ That tribute rings hollow now that Chairwoman Johnson's legacy is being tossed aside in favor of the cynical, exclusionary political preferences of President Trump, Senator Cruz, and DOGE. Many of the awards that were terminated, specifically those related to deepfakes, were authorized in the Identifying Outputs of Generative Adversarial Networks Act. And that is far from an exhaustive list of the programs explicitly authorized in law. While NSF's Frequently Asked Questions (FAQ) webpage cites "the policy context set forth by Congress" as a justification for terminating more than 1400 awards, this is in direct conflict with the laws Congress itself passed on a bipartisan basis. It is especially galling that on the FAQ webpage, NSF grantees are effectively directed to ignore explicit direction in law for NSF to consider "expanding participation of women and individuals from underrepresented groups in STEM" as a "Broader Impact" goal.²⁰ The presumably intended outcome of the confusing guidance is that no researcher will propose anything to do with broadening participation in their grant proposals.

NSF is not the first federal science agency to terminate existing awards to appease President Trump and DOGE. However, your agency has taken a more draconian approach than other agencies, perhaps placing NSF more in

¹³ Award Abstract # 2243822 – NRT-HDR: Computational Research for Equity in the Legal System (CRELS), accessed here: <u>https://www.nsf.gov/awardsearch/showAward?AWD_ID=2243822&HistoricalAwards=false</u>.

¹⁴ New York v. Trump, United States District Court for the District of Rhode Island, January 31, 2025, accessed here: <u>https://ag.ny.gov/sites/default/files/court-filings/state-of-new-york-et-al-v-trump-tro-2025.pdf</u>.

¹⁵ CHIPS & Science Sec. 10317, Cybersecurity Workforce Data Initiative, accessed here: <u>https://www.congress.gov/bill/117th-congress/house-bill/4346/text</u>.

¹⁶ Award Abstract # 2208797 – Broadening Participation in the CyberCorps ® Scholarship for Service Program, accessed here: <u>https://www.nsf.gov/awardsearch/showAward?AWD_ID=2208797</u>.

¹⁷ Award Abstract # 2304106 00 INCLUDES DDLP: Creating Opportunities in the Mathematical Sciences through Equity and INclusion (COME-IN), accessed here: <u>https://www.nsf.gov/awardsearch/showAward?AWD_ID=2304106</u>.

¹⁸ CHIPS & Science Sec. 10323, NSF Eddie Bernice Johnson INCLUDES Initiative, accessed here: <u>https://www.congress.gov/bill/117th-congress/house-bill/4346/text</u>.

¹⁹ "In Honor of Eddie Bernice Johnson," National Science Foundation, INCLUDES National Network, accessed here: <u>https://www.includesnetwork.org/in-honor-of-eddie-bernice-johnson/</u>.

²⁰ 42 USC 1862p-14: Broader Impacts Review Criterion, accessed here:

https://uscode.house.gov/view.xhtml?req=(title:42%20section:1862p-14%20edition:prelim).

alignment with this Administration's aversion to due process. While the Department of Education²¹ and the National Institutes of Health (NIH)²² offered mechanisms for affected researchers to appeal the agencies' decisions, NSF explicitly stated in their notifications that the terminations are "the final agency decision and not subject to appeal."²³ These termination decisions were made with absolutely no transparency, even to the very program officers who manage the awards, and the scientists and educators who rely on NSF grants are not being given the opportunity to explain how their research is, in fact, in alignment with NSF's mission of promoting the progress of science.

According to reporting and to documentation reviewed by the Committee, NSF has also implemented a pause on all funding actions – both issuing new awards and outlaying continued funding for existing awards – that is not limited to so-called "DEI grants." No explanation has been given for this decision, and no explanation could possibly be appropriate to explain such a drastic measure.

While you are now the face of any decisions made at NSF under your leadership, the confusion and chaos surrounding DOGE's authority calls into question who at your agency is making these destructive decisions. Though DOGE representatives have had access to NSF systems for weeks now,²⁴ NSF has failed to respond to the Committee's February 14th request that you inform us of the data being accessed by DOGE. As such, neither we nor the public have any insight about who currently has decision-making power at NSF. NSF recently announced implementation of a 15% cap on indirect costs, which gives us a hint that non-NSF entities – namely, in this case, the Office of Management and Budget (OMB) – are calling the shots. The 15% indirect cost cap is metastasizing through federal science agencies, having started at NIH in February²⁵ and arriving at the Department of Energy in April.²⁶ You are well aware that this policy change will eviscerate research institutions' ability to pay for the administrative and infrastructural requirements that keep labs running. It defies belief that this decision was made by anyone with even a basic level of understanding of the scientific enterprise. So, who is in charge here? How far does DOGE's influence reach? How much is OMB dictating based on hard-right political ideology and not scientific or research expertise?

²¹ Document on file with the Committee.

²² Document on file with the Committee.

²³ Document on file with the Committee.

²⁴ Jeffrey Mervis, "NSF halts grant awards while staff do second review," *Science*, April 16, 2025, accessed here: <u>https://www.science.org/content/article/nsf-halts-grant-awards-while-staff-do-second-review</u>

²⁵ Supplemental Guidance to the 2024 NIH Grants Policy Statement: Indirect Cost Rates," National Institutes of Health, February 7, 2025, accessed here: <u>https://grants.nih.gov/grants/guide/notice-files/NOT-OD-25-068.html</u>

²⁶ "Department of Energy Overhauls Policy for College and University Research, Saving \$405 Million Annually for American Taxpayers," Department of Energy, April 11, 2025, accessed here: <u>https://www.energy.gov/articles/department-energy-overhauls-policy-college-and-university-research-saving-405-million</u>

The Science Committee has repeatedly²⁷ requested²⁸ transparency²⁹ and accountability³⁰ from³¹ NSF.³² This has rarely been provided. Yet again, we seek answers about actions NSF has taken that potentially break the law and certainly break the trust of the research community. Yet again, we implore NSF to stand up for its mission as it is under siege by anti-science politicians and uninformed DOGE hackers. We request that you fulfill the following requests:

- 1. Immediately inform the Committee if any additional grants are canceled because they are "not aligned with NSF's priorities."
- 2. Answer the questions transmitted to NSF on April 17, 2025, in a letter from Ranking Member Lofgren. These answers were due to the Committee on April 25, 2025.
- 3. Provide researchers whose grants have been terminated with an appeals process, and reply to this letter with an explanation of the appeals process.

In addition, please answer the following questions by May 22, 2025:

- 1. For each tranche of grant terminations, who decided which grants were terminated and how? Were the decisions made by NSF leadership, by DOGE, or by the White House?
- 2. You cite that NSF is changing its priorities "within the policy context set forth by Congress, the Administration and the Director of NSF." NSF's current "Statement of NSF priorities" is signed by Dr. Panchanathan who has since resigned. Who is now setting the priorities of NSF? Have you asked the National Science Board to provide guidance on these priorities?
- 3. Do you anticipate terminating any additional grants because they are "not aligned with NSF's priorities"?
- 4. How have NSF's priorities changed, and what legal analysis did you conduct to determine the legality of terminating these grants on this basis?
- 5. Can you confirm that the terminated grants fulfilled, and continue to fulfill, the intellectual merit and broader impacts criteria of NSF's merit review process? If not, please provide additional information about the analysis you conducted to come to this conclusion. If so, please provide an explanation of the criteria NSF is using to override its merit review decisions post hoc.
- 6. For what reason has NSF frozen all funding actions? When will the funding actions be unfrozen?
- 7. How did NSF comply with required procedures, or provide appropriate justification, to deviate from its long-standing indirect cost rate policies?

²⁷ Letter from Ranking Member Lofgren to NSF Director Panchanathan, February 2, 2025, accessed here: <u>https://democrats-science.house.gov/imo/media/doc/SST%20RM%20Lofgren%20Letter%20to%20Director%20Panchanathan%20-%202.2.25%201.pdf</u>.

²⁸ Letter from Ranking Member Lofgren to NSF Director Panchanathan, February 14, 2025, accessed here: <u>https://democrats-science.house.gov/imo/media/doc/2025-02-14%20NSF%20Letter%20-%20Signed.pdf</u>.

²⁹ Letter from Ranking Members Lofgren, Stevens, and Sykes to NSF Director Panchanathan, March 11, 2025, accessed here: <u>https://democrats-science.house.gov/imo/media/doc/2025-03-11%20Letter%20to%20NSF.pdf</u>.

³⁰ Letter from Ranking Member Lofgren to NSF Director Panchanathan, February 26, 2025, on file with the Committee.

³¹ Committee Leaders Lofgren and Stevens Statement on NSF Employee Firings by DOGE," Committee on Science, Space, and Technology Minority, February 18, 2025, accessed here: <u>https://democrats-science.house.gov/news/press-releases/committee-leaders-lofgren-and-stevens-statement-on-nsf-employee-firings-by-doge</u>.

³² Letter from Ranking Member Zoe Lofgren to NSF Director Sethuraman Panchanathan, April 17, 2025, accessed here: https://democrats-science.house.gov/imo/media/doc/2025-04-17%20Letter%20to%20Director%20Panchanathan.pdf.

8. What steps is NSF taking to ensure that changes to its indirect cost policies do not cause immediate and irreparable injury to our universities' capabilities to train a next-generation energy workforce?

Pursuant to Rule X of the House of Representatives, the Committee on Science, Space, and Technology "shall review and study on a continuing basis laws, programs, and Government activities relating to nonmilitary research and development."³³ The Committee possesses jurisdiction over the National Science Foundation.³⁴ If you have any questions regarding this letter, please contact Sara Palasits or Albert Hinman with the Committee's Minority staff at (202) 225-6375. Thank you for your attention to this important matter.

Sincerely,

Zoe Lofgren Member of Congress Ranking Member, Committee on Science, Space, and Technology

Km

Deborah K. Ross Member of Congress

Valerie P. Foushee Member of Congress

Suchas Subramanyani Member of Congress

Haley M. **St**evens Member of Congress

Andrea Salinas Member of Congress

Gabe Amo Member of Congress

Luz Merivas Member of Congress

³³ 119 First Session House Rules.

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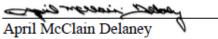
Sarah McBride Member of Congress

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Laura Friedman Member of Congress

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George Whitesides Member of Congress



April McClain Delaney Member of Congress

CC: Brian Babin Chairman Committee on Science, Space, and Technology