

National Science Foundation

Regulatory Plan, Fall 2025

Overview

The National Science Foundation (NSF) is an independent federal agency that supports science and engineering in all 50 states and U.S. territories. Established by the National Science Foundation Act of 1950 (Public Law 81-507), NSF promotes the progress of science; advances the national health, prosperity, and welfare; and secures the national defense.

To support these missions, NSF funds basic research conducted at U.S. colleges and universities, in fields such as mathematics, computer science, engineering, and biotechnology, and STEM workforce development. NSF also funds research infrastructure, ranging from individual instruments to major research facilities and equipment (*i.e.*, computing facilities, U.S. Antarctic stations, and multi-billion-dollar telescopes). The funding is chiefly via grants and represents approximately 25% of federal support overall.

NSF utilizes a rigorous merit-review system to ensure that the funding proposals submitted to NSF are evaluated in a fair, competitive, transparent, and in-depth manner. This system incorporates two criteria, each of which must be given full consideration during the review and decision-making processes. The *intellectual merit* criterion analyzes the proposal's potential to advance knowledge and understanding within its own field or across different fields; the *broader impacts* criterion analyzes the proposal's potential to benefit society and contribute to the achievement of specific, desired societal outcomes. In Fiscal Year (FY) 2025, NSF funded over 8,000 competitive awards that had been evaluated through this system.

Regulatory Plan Rules

NSF's Fall 2025 Regulatory Plan reflects NSF's regulatory priorities specifically as they relate to (1) promoting transparency, disclosure, and open government, and (2) streamlining NSF's current regulations. Each of these priorities are necessary and vital to minimizing the regulatory burden on NSF's

stakeholder community. Of the seven regulatory actions in its Fall Unified Agenda, NSF estimates that at least 25% would, once finalized, mitigate, reduce, or eliminate regulatory burden.

Deregulatory: Final Rule

Title: Conservation of Antarctic Animals and Plants (RIN 3145-AA69)

Pursuant to the Antarctic Conservation Act of 1978, as amended, NSF will amend its regulations to reflect changes to the lists of specially managed areas, specially protected areas and historic sites or monuments (HSM) in Antarctica. These changes reflect decisions adopted by the Antarctic Treaty Consultative Parties at Antarctic Treaty Consultative Meetings, the most recent of which took place June 23 to July 3, 2025.

Title: Revision of NSF Supplemental Regulations, Compliance with the National Environmental Policy Act (RIN 3145-AA73)

NSF is revising its National Environmental Policy Act regulations in the Code of Federal Regulations. The NSF is taking this action in light of Executive Order 14154, *Unleashing American Energy*, and the Council on Environmental Quality Interim Final Rule to Remove CEQ's Implementing NEPA Regulations.

Other: Notice of Proposed Rulemaking

Title: Procedures for Disclosure of Records Under the Freedom of Information Act (RIN 3145-AA67)

NSF is proposing to amend its regulations to meet the requirements of the FOIA Improvement Act of 2016, Public Law 114-185, 130 Stat. 538 (the Act). The Act requires all agencies to review and update their FOIA regulations and addresses a range of procedural issues, including establishing a minimum of 90 days for requesters to file an administrative appeal and providing dispute resolution services at various times throughout the FOIA process.

Title: Implementation of the Administrative False Claims Act (RIN 3145-AA72)

NSF will amend its regulations to implement provisions of section 5203 of the National Defense Authorization Act (NDAA) for Fiscal Year 2025 (Pub. L. 118-159). Under section 5203, the NDAA revises the Administrative False Claims Act of 2023 (AFCA) (previously known as the Program Fraud Civil Remedies Act of 1986) and offers a streamlined administrative remedy for addressing false claims and statements the Department of Justice opts not to prosecute. The liability provisions of the AFCA remain closely modeled on those in the False Claims Act with the principal differences being the AFCA does not include a *qui tam* enforcement mechanism, covers false written statements even in the absence of a claim, and provides for administrative rather than judicial resolution.

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