

Congress of the United States
House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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February 19, 2026

Craig Burkhardt
Acting Under Secretary of Commerce for Standards and Technology
National Institute of Standards and Technology
100 Bureau Drive
Gaithersburg, MD 20899

Dear Acting Under Secretary Burkhardt,

We write to you regarding a rumored policy change at the National Institute of Standards and Technology (NIST) that would severely damage NIST's ability to conduct cutting-edge research with world-class talent. For weeks now, rumors of draconian new measures have been spreading like wildfire, while my staff's inquiries to NIST have gone unanswered. Such stonewalling is unacceptable, particularly on an issue that would have serious repercussions on NIST's ability to fulfill its mission. You must be transparent with Congress and with the NIST community about the policies that have been put in place thus far. You must cease implementation until Congress can weigh in on whether these changes are necessary at all.

According to multiple sources, NIST has begun taking steps to limit the ability of foreign-born researchers to conduct their work at NIST. It is ludicrous that this is the extent of the possible policy that we are able to confidently describe at this time. The rollout of this rumored new policy — if it is possible to call something so vague and poorly communicated a “policy” — has been cloaked in secrecy and has left NIST scientists and visiting researchers in the dark. After weeks of such rumors, an article was published on February 12, 2026, describing an alleged new three-year limit on international graduate students and postdoctoral researchers working at NIST.^[1] This effectively prevents any foreign student from being able to complete a doctorate at NIST and would cut the United States off from the cutting-edge research that promising graduate

^[1] Brooke Stephenson, “At Boulder’s NIST, three-year cap on international early-career researchers sparks fears of a scientific exodus,” *Boulder Reporting Lab*, February 12, 2016, accessed here: <https://boulderreportinglab.org/2026/02/12/at-boulders-nist-three-year-cap-on-international-researchers-sparks-fears-of-a-scientific-exodus/>.

students have to offer. As industry’s national lab, this policy change would also limit U.S. competitiveness by severely restricting how industrial researchers can partner with the agency or access NIST user facilities — especially in emerging fields where U.S. industry is heavily reliant on foreign talent. The article goes on to describe a risk framework based on country of origin, though, by the article’s description, even researchers from “low risk” countries would need to go through an approval process. This article does not describe the extent of the rumors that have been brought to the Committee, though we do not wish to add to the fear and confusion rippling across the community by adding unsubstantiated information to the conversation.

As Members of the Committee on Science, Space, and Technology, we understand the need to protect sensitive research. We also understand how vital international collaboration is to maintaining our scientific excellence. Since 2019, the Science Committee has been doing thoughtful and bipartisan oversight and legislating on this issue, taking utmost care to ensure that new requirements are adequately protective and not overly burdensome or counterproductive. In *the CHIPS and Science Act*, the Committee directed the Inspector General to review NIST’s research security policies, including how the agency is meeting federal disclosure requirements for intramural and extramural researchers. NIST’s rumored policy changes, if true, radically overstep the recommendations of this report^[2] and what is reasonable and appropriate to protect research security. There is a right way to handle this issue. And instead, has NIST opted for secretive, slapdash policy changes that pull the rug out from visiting researchers for no clear rhyme or reason?

While this Administration often finds it difficult to make its legally questionable policies stick, it frequently achieves its goals by intimidating its intended victims. Without clear communication about whom the new policies apply to, when they will take place, and how such policies will impact the work of the affected labs, visiting researchers may very well choose to leave before they get kicked out. The United States’ scientific enterprise would suffer greatly. Our scientific excellence depends upon attracting the best and brightest from around the world. Foreign-born experts comprised more than half of our doctorates in computer and mathematical sciences, as well as our engineers, in 2021,^[3] meaning that they contributed greatly to the technological advancements of the last decade. Since 2000, around 40% of all American Nobel laureates in chemistry, medicine, and physics have been foreign-born^[4] — including one of NIST’s own Nobel laureates.^[5] And this foreign-born scientific talent has brought us an enormous economic

[2] “National Institute of Standards and Technology: Strengthening Disclosure Requirements and Assessing Training Could Improve Research Security,” *Government Accountability Office*, December 14, 2023, accessed here: <https://www.gao.gov/products/gao-24-106074>.

[3] “The State of U.S. Science and Engineering 2024,” National Science Board, Science & Engineering Indicators, accessed here: <https://nces.nsf.gov/pubs/nsb20243/talent-u-s-and-global-stem-education-and-labor-force>.

[4] “Research: Immigrants Have Been Awarded Nearly 40% of U.S. Nobel Prizes in Chemistry, Medicine and Physics since 2000,” National Foundation for American Policy, October 10, 2019, accessed here: <https://nfap.com/wp-content/uploads/2019/10/Immigrant-Nobel-Prizes.DAY-OF-RELEASE.October-2019.pdf>.

[5] “NIST and the Nobel: Dan Shechtman,” August 31, 2021, NIST, accessed here: <https://www.nist.gov/nist-and-nobel/dan-shechtman>.

benefit – more than half of startups valued at \$1 billion or more were started by immigrants.^[6] Not only would this policy change be destabilizing for bright scientists who seek to bring their talents to the United States, it would have deleterious consequences on the country as a whole.

We need answers to the questions below, which were communicated to your staff on January 28, 2026, with a deadline of February 13, 2026:

1. Is NIST implementing, or does NIST plan to implement, a policy to limit collaboration with foreign nationals in its activities or at NIST facilities? If so, please provide documentation of the policy or proposed policy change.
2. How has the policy been communicated to NIST staff and affiliates?
3. How was the policy developed? Is the policy specific to NIST or does it span across Department of Commerce agencies?

We request answers to these questions, as well as the additional questions below, by February 25, 2026. In addition, we request that you provide Science Committee staff with a briefing on this issue by February 25, 2026.

1. Have any personnel actions taken place against NIST employees or visiting scholars pursuant to the policy changes affecting foreign nationals? If so, please describe the personnel actions taken.
2. Have any contract changes with third parties, including through cooperative research and development agreements, memoranda of understanding, or other transactions agreements, taken place pursuant to the policy changes affecting foreign nationals? If so, please provide documentation of the contract changes.
3. Has there been an appeals process established for principal investigators wishing to exempt visiting scholars in their lab from being affected by the policy changes? If so, please provide documentation of the appeals process.

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.”^[7] The Committee possesses jurisdiction over “the National Institute of Standards and Technology.”^[8]

If you have any questions regarding this letter, please contact Sara Palasits or Alan McQuinn with the Committee’s Minority staff at (202) 225-6375. Thank you for your urgent attention to this matter.

^[6] Stuart Anferon, “Immigrant Entrepreneurs and U.S. Billion-Dollar Companies,” July 2022, accessed here: <https://nfap.com/research/new-nfap-policy-brief-immigrant-entrepreneurs-and-u-s-billion-dollar-companies/>.

^[7] [119 First Session House Rules](#).

^[8] *Id.*

Sincerely,

A handwritten signature in blue ink, appearing to read "Zoe Lofgren", with a long horizontal flourish extending to the right.

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

A handwritten signature in blue ink, appearing to read "April McClain Delaney", with a long horizontal flourish extending to the right.

April McClain Delaney
Member
Committee on Science, Space, and
Technology

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