

Federal Court Enjoins DHS's Revocation of Harvard's Ability to Enroll International Students

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On May 22, 2025, Secretary of Homeland Security Kristi Noem ordered the Department of Homeland Security ("DHS") to terminate Harvard University's Student and Exchange Visitor Program ("SEVP") certification for alleged "pro-terrorist conduct." SEVP certification enables universities to enroll international students.

The revocation of Harvard's SEVP authorization has sent shockwaves through the academic community, as it means Harvard would not be able to enroll international students and enrolled students must transfer to another university, obtain some other legal visa status, or depart the U.S. The DHS decision is premised on allegations that Harvard's leadership has failed to address pervasive antisemitism and pro-terrorist conduct on its campus, as well as accusations of collaboration with the Chinese Communist Party, and failed to cooperate with DHS's demands for information regarding its students.

On May 23, 2025, Harvard filed suit in U.S. District Court for the District of Massachusetts seeking an injunction on revocation of Harvard's SEVP certification, alleging that the revocation violates both the U.S. Constitution and Administrative Procedure Act. On the same day, the District Court issued a Temporary Restraining Order enjoining the U.S. government and its agents, including DHS, from implementing the SEVP termination until there is a hearing on the matter. The Court found that Harvard would face immediate and irreparable injury if the termination takes effect before such a hearing.

If the termination takes effect, the impact of the decision will be substantial. Harvard, which had 6,793 international students enrolled during the 2024-2025 academic year, would face the loss of one quarter of its student population. International students would either have to transfer to other institutions or lose their legal student status in the U.S. by remaining enrolled at Harvard. Termination would have serious financial and academic implications, as international students contribute substantially to Harvard's revenue and academic scholarship. The university's leadership has vowed to provide guidance and support to affected students during this tumultuous period.

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