

Global Immigration alert

April 2025

United States

Department of State revokes student visas and Department of Homeland Security terminates Student and Exchange Visitor Information System records

Executive summary

There is a small but potentially growing trend of the Department of State (DOS) revoking visas issued to foreign students, and Immigration and Customs Enforcement (ICE) terminating the corresponding Student and Exchange Visitor Information System (SEVIS) records of these students. Students who remain in the United States subsequent to visa revocation and SEVIS record termination may not continue working and may be subject to removal from the United States.

Background

On 29 January 2025, President Donald J. Trump signed an executive order (EO) to intensify measures to combat antisemitism. The EO mandates the use of "all available and appropriate legal tools, to prosecute, remove, or otherwise" hold accountable individuals who have engaged in antisemitic harassment and violence. The text of the EO focuses on foreign national students and staff at institutions of higher education in the United States.

On 27 March 2025, Secretary of State Marco Rubio announced that DOS had already revoked the visas of approximately 300 foreign students, many of whom are reported to have engaged in protests or other criticism of the Israel-Hamas war. Under current law, DOS may prudentially revoke a visa if they suspect ineligibility or lack of entitlement, if the individual would not meet the requirements for admission to the United States, or in situations that warrant such revocation, including if DOS receives derogatory information from another government

agency. DOS has revoked visas based on the suspicion of fraud, misrepresentation, criminal issues, a DUI, security concerns, or violations of visa conditions.

Additionally, media are also reporting the release of a DOS cable that requires enhanced screening and social media vetting measures for student visa applicants, as well as analysis of visa revocation, in line with the agency's foreign policy and national security functions.

Per reporting, consular officers can review student visa applications to identify a possible intent to travel to the United States to engage in unlawful activity or activity that differs from what the applicant asserts in their application. Furthermore, consular officers may deny student visa applications if the applicant fails to credibly demonstrate that the activities they will engage in are consistent with the requirements of the visa classification noted in their application. Officers are being directed to refer applicants for social media review if they meet any of the following criteria:

- Consular officer has reason to believe the student visa applicant has openly advocated for a designated foreign terrorist organization;
- The applicant previously held F, M, or J student/exchange visitor statutes in the United States between 7 October 2023 and 31 August 2024; or
- The applicant had a prior SEVIS record termination between 7 October 2023 to the present.

The cable reportedly instructs consular officers to take screenshots of visa applicants' social media profiles and retain them as evidence.

Analysis

Revocation of a visa does not necessarily rise to the level of failing to maintain status in the United States. If already present in the United States, visa revocation would not impact the student's ability to continue attending school if otherwise abiding by the terms and conditions of their status.

However, ICE may commence removal proceedings to seek to deport a foreign national on the grounds that the individual is present in the United States in violation of the law or if their nonimmigrant visa has been revoked. Additionally, an individual whose "presence or activities in the United States [are such that] the Secretary of State has reasonable ground to believe [they] would have potentially serious adverse foreign policy consequences for the United States, is deportable," under Immigration and Nationality Act (INA) section 237(a)(4)(A).

Universities are reporting that the Department of Homeland Security (DHS) has terminated the SEVIS records of several F-1 students and graduates, including those that had Optional Practice Training (OPT) or STEM OPT work authorization, following the revocations of visas and based on the below statutory authority:

- **INA 237(a)(4)(C)(i):** Deportation for activities the Secretary of State has reasonable grounds to believe could have serious adverse foreign policy consequences for the United States.
- **INA Section 237(a)(1)(C)(i):** Deportation for failing to maintain nonimmigrant status or comply with conditions of any such status.
- **INA Section 237(a)(1)(B):** Deportation for violating the laws of the United States or having a revoked nonimmigrant visa or other admission document.
- **INA Section 221(i):** Statutory provision granting authority to DOS to revoke visas or other documentation at their discretion.

Termination of a student's SEVIS record has several immediate impacts. [According to DHS](#), the student will lose all on-/off-campus employment authorization. Further, if the student is terminated for any violation of status, they will be required to immediately depart with no grace period permitted. ICE may investigate further to confirm the student has indeed departed.

Any student who elects to remain in the United States to seek reinstatement of their student status or other relief is subject to the risk of being placed in removal proceedings instituted by ICE, by the issuance of a Notice to Appear before an Immigration Judge in immigration court. This could result in detention at the onset of these proceedings.

What this means

If a student's visa is revoked, they will generally be notified by the U.S. consular post that issued the visa, but this is not always the case. Per the DOS Foreign Affairs Manual, when a visa is revoked pursuant to the Secretary of State's discretionary authority, notification to the visa holder is not required.

Under the current administration, students who have been notified of the revocation of their visa are also being informed that ICE has been advised of the revocation and that their school will subsequently be notified. Students who do not elect to remain in the United States and risk institution of removal proceedings would require a new visa to return to the United States and can expect that the new application would be subject to the enhanced screening and social media vetting measures described above.

Employers may not knowingly continue to employ a foreign national who has lost their work authorization. If an employee advises that their SEVIS record has been terminated, employers ought to contact an EY Law LLP professional or Mehlman Jacobs LLP professional to determine if they are required to separate the employee unless and until their student status and corresponding work authorization is reinstated or they present another form of valid work authorization.

We will continue to monitor and share future developments. For additional information, or if you wish to discuss this further, please contact your EY Law LLP professional or Mehlman Jacobs LLP professional.

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