

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE,

Plaintiff,

v.

DEPARTMENT OF HOMELAND SECURITY,
et al.,

Defendants.

Case No. _____

DECLARATION OF MAUREEN MARTIN

I, Maureen Martin, declare as follows:

1. I am the Director of Immigration Services in the Harvard International Office at Harvard University. I have worked in the Harvard International Office since 1987. From 1987 to 2009, I served as one of Harvard's Designated School Officials, or DSOs, for purposes of the Student and Exchange Visitor Program. I became Harvard's Principal Designated School Official, or PDSO, in 2009 and have served in that role ever since.

2. I have personal knowledge of the contents of this declaration or have knowledge of the matters based on my review of information and records gathered by Harvard personnel, and I could testify to these matters.

Student Visa Holders at Harvard

3. Throughout its history, Harvard has welcomed students and scholars from around the world. Harvard established the Harvard International Office in 1944 to support the University's growing international student community. At that time, approximately 250 international students

were enrolled at Harvard, including many from European and Asian countries where universities were closed during the Second World War.

4. Today, international students form a vital part of Harvard's academic community. These students include holders of F-1 visas, a nonimmigrant visa that allows entry to the United States as a full-time student at an accredited institution, and holders of J-1 visas, a nonimmigrant visa that allows entry into the United States by individuals who are approved to participate in an exchange visitor program.

5. During the 2024-2025 academic year, approximately 15% of enrolled undergraduate students at Harvard College held F-1 visas. Overall, more than 5,000 students who hold F-1 visas are currently enrolled across Harvard's thirteen schools, representing approximately a quarter of the total student body. These international students make up a significant portion of enrollment at certain graduate schools, including roughly 56% of the Graduate School of Design, 49% of the John F. Kennedy School of Government, and 36% of the T.H. Chan School of Public Health.

6. As of today, the total number of active F-1 visa holders in Harvard's program is 7,142, which includes graduated F-1 students who are accessing the Optional Practical Training (OPT) and STEM OPT work allowances.

7. Harvard's current F-1 visa holders hail from 143 different countries, from Israel to El Salvador. They contribute unique perspectives that enhance classroom discussions, power research and innovation, and enrich campus life. Their presence on campus promotes cross-cultural understanding and prepares all of our students to contribute to the workforce and the world, which is more interconnected than ever before.

8. As of today, there are also hundreds of J-1 visa holders currently enrolled in Harvard's program, with hundreds more set to join the program in the summer or fall terms.

9. Notable international alumni who studied at Harvard include Nobel Peace Prize laureate Ellen Johnson Sirleaf of Liberia, Prime Minister Benazir Bhutto of Pakistan, novelist Margaret Atwood of Canada, and Empress Masako of Japan. Many F-1 visa holders have gone on to serve as executives at companies, partners of law firms, high-ranking officials in government, and professors at universities around the world, including Harvard.

History of Harvard's Participation in the Student and Exchange Visitor Program

10. Congress passed the Immigration and Nationality Act creating the F-1 visa in 1952, and Harvard has been continuously certified to host F-1 visa holders since at least April 30, 1954.

11. The Student and Exchange Visitor Program, or SEVP, is a program within the U.S. Department of Homeland Security that is administered by U.S. Immigration and Customs Enforcement. SEVP manages the Student and Exchange Visitor Information System, or SEVIS, a web-based database for monitoring nonimmigrant students with F-1 visas who are present in the United States.

12. SEVP authorizes schools to enroll F-1 visa holders through a regulated school certification process. Each SEVP-certified school must be recertified by the federal government every two years to ensure that it continues to be a bona fide accredited school and remains compliant with SEVP regulatory standards. As part of recertification, schools must submit an updated Form I-17. That form asks for information and supporting documents demonstrating that a school remains eligible for certification. Questions include the school's name, address, contact information, degrees conferred, available areas of study, accreditation status, approximate cost of attendance, and requirements for admission.

13. Harvard has maintained its SEVP certification through SEVIS continuously since January 30, 2003, the very first day of SEVIS's operation. In fact, during the first Trump administration, Harvard was recertified by SEVP without incident, on January 30, 2019.

14. Based on its Form I-17 submission, Harvard was last recertified by SEVP on October 27, 2023. Harvard's certification expiration date is November 26, 2025.

15. Harvard's F-1 visa holders depend on Harvard's SEVP certification to obtain, and maintain, their legal status in the United States.

16. Any prospective international student who wishes to apply for an F-1 visa must first receive a Form I-20 issued by an SEVP-certified school, with information about the school, the program of study to which the prospective student has been admitted, and the prospective student's financial information. After receiving the required Form I-20, the prospective student must pay the \$350 SEVIS fee and apply for a visa at a consular office as applicable. Once the student arrives at the school, the school activates the student's record in SEVIS. Each F-1 visa holder's SEVIS record is therefore tied to the SEVP-certified school that issued the Form I-20.

Harvard's Designation as an Exchange Visitor Program Sponsor

17. Harvard has also long been designated by the Department of State as an Exchange Visitor Program sponsor, which authorizes Harvard to sponsor J-1 visas.

18. For the J-1 visa program, which is administered by the Department of State, students and other nonimmigrants apply using a Certificate of Eligibility for Exchange Visitor (J-1) Status (Form DS-2019), which Harvard must issue to those whose J visas it sponsors. Once obtained, the Form DS-2019 allows the individual to apply for a J-1 visa at a consular office as applicable.

Records Requests

19. On April 16, 2025, I received a letter, addressed to me, from DHS Secretary Kristi Noem, entitled “Student and Exchange Visitor Program Student Records Request.”

20. This is the first time in my almost forty years at the Harvard International Office that I have received a letter from a cabinet secretary.

21. The letter made a series of eight requests for information about international students and provides a deadline of April 30, 2025.

22. The letter stated that the government was making those requests under Section 214.3(g)(1) of the regulations governing the SEVP program.

23. The letter stated that Harvard’s “continued SEVP certification is contingent upon meeting the requirements” of that regulatory provision.

24. It also stated that “[f]ailure to comply with this Student Records Request will be treated as a voluntary withdrawal” from SEVP, such that “SEVP will automatically withdraw the school’s certification” if Harvard “fails to respond to this request within the timeframe provided.”

25. It further stated that the “withdrawal will not be subject to appeal.”

26. The letter threatened criminal prosecution against me and “[o]ther possible criminal and civil violations” in connection with my response.

27. It also attached an “Evidence Attestation Statement” for me to fill out as Harvard’s PDSO, attesting to several issues including potential criminal and civil consequences I could face in connection with my response.

28. The same day, DHS issued a press release announcing that Secretary Noem “wrote a scathing letter demanding detailed records on Harvard’s foreign student visa holders’ illegal and

violent activities by April 30, 2025, or face immediate loss of Student and Exchange Visitor Program (SEVP) certification.”

29. In my almost 40 years at the Harvard International Office, I have never received a “Records Request” like this one. Several of its features are highly unusual.

30. By way of background, SEVP regulations require SEVP-certified schools to maintain certain records relating to F-1 visa holders, including information on each visa holder’s name, date and place of birth, country of citizenship, current address, coursework, and academic status. SEVP-certified schools must provide these specific categories of information, listed in 8 C.F.R. § 214.3(g)(1), to DHS upon request.

31. In my time serving as PDSO for Harvard, I have only fielded information requests from SEVP a handful of times. These prior requests from the government have addressed only a single student at a time and have sought straightforward information like the student’s email address, physical address, and phone number.

32. I have never before received a request pursuant to Section 214.3(g)(1) seeking information about every single current F-1 visa holder, as opposed to an individual student or small subset of students participating in this visa program.

33. I have never before received a request pursuant to Section 214.3(g)(1) seeking information about “dangerous,” “illegal,” or “violent” conduct, “threats,” “deprivation of rights,” or conduct that constitutes “obstruction of the school’s learning environment.”

34. Additionally, in all my years of serving as PDSO for purposes of Harvard’s SEVP program, I have never been asked to sign an “Evidence Attestation Statement” like the one included in the Records Request.

35. I am not aware of any other time that DHS has issued a press release in connection with a request made pursuant to Section 214.3(g)(1), whether to Harvard or any other school.

36. Nevertheless, within the 10 working days DHS allotted for compliance, I assisted in the collection and production of records responsive to the Records Request as required by 8 C.F.R. § 214.3(g)(1).

Revocation of Harvard's Certification

37. On May 22, 2025, I received a letter, addressed to me, from DHS Secretary Kristi Noem, informing me that Harvard's SEVP certification had been revoked, effective immediately.

38. The letter states that the revocation "means that Harvard is prohibited from having any aliens on F- or J- nonimmigrant status for the 2025-2026 academic school year" and that "existing aliens on F- or J- nonimmigrant status must transfer to another university to maintain their nonimmigrant status."

39. Without certification, Harvard cannot issue new I-20 Forms to international students as needed to allow them to obtain an F-1 visa and enter the United States. That means Harvard cannot take the steps required to bring its already-accepted summer and fall students into the country, and it cannot accept any new international students for any of its programs. Harvard has already issued more than 2,800 I-20 Forms to students planning to arrive in the summer and fall.

40. Because of the revocation, Harvard students already in the country on an F-1 or J-1 visa may need to take swift action to avoid immigration status consequences. Students cannot fulfill the terms of their F-1 visas at Harvard because the visa requires students to study at a certified institution, and Harvard's certification has been revoked.

41. If an F-1 student cannot obtain immediate transfer to another certified school (which is unlikely at this time of year), their only real option is to leave the country. This decision will cause chaos for both Harvard and its students.

42. The letter similarly purports to require J-1 visa holders to transfer to another university to maintain their nonimmigrant status.

43. The revocation also has immediate impact for F-2 and J-2 visa holders. The F-2 visa is a nonimmigrant visa for dependents of F-1 visa holders studying in the U.S. The J-2 visa is a nonimmigrant visa for dependents of J-2 visa holders. The Harvard community currently has over 300 F-2 visa holders for spouses and children of Harvard F-1 students. If an F-1 student status is terminated, related F-2 statuses are terminated as well, leaving F-2 visa holders without legal status and requiring families to uproot their lives without any notice. Similarly, if a J-2 status is terminated, related J-2 statuses are terminated as well.

Impact on Harvard

44. Apart from the tremendous impact on students and their families, this abrupt revocation of Harvard's longstanding certification is disastrous for Harvard as an institution. It leaves a staggering number of students in limbo, overwhelming the University's ability to provide the immediate assistance and support its international students need as they navigate this unprecedented situation.

45. The revocation also throws into disarray Harvard's summer programs, which start just weeks away in June, and its next academic year. The University is already planning for the arrival of these cohorts of students—from preparing financial aid packages, to making housing assignments, to facilitating course registration. All of that work will be upended if Harvard is unable to enroll international students on F-1 and J-1 visas. Without those students, it is unclear if

Harvard will be able to reach full enrollment given that admissions for next year is in its final stages.

46. But even assuming Harvard could reach full enrollment without these international students, the loss of international students would be immeasurable.

47. Harvard aims to educate members of an increasingly global community of scholars, scientists, entrepreneurs, and future world leaders. That is simply not possible without international students, who bring different experiences and perspectives to campus and challenge Harvard's domestic students to see beyond the issues and concerns that exist within American borders.

48. Harvard's reputation for providing a preeminent educational experience depends on its inclusion of students who can enroll only because of the F-1 and J-1 visa programs. Harvard attracts and retains leading scholars and exceptional students because it is able to offer access to a richly diverse intellectual community with talented students from the world over.

49. Reflecting the importance of international students to fulfilling Harvard's educational mission, the University has developed significant infrastructure to support these students. The Harvard International Office currently employs 25 full-time staff members with expertise in the logistics of admitting international students, including those on F-1 and J-1 visas, and facilitating their matriculation and continued enrollment. The Harvard International Office has an annual budget of \$3.44 million for salaries, office space, databases, and more.

50. Given Harvard's long history of participating in SEVP and the J visa program, and its seamless biennial recertifications for over 70 years, the University has relied on its continued participation in the F1 and J-1 visa programs when creating and sustaining this infrastructure for international students. That investment would have little if any purpose going forward without

SEVP certification, and I anticipate that the University would drastically downsize the Office's staff.

51. Just as Harvard has relied on its continued SEVP certification, Harvard students with F-1 and J-1 status rely heavily on their visas to plan their academic pursuits, professional futures, personal finances, and more. If these students lose their lawful status, they will be unable to complete their course of study at Harvard, depriving them of the value of their significant investments of time, money, and effort in pursuing their degrees here, not to mention the sacrifices their families have made to send their children here.

52. To lose these nonimmigrant statuses without warning poses even graver harms: students are in the middle of their academic pursuits—completing courses, conducting research, drafting dissertations, serving as teaching fellows, participating in clinical rotations, and more. Their progress on these and other projects would be cut short by a loss of certification.

53. An international student's professional trajectory can also depend on their continued nonimmigrant status. Without such status, international students would lose their opportunity to enrich and extend their course of study through post-graduate employment under various pathways. And Harvard would lose the opportunity to benefit from the many students who engage in experiential learning in the University's labs, law school clinics, and more.

54. Beyond their academic progress and career prospects, the lives of students with F-1 or J-1 visas would be upended by the loss of their nonimmigrant statuses. Students who reasonably understood their visas would allow them to complete their course of study likely have not arranged travel to their home countries, which can impose significant expense when planned last-minute. Some of those students would return to home countries ravaged by war, famine, and other

disasters—or would scramble to find safer alternatives in other countries—fundamentally altering the trajectories of their lives with no warning.

55. The impact on students is not limited to visa holders. International students, as key contributors to academic life at Harvard, play critical roles in instructing, mentoring, advising, and working alongside domestic students. International students supervise lab work; serve as academic advisors; support the residential experience; and much more. Without these students, Harvard’s ability to provide its entire campus community with the strongest possible educational experience will suffer.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 22nd day of May, 2025, in Cambridge, Massachusetts.

/s/ Maureen Martin
Maureen Martin