

EXECUTIVE SUMMARY

Student Speech Under Attack

Suppression of Pro-Palestine
Speech and Dissent
on Campus



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Executive Summary



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Pro-Palestinian protesters outside the Columbia University campus on March 4, 2025.

Over the last three years, there have been widespread attacks on free speech and association on college campuses, particularly against students, faculty, and staff protesting Israel’s war on Gaza and the U.S. government’s political, economic, and military support of the war.

This report is based on a two-year investigation that covered events at 46 public and 34 private university and college campuses nationwide, located in 28 states and the District of Columbia. Based on our research of the policies and practices of dozens of U.S. universities and colleges and the impact of those responses on student protesters and the broader academic community, this report documents the heavy-handed and excessive responses by some university and college administrators and police to campus protests concerning Israel’s assault on Gaza following the Hamas-led attacks in southern Israel on October 7, 2023. It also documents suppression and retaliation

against pro-Palestine speech and expression on campus that began in late 2023 and continues today.

Colleges and universities violated basic free speech, association, and assembly rights and caused serious harm when they summoned campus police and local law enforcement, resulting in arrests and unlawful and unnecessary use of force. Universities’ responses to campus-related Palestine advocacy and pro-Palestinian demonstrations have been more punitive in comparison with their historical responses to other comparable demonstrations over decades. Colleges and universities have imposed sweeping restrictions on student speech, initiated disciplinary actions against students, and imposed severe punishments including expulsions and suspensions. By doing so these universities directly or indirectly have made it easier for the Trump administration to crack down on student activism, causing long-term damage to higher education.

This report also documents the Trump administration's widespread, McCarthyite censorship and retaliation campaign deployed against pro-Palestine advocates on university and college campuses, and against universities that were sites of pro-Palestine student activism. The administration has abused civil rights laws to suppress criticism of Israel, withhold federal research grants from universities due to their refusal to conform to the government's preferred ideological approach, and coerce universities into accepting broad-ranging agreements to restore federal funding in exchange for making institutional changes in programs, curricula, admissions, and hiring, curtailing the free speech rights of students and faculty.

The Trump administration has also targeted noncitizen students and scholars for arrest, detention, and deportation based on their political views and in direct retaliation for their advocacy for Palestinian rights. The Trump administration has attempted to pressure university officials to target non-U.S. citizen students, faculty, and staff for their political speech and protest activity, in violation of the First Amendment. The administration's actions violate foundational academic freedom principles, First Amendment rights, and the rights to freedom of peaceful assembly, expression, and association enshrined in international law.

This report also details how these actions have profoundly chilled student speech and advocacy, resulting in a steep decline in protests and a less visible protest movement on campuses across the country. Fears of punishment, retribution, or deportation have deterred students and faculty from criticizing Israel or advocating for Palestinian rights.

Findings are based on desk research, analysis of college and university policies and records, reports and other documents and statements by U.S. government agencies and executive officials, court records, caselaw, published investigative journalism, survey questionnaire responses from students who participated in multiple protests at 41 college campuses around the country, interviews, and fact-

finding conducted during a two-year investigation. This report also contains detailed case studies of six universities: Columbia University, City College of New York, Tulane University, the University of California Los Angeles (UCLA), the University of Michigan, and the University of Texas at Austin.

University and Law Enforcement Responses to Student Protests and Encampments

Since the Hamas-led attacks in southern Israel on October 7, 2023, including the attacks on civilians and taking of hostages which Amnesty International and a United Nations Independent Commission of Inquiry have concluded amounted to war crimes and crimes against humanity,¹ colleges and universities across the United States have been sites of mass demonstrations, encampments, and other types of protest actions as students, faculty, and campus staff have protested mass atrocities committed in the context of Israel's war on the occupied Gaza strip,² which Amnesty International,³ Human Rights Watch,⁴ Doctors Without Borders,⁵ Physicians for Human Rights,⁶ the leading Israeli human rights group B'Tselem,⁷ and international bodies, including a United Nations Independent Commission of Inquiry,⁸ have concluded amounted to war crimes and a genocide against Palestinians in Gaza.⁹

Campus protesters often called attention to the complicity of the U.S. government in these atrocities.¹⁰ Their demands included calls for a ceasefire, a halt to U.S. military funding for Israel, and calling for their academic institutions to divest from weapons manufacturing companies and other companies that have profited from violations of human rights and humanitarian law in Gaza.¹¹ In response, opponents of these students' messages — including President Donald Trump — frequently characterized peaceful protest and any speech in favor of Palestinian rights as inherently supportive of Hamas and antisemitic.

The 2023-2024 academic year saw an expansive series of protests, demonstrations, and encampments on university and college campuses — both large

and small — across the country. According to the organization Armed Conflict Location & Event Data (ACLED), more than 1,360 student demonstrations took place in the United States between October 7, 2023, and May 3, 2024, protesting the Israeli government's ongoing military campaign against Palestinians in Gaza and calling for university divestment from Israel and in support of Palestinian rights. ACLED determined that 97 percent, an overwhelming majority of those protests, remained peaceful.¹² More than 170 encampments were established in the first semester of 2024. In some cases, students, faculty, and staff engaged in acts of civil disobedience, such as occupying campus buildings, graffitiing, and disrupting classes, as a form of protest.

Faced with intense pressure from donors, trustees, alumni, and figures outside of university or college leadership, including members of Congress, to reign in these demonstrations, many universities and colleges moved swiftly to suppress pro-Palestinian protests and dismantle encampments.¹³ In many cases, peaceful student protests were met with campus police or local law enforcement summoned by university officials.

Police in full riot gear and campus police used physical force and less-lethal weapons including batons, kinetic impact projectiles such as rubber bullets and foam-tipped rounds, chemical irritants such as pepper spray and tear gas, and electronic conduction devices such as tasers.¹⁴ Amnesty International's Digital Verification Corps conducted analysis of verified photos, videos, and social media posts of 20 schools they monitored.¹⁵ Of these, 17 schools had claims posted online describing or showing chemical irritants being used against students¹⁶ and 10 schools where officers appear to have responded to protests armed with kinetic impact projectiles.¹⁷ The research further documented photos or videos from at least 10 schools showing injuries to students; about half appearing to be related to chemical irritants.

Media reported witness accounts of injuries such as bleeding puncture wounds, head injuries, broken teeth, and suspected broken bones, most notably

at UCLA,¹⁸ Columbia University,¹⁹ and the City College of New York,²⁰ among others. Despite the documented unnecessary or excessive use of force leading to serious injuries inflicted by less-lethal weapons on student protesters, several public universities in California, including UCLA, where the media and a UCLA Task Force reported a number of injuries, restocked their less-lethal weapons and increased budgets allocated for campus policing in preparation for the following academic year.²¹

Thousands of these protesters were arrested, and many were also disciplined by their schools. In 2024, protesters were detained at more than 70 schools in at least 30 states, according to data collected by The New York Times.²² According to media reports, more than 3,200 people were arrested by police on university campuses, including students, teachers, human rights observers, and journalists, in many instances for trespassing.²³ In some instances, prosecutors charged students with serious felonies, including assault of police officers, wearing disguises, mob violence, and attempted ethnic intimidation.²⁴ Students and faculty who participated in Palestine solidarity actions were also subject to doxxing, profiling, and retaliatory attacks by third parties, with little to no protection from their universities and colleges.²⁵

Recent University Actions to Restrict and Punish Protest and Pro-Palestinian Speech

Since the initial encampment movement, from late 2024 through to publication of this report in fall 2026, universities across the country have continued to take action to restrict protest and association by students expressing Palestinian solidarity. Colleges and universities have censored pro-Palestinian expression; punitively enforced campus policies through internal disciplinary or code of conduct processes against students; punished them with suspensions, expulsions, and other sanctions; conducted ongoing surveillance of their activities; and made restrictive changes to school policies governing peaceful assemblies and free speech on campus.

Universities have punitively enforced campus policies through internal disciplinary or code of conduct processes against students, faculty, and staff for campus-related Palestine advocacy. Hundreds of students have faced sanctions such as campus bans, suspensions, and expulsions for alleged code of conduct violations or disciplinary charges related to their participation in pro-Palestinian demonstrations. These punishments can impose severe and life-long consequences and profoundly disrupt students' lives and academic careers.²⁶ Universities have swiftly imposed interim suspensions and campus bans on students who have been merely arrested or charged with violating campus codes of conduct, before they have been convicted of any crime, the disciplinary process has concluded, or, in some cases, internal investigations have even begun.

Hundreds, if not thousands, of students at universities nationwide have faced campus disciplinary proceedings for alleged code of conduct violations carrying potential sanctions.²⁷ (Due to lack of transparency concerning internal

campus disciplinary processes it is not possible to determine the precise number.) Palestine Legal reported that in 2025, it received 663 requests for legal assistance in cases in which university administrations had launched investigations or imposed sanctions for campus-related Palestine advocacy.²⁸ According to Palestine Legal, the most common punishments students faced in 2025 were interim suspensions and campus bans.²⁹ In 2024, the group received reports of more than 580 cases related to university administration investigations and sanctions.³⁰

In some cases, public universities have expelled students for engaging in protected political speech. In other cases, some of the demonstrations, off-campus protests, and graduation speeches that led to disciplinary actions included violations of student conduct rules and/or laws, or were not protected speech. In some instances where students were disciplined for student conduct rule violations, the discipline imposed was disproportionate to the misconduct or amounted to unusual punishment, suggesting viewpoint discrimination.

Universities' selective enforcement of campus policies in response to Palestine solidarity protests raises serious concerns about viewpoint discrimination. In numerous instances reviewed during our investigation, the exceptionally harsh penalties applied to protesters and faculty, such as banishment, expulsion, and termination, were disproportionate and appear to be targeting students and faculty on the basis of their beliefs. Moreover, the severe punishments such as suspensions and expulsions imposed on students for their conduct during demonstrations are far beyond what universities have historically imposed for similar acts of civil disobedience.

In some cases, students were treated more harshly than others who have engaged in similar conduct, ostensibly on the basis of their political views. According to analysis of reported incidents and complaints, students who support Palestinian rights tend to face harsher disciplinary action, including disciplinary action for violating policies that



Photo: Josiah True

Law enforcement officers march through the UCLA campus before dismantling the pro-Palestine encampment on May 2, 2024.

students report have not typically been enforced against other students or punished in ways that such actions have not been punished in the past.³¹

Colleges should not punish protesters or student groups more harshly than other groups in similar circumstances because administrators found their message upsetting, offensive, or divisive, or because it demanded extra security or prompted counter-protest. Even in cases where punishment is warranted, students remain entitled to meaningful due process rights.

In some instances, universities explicitly changed their policies in ways that seemed to deliberately target pro-Palestine demonstrations. Many universities that had never objected when students camped out on campus to buy sports tickets or napped in libraries created policies prohibiting tents and sleeping on campus after pro-Palestine encampments were established on campuses across the country in the spring of 2024. Many colleges and universities adopted new restrictions on campus speech and protest, especially at the outset of the 2024–2025 academic year, including rules that banned the installation of tents, prohibited protests in certain public parts of campus, restricted the use of amplified sound, banned chalking on campus sidewalks, mandated the university’s prior approval for demonstrations, and prohibited students from hanging banners or flags outside dorm windows.³² If institutions allow certain activities and items at other campus events, such as voice amplification, tents, lawn chairs, or blankets, they should not impose such restrictions on pro-Palestinian protesters simply because of the content of their protest.

There have been multiple instances of colleges and universities banning pro-Palestinian student organizations, retaliating against students who participate in student protests, and censoring pro-Palestinian expression. Examples of these instances are wide-ranging. Student chapters of Students for Justice in Palestine (SJP) and Jewish Voice for Peace (JVP) have faced bans on college campuses. Students have reported their universities’ efforts

to prohibit hanging Palestinian flags, carrying or displaying banners, and displaying keffiyehs to symbolically express Palestinian solidarity and protest the war in Gaza.³³ Universities canceled film screenings, banned students from delivering commencement speeches that highlight their solidarity with Palestine or punished them when they did so, and forbade certain regalia such as keffiyehs from being worn during graduation ceremonies.³⁴

Universities have reprimanded or formally sanctioned scores of professors and staff who have supported or participated in campus-related Palestine advocacy and demonstrations. Some faculty members who took part in demonstrations or were otherwise involved in Palestine activism have been terminated, suspended, denied tenure, had job offers revoked, or not had their contracts renewed by their universities.³⁵

Universities’ internal disciplinary actions, including expulsion or termination of students’ enrollment status, and their request or authorization of law enforcement intervention to disperse demonstrations that resulted in arrests of students and faculty, have had downstream immigration consequences, placing noncitizen students’ and faculty’s immigration status at risk. In some cases, universities have failed to protect their noncitizen students and faculty from U.S. Immigration and Customs Enforcement (ICE) enforcement activity — or at least could have done more to protect them.

Instead of targeting students and faculty who are expressing their right to protest and association, higher education institutions have a responsibility to protect these rights. The First Amendment compels public universities and colleges to respect free speech rights,³⁶ and some have failed these obligations. While the Constitution does not bind private institutions, they should similarly be guided by their commitments to academic freedom and free inquiry. Moreover, under international law, which enshrines the rights to freedom of peaceful assembly, expression, and association, and which warrants a higher protection for civil disobedience

than U.S. law, all universities and colleges have human rights responsibilities to protect students' right to express themselves and peaceably protest on campus.³⁷

Adoption of Campus Policies that Suppress Protected Political Speech Broadly Defined as Antisemitism

A number of universities have adopted the International Holocaust Remembrance Alliance (IHRA)'s overly broad definition of antisemitism. The IHRA's working definition of antisemitism says that examples of antisemitism include "denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor," "drawing comparisons of contemporary Israeli policy to that of the Nazis," and "applying double standards by requiring of [Israel] a behavior not expected or demanded of any other democratic nation."³⁸

The IHRA framework — including both its definition of antisemitism and the accompanying contemporary examples — has been interpreted by some to equate criticism of Israel and its policies or opposition to Zionism with antisemitism. The IHRA definition of antisemitism includes protected political speech and is not limited to harassing speech or conduct that creates a hostile educational environment. Speech that is critical of Israel cannot, alone, constitute harassment.³⁹ Moreover, the IHRA framework equates protected political speech with unprotected discrimination in a manner that could chill the exercise of First Amendment rights. Campus policies relying on the IHRA definition would likely chill free speech of students, faculty, and staff on college campuses by incorrectly equating criticism of the Israeli government with antisemitism.⁴⁰

In practice, the IHRA framework has been used to silence criticism of Israeli government policies and to suppress the speech and activism of university students, professors, and organizers in support of Palestinian rights. At colleges and universities

across the country, numerous complaints and lawsuits based on the IHRA definition have been filed in an attempt to stop speech and to target faculty for what they said, materials they included in their courses, and speakers they invited to campus.⁴¹ The IHRA definition has been deployed to try to cancel campus events, including at the University of Massachusetts at Amherst,⁴² Indiana University,⁴³ Columbia University,⁴⁴ the University of California at Berkeley,⁴⁵ Arizona State University,⁴⁶ the University of New Mexico,⁴⁷ and elsewhere.⁴⁸ Adoption of the IHRA definition has also led to reviews of course syllabi and reading lists, impacting university curricula.⁴⁹

Campus policies incorporating the IHRA definition of antisemitism misconstrue anti-discrimination law to censor and stifle campus speech. Title VI of the Civil Rights Act already offers strong protections for students who are subject to discrimination and harassment. These policies go far beyond what Title VI requires and could chill protected student and faculty speech that does not violate Title VI. The expansion of what constitutes discrimination is too broad and will inevitably infringe on lawful, important academic discussions and debates on campus about Palestine and Israel, putting academic freedom principles at risk. As written, these campus policies will likely chill speech critical of the Israeli government or of Zionism that does not rise to the level of a Title VI violation and impede important academic discussions and debates on campus about Palestine and Israel.

In recent rulings in cases examining the intersection of Title VI hostile educational environment claims and the First Amendment in the context of pro-Palestine protests on college campuses, federal courts have held that Title VI does not require a university to squash speech protected by the First Amendment.⁵⁰ Evaluating speech in the form of rallies, flyers, speeches, sit-ins, and protests, courts have found that the speech at issue is protected by the First Amendment, including phrases such as "from the river to the sea, Palestine will be free" and "globalize the intifada."⁵¹ Finding that speech on matters of public concern directed to the

community at large is very different from targeted, personal harassment aimed at a particular person, federal courts ruled that political speech will generally not meet the high standard for proving hostility or offensiveness required under Title VI.

The Trump Administration's Abuse of Title VI and Attempted Hostile Ideological Takeovers of Universities

Since the first months of President Trump's second term, his administration has leveraged several federal agencies and departments in its campaign against pro-Palestine speech and activism on campus. With the stated goal of combating antisemitism, the administration has deployed the Department of Justice, the Department of Education, the Equal Employment Opportunity Commission, the Department of Health and Human Services, and the General Services Administration to suppress free speech on campus.

The Trump administration created a three-agency task force aimed at ending antisemitism on college campuses. Armed with an executive order that redefines antisemitism to include critiques of the state of Israel, the task force has targeted at least 60 colleges and universities, cutting or threatening funding at these institutions.⁵²

The Trump administration has weaponized Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the grounds of race, color or national origin in any activity or program receiving federal financial assistance, using the civil rights law as a tool to undermine free speech, suppress criticism of Israel, and defund higher education. The administration has encouraged the Department of Education to consider protected speech in determining whether any actionable harassment under Title VI, including allegations that the school is responsible for a "hostile environment," was motivated by antisemitism.⁵³

The Department of Education Office for Civil Rights (OCR) enforces Title VI by investigating

and resolving complaints that students or others are being subjected to hostile environments or otherwise being discriminated against on campus because of their race, national origin, or other traits protected under civil rights laws. In total, OCR has opened more than 100 investigations into allegations of a hostile educational environment based on antisemitism at colleges and universities since October 7, 2023 (24 such investigations were opened in all previous years combined).⁵⁴ There were incidents that likely merited Title VI investigations. Jewish students expressed fear and concern for their safety and well-being related to antisemitism, including antisemitic harassment on their campuses.⁵⁵ Likewise, Arab, Muslim, and Palestinian students reported fears for their personal safety and concerns related to anti-Muslim and anti-Arab bias and harassment on their campuses.⁵⁶ However, it is the Trump administration's use of Title VI investigations and enforcement actions to suppress protected speech and chill or encroach on the exercise of free expression by students or other members of educational communities, and the use or threat of Title VI investigations to coerce universities into over-censoring, that is problematic.

Wrongly equating protected political speech with unprotected discrimination, the administration has alleged violations of Title VI to cut funding or threaten to cut funding at universities that were sites of student protests, because the administration deemed these universities to be failing in their obligation to protect Jewish students from harassment. While combating antisemitism is a worthy goal, the administration's overbroad reading of what constitutes actionable harassment under Title VI instead violates the First Amendment, by forcing universities to censor political speech the administration cannot constitutionally restrict.

The schools subject to the cancellation of federal grants and contracts include Columbia University, Harvard University, Brown University, the University of Pennsylvania, Cornell University, Northwestern University, Princeton University, and UCLA.⁵⁷ The federal government threatened

to withhold billions of dollars in research funding from Columbia and Harvard if they did not adopt the government's preferred ideological approach to who they admit to study, who they employ to teach, and what classes and other programs they offer.⁵⁸ When Harvard refused, the federal government decided to withhold billions of dollars in research funding.⁵⁹ The president of Princeton University called the targeting of Columbia "the greatest threat to American universities since the Red Scare of the 1950s."⁶⁰

At Columbia University, the Trump administration preemptively cut \$400 million of federal funding. In response, the university agreed to the administration's demands rather than fighting back, even though those orders were likely to have been blocked by the courts. Columbia's capitulation only emboldened the administration to keep up these kinds of attacks. A few weeks later, the administration sent a similar demand letter to Harvard University. The demands were so extreme that they would have effectively put the university's governance in the hands of the federal government. Harvard sued, and in retaliation, the administration threatened their tax-exempt status and froze \$2.2 billion in grants and a \$60 million contract to Harvard for its refusal to comply.⁶¹ At other targeted universities, the task force made specific requests targeting professors, students, and speech, relying on Title VI to press for agreements far beyond the statute's scope.

The Trump administration's decision to withhold federal research grants from universities due to their refusal to conform to the government's preferred ideological approach is a direct violation of the First Amendment. Because it is taking adverse action that is substantially motivated by the universities' disfavored speech, it constitutes retaliation in violation of the First Amendment, and constitutes impermissible government action by coercing a private party to censor its own speech and that of others. The government cannot condition federal funding on ideological conformity in ways that are unrelated

to the purpose of the federal funding program, or to coerce ideological conformity outside the confines of the federally funded activities.

The Trump administration has violated broader First Amendment principles as well. The First Amendment protects all private speakers and institutions from viewpoint-based discrimination, coercion, and retaliation, even as it specifically protects colleges, universities, and their professors from infringements on academic freedom.⁶² It prohibits the government from forcing any private actor to express the government's preferred views,⁶³ from leveraging federal funds in a viewpoint-based way, and from seeking to control speech outside of the scope of a government-funded program.⁶⁴ The administration's conduct has crossed each of those lines.

The administration's actions leverage huge sums of money to push the targeted universities into restricting speech by curtailing the independence of professors to fashion their own courses, and they seek to regulate speech far outside of the scope of the federal research grants that have been revoked. More than 600 college and university presidents signed a letter denouncing the Trump administration's "unprecedented government overreach and political interference" with higher education, noting "we must reject the coercive use of public research funding."⁶⁵

The threat of funding cuts could — and already has — resulted in colleges and universities suppressing a wide variety of speech critical of the Israeli government or in support of Palestinian rights in an effort to avoid Title VI investigations by the Department of Education and the potential loss of funding, even where such speech is protected and does not qualify as harassment. Fears of legal action against the school under Title VI and misinterpretations of Title VI standards have led some universities to suppress political speech that the First Amendment plainly protects. There have been numerous instances of university censorship of pro-Palestinian expression, examples of which are detailed in this report.

On August 18, 2026, Democrats on the House Judiciary Committee launched an investigation into explosive whistleblower allegations from a former career Department of Justice Civil Rights Division lawyer of nearly a decade and several other experienced career Department of Justice civil rights attorneys temporarily assigned to the Department of Health and Human Services (HHS) Office for Civil Rights (OCR) to work on Title VI investigations undertaken by the Trump administration's Task Force to Combat Anti-Semitism.⁶⁶ Democrats on the House Judiciary Committee released the whistleblowers' complaint, which detailed their allegations that Trump administration political appointees manipulated federal antisemitism investigations to target certain American universities, punish protected speech, and coerce schools into settlements despite government investigators' finding insufficient evidence to establish any Title VI violations.⁶⁷ The whistleblowers said that "the investigations were not grounded in law or fact" and described political appointees overruling career investigators, pursuing investigations with "predetermined" outcomes and findings unsupported by the evidence, and targeting Muslim professors based on religion and ethnicity without allegations of wrongdoing.⁶⁸ They also allege that senior Trump administration officials intended to use hundreds of millions of dollars in federal funding as leverage against universities regardless of investigative findings.

The Trump Administration's Campaign to Detain and Deport Students and Scholars Involved in Palestinian Rights Advocacy

The Trump administration has crafted and carried out a policy of revoking the visas and green cards of noncitizen students and scholars who engaged in pro-Palestinian advocacy, and of arresting, detaining, and deporting them. In March and April 2025, the Trump administration moved swiftly to detain and initiate deportation cases against noncitizen students and scholars who had advocated for Palestinian rights or criticized Israel. The administration has targeted these

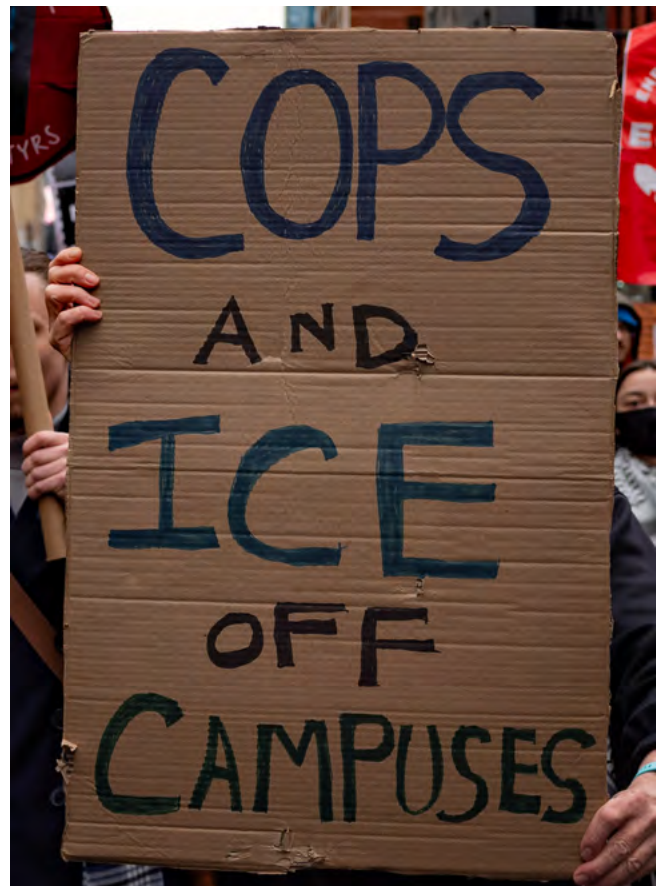


Photo: Scout Tufankjian

Protesters marched in New York on March 15, 2025, to demand the release of Mahmoud Khalil.

students and scholars solely because of their political viewpoints and constitutionally protected expression. Mahmoud Khalil, a green card holder and prominent advocate for Palestinian rights at Columbia University, was the first to be targeted. Other students and scholars, including Rümeysa Öztürk, Mohsen Mahdawi, and Dr. Badar Khan Suri, were arrested and detained, despite having valid immigration status and not being accused of breaking any law. The administration has attempted to detain and deport other students, including Yunseo Chung, Ranjani Srinivasan, and Momodou Taal, for their constitutionally protected pro-Palestinian advocacy. The administration is trying to use immigration laws to silence speech it disagrees with, while also claiming that no federal district court has authority to judge the constitutionality of its actions.

In a closed-door meeting with donors during his re-election campaign, President Trump explicitly stated his intent to deport students who protested the military campaign in Gaza. Referring to Palestine-related protests, President Trump told donors: “Any student that protests, I throw them out of the country. You know, there are a lot of foreign students. As soon as they hear that, they’re going to have to behave.”⁶⁹ As a candidate, President Trump additionally pledged to “terminate the visas of all those Hamas sympathizers, and we’ll get them off our college campuses, out of our cities, and get them the hell out of our country.”⁷⁰

Shortly after assuming office, President Trump signed two executive orders intended to fulfill his campaign promises to deport protesters.⁷¹ Executive Order 14161 articulates the administration’s desire to target individuals who “advocate for, aid, or support designated foreign terrorists and other threats to our national security,” those who hold “hateful” views, and those who “bear hostile attitudes toward [America’s] citizens, culture, government, institutions, or founding principles.”⁷² The order does not define “hostile attitudes,” leaving the term open to encompass any form of political dissent or criticism of government policies.

Executive Order 14188 and its accompanying fact sheet state the government’s intent to target post-October 7, 2023, campus antisemitism, particularly on “leftist, anti-American colleges and universities.”⁷³ The order’s definition of antisemitism encompasses constitutionally protected criticism of the Israeli government and its policies. The accompanying fact sheet frames the order as a promise to “deport Hamas sympathizers and revoke student visas,” to send a message to all “resident aliens who participated in pro-jihadist protests” that the federal government “will find you... and deport you.”⁷⁴

In combination, these orders, the accompanying fact sheet, and other communications from the Trump administration were intended to enlist university officials in censoring and punishing noncitizen scholars and students for their speech

and scholarship. The message is clear: Immigrant students, faculty, and staff on college and university campuses should think twice before they criticize the United States or the Trump administration, express support for Palestinians, or condemn Israeli government policies — or indeed anything else President Trump and other federal officials might possibly find objectionable — and colleges and universities that allow such speech, debate, and protest should think twice, too.

While it is important to address antisemitism, these executive orders failed to do so.⁷⁵ Instead, they seem to target pro-Palestinian scholars and students who are exercising their rights to free expression and peaceful assembly, and set in motion the Trump administration’s subsequent targeting of international students and scholars for arrest, detention, and deportation based on their political views.⁷⁶

In March 2025, ICE’s Department of Homeland Security Investigations launched an operation to identify pro-Palestinian protesters on college campuses.⁷⁷ This operation involved scouring lists of suspected protesters and producing reports based on unverified allegations by third parties that the protesters are antisemitic or pro-Hamas.⁷⁸ Under a new expedited process, ICE forwarded these reports to the State Department for deportation without any further vetting. The State Department then revoked protesters’ visas or rendered them removable, also without conducting any meaningful vetting.⁷⁹ The State Department’s review process proceeded with astonishing speed: Khalil was arrested only one day after ICE issued a referral letter to the State Department, while Secretary of State Marco Rubio approved the action memo on Mohsen Mahdawi’s deportation only one day after ICE issued the referral letter.⁸⁰

The first individual to be arrested and detained by ICE under this policy was lawful permanent resident Mahmoud Khalil, a Palestinian born in Syria. On March 8, 2025, Khalil was returning home with his U.S.-citizen wife when he was detained by ICE agents.⁸¹ On March 10, 2025, President Trump

issued a statement on Truth Social touting Khalil's arrest as a blueprint for future government actions. He warned that Khalil's arrest was "the first of many to come," and stated that his administration would not tolerate "students at Columbia and other universities across the country who have engaged in pro-terrorist, anti-Semitic, anti-American activity."⁸² The president promised to "find, apprehend, and deport these terrorist sympathizers from our country."⁸³

While the precise number of students and scholars targeted for deportation because of their pro-Palestinian speech and advocacy is unknown, potentially hundreds have been targeted. On March 27, 2025, Secretary Rubio announced that he had revoked the F-1 student visas of more than 300 noncitizen students who participated in pro-Palestinian activism, stating "Every time I find one of these lunatics I take away their visa...we do it every day."⁸⁴ Though he appears to have walked back this statement following public scrutiny, according to New York Times reporting, nearly 300 international students had their visas revoked in retaliation for their political expression.⁸⁵ On March 28, 2025, Secretary Rubio was asked whether all of the Trump administration's first 300 visa revocations were "related to pro-Palestinian protests," and he responded that most were, explaining, "If you are in this country on a student visa and are a participant in those movements, we have a right to deny your visa."⁸⁶

The Trump administration's arrests and threats to deport students and faculty solely because of their participation in pro-Palestine political protest is blatantly unconstitutional and is chilling student speech and advocacy across campuses, in violation of bedrock principles of international human rights law.

Immigration Enforcement Based on Lawful Pro-Palestinian Advocacy and Protected Speech

The Trump administration has carried out these detentions and deportations pursuant to a viewpoint-discriminatory policy of retaliation

against noncitizens with pro-Palestinian views. The policy is effectuated by abusing immigration law to punish and silence noncitizen students and scholars engaged in pro-Palestinian expression. The government's policy has characterized pro-Palestinian advocacy and speech critical of the Israeli government as antisemitic and "pro-Hamas," without acknowledging that the speech it is targeting is lawful and constitutionally protected.

The Trump administration has claimed it has multiple pathways it believes it can take to deport pro-Palestinian protesters, including (1) revoking the visas or Student and Exchange Visitor Information System (SEVIS) status of students who engage in activities it claims are inconsistent with holding a student visa; (2) revoking the visas of students who endorse or espouse terrorist activity or terrorist organizations; and (3) revoking the visas or green cards of students whose presence or activities in the United States have serious foreign policy consequences. The administration has also attempted to rely on unfounded, pretextual, post-hoc allegations of immigration fraud or misrepresentation.⁸⁷

Based on public statements by Secretary Rubio and trial testimony by State Department and Department of Homeland Security (DHS) officials, the agencies deem a broad spectrum of pro-Palestinian and anti-war statements, including constitutionally protected speech, to be "pro-Hamas" or antisemitic and therefore grounds for visa or green card revocation. In trial testimony, several ICE and State Department officials involved in executing the Trump administration's ideological deportation policy admitted that essentially any criticism of Israel could merit immigration consequences. For instance, senior State Department official John Armstrong testified that statements critical of Israel or U.S. foreign policy with respect to Israel could subject a visa or green card holder to deportation, including statements such as the phrase "From the river to the sea, Palestine will be free," as well as statements calling for an arms embargo on Israel or calling for limiting military aid to Israel.⁸⁸

The Trump administration has explicitly argued that peaceful pro-Palestine advocacy is grounds for detention and deportation. For example, Khalil was never accused of breaking any laws, and the only evidence the government has cited in support of its foreign policy claims is lawful speech about Israel and Palestine. According to a memorandum from Secretary Rubio to then-DHS Secretary Kristi Noem later disclosed via litigation, Secretary Rubio's determination that Khalil is deportable under the foreign policy ground was based on Khalil's participation in "antisemitic protests and disruptive activities" that "undermine U.S. policy to combat anti-Semitism around the world and in the United States."⁸⁹

Similarly, Rümeysa Öztürk, a Turkish national, saw her student visa revoked in retaliation for co-authoring an op-ed in the Tufts University student newspaper addressing the university's response to a student government resolution regarding Gaza. Secretary Rubio said this kind of advocacy was "creating a ruckus" that justified her removal from the country. Unsealed documents and testimony at a trial in an unrelated case revealed that her visa revocation was based on her op-ed, and that the State Department recommended her deportation despite concluding that ICE "has not...provided any evidence showing that Öztürk has engaged in any antisemitic activity or made any public statements indicating support for a terrorist organization or antisemitism generally."⁹⁰

Abuse of the "Foreign Policy Ground" of the Immigration and Nationality Act

In some cases, including the cases of Mahmoud Khalil, Mohsen Mahdawi, Dr. Badar Khan Suri, and Yunseo Chung, the Trump administration has been trying to deport individuals based on the Secretary of State's claim that their presence or activities could have "adverse foreign policy consequences" and would "compromise a compelling foreign policy interest," citing a rarely used provision of the Immigration and Nationality Act (INA).⁹¹ Under the foreign policy provision, a noncitizen

is inadmissible, and therefore deportable, if the secretary of state "has reasonable ground to believe" that their "presence or activities" in the United States would have "potentially serious adverse foreign policy consequences for the United States."⁹² The provision also states that individuals may not be excluded based on "past, current, or expected beliefs, statements, or associations [that] would be lawful in the United States unless the Secretary of State personally determines that the [noncitizen]'s admission would compromise a compelling United States foreign policy interest."⁹³

Until March 2025, the foreign policy provision had never been used to target a lawful permanent resident for their constitutionally protected political speech in the United States. The law's legislative history makes clear that Congress expected this authority to be used sparingly and not merely because an individual might make critical remarks about the United States or its policies.⁹⁴ Congress did not intend this obscure INA provision, which authorizes the government to exclude or remove noncitizens on extraordinary foreign policy grounds, to be used to deport noncitizens for exercising their First Amendment rights.⁹⁵ In fact, the foreign policy ground is almost never invoked. In its court filings, the federal government has identified only four previous instances in which it has been used to remove noncitizens over the past three decades, none of which concerned domestic speech.⁹⁶ In all that time, the law has never been cited to detain or deport any lawful permanent resident for their political beliefs — until it was used against Khalil.

Since then, the Trump administration has used it to argue that it has unlimited discretion to detain and deport any noncitizen whom the federal government considers a foreign policy risk for any reason — and that the federal courts are powerless to undertake timely review its decisions, even if they violate the First Amendment. Under this policy, Secretary Rubio would make determinations that the protesters' presence or activities in the United States would compromise a compelling U.S. foreign policy interest. The Department of Homeland

Security would effectuate these determinations by seeking to deport the protesters and would also further the policy of punishing and censoring the protesters by detaining them. This weaponization of immigration law is part of the Trump administration's clear policy to retaliate against and punish noncitizens for their participation in protests and expression of views concerning Israel's military campaign in Gaza, and to deter future such protests and expression.

Social Media Vetting of Student Visa Holders and Applicants

The Trump administration also significantly expanded its use of social media monitoring as a tool for vetting student visa holders and applicants, raising concern that students may be deported or barred from entering the country for their political speech or views, potentially chilling or punishing protected speech.⁹⁷ As part of the State Department's restart of foreign student visa interviews and processing, applicants are now required to make their social media accounts public for government scrutiny or face potential visa denial.⁹⁸ This surveillance begins when individuals file their visa applications and continues even after applications are granted, throughout a person's time in the United States. If DHS uncovers information it deems suspicious, it may initiate an investigation and take further steps such as in-person questioning, border searches, watchlisting, or visa revocation.

In a cable sent to diplomatic missions on March 25, 2025, Secretary Rubio ordered diplomats overseas to conduct a "mandatory social media check" of student and exchange visitor visa applicants (F, M, and J visas) for "any indications of hostility towards the citizens, culture, government, institutions or founding principles of the United States."⁹⁹ According to the cable, diplomats were to evaluate social media posts created between October 7, 2023 and August 31, 2024, suggesting that the objective was to reject visa applications of students who have criticized the war in Gaza or U.S. military aid to

Israel.¹⁰⁰ In July 2025, a senior State Department official whose office is tasked with vetting students' social media posts and revoking student visas, testified that the State Department regularly took into account speech or actions that it saw as critical of Israel, and that statements criticizing Israel's actions in Gaza, calls for limiting military aid to Israel, or "denouncing Zionism" all could factor into the agency's decisions.¹⁰¹ While the State Department maintains it is targeting those "who pose a threat to U.S. national security," its criteria are in no way limited to national security threats, resulting in scrutiny and potential punishment of constitutionally protected political speech.

Intimidation and Chilling Effect on Free Speech and Association Rights

University students, student organizations, faculty, and university staff have been deterred from speaking and organizing on these issues. Activists are understandably hesitant to engage in political expression criticizing Israel or advocating for Palestinian rights because they have reason to believe the federal government will actively investigate such expression in connection with harassment complaints and investigations.

Following the violent suppression of student protests, demonstrations, and encampments during the 2023–2024 academic year, the fear of similar repression directly led to some protesters' decisions to not reengage in public demonstrations on campus during the ensuing academic year.¹⁰² In the fall 2024 semester, the total number of protest actions dropped by more than 64 percent from the previous semester.¹⁰³ Protest activity continued to decline into spring 2025 and into the following 2025–2026 academic year.¹⁰⁴ This decline was not due to a lack of support for Palestinians: a March 2025 Gallup poll found that sympathy for Palestinians had reached a record high and support for Israel had reached its lowest level in at least 25 years in the United States.¹⁰⁵

The decline in protests was the direct result of crackdowns on protesters, university policies restricting protests, and the Trump administration's attacks on universities. Summer and fall 2024 saw a series of changes to university policies regarding protests; the disciplining of students and faculty, including expulsion and terminations; and the summoning of university presidents before congressional hearings on antisemitism on campus. The Trump administration took more direct action by rescinding federal funding and research grants and threatening and opening civil rights investigations, among other attempts to coerce university administrators to capitulate to the government's demands. These actions led universities to suppress students' and faculties' rights to protest and free speech. The result has been a less visible protest movement on campuses across the country.¹⁰⁶

According to one survey of Middle Eastern studies scholars conducted in early 2025, even before much of the Trump administration's full-scale assault on academia materialized, the University of Maryland's

Critical Issues Poll found the overall environment on campus remains "oppressive and uncertain" as political pressure has increased, leading to rampant self-censorship and an increase in actual censorship. According to the poll, 57 percent say they felt a greater need to self-censor when discussing issues related to Israel and Palestine since President Trump took office, and 84 percent expected campus leadership to be more severe in responding to campus demonstrations. Furthermore, 78 percent of respondents claimed that this has been the worst period, or among the worst periods, of their professional careers when it came to facing pressure over issues related to Israel and Palestine.¹⁰⁷

The Trump administration's targeted attacks on international students and faculty has had a notable chilling effect on student protests and impact on academic freedom.¹⁰⁸ International students and faculty from across the country say they continue to feel afraid to voice opinions or stand out on campus for fear of getting kicked out of the country. Many students stopped attending classes or events on campus.¹⁰⁹ Some noncitizen students and faculty



Photo: Ben Von Klemperer

Pro-Palestinian demonstrators rally outside the Columbia University campus on April 30, 2024.

stopped attending public protests or withdrew from campus groups that engage in political advocacy. Others declined opportunities to publish commentary and scholarship, stopped contributing to classroom discussions, or deleted past work from online databases and websites. Many now hesitate to address political issues on social media, or even in private texts, out of fear that they might be arrested and deported for lawful expression and association.¹¹⁰

The Path Forward

The Supreme Court has forcefully rejected the premise that, “because of the acknowledged need for order, First Amendment protections should apply with less force on college campuses than in the community at large.”¹¹¹ “Quite to the contrary,” the court stated, “the vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.”¹¹²

Colleges and universities are supposed to encourage robust debate and difficult discussions — not threaten, punish, or arrest students for engaging in political advocacy. Instead of crushing speech and advocacy, schools should be exploring ways to help campus communities navigate conflict, foster dialogue and inquiry, and support — not suppress — students who engage in political expression and controversial debates. As colleges contend with the challenge of managing rising campus tensions while keeping students safe, it is essential that university leaders remain steadfast in their commitment to free speech, open debate, and peaceful dissent on campus.

Universities and colleges must take all possible measures to ensure that their campuses are spaces where students may exercise their rights without fear or intimidation. Universities and colleges must enforce university rules in a neutral and nondiscriminatory manner. They should ensure students are not punished for simply exercising their right to peacefully protest. University policies and procedures should also be applied fairly and neutrally to all students, faculty, and staff, with no

viewpoint discrimination or political influence, and punishments must be necessary and proportionate to the violation.

We urge universities and colleges not to resort to police action to suppress student expression. Bringing more law enforcement onto campuses would limit student speech, increase campus tensions, and put students closer to police and into dangerous situations that could impact the rest of their lives. Instead, universities and colleges should fulfill their human rights responsibilities by facilitating protests and ensuring that all students’ rights to freedom of expression and peaceful assembly, regardless of viewpoint, are respected.

Adopting overly broad Title VI and other antidiscrimination policies that suppress protected political speech broadly defined as antisemitism will stifle campus speech and threaten academic freedom. All students deserve equal access to education — free from harassment and discrimination on campus. Schools have a responsibility to address discrimination and harassment wherever it occurs. But the experience of our country’s universities during the McCarthy era demonstrates that ideologically motivated efforts to police speech on campus destroy the foundation on which academic communities are built. A college or university, whether public or private, cannot fulfill its mission as a forum for vigorous debate if its leaders initiate baseless investigations into those who express disfavored or even loathsome views. Such investigations chill speech, foster an atmosphere of mutual suspicion, and betray the spirit of free inquiry, which is based on the power to persuade rather than the power to punish.

The Trump administration must cease its relentless attacks on universities and their students, faculty, and staff. The federal government cannot mandate expulsion of students or use its regulatory power to threaten funding cuts to coerce universities to prohibit or punish speech they could lawfully allow (in the case of private universities) or must allow (in the case of constitutionally protected speech

at public universities). While the administration can enforce Title VI to ensure a learning environment is free from harassment, it cannot force universities to adopt restrictive speech codes that silence the viewpoints the government disfavors.

Schools should resist the pressures placed on them by politicians seeking to exploit campus tensions to advance partisan agendas. Universities must stand up to such intimidation and defend the principles of academic freedom so essential to their integrity and mission. We urge universities and college administrators to resist the temptation to silence students or faculty members because powerful voices deem their views offensive. Instead, we urge them to defend the university's core mission of encouraging debate, fostering free-flowing inquiry, and preparing the future leaders of our pluralistic society to tolerate even profound differences of opinion.

Key Recommendations

To Universities and Colleges

- Ensure that campus policies on political speech and protest are viewpoint-neutral
- Uphold free speech protections for all students and scholars, regardless of nationality, ethnicity, and race.
- Enforce university rules in a neutral and nondiscriminatory manner and ensure students are not punished for engaging in lawful speech or expressive conduct.
 - University policies and procedures must be applied fairly and neutrally to all students, faculty, and staff, with no viewpoint discrimination or political influence.
 - Punishments must be proportionate to the violation.
- Recognize the importance of giving breathing space to the importance of free expression when interpreting any alleged rule violations, to ensure no student is disciplined or threatened with discipline on the basis of engaging in lawful protest activity.
- Universities should not use their policies to deprive students of their due process rights or to punish them for engaging in lawful speech or expressive conduct. Public universities may not punish students for engaging in constitutionally protected speech.
- Ensure that students have ample channels for expression on campus.
 - Universities and colleges should allow students to demonstrate in many areas of campus, especially in outdoor, high-traffic locations.
 - If a school continues to impose some time restrictions on demonstrations, it should narrowly limit these restrictions such that demonstrations are allowed during a broad range of time that spans morning, afternoon, and evening hours.
 - Universities and colleges should not unduly restrict the modes of expression available to students.
 - Protect students' ability to spontaneously protest in response to unanticipated events, when speech is often the most essential.
- Ensure that law enforcement is used only as a measure of last resort.
- Refrain from adopting policies against discrimination and harassment that rely on overly broad and vague definitions, including definitions of antisemitism, and have the effect of prohibiting protected political speech or silencing lawful political speech.
- Craft and implement anti-discrimination policies that prevent student discrimination and harassment and that appropriately balance principles of academic freedom, free speech, and educational equality.

- Protect the privacy of all students, including immigrant and international students, and resist unlawful government requests for personal information.
- Reject any federal pressure to surveil or punish noncitizen students and faculty for their lawful speech.
- Resist White House and federal agency demands that undermine academic freedom and students' and faculty's civil and human rights.

To the Trump Administration

- The Secretary of State and Department of Homeland Security must cease targeting noncitizens for exercising their constitutional right to free speech through arbitrary and discriminatory revocations of F-1 student visas and J-1 exchange visitor visas and by removal proceedings invoking Section 237(a)(3)(C) (i), known as the foreign policy ground, of the Immigration and Nationality Act (INA). End all pending removal proceedings against students and faculty targeted in retaliation for their lawful advocacy in support of Palestinian rights.
- Stop weaponizing Title VI to threaten funding cuts to punish lawful speech on campus; to coerce universities into allowing expression only of the federal government's preferred views; and to impose ideological requirements on universities and colleges, and their professors and students.
- Rescind executive orders, including Executive Orders 14188 and 13899, and federal agency rules or policies codifying the use of the overly broad and vague International Holocaust Remembrance Alliance (IHRA) definition of antisemitism and similar definitions. Federal agencies, including the Department of Education, the Department of Justice, and the Equal Employment Opportunity Commission, should cease using this definition for enforcing civil rights laws and should not rely on or refer to IHRA in their rulemaking, policy guidance, or enforcement decisions.
- The Department of Education Office for Civil Rights (OCR) should take steps to ensure that investigations and enforcement actions do not chill or encroach on the exercise of free expression by students or other members of educational communities.

To Congress

- Pass the Land of the Free Act (H.R. 4959), which would repeal Section 237(a)(4)(C) of the Immigration and Nationality Act (INA).¹¹³ This existing provision grants the Secretary of State the authority to designate for deportation visa-holders and lawful permanent residents whose presence in the United States would have “potentially serious adverse foreign policy consequences for the United States” and has been abused to arbitrarily target noncitizens for exercising their constitutional rights to free speech.
- Vote no on the misleadingly titled “Protect Economic and Academic Freedom Act of 2026,” if it is introduced in the Senate or re-introduced in the House next Congress. This legislation would prevent colleges and universities from receiving federal student aid if these institutions boycott Israel.
- Oppose the Antisemitism Awareness Act (S. 558/H.R. 1007) or any legislation that directs the government to adopt an overly broad definition of antisemitism that includes political speech critical of the Israeli government, including the International Holocaust Remembrance Alliance (IHRA)'s definition of antisemitism.

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92 8 U.S.C. §§ 1182 (a)(3)(C)(i), 1227(a)(4)(C)(i).

93 8 U.S.C. §§ 1182 (a)(3)(C)(iii), 1227 (a)(4)(C)(ii).

94 8 U.S.C. § 1182, Inadmissible Aliens, <https://www.law.cornell.edu/uscode/text/8/1182>; S. Rep. No. 100-75 at 11, 100th Cong., 1st Sess. (1987) (“For many years, the United States has embarrassed itself by excluding prominent foreigners from visiting the United States solely because of their political beliefs.” Therefore, in the parallel provision regarding admissibility, Congress amended the INA “to take away the executive branch’s authority to deny visas to foreigners solely because of the foreigner’s political beliefs or because of his anticipated speech in the United States.”); H.R. Conf. Rep. No. 101-955, 101st Cong., 2nd Sess. (1990) (the exception is to be interpreted “as a significantly higher standard than the general potential for serious adverse foreign policy consequences,” is meant to “be used only in unusual circumstances,” and should be invoked “sparingly and not merely because there is a likelihood that an alien will make critical remarks about the United States or its policies.”).

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