



Frequently Asked Questions: Latest TPS Developments for Venezuela and Haiti

Oct. 8, 2025

On Jan. 17, 2025, the Biden administration [extended](#) Temporary Protected Status (TPS) for Venezuelans who were subject to that 2023 designation until Oct. 2, 2026. On Feb. 3, 2025, under the Trump administration, the Department of Homeland Security (DHS) published a [notice](#) in the Federal Register (FRN) vacating the extension of the 2023 designation. On Feb. 5, 2025, DHS then published a [notice](#) in the FRN terminating the 2023 designation of Venezuela for TPS. A [lawsuit](#) challenging the Trump administration's actions is pending in federal district court.

The National TPS Alliance and other plaintiffs in this case and in other lawsuits have also asked the courts to postpone implementation of separate DHS decisions to shorten the TPS designation period for Haiti and to terminate the TPS designation for Haiti.

On Sept. 3, 2025, DHS [announced](#) that it would also terminate the 2021 designation of Venezuela for TPS.

This FAQ addresses commonly asked questions regarding TPS for Venezuelans and Haitians.

What is the current status of the TPS designation for Venezuela?

On Sept. 5, 2025, Judge Chen issued a [final judgment](#) in *NTPSA v. Noem*, No. 3:25-cv-01766 (N.D. Cal.) finding that the Venezuela vacatur, the Venezuela 2023 termination, and the Haiti partial vacatur were unlawful and ordered that each of those agency actions be set aside. The Ninth Circuit affirmed this order and the government is appealing.

On Oct. 3, 2025, the Supreme Court [granted](#) the government's appeal of the district court order. This means that although litigation will continue, 2023 Venezuelan TPS beneficiaries will lose their status immediately.

Venezuelans granted TPS under the 2021 designation will be retain their TPS status and employment authorization through Nov. 7, 2025, when the termination for this designation takes effect.

A small population of people who re-registered under the Jan. 17, 2025, FRN and received an approval or a new EAD before Feb. 5, 2025, will retain their TPS status and employment authorization through Oct. 2, 2026.

Are Venezuelan TPS holders covered by an automatic Employment Authorization Document (EAD) extension?

Venezuela 2021:

Those who registered under the 2021 designation continue to be employment-authorized during the 60-day transition period announced with the termination of the designation.

DHS automatically extends the validity of certain EADs previously issued under the 2021 TPS designation of Venezuela through Nov. 7, 2025. Therefore, as proof of continued employment authorization through Nov. 7, 2025, TPS beneficiaries can show their EADs that have the notation A-12 or C-19 under Category and a “Card Expires” dates of Sept. 9, 2022; March 10, 2024; or Sept. 10, 2025.

Venezuela 2023 and 2021:

A small group of TPS recipients may retain TPS through Oct. 2, 2026. This group includes Venezuelan TPS holders who received an EAD or TPS approval notice on or before Feb. 5, 2025, with a ‘Card Expires’ date of Oct. 2, 2026. They will maintain work authorization until Oct 2, 2026.

What is the status of the TPS designation for Haiti?

On Feb. 20, 2025, Secretary of Homeland Security Kristi Noem partially vacated the July 1, 2024, [notice](#) that extended and redesignated Haiti for TPS. The announcement shortened the period of extension and redesignation of Haiti for TPS from 18 months to 12 months, with a new end date of Aug. 3, 2025. The [notice](#) also changed the initial registration period for new applicants under the redesignation to Aug. 3, 2025.

The re-registration period for those who previously held TPS closed on Aug. 30, 2024.

On July 1, 2025, a federal district judge in New York [ruled](#) that DHS Secretary Noem’s February decision to vacate the 2024 extension of Haiti TPS from 18 months to 12 months exceeded her authority. Pursuant to this court order, the Haiti TPS designation remains valid through Feb. 3, 2026.

USCIS has updated its [TPS page](#) to confirm the Feb. 3, 2026, expiration date is again being implemented.

Can my client travel with advance parole?

Individuals who have valid TPS may still apply for and travel with advance authorization. However, we urge those who are interested in traveling to be cautious. Advise clients of the potential for increased travel risks in the current climate. Some practitioners have reported that clients have been denied reentry despite having a valid Form I-512T, Authorization for Travel by a Noncitizen to the United States. Practitioners should monitor for further developments.

Should my client be concerned about being placed in removal proceedings?

Valid TPS provides protection from removal. However, if an individual's TPS is withdrawn, he or she could then be subject to removal proceedings. According to 8 CFR § 244.14, USCIS may withdraw the status of someone granted TPS if the agency determines that the individual: (1) was not eligible for TPS at the time it was granted or later becomes ineligible for TPS; (2) has not remained continuously physically present in the United States since being granted TPS; or (3) failed to reregister timely and lacked good cause.