



## Fact Sheet: Temporary Protected Status for Haiti

*Updated on and current as of July 28, 2025. This is not legal advice.*

Through the [Federal Register notice](#) on July 1, 2025, the Department of Homeland Security (DHS) announced the termination of Temporary Protected Status (TPS) for Haiti. The designation of Haiti is set to expire on August 3, 2025. The July 1, 2025 termination notice was set to go into effect on September 2, 2025, however, this termination date was blocked by a recent court case. On July 15, 2025, a judge in the U.S. District Court for the Eastern District of New York issued a final judgement in *Haitian Evangelical Clergy Ass'n v. Trump*, No. 25-cv-1464 (E.D.N.Y.), that makes the **effective date of any termination no earlier than February 3, 2026**. Information about this change can be found in the [USCIS](#) alert. Please note that USCIS disagrees with this court decision and has said that they will fight the ruling. Please continue to come back to the ILCM factsheet page, FRN, and USCIS website to check for updates.

### What is temporary protected status (TPS)?

TPS is granted by the Secretary of the Department of Homeland Security (DHS) to eligible foreign-born individuals who are unable to return home safely due to conditions or circumstances preventing their return to their home country.

During the designated TPS period, TPS holders are not removable from the United States and not detainable by DHS based on their immigration status. TPS holders are eligible for an employment authorization document (EAD), and eligible for travel authorization.

### What does the termination of TPS for Haiti mean?

In July 2024, Secretary of DHS, Mayorkas, announced the 18-month redesignation and extension of TPS for Haiti, which was set to expire on February 3, 2026. In February of 2025, the new Secretary of Homeland Security, Kristi Noem, decided to partially vacate Mayorkas' decision. The designation and extension of Haiti for TPS was changed to expire on August 3, 2025. On July 1, 2025, Kristi Noem announced that Haiti as a TPS designation will be terminated. From the notice of termination on July 1, 2025, there was announced to be a 60-day transition period until the termination would go into effect on September 2, 2025. However, on July 15<sup>th</sup>, the September 2, 2025, termination date was blocked by the *Haitian Evangelical Clergy Ass'n v. Trump*, No. 25-cv-1464 (E.D.N.Y.) court ruling, which stated that the termination of Haiti for TPS cannot go into effect earlier than February 3, 2026. The current termination date of TPS for Haiti is February 3, 2026. After February 3, 2026, people who hold TPS and are a Haitian national (or people having no nationality who last habitually resided in Haiti) will no longer have protection under TPS.

### How do I apply for TPS?

People interested in TPS must file an application with U.S. Citizenship and Immigration Services and pay the filing fee. They may also apply for an EAD and for travel authorization. All individuals applying for TPS undergo security and background checks as part of determining eligibility.

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Please note: The registration period for TPS for Haiti ends August 3, 2025. After August 3, 2025, you can no longer apply for TPS for Haiti.

The current termination date for TPS for Haiti is February 3, 2025. Anyone who holds TPS for Haiti after this date will no longer have TPS.

### **Is TPS status given automatically?**

No, TPS is not automatic. People must apply, pay a filing fee, and pass immigration screening. There are some facts that will make a person ineligible for TPS. For example, people with certain criminal convictions or who violated the human rights of others are not eligible for TPS. People who are inadmissible under certain sections of the law may have to file a waiver before they can be approved for TPS status. The application process can be complicated, and we recommend working with an immigration attorney. Please note, DHS is not accepting applications for Haiti after August 3, 2025, and as of now, Haiti as a TPS designation will be effectively terminated after February 3, 2025.

### **How long will eligible people have protection under TPS?**

TPS is a temporary status. The recent court case *Haitian Evangelical Clergy Ass'n v. Trump*, No. 25-cv-1464 (E.D.N.Y.) blocked the termination date of September 2, 2025, that was previously announced by The Secretary of Homeland Security, Katie Noem. The case ruled that TPS for Haiti cannot be terminated earlier than **February 3, 2026**. Currently, after February 3, 2026, people who hold TPS and are a Haitian national (or people having no nationality who last habitually resided in Haiti), will no longer have protection under TPS.

### **I am from Haiti and currently have TPS. Can I re-register?**

Maybe. Talk to an immigration attorney to further discuss your specific situation. Regardless, the registration period for TPS for Haiti ends August 3, 2025.

### **I am from Haiti and do not have TPS. Can I apply?**

Maybe. If you have continuously resided in the United States as of June 3, 2024, and you are otherwise eligible, you may register for TPS during the registration period for first-time applicants, which ends August 3, 2025. Talk to an immigration attorney to further discuss your specific situation.

### **Does TPS Status provide a path to permanent residency?**

No, TPS does not provide a path to lawful permanent resident status. However, some TPS holders may be independently eligible to adjust status through a family-based, employment-based, or other legal avenue. Please consult with an immigration lawyer regarding this issue.

### **Get Help**

The Immigrant Law Center of Minnesota (ILCM) provides free immigration legal services to low-income immigrants in a variety of immigration matters. For more information about how we can assist you, please visit our website at [www.ilcm.org](http://www.ilcm.org) or call us at (651) 641-1011.