

DHS Announces Termination of Temporary Protected Status (TPS) for Haiti

Prepared by Jill Marie Bussey and Michelle Louis

BACKGROUND

On November 28, 2025, the Department of Homeland Security (DHS) Secretary Kristi Noem [terminated](#) Temporary Protected Status (TPS) for Haiti. In its announcement, DHS indicated the Secretary had reviewed conditions in Haiti and concluded that the country no longer qualifies for TPS. The DHS analysis concluded that continued protected status for Haitian nationals “is inconsistent with U.S. national interests.” Due to a court order from a federal district judge, the current TPS designation will end on February 3, 2026. The termination will affect around 330,000 nationals from Haiti. This means that, starting February 3, 2026, Haitian nationals who currently have TPS will lose that protection and their respective work authorization. If they do not have any other pending forms of relief, Haitian nationals affected by the termination will be at risk of being deported back to Haiti.

TPS for Haiti was initially designated in 2011 following the 2010 earthquakes. DHS cited violence, insecurity, and limited access to safety, health care, food, and water stemming from ongoing gang violence as the basis for the decision. TPS is a temporary immigration status that protects from deportation and eligibility for work authorization for certain, eligible nationals of the designated country. Individuals registered for TPS and applied for work authorization to receive benefits. If TPS was granted, the beneficiary could also seek a TPS travel authorization document which was used for travel abroad.

Earlier in 2025, the administration attempted to end Haiti’s TPS by issuing a “**partial vacatur**” that shortened the existing extension and set an early end date. DHS then announced a full termination of Haiti’s TPS designation, asserting that Haiti no longer qualified for TPS. Multiple lawsuits were filed by Haitian TPS holders and advocacy groups challenging the Secretary’s authority to cut short an already-issued TPS extension. In July, a federal court issued a nationwide injunction, holding that DHS lacked authority to partially vacate a TPS designation once granted. That ruling restored TPS protections through February 3, 2026.

OTHER IMPORTANT THINGS TO CONSIDER

1. Individuals who currently have TPS and have a well-founded fear of persecution or have faced persecution in Haiti should consider applying for asylum, if eligible.
2. If your TPS status ends and you have not found any other forms of protection, you will begin to accrue “unlawful presence.” Unlawful presence in the country can trigger automatic bars to re-entering the U.S. and may make you ineligible for immigration benefits unless a waiver or exception applies.

Note: We strongly recommend consulting with a qualified immigration legal services provider when considering immigration benefits applications. A listing of non-profit immigration legal service providers can be found at www.immigrationadvocates.org/legaldirectory/