



Supreme Court Allows DHS to End TPS for Venezuelans

Key Takeaways

- The Supreme Court’s ruling has lifted immediate protections for about 350,000 Venezuelans previously covered under TPS.
- The 2021 TPS designation has been terminated, with a temporary work authorization extension through November 7, 2025.
- The 2023 TPS designation is terminated, putting former-TPS holders at risk of DHS enforcement actions while the litigation continues.
- Litigation is ongoing, so further updates are possible.

On October 3, the Supreme Court cleared the way for the Trump administration to end [Temporary Protected Status](#) (TPS) for more than 300,000 Venezuelan noncitizens. In a [brief order](#), the Court paused a lower court ruling that had blocked Homeland Security Secretary Kristi Noem from terminating the program. That lower court had found the Department of Homeland Security (DHS) acted unlawfully in ending TPS, which allows eligible Venezuelans to live and work in the U.S. without fear of deportation. The Supreme Court’s order now permits the administration to move forward with ending these protections. Justices Kagan, Sotomayor, and Jackson dissented.

Without TPS protection, affected Venezuelans may be at risk of deportation. However, they may be eligible for other avenues to lawfully remain in the United States. Contact a qualified immigration attorney to discuss your options.

Summary Chart: Venezuela TPS (as of October 2025)

TPS Designation	Status	What Happened	Current Work Authorization	Next Steps for TPS holders
2023	Terminated (Supreme Court lifted lower court protection)	On Oct. 3, 2025, the Supreme Court allowed the Trump administration to end the 2023 TPS designation. The case (<i>Noem et al. v. National TPS Alliance</i>) returns to the lower courts for further litigation.	TPS terminated as of early April 2025. Work authorization based on this designation is no longer valid, unless you renewed your TPS under the previous (now-vacated) January 17, 2025, Extension	Consult with a GYH immigration attorney immediately to explore other legal options (e.g. asylum, adjustment, or other relief). Watch for future court updates or

			of the 2023 Designation.	possible new DHS announcements.
2021	Terminated with short transition period	DHS confirmed in a Sept. 2025 Federal Register notice that the 2021 designation would terminate on Sept. 10, 2025. However, DHS granted a 60-day transition period through Nov. 7, 2025 for current beneficiaries.	TPS 2021 terminated Sept. 10, 2025. However, DHS granted a 60-day transition period through Nov. 7, 2025 for current beneficiaries. If you renewed your TPS under the previous (now-vacated) January 17, 2025, Extension of the 2023 Designation, please see below.	Use this short window to speak with a GYH immigration attorney to explore other legal options (e.g. asylum, adjustment, or other relief). Ensure your employer knows your work authorization remains valid until Nov. 7, 2025, if applicable. Prepare for possible loss of status after that date, if applicable.
Either 2021 or 2023 designation and renewed TPS under the previous (now-vacated) January 17, 2025, Extension of the 2023 Designation		The U.S. District Court for the Northern District of California's order dated May 30, 2025 offers you certain protections.	If you received TPS-related employment authorization documents (EADs), Forms I-797, Notices of Action, and Forms I-94 issued with October 2, 2026, expiration dates on or before February 5, 2025, you will maintain work authorization <u>and your documentation will remain valid</u> until October 2, 2026. If you re-registered under the previously vacated	Ensure your employer knows your work authorization remains valid, if applicable. If your EAD renewal remains pending, you may show: 1) Your TPS-related EAD with a Sept. 10, 2025 or April 2, 2025 expiration date; and 2) Your Receipt Notice for your Form I-765, Application for Employment Authorization, with

			Jan. 17, 2025 Extension of the 2023 Designation of Venezuela, and were issued a Form I-94 with an October 2, 2026 expiration date on or before Feb. 5, 2025, and you have a pending EAD renewal application that was received before Feb. 6, 2025, that notice automatically extends the validity of your EAD with an original expiration date of Sept. 10, 2025 or April 2, 2025 for up to 540 days.	a Received Date before Feb. 6, 2025.
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What should I do if I am a Venezuelan TPS holder?

1. Check if your EAD is still valid.
2. If so, keep a copy of the Federal Register notice confirming your extension with your EAD. Give your employer proof of continued work authorization.
3. Monitor USCIS's page about [TPS for Venezuela](#) to stay informed of policy and litigation-related changes.
4. Even if your EAD is automatically extended, you can apply for a renewal if:
5. You want a card showing the **new expiration date** (e.g., Oct. 2, 2026)
6. You're concerned about **employer verification issues** with the old date
7. [Consult](#) with a GYH Attorney to understand your options.

**Disclaimer: This information is presented for the purposes of general education and does not constitute legal advice.*