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ALERT

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**Possible Extension of TPS Status for Haitians until February 3, 2026
and New E-Verify Status Report**

A federal judge in the Eastern District of New York has ruled on a motion for partial summary judgment that the Department of Homeland Security does not have authority to terminate TPS status for Haitians before February 3, 2026. Memorandum Decision and Order to Show Cause, Haitian Evangelical Clergy Association v. Trump, Case No. 1:25-cv-01464-BMC (July 1, 2025).

In February 2025, the Department of Homeland Security shortened the period of TPS status for Haitians from February 3, 2026, to August 3, 2025. Subsequently the Department of Homeland Security terminated the status for Haitians effective September 3, 2025.

There is an issue about whether the federal judge has authority to review the decision of the Department of Homeland Security. We expect the Trump Administration to appeal this decision.

We will continue to monitor this situation and report any new developments.

Also, on June 20, 2025, E-Verify began providing a new status report to alert employers to the revocation of employment authorization for those workers who have parole status under one of the parole programs that the Biden Administration created for Cubans, Haitians, Nicaraguans and Venezuelans. If the employer has direct access to E-Verify, the employer can find the new status report in the Report tab. If the employer uses an agent for E-Verify confirmation, the employer should ask the agent to provide the new status report to the employer. Employers who have been notified of the revocation of employment authorization should investigate whether the affected employee has new work authorization in another status and, if not, terminate the employee. The report states that any re-verifications must be accomplished within “a reasonable period of time.”

Questions? Need more information? Call Jim Hughes at (404) 365-0900.

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