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Understanding Temporary Protected Status and Changes by the New Administration

Temporary Protected Status (TPS) is an immigration benefit granted to individuals from specific countries experiencing severe humanitarian crises such as natural disasters, armed conflicts, or epidemics. TPS allows these individuals to live and work in the United States without the threat of deportation while conditions in their home country remain unsafe. The Secretary of Homeland Security decides whether to extend or terminate a country's TPS designation at least 60 days before it expires, depending on country conditions.

The challenge for employers is that individuals granted TPS may be work authorized even with an expired employment authorization document (EAD), which may complicate Form I-9 completion. DHS may grant automatic extensions to TPS-related EAD cards (category code A12 or C19), meaning that the expiration on the EAD card may not reflect the accurate work authorization expiration date.

A new administration and a new approach to TPS

DHS recently vacated the 2023 TPS designation for Venezuela, which means that the work authorization for some Venezuelans with TPS will terminate on April 7, 2025. However, there is also a separate 2021 TPS designation for Venezuela that was not terminated, and as a result, some Venezuelan TPS employees have work authorization until March 10, 2025 or September 10, 2025. It is expected that DHS will elect not to renew or vacate TPS designation for other countries in the coming months.

Understanding TPS work authorization documentation for Form I-9

The chart below contains information to help employers understand their employees' work authorization expiration dates and the typical documentation that employees who have been granted TPS would provide to satisfy the Form I-9 requirements. Recent updates are highlighted in yellow.

Country	EAD Card Expiration Date	Current Work Authorization Until Date	Documentation to Show Continued Work Authorization for I-9*
Venezuela (2021 TPS Designation)	Mar. 10, 2024, or Sep. 9, 2022	Mar. 10, 2025	TPS-related EAD card (category code A12 or C19) with a Mar. 10, 2024, or Sep. 9, 2022, expiration date; and A copy of the Federal Register notice announcing the automatic extension. **Note USCIS may issue some of these TPS employees a new EAD card with an expiration date of September 10, 2025, but the new EAD card must be produced. This is not an automatic extension.
Venezuela (2023 TPS Designation)	Apr. 2, 2025	Apr. 7, 2025	TPS-related EAD (category code A12 or C19) with an Apr. 2, 2025, expiration date. **No extensions will be granted at this time.
Afghanistan	May 20, 2025	May 20, 2025	TPS-related EAD (category code A12 or C19) with May 20, 2025 expiration date.

Burma (Myanmar)	May 25, 2024, or Nov. 25, 2022	May 25, 2025	TPS-related EAD (category code A12 or C19) with a May 25, 2024, or Nov. 25, 2022 EAD expiration date listed. A copy of the Federal Register notice announcing the automatic extension. **Note USCIS may issue these TPS employees a new EAD card with an expiration date of Nov. 25, 2025, but the new EAD card must be produced showing this expiration date. Otherwise, the expiration date is May 25, 2025.
Cameroon	June 7, 2025	June 7, 2025	TPS-related EAD (category code A12 or C19) with June 7, 2025 expiration date.
Ethiopia	June 12, 2024	June 12, 2025	TPS-related EAD (category code A12 or C19) with a June 12, 2024 expiration date listed. A copy of the Federal Register notice announcing the automatic extension. **Note USCIS may issue these TPS employees a new EAD card with an expiration date of Dec. 12, 2025, but the new EAD card must be produced showing this expiration date. Otherwise, the expiration date is

			June 12, 2025.
El Salvador	Mar. 9, 2018; Sep. 9, 2019; Jan. 2, 2020; Jan. 4, 2021; Oct. 4, 2021; Dec. 31, 2022; June 30, 2024; or Mar. 9, 2025	Mar. 9, 2026	TPS-related EAD (category code A12 or C19) with any of the EAD expiration dates listed. A copy of the Federal Register notice announcing the automatic extension.
Haiti	July 22, 2017; Jan. 22, 2018; July 22, 2019; Jan. 4, 2021; Oct. 4, 2021; Dec. 31, 2022; Feb. 3, 2023; June 30, 2024; or Aug. 3, 2024	Aug. 3, 2025	TPS-related EAD (category code A12 or C19) with any of the EAD expiration dates listed. A copy of the Federal Register notice announcing the automatic extension.
Honduras	Jan. 5, 2018; July 5, 2018;	Mar. 9, 2025	TPS-related EAD (category code A12 or C19) with any of the EAD expiration dates listed.

	Jan. 5, 2020; Jan. 4, 2021; Oct. 4, 2021; Dec. 31, 2022; or June 30, 2024		Notification from USCIS titled “NOTICE OF CONTINUED EVIDENCE OF WORK AUTHORIZATION” or I-797 Receipt Notice for EAD card in A12 or C19 category.
Lebanon	May 27, 2026	May 27, 2026	TPS-related EAD (category code A12 or C19) with May 27, 2026 expiration date listed.
Nicaragua	Jan. 5, 2018; Jan. 5, 2019; Apr. 2, 2019; Jan. 2, 2020; Jan. 4, 2021; Oct. 4, 2021; Dec 31, 2022; or June 30, 2024	Mar. 9, 2025	TPS-related EAD (category code A12 or C19) with any of the EAD expiration dates listed. Notification from USCIS titled “NOTICE OF CONTINUED EVIDENCE OF WORK AUTHORIZATION” or I-797 Receipt Notice for EAD card in A12 or C19 category.
Nepal	June 24, 2018; June 24, 2019; Mar. 24, 2020; Jan. 4, 2021; Oct. 4, 2021;	Mar. 9, 2025	TPS-related EAD (category code A12 or C19) with any of the EAD expiration dates listed. Notification from USCIS titled “NOTICE OF CONTINUED

	Dec. 31, 2022; or June 30, 2024		EVIDENCE OF WORK AUTHORIZATION” or I-797 Receipt Notice for EAD card in A12 or C19 category.
Somalia	Sep. 17, 2024, or Mar. 17, 2023	Sep. 17, 2025	TPS-related EAD with a Sep. 17, 2024, or Mar. 17, 2023, expiration date; and A copy of the Federal Register notice announcing the automatic extension.
South Sudan	May 3, 2025	May 3, 2025	TPS-related EAD (category code A12 or C19) with an EAD expiration of May 3, 2025.
Sudan	Nov. 2, 2017; Nov. 2, 2018; Apr. 2, 2019; Jan. 2, 2020; Jan. 4, 2021; Oct. 4, 2021; Dec. 31, 2022; June 30, 2024; or Apr. 19, 2025	Apr. 19, 2026	TPS-related EAD (category code A12 or C19) with any of the EAD expiration dates listed. Notification from USCIS titled “NOTICE OF CONTINUED EVIDENCE OF WORK AUTHORIZATION” or I-797 Receipt Notice for EAD card in A12 or C19 category or a copy of the Federal Register notice announcing the automatic extension. **Note USCIS may issue these TPS employees a new EAD card with an

			expiration date of Oct. 19, 2026, but the new EAD card must be produced showing this expiration date. Otherwise, the expiration date is Apr. 19, 2026,
Syria	Mar. 31, 2024, Sep. 30, 2022, or Mar. 31, 2021	Mar. 31, 2025	TPS-related EAD (category code A12 or C19) with a Mar. 31, 2024, Sep. 30, 2022; or Mar. 31, 2021 expiration date; and A copy of the Federal Register notice announcing the automatic extension. **Note USCIS may issue these TPS employees a new EAD card with an expiration date of Sep. 30, 2025, but the new EAD card must be produced showing this expiration date. Otherwise, the expiration date is Mar. 31, 2025.
Ukraine	Apr. 19, 2025, or Oct. 19, 2023	Apr. 19, 2026	TPS-related EAD (category code A12 or C19) with an Apr. 19, 2025, or Oct. 19, 2023 expiration date. A copy of the Federal Register notice announcing the automatic extension. **Note USCIS may issue these TPS employees a new EAD card with an expiration date of Oct. 19, 2026, but the new EAD card must be produced showing this expiration date.

			Otherwise, the expiration date is Apr. 19, 2026.
Yemen	Sep. 3, 2024, or Mar. 3, 2023	Sep. 3, 2025	TPS-related EAD (category code A12 or C19) with a Sep. 3, 2024, or Mar. 3, 2023, expiration date; and A copy of the Federal Register notice announcing the automatic extension. **Note USCIS may issue these TPS employees a new EAD card with an expiration date of Mar. 3, 2026, but the new EAD card must be produced showing this expiration date. Otherwise, the expiration date is Sep. 3, 2025.

*Please note that for purposes of Form I-9 completion, employees may provide any combination of documentation to demonstrate identity and work authorization from the List of Acceptable Documents attached to Form I-9. Employees who have been granted TPS should be afforded the opportunity to produce other types of documentation that meet the Form I-9 requirements.

Husch Blackwell's Business Immigration and Global Mobility team offers a Resource Center with insights to help employers navigate the evolving immigration policy landscape.