

DHS Extends Temporary Protected Status Designation for Six Countries

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The Department of Homeland Security (DHS) has announced that it will automatically [extend the validity of temporary protected status](#) (TPS) documents and work authorization for qualified beneficiaries from [El Salvador, Haiti, Nicaragua, Sudan, Honduras and Nepal](#). The secretary of homeland security may designate a foreign country for TPS due to conditions in the country that temporarily prevent people from returning safely or, in certain circumstances, where the country is unable to handle the return of its nationals adequately. Pursuant to the DHS extension, TPS holders from the six countries are allowed to remain in the United States and continue to work through January 4, 2021 (assuming the beneficiaries continue to meet eligibility requirements for the program).

DHS is required to extend the validity of the TPS-related documents (including employment authorization documents, Form I-797, Notice of Action, and Form I-94 Arrival/Departure Record) in compliance with [preliminary injunctions](#) issued by the U.S. District Court for the Northern District of California and the U.S. District Court for the Eastern District of New York.

The lawsuits were filed in an effort to stop the Trump administration from ending the TPS program. Due to the critical nature of the action, injunctions were granted enjoining the administration from terminating TPS while the cases were pending.

If the administration is ultimately allowed to terminate TPS, the termination date for each country would be determined as follows:

- 120 days from the date of the court's decision for beneficiaries from Haiti, Honduras, Nepal, Nicaragua, and Sudan
- 365 days from the date of the court's decision for beneficiaries from El Salvador

Employers may consult the [Federal Register](#) for details about how to comply with Form I-9 verification requirements.

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