

Why Certain TPS Beneficiaries Need to Request Form I-797 Despite EAD Automatic Extension

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On June 20, 2024, USCIS [announced](#) the automatic extension until March 9, 2025, of Employment Authorization Documents (EADs) issued to certain Temporary Protected Status (TPS) beneficiaries from El Salvador, Honduras, Nepal, Nicaragua, and Sudan. To implement the automatic extension, USCIS indicated that it is issuing Form I-797, Notices of Action, to all eligible beneficiaries. Individuals covered by the automatic extension can present the I-797 along with the expired EAD (with Codes A12 or C19) as proof of eligibility to work until March 9, 2025. TPS EADs with one of 17 expiration dates listed on I-9 Central [will be eligible](#) for automatic extension.

Unlike most recent TPS-related auto-extension notices, USCIS is requiring eligible TPS recipients under this automatic extension to present Form I-797 with the expired EAD for I-9 purposes. Creating additional confusion, USCIS inadvertently omitted Jan. 4, 2021, one of the 17 eligible expiration dates, from the I-797 issued to eligible beneficiaries. USCIS indicated that it will be sending corrected notices to affected individuals. Individuals who may be eligible for the automatic extension and have not received a new I-797 or received a notice that incorrectly did not include the Jan. 4, 2021, expiration should visit uscis.gov/e-request to request and receive the I-797 TPS notice.

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