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**ALERT**

July 7, 2025

**TPS Designation for Honduras and Nicaragua Automatically  
Extended, But the Date is Uncertain**

The Department of Homeland Security (DHS) has not issued a Federal Register notice to terminate the Temporary Protected Status (TPS) designations or **Honduras and Nicaragua**, originally set to end on **July 5, 2025**.

Under federal law, the Secretary of DHS is required to provide a 60-day advance notice in the Federal Register before terminating a country's TPS designation. When no such notice is published, the TPS designation is automatically extended by **six (6) months**. Accordingly, the current TPS designation and Employment Authorization Document (EAD) validity for eligible nationals of Honduras and Nicaragua would normally be extended **through January 5, 2026**, but as explained below, the government has a different interpretation.

On July 7, 2025, the Secretary of Homeland Security issued notice of termination of TPS designation for Honduras and Nicaragua effective 60 days after publication of the notice in the Federal Register. We expect the publication date to be July 8, 2025, and the 60 days after publication would be September 7, 2025. The notice is expected to state that work authorization is automatically extended through September 7, 2025. There is a reasonable argument that the termination cannot occur before January 5, 2026. Litigation is expected.

**What This Means for TPS Beneficiaries from Honduras and Nicaragua**

**1. Automatic EAD Extension**

If the EAD shows a **July 5, 2025**, expiration date and the category code is **A12** or **C19**, the work authorization is now automatically extended until **January 5, 2026 (or possibly September 7, 2025)**. This extension does not require the worker to take further action, provided that the underlying TPS status remains valid.

**2. 540-Day Rule for Earlier EAD Expirations**

If the worker holds an older EAD with an expiration date of:

- January 5, 2018

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- January 5, 2019
- April 2, 2019
- January 2, 2020
- January 4, 2021
- October 4, 2021
- December 31, 2022
- June 30, 2024
- March 9, 2025

and has **filed a Form I-765 renewal** during the latest TPS designation period ending July 5, 2025, the work authorization may be extended up to **540 days** from the original expiration date, **but not beyond January 5, 2026 (or possibly September 7, 2025)**. To benefit from this extension, the worker must present the **Form I-797C Receipt Notice** showing category **A12** or **C19**.

### **What Employers Should Know**

Employers must remain compliant with Form I-9 verification. TPS beneficiaries who qualify for the automatic EAD extension can continue to work lawfully through **September 7, 2025**, or possibly **January 5, 2026**, provided they present appropriate documentation. Employers should not request additional proof beyond what is required under USCIS guidance for auto-extended EADs.

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

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