



July 21, 2026

**RE: Current Status of Employment Authorization of TPS Holders Pursuant to Court Order
in *Venezuelan Association of Massachusetts v. USCIS***

To Whom It May Concern:

We write in our capacity as counsel for plaintiffs in ongoing litigation regarding several USCIS policies impacting work authorization for Temporary Protected Status (TPS) holders. As a result of ongoing litigation: (1) automatic EAD extensions issued to TPS holders between January 17 and March 18, 2025 remain in effect for the full 540-day automatic extension period and (2) certain facially expired TPS-related employment authorization documents (EADs) remain valid.

On July 21, 2026, in *Venezuelan Association of Massachusetts, et. al. v. USCIS, et. al.*, No. 26-13038 (D. Mass.), a federal court **administratively stayed two USCIS policies** that purported to apply the One Big Beautiful Bill Act (OBBBA) by retroactively limiting TPS-related employment authorization periods to one-year, even for TPS holders who applied before passage of the OBBBA. The Court ordered that this stay remains in effect while it consider plaintiffs' request for a further stay of these policies, which the Court said it will do on or before August 5, 2026. The court's order is available at <https://democracyforward.org/wp-content/uploads/2026/07/ECF-47-Admin-Stay-decision.pdf>.

As a result of the court's order:

- Any 540-day automatic EAD extension issued to a TPS holder who filed an application between January 17, 2025 and March 18, 2025 to renew a TPS-related EAD (*i.e.* an EAD in category (a)(12) or (c)(19)) with a March 9, 2025 or April 19, 2025 expiration date remains valid pending further order of the court. Automatic extensions *do not* expire on July 22, 2026.
- Any TPS-related EAD with an expiration date between July 22, 2026 and September 8, 2026 issued to a TPS holder from El Salvador who applied for a TPS EAD before July 4, 2025 remains valid pending further order of the court. As a reminder, TPS for El Salvador is currently extended through September 9, 2026.
- Any TPS-related EAD with an expiration date between July 22, 2026 and October 18, 2026 issued to a TPS holder from Sudan or Ukraine who applied for a TPS EAD before July 4, 2025 remains valid pending further order of the court. As a reminder, TPS for Ukraine and Sudan is currently extended through October 19, 2026.

Thank you for your attention to this important matter. If you have further questions, please direct them to jessica@ndlon.org.

Sincerely,

Jessica Bansal
National Day Laborer Organizing Network
Counsel for Plaintiffs in *Venezuelan Association of Massachusetts, et. al. v. USCIS, et. al.*