NATIONAL TPS ALLIANCE

September 9, 2026

RE: Status of Employment Authorization for El Salvadoran TPS Holders

To Whom It May Concern:

We understand questions have been raised regarding the current employment authorization status of Temporary Protected Status (TPS) holders from El Salvador. El Salvador has been designated for TPS through September 9, 2026. *See* 90 Fed. Reg. 5,953 (Jan. 17, 2025).[1] Today, United States Citizenship and Immigration Services (USCIS) announced that El Salvador's TPS will remain in effect, and Salvadoran TPS holders will retain work authorization pending further announcement.

The full text of USCIS's announcement, posted on the USCIS website at https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-el-salvador, is as follows:

> "ALERT: An announcement on El Salvador's TPS will be made at the appropriate time. Until such announcement is made, Salvadoran individuals present in the U.S. under TPS retain protection including work authorization."

By statute, the government is required to provide for "timely" publication of the decision whether to terminate or extend a TPS designation. 8 U.S.C. 1254a(b)(3)(A). An official decision about El Salvador's designation is expected in the coming days. Employers should be aware that any decision to terminate could not take effect for a minimum of 60 days, during which TPS holders would retain work authorization. *See* 8 U.S.C. 1254a(b)(3)(C) (a TPS termination "shall not be effective earlier than 60 days after the date the notice is published"). *See also, e.g.,* 90 Fed. Reg. 30089 (July 8, 2025) (terminating TPS for Honduras but noting that "TPS beneficiaries continue to be employment authorized during the 60-day transition period").[2]

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

Sincerely,

/s/Jessica Bansal

Jessica Bansal

Counsel for National TPS Alliance

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[1] Available at https://www.govinfo.gov/content/pkg/FR-2025-01-17/pdf/2025-00626.pdf.
[2] Available at https://www.govinfo.gov/content/pkg/FR-2025-07-08/pdf/2025-12621.pdf