

THE  
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## Termination of TPS Halted for Honduras and Nepal

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The Department of Homeland Security (DHS) has agreed to stay the termination of temporary protected status (TPS) for Honduras and Nepal pending the outcome of [Ramos v. Nielsen](#). In addition to the stay, DHS has also agreed to extend the validity of employment authorization documents for TPS beneficiaries from Nepal through March 24, 2020.

The announcement was made in the [Federal Register](#) pursuant to the terms of a court order of the U.S. District Court in the Northern District of California in *Bhattarai v. Nielsen*, a case challenging the termination of TPS for Honduras and Nepal. Because the issues raised in *Bhattarai* so closely mirror those raised in *Ramos* (a similar case that challenges the termination of TPS for El Salvador, Haiti, Nicaragua, and Sudan), the parties in *Bhattarai* agreed to stay the proceedings pending the outcome in *Ramos*. For now, this means that DHS may not enforce or implement the termination of TPS for any of the six affected countries covered by the *Ramos* and *Bhattarai* lawsuits (El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan).

### Automatic Extensions of TPS-Related Documents While *Ramos* Is Pending

Currently, TPS beneficiaries from the affected countries are authorized to stay in the United States and continue working through the dates listed below (assuming the beneficiary continues to meet eligibility requirements for the program).

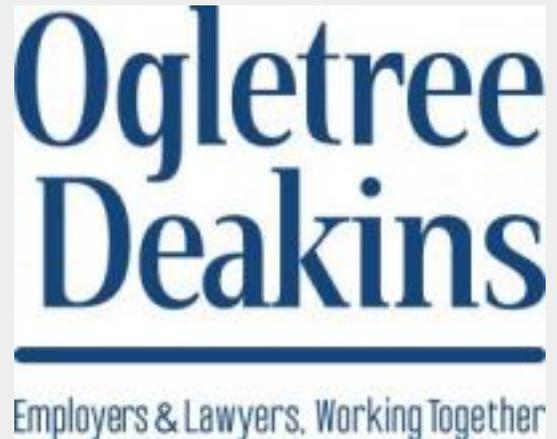
DHS will publish a notice in the *Federal Register* approximately 45 days prior to the dates listed below, automatically extending the validity of TPS-related documents (including employment authorization documents, Form I-797 approval notices, and Form I-94 arrival and departure records) for beneficiaries from each affected country if *Ramos* has not yet been decided.

Country	Good Through Date
El Salvador	January 2, 2020
Haiti	January 2, 2020
Honduras	January 5, 2020
Nepal	March 24, 2020
Nicaragua	January 2, 2020
Sudan	January 2, 2020

### Post-*Ramos* Transition Period

If DHS is ultimately allowed to proceed with the termination of TPS, for any or all of the countries, the agency will provide a transition period to allow for the affected TPS beneficiaries to get their affairs in order. TPS designations for the individual countries would end the *later* of either:

1. 120 days following the issuance of any mandate to the district court, or



Article By [Melissa Manna](#)  
[Melina V. Villalobos](#)  
[Ogletree, Deakins, Nash, Smoak & Stewart, P.C.](#)  
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2. on the previously announced termination date for the respective country.

The table below provides a list of the original termination dates for each country.

<b>Country</b>	<b>Original Termination Date</b>
<a href="#">El Salvador</a>	September 9, 2019
<a href="#">Haiti</a>	July 22, 2019
<a href="#">Honduras</a>	January 5, 2020
<a href="#">Nepal</a>	June 24, 2019
<a href="#">Nicaragua</a>	Already Passed (November 2, 2018)
<a href="#">Sudan</a>	Already Passed (January 5, 2019)

For the countries with original termination dates that have already passed, termination would be effective as of the expiration of the 120-day period.

## **Next Steps**

The *Federal Register* notice provides detailed information, benefitting both employees and employers, about how to address the automatic extension of employment authorization documents. The notice provides employees with information about what documents they must present to their employers to substantiate their eligibility for the extension. The notice also provides employers with information about how the automatic extension affects the Form I-9 and E-Verify and what steps must be taken, if any, to satisfy their employment verification obligations.

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