

Beware of Expiring Work Authorization Documents: TPS for Nepal is Ending

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The U.S. Department of Homeland Security has announced that it will terminate the Temporary Protected Status (TPS) designation for Nepal, giving protected Nepalese until June 24, 2019, either to acquire permission to permanently remain in the United States or leave the country.

This action, announced on April 26, follows the recent termination of TPS for Sudanese, Nicaraguans, Haitians, and El Salvadorans, who must leave the United States or seek alternative lawful immigration status by November 2018, January 2019, July 2019 and September 2019, respectively.

On the other hand, TPS was recently extended through July 2018 for Hondurans and through September 2019 for Syrians.

TPS is a form of humanitarian relief established by the Immigration Act of 1990. Under the Act, the Secretary of the Department of Homeland Security may designate a country for TPS when there is an environmental disaster, armed conflict, or other extraordinary event in that country that prevents migrants from returning. Through the TPS program, eligible individuals may obtain work permits, but otherwise do not have a path to permanent residency or U.S. citizenship.

Nepal was first designated for TPS after an earthquake rocked the country in 2015. Roughly 9,000 Nepalese are now living and working in the United States with TPS. In order to comply with employer obligations under the Immigration Reform and Control Act of 1986, employers must re-verify the work eligibility of employees before the expiration date of their employment-authorization documents.

Employment authorization for Nepalese with TPS status will expire on June 24, 2018. They will be required to re-register and apply for employment-authorization documents to continue to legally work in the United States until the termination of Nepal's TPS designation becomes effective on June 24, 2019. Further details about the re-registration period will be released by the U.S. Department of Homeland Security shortly.

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