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# Update: Supreme Court Order Regarding 2023 Designation of TPS Venezuela

**Release Date:** July 14, 2025

On May 19, 2025, the U.S. Supreme Court granted the government's request for an emergency stay of Judge Edward Chen's order in *National TPS Alliance, et al., v. Kristi Noem et al.*, No. 3:25-cv-01766 (N.D. Cal. March 31, 2025). Based on the Supreme Court's order, the March 31, 2025, district court order in case No. 3:25-cv-1766 is stayed pending the disposition of the government's appeal in the United States Court of Appeals for the Ninth Circuit. On May 30, 2025, the district court in case No. 3:25-cv-1766 ordered that—pending resolution of the litigation—TPS beneficiaries who received certain TPS-related documentation on or before February 5, 2025, will maintain TPS and their documentation will remain valid.

What this means for Forms I-766, Employment Authorization Documents (EADs) category A12 or C19 issued under the TPS Venezuela 2023 redesignation:

- TPS Venezuela beneficiaries who received TPS-related EADs that show a "Valid From" date that is **on or before February 5, 2025**, and a "Card Expires" date of October 2, 2026, will maintain that status and their documentation will remain valid, pending resolution of the litigation.
- TPS Venezuela beneficiaries who received TPS-related EADs with a "Card Expires" date of April 2, 2025, and who received Forms I-797, Notices of Action, indicating receipt of a timely filed Form I-765 renewal application that were issued **on or before February 5, 2025**, automatically extending their employment authorization for up to 540-days, will maintain TPS and employment authorization and their EADs will remain valid for up to 540 days, (i.e., September 24, 2026), pending resolution of the litigation.

## Form I-9 Guidance

If employees present the above listed EADs to complete or update Form I-9, Employment Eligibility Verification, follow this guidance:

- If your employee presents an EAD with category A12 or C19 that shows a "Valid From" date that is **on or before February 5, 2025**, and a "Card Expires" date of October 2, 2026, enter October 2, 2026, on Form I-9 as the expiration date of the EAD.
- If your employee presents an EAD with category A12 or C19 and a "Card Expires" date of April 2, 2025, and a renewal application receipt on Form I-797, Notice of Action, that was **issued on or before February 5, 2025**, and you determine from the date on Form I-797 that the renewal application was timely filed during the TPS registration period, the employee's A12 or C19 EAD has been automatically extended for up to 540-days and therefore, enter September 24, 2026 as the expiration date of the EAD.

You must [reverify](#) employment authorization for current employees no later than the date employment authorization expires.

**AILA Doc. No. 25071602. (Posted 7/16/25)**

## E-Verify Guidance

If an employee works for an E-Verify employer and receives a mismatch (tentative nonconfirmation) based on the above EADs, the employee should contest the mismatch by following the instructions on their E-Verify Further Action Notice.

## Valid TPS Venezuela EADs

The table below describes category A12 or C19 EADs for the TPS Venezuela 2021 designation and 2023 redesignation that remain valid through the card expiration date or, if applicable, through the automatically extended expiration date.

As of 06/20/2025 Valid TPS Venezuela Category A12 or C19 EADs			
“Valid From” Date	“Card Expires” Date	Additional Documentation	Extended Validity Date
Various dates	Sep. 10, 2025	N/A	N/A
Various dates	Mar. 10, 2024	Must present the A12 or C19 EAD with a Form I-797, Notice of Action, indicating receipt of a timely-filed Form I-765 renewal application for a category A12 or C19 EAD.	EAD is automatically extended through Sep. 1, 2025.
Various dates	Apr. 2, 2025*	Must present A12 or C19 EAD with a Form I-797, Notice of Action, <b>issued on or before Feb. 5, 2025</b> , indicating receipt of a timely filed Form I-765 renewal application for a category A12 or C19 EAD.	EAD is automatically extended through Sep. 24, 2026.
On or before Feb. 5, 2025	Oct. 2, 2026*	N/A	N/A

\* TPS Venezuela beneficiaries will maintain TPS and their EAD will remain valid pending resolution of the litigation.

TPS for Venezuelans under the 2021 designation remains in effect through September 10, 2025. For more information, please see the most recent [Federal Register notice](#) for this designation.

### Keywords

[TEMPORARY PROTECTED STATUS \(TPS\)](#)

[EAD](#)

[FORM I-9](#)

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