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DHS Agrees to Temporarily Continue TPS Status for Nepal and Honduras

UNITED STATES

At a glance

- *The Department of Homeland Security has agreed to temporarily continue TPS status for Nepal and Honduras while lawsuits challenging the termination of TPS continue, according to court documents from a federal district court case in California.*
- *The agency has 15 days to formulate a plan to ensure that TPS documents and employment authorization remain valid for beneficiaries from Nepal and Honduras.*

The situation

The Department of Homeland Security (DHS) has agreed to temporarily halt its plans to terminate Temporary Protected Status (TPS) for individuals from Nepal and Honduras, according to court documents filed yesterday in California federal district court case, *Bhattarai et al v Nielsen et al*. In *Bhattarai*, affected foreign nationals are challenging DHS's termination of TPS designations for Nepal and Honduras. TPS for [Nepal](#) was originally set to be terminated on June 24, 2019 and [Honduras](#) on January 5, 2020.

DHS has 15 days to formulate a plan to ensure that TPS status and employment authorization remain valid for nationals of Nepal and Honduras. On March 1, 2019, [DHS extended TPS for El Salvador, Haiti, Nicaragua, and Sudan](#) pursuant to a court order in a separate California district court lawsuit, *Ramos et al. v. Nielsen et al*. As a result of that order, DHS is required to continue to extend TPS designations for those countries while it appeals the district court decision at the Ninth Circuit Court of Appeals.

In recognition of the similarities between these two cases challenging TPS terminations, DHS agreed yesterday to follow the *Ramos* court order for Nepal and Honduras, and to keep TPS designations for the two countries in place until there is a final judicial order in the *Ramos* appeal.

Also yesterday, House Democrats in Congress introduced [H.R. 6, the Dream and Promise Act of 2019](#), a bill seeking to establish a path to permanent residence for TPS beneficiaries and to require DHS to explain in detail its decisions to terminate any TPS designation. Prospects for the bill are uncertain.

What this means for affected TPS beneficiaries

TPS holders from Nepal and Honduras will temporarily maintain their right to remain and continue to work in the United States. DHS is expected to issue guidance by the 15-day deadline for affected beneficiaries to extend their TPS status and related documentation. Official guidance, including application deadlines and status and work authorization extension dates, will be published in the Federal Register 45 days prior to each affected country's scheduled termination date.

Fragomen is closely following the issue of TPS terminations and will provide updates as developments occur.

This alert is for informational purposes only. If you have any questions, please contact the immigration professional with whom you work at Fragomen.

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