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GUIDANCE FOR STATE DEPARTMENTS OF MOTOR VEHICLES CONCERNING YEMENI NATIONALS WITH TEMPORARY PROTECTED STATUS

On May 1, 2026, the U.S. District Court for the Southern District of New York issued the [attached order](#) in *Abdo Doe v. Mullin*, Case No. 1:26-cv-02280 (S.D.N.Y.), postponing the termination of Temporary Protected Status (“TPS”) for Yemen. As a result, Yemeni TPS holders continue to have lawful immigration status and authorization to work in the United States and remain eligible for driver’s licenses. The postponement does not have a fixed end date. It remains in effect until the court orders otherwise.

Yemen’s TPS designation remains in full force and effect, and Yemeni TPS holders retain the lawful status accordingly. USCIS recognizes this on its TPS Yemen page at <https://www.uscis.gov/humanitarian/temporary-protected-status/yemen/temporary-protected-status-designated-country-yemen>.

“Under the REAL ID Act of 2005, TPS holders are entitled to drivers’ licenses for at least one year. Specifically, a state may issue a temporary driver’s license or temporary identification card to a TPS holder, which “shall be valid only during the period of time of the applicant’s authorized stay in the United States, *or, if there is no definite end to the period of authorized stay, a period of one year.*” REAL ID Act of 2005, Pub. L. No. 109-13 Sec. 202(c)(2)(C)(i-ii). (emphasis added). This is true for all individuals with “a pending or approved application for temporary protected status in the United States.” *Id.* Sec. 202(c)(2)(B)(vii).

The postponement of the termination of TPS for Yemen preserves the status quo, meaning Yemeni TPS holders maintain lawful status and work authorization, pending a final decision in the case or further court order. Presently, there is no definite end to the period of lawful status and authorized stay for Yemeni TPS holders. Therefore, under Section 202(c)(2)(C)(i-ii) of the REAL ID Act, TPS holders are entitled to new or renewed drivers’ licenses valid for one year.

We urgently request that the Department of Motor Vehicles take action to comply with the law by:

- Recognizing the continued validity of drivers’ licenses held by Yemeni TPS holders;
- Accepting Yemeni TPS as lawful status for any pending or new driver’s license applications submitted by Yemeni TPS holders.



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To ensure consistent implementation, the DMV should issue clear guidance as follows:

- **Existing Licenses:** All current driver's licenses held by Yemeni TPS holders remain valid. DMV staff must not suspend, cancel, deny, or refuse to issue or renew a driver's license based solely on an individual's status as a Yemeni TPS holder.
- **Pending or new applications:** Recognize Yemeni TPS as lawful status when reviewing or approving any pending or new driver's license applications.
- **Compliance:** Provide training to DMV staff to ensure this guidance is implemented consistently, and monitor statewide compliance with this guidance.

Yemeni TPS holders are valued members of the community who contribute significantly to the state's economy and workforce. Maintaining access to valid drivers' licenses is essential to Yemeni TPS holders' daily lives, mobility, employment, and ability to support their families.

The Asian American Legal Defense and Education Fund and Center for Constitutional Rights represent the plaintiffs in *Abdo Doe v. Mullin*. If you have questions, please contact rzaman@aaldef.org.

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