



ASIAN AMERICAN
LEGAL DEFENSE &
EDUCATION FUND



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GUIDANCE FOR EMPLOYERS OF YEMENI NATIONALS WITH TEMPORARY PROTECTED STATUS

On May 1, 2026, a federal district court 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 during the period of postponement. Employers may continue to employ current workers who are TPS holders and hire new ones. **The postponement does not have a fixed end date. It remains in effect until the court orders otherwise.**

Employers may rely on USCIS’ published guidance, available on the E-Verify website at <https://www.e-verify.gov/about-e-verify/whats-new/update-on-termination-of-tps-for-yemen>: “The validity of Employment Authorization Documents (EADs) issued under the TPS designation of Yemen with an original expiration date of Mar. 3, 2026, Sept. 3, 2024, or Mar. 3, 2023 is extended per court order.”

For Form I-9 and E-Verify purposes, USCIS instructs: “When completing the Expiration Date (if any) fields on Form I-9, input “as per court order” in Section 1 and “July 1, 2026” in Section 2 along with a note in the additional information box. Employers may download the Alert and TPS Yemen webpage and attach them to Form I-9. Check USCIS websites regularly for updated information. When completing a case in E-Verify, enter the expiration date of “July 1, 2026” from the Form I-9.” The “July 1, 2026” date is what USCIS instructs employers to enter on Form I-9 and in E-Verify. It is **not** the end of the postponement period. In other TPS litigation, USCIS has periodically extended the expiration dates as cases have progressed.

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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