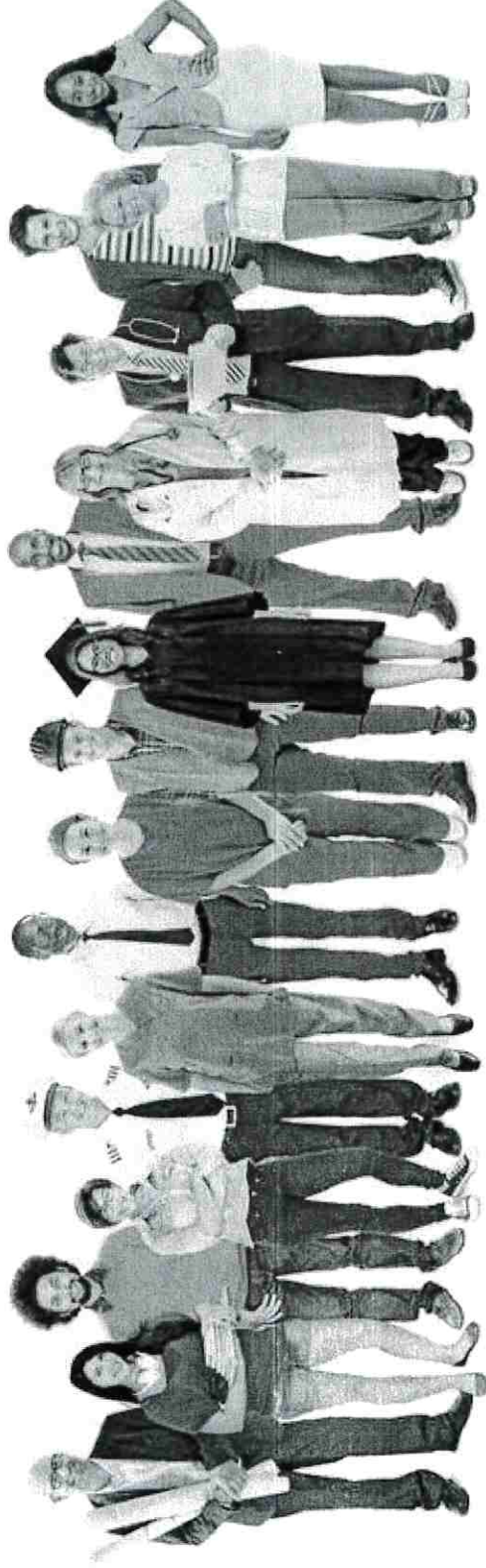




U.S. Citizenship and  
Immigration Services

# Handbook for Employers M-274



Guidance for Completing Form I-9 (Employment Eligibility Verification Form) | Current as of July 2017

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Print Manual

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U.S. Citizenship and  
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## ~~EADs in Certain Circumstances~~ Employment Authorization Documents 4.2 Automatic Extensions of Employment Authorization Documents (EADs) in Certain Circumstances

*Automatic Extensions Based on Timely Employment Authorization Document (Form I-766) Renewal Application*

Aliens in certain employment eligibility categories who file an EAD renewal application may receive automatic extensions of their expiring EAD for up to 180 days. The extension begins on the date the EAD expires and continues for up to 180 days unless the renewal application is denied. An automatic EAD extension depends on these requirements:

- The employee must have timely filed an application to renew their EAD before it expires (except certain employees granted Temporary Protected Status (TPS)), and the application remains pending;
- The eligibility category on the face of the EAD is the same eligibility category code on the Form I-797C Notice of Action, the employee received from USCIS indicating USCIS's receipt of their renewal application (except employees with TPS who may have a C19/A12 combination); and
- The eligibility category is listed on [uscis.gov](https://uscis.gov) as eligible for EAD automatic extensions. As of the date of publication of this M-274, Handbook for Employers, eligibility category codes for a 180-day automatic extension are A03, A05, A07, A08, A10, C08, C09, C10, C16, C20, C22, C24, C31 and A12 or C19.

The employee's expired EAD in combination with the Form I-797C Notice of Action showing that the EAD renewal application was timely filed and showing the same qualifying eligibility category as that on the expired EAD is an acceptable document for Form I-9. This document combination is considered an unexpired Employment Authorization Document (Form I-766) under List A.

To find the eligibility category code on your employee's employment authorization document, see Figure 3 below:

**FIGURE 3: AUTO-EXTENDED EMPLOYMENT AUTHORIZATION DOCUMENTS**  
Finding the Category Notation and Expiration Date on an EAD



The category notation appears on the face of the Employment Authorization Document (Form I-766) under "Category."

The expiration date appears on the face of the Employment Authorization Document (I-766) to the right of "Card Expires."

### Finding the Auto-Extended EAD Expiration Date on the I-797C: Sample 1


1	RECEIPT NUMBER EAC-	CAS TYPE I765 APPLICATION FOR EMPLOYMENT AUTHORIZATION APPLICANT A
2	RECEIVED DATE JULY 15, 2015	PRIORITY DATE
	NOTICE DATE JULY 31, 2015	PAGE 1 of 1
		3
		Notice Type: Receipt Notice Amount received: \$380.00 U.S. Class requested: A12

1 The receipt number appears on the face of the I-797C Notice of Action in the "Receipt Number" field.

2 The filing date is the date USCIS received the application and appears in the "Received Date" field. This date should be on or before the expiration date on the face of the Employment Authorization Document.

3 The category code may appear on the face of the I-797C Notice of Action in the "Class Requested" field. If you do not see this field, see Sample 2 below.

### Finding the Auto-Extended EAD Expiration Date on the I-797C: Sample 2

NOTICE TYPE Receipt	NOTICE DATE November 25, 2016
CASE TYPE I-765, Application for Employment Authorization	USCIS AGENCY NUMBER A
RECEIPT NUMBER 1	PAGE 1 of 1
2	RECEIVED DATE November 25, 2016
	
NAME AND MAILING ADDRESS 3 Eligibility Category: C31	
PAYMENT INFORMATION: Application/Petition Fee: \$410.00 Biometrics Fee: \$0.00 Total Amount Received: \$410.00 Total Balance Due: \$0.00	

1 The receipt number appears on the face of the I-797C Notice of Action in the "Receipt Number" field.

2 The filing date is the date USCIS received the application and appears in the "Received Date" field. This date should be on or before the expiration date on the face of the Employment Authorization Document.

3 The category code may appear on the face of the I-797C Notice of Action in the "Eligible Category" field. If you do not see this field, see Sample 1 above.

### Automatic EAD Extensions for TPS Beneficiaries

Beneficiaries of TPS may present an Employment Authorization Document (Form I-766) that is expired on its face with a C19 eligibility code but a Form I-797C Notice of Action indicating the eligibility category code A12. Therefore, just for TPS beneficiaries, the eligibility category codes do not need to be the same, but can be either C19 or A12.



TPS beneficiaries may receive an automatic extension of their Employment Authorization Document (Form I-766) if they file their renewal application in accordance with the applicable *Federal Register* notice regarding procedures for renewing TPS-related employment documentation, which may or may not require that the application be filed prior to the expiration of the Employment Authorization Document (Form I-766).

TPS beneficiaries have other ways to receive an automatic extension of their EAD. In many circumstances, their EAD may be automatically extended under a notice published in the *Federal Register* based on an extension of the TPS country designation. In these instances, DHS will inform the public in the *Federal Register* notice that TPS status and employment authorization for TPS beneficiaries are being extended. You may not require employees to prove they are a national of a country that has been designated for TPS.

## Guidance on Completing Form I-9

For a current employee, update Section 2 of Form I-9 with the new expiration date as follows:

- Draw a line through the old expiration date and write the new expiration date in the margin of Section 2;
- Write EAD EXT in Section 2;
- Initial and date the correction.

The new expiration date to enter is the date 180 days from the date the card expires, which is the date on the face of the expired EAD. Employees whose employment authorization was automatically extended along with their EAD (such as adjustment of status applicants, but not asylees who are employment authorized incident to status) may cross out the "employment authorized until" date in Section 1, write the date that is 180 days from the date their current EAD expires, and initial and date the change.

New employees may present the expired EAD and Form I-797C Notice of Action indicating USCIS's receipt of the employee's timely filed renewal application. When completing Section 1, the employee should enter the date that is 180 days from the "card expires" date of their expired EAD in the "employment authorized until mm/dd/yyyy" field.

When completing Section 2, the employer should enter into the Expiration Date field the date the automatic extension period expires, not the expiration date on the face of the expired EAD. The automatic extension expiration date is the date 180 days from the "card expires" date on the EAD. Note that this expiration date may be cut short if the employee's renewal application is denied before the 180-day period expires. The employer should enter the receipt number from the I-797C Notice of Action as the document number on Form I-9.

## Reverification

Reverification is required when the employee's automatic extension ends, no later than 180-days after the expiration date of the Employment Authorization Document (Form I-766). Reverification can also be done before the end of the 180-day extended time period, upon receipt of any document that shows current employment authorization, such as any document from List A or List C.

Last Reviewed/Updated 11/01/2019



U.S. Citizenship and  
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## Temporary Protected Status Designated Country: El Salvador

**ALERT:** On Oct. 3, 2018, in Ramos, et al. v. Nielsen, et al., No. 18-cv-01554 (N.D. Cal. Oct. 3, 2018) ([PDF, 458 KB](#)), the U.S. District Court for the Northern District of California enjoined DHS from implementing and enforcing the decisions to terminate Temporary Protected Status (TPS) for Sudan, Nicaragua, Haiti and El Salvador, pending further resolution of the case.

For additional information, please see the Nov. 4, 2019, Federal Register Notice, specific [TPS country pages](#) available on the USCIS website, and the Update on Ramos v. Nielsen page on the USCIS website.

TPS Continued Through:	As long as preliminary injunction ordered by court in <i>Ramos, et al v. Nielsen, et al.</i> , No. 18-cv-01554 (N.D. Cal. Oct. 3, 2018) remains in effect.
Re-registration period for People Who Already Have TPS:	Current beneficiaries under the TPS designation for El Salvador do not need to re-register to maintain TPS, provided that they properly re-registered for TPS during the following registration periods for El Salvador: Jan. 18, 2018, through March 19, 2018 July 8, 2016, through Sept. 6, 2016
Employment Authorization Document (EAD) Auto-Extended Through:	Jan. 4, 2021
Continuous Residence in U.S. Since:	Feb. 13, 2001
Continuous Physical Presence	March 9, 2001



in U.S. Since:

TPS Designation Date:

March 9, 2001

Federal Register Notice

[83 FR 2654](#)

[83 FR 54764](#)

Citation:

[84 FR 7103](#)

[84 FRN 59403](#)

When to File for TPS

Where to File

Automatic Employment Authorization Document (EAD) Extension

Other Immigration Options

Avoid Scams



Last Reviewed/Updated: 11/01/2019