



The following information appeared in the DPS-DVS Weekly Update dated May 18, 2022.

Automatic Employment Authorization Document (EAD) Extension

Customers applying for or renewing a Minnesota driver's license, ID card, learner's permit or commercial driver's license while in the process of renewing their employment status may qualify for an employment authorization document (EAD) extension.

The U.S. Department of Homeland Security (DHS) already provides for an automatic extension period of up to 180 days from the expiration date stated on the EAD. However, DHS has published a [temporary final rule](#) increasing the extension period. Effective May 4, 2022, DHS is [temporarily increasing](#) the extension period and providing up to 360 days of additional automatic extension time, for a total of up to 540 days from the expiration date on the EAD, to eligible individuals.

Automatic Extension Time Period

The automatic extension time is counted from the expiration date of the EAD. The temporary increase is available to individuals who filed their Form I-765 renewal application either:

- before May 4, 2022, and the 180-day automatic extension has since expired;
- before May 4, 2022, and the 180-day automatic extension has not yet expired; or
- between May 4, 2022 and Oct. 26, 2023, inclusive of these dates.

The normal 180-day automatic extension period will apply to individuals who file their Form I-765 renewal application after Oct. 26, 2023.

Customers qualify for the extension if they:

- Properly filed Form I-765 for a renewal of their employment authorization and/or EAD before the current EAD expired, and
- Are otherwise eligible for a renewal, which means that:
 - Their EAD renewal application is under a category that is eligible for an automatic extension (see the list of categories below); and
 - The category on their current EAD matches the "Class Requested" listed on Form I-797C Notice of Action, Receipt Notice.

- (Note: EAD and this Notice for customers that are a Temporary Protected Status (TPS) beneficiary or pending applicant, must contain either the A12 or C19 category. The categories do not need to match each other. In addition, for H-4, E, and L-2 dependent spouses, an unexpired Form I-94 indicating H-4, E, or L-2 nonimmigrant status (including E-1S, E-2S, E-3S, and L-2S class of admission codes) must accompany Form I-797C when presenting proof of employment authorization to an employer for Form I-9, Employment Eligibility Verification, purposes).

Eligible Categories:

- A03 – Refugees – I-94 category : Re
- A05 – Asylees – I-94 category: As
- A07 – N8 or N9 (NATO related)
- A08 - Citizen of Micronesia, Marshall Islands, or Palau
- A10 - Withholding of Deportation or Removal Granted
- A12 - Temporary Protected Status (TPS) Granted
- A17 - Spouse of principal E nonimmigrant with an unexpired I-94 categories showing E (including E-1S, E-2S and E-3S) nonimmigrant status*
- A18 - Spouse of principal L-1 Nonimmigrant with an unexpired I-94 categories showing L-2 (including L-2S) nonimmigrant status*
- C08 - Asylum Application Pending
- C09 - Pending Adjustment of Status under Section 245 of the Act
- C10 - Suspension of Deportation Applicants (filed before April 1, 1997) Cancellation of Removal Applicants Special Rule Cancellation of Removal Applicants Under NACARA
- C16 - Creation of Record (Adjustment Based on Continuous Residence Since January 1, 1972)
- C19 - Pending initial application for TPS where USCIS determines applicant is *prima facie* eligible for TPS and can receive an EAD as a “temporary treatment benefit”.
- C20 - Section 210 Legalization (pending I-700)
- C22 - Section 245A Legalization (pending I-687)
- C24 - LIFE Legalization
- C26 - Spouses of certain H-1B principal nonimmigrants with an unexpired I-94 showing H-4 nonimmigrant status
- C31 - VAWA Self-Petitioners

More information is available from United States Citizenship and Immigration Services (USCIS) at <https://www.uscis.gov/eadautoextend>