

## New Interim Final Rule Ends Automatic Extension for Employment Authorization Documents for Applications Filed On or After October 30, 2025

---

October 30, 2025

**Effective October 30, 2025**, the Department of Homeland Security will publish an interim final rule that **eliminates the automatic 540-day extension** for employment authorization (“EAD” or “I-765”) renewals filed after this date. The automatic extension will be reduced from **540 days to 0 days** for all eligible categories. Consequently, individuals with renewal applications filed on or after October 30, 2025, will not be given an automatic extension of their work authorization if the EAD renewal application is still pending on the date the initial EAD expires.

### **Action Required**

- **If you intend to rely on the 540-day extension, file your renewal TODAY.** Applications filed before October 30, 2025, will still receive the automatic extension.
- **Electronic filing is available** for many categories. Consider filing electronically to expedite processing.

### **Who Is Impacted?**

The rule affects **all categories previously eligible for the 540-day extension**, including:

- Spouses of principal E and L-1 (A17 & A18), and H-4 nonimmigrants (C26)
- Pending Adjustment of Status (C9)
- Withholding of Deportation or Removal Granted (A10)
- TPS Granted (A12)
- Asylum application pending (C8)
- Cancellation of removal applicants (C10)
- VAWA Self-Petitioners (C31)

### **Not Impacted**

Individuals **currently on the 540-day extension** are not affected by this rule change, nor are those who filed an I-765 application renewal prior to October 30, 2025.

### **Additional Notes**

**USCIS Reminder:** You may file up to **180 days in advance** of EAD expiration, but earlier filing may be possible for replacement EADs.

This interim final rule is an evolving matter of widespread interest. Please contact a member of the Miller Canfield Immigration Team if you have questions regarding this alert, or for assistance.