



Office of Temporary and Disability Assistance

KATHY HOCHUL
Governor

BARBARA C. GUINN
Executive Deputy Commissioner

General Information System (GIS) Message

Section 1

Transmittal:	22 TA/DC003 Upstate and New York City
Date:	January 7, 2022
To:	Subscribers
Suggested Distribution:	SNAP Directors; TA Directors; CAP Coordinators; Staff Development Coordinators; TOP Coordinators
From:	Valerie Figueroa, Deputy Commissioner, Employment and Income Support Programs
Subject:	Reminder of Temporary Assistance (TA) and Supplemental Nutrition Assistance Program (SNAP) Policy Regarding Haitian Entrants and Haitians Granted Temporary Protected Status (TPS)
Effective Date:	Immediately
Contact Information:	TA Bureau 518-474-9344 or otda.sm.cees.tabureau@otda.ny.gov SNAP Questions – SNAP Bureau (518) 473-1469 or otda.sm.cees.snap@otda.ny.gov HEAP Questions – HEAP Bureau (518) 473-0332 or NYSHEAP@otda.ny.gov

Section 2

The purpose of this GIS message is to remind social services districts (districts) of Temporary Assistance (TA) and Supplemental Nutrition Assistance Program (SNAP) policy on Haitians either classified as Haitian Entrants or who have been granted TPS.

Haiti continues to experience serious security concerns, social unrest, an increase in human rights abuses, and the aftermath of two devastating natural disasters. On May 22, 2021, the Department of Homeland Security (DHS) granted a new Temporary Protected Status (TPS) designation for those Haitian nationals who resided in the United States (U.S.) as of May 21, 2021. In light of recent events in Haiti, including the July assassination of President Jovenel Moïse, DHS subsequently modified this date from what was previously announced. To be eligible for TPS under this designation, individuals must demonstrate that they have continuously resided in the U.S. since July 29, 2021 as well as demonstrating being continuously physical present in the U.S. since August 3, 2021. Individuals who attempt to travel to the U.S. after July 29, 2021, will not be eligible for TPS. The 18-month initial registration period runs from August 3, 2021, through February 3, 2023.

Haitians classified as Haitian Entrants under Section 501(e) of the Refugee Education Assistance Act of 1980, as amended, are considered specially qualified non-citizens. A Haitian Entrant is:

- A. Any individual granted parole status by the Department of Homeland Security (DHS) as a Haitian Entrant (Status Pending) or granted any other special status subsequently established under the

immigration laws for nationals of Haiti, regardless of the status of the individual at the time assistance or services are provided; and,

B. Any other national of Haiti:

1) Who:

- i. was paroled into the United States and has not acquired any other status under the Immigration and Nationality Act (INA),
 - ii. is the subject of exclusion or deportation proceedings under the INA, or
 - iii. has an application for asylum pending with DHS; and,
- 2) With respect to whom a final, non-appealable, and legally enforceable order of deportation or exclusion has not been entered.

If otherwise eligible, Haitian Entrants are eligible for Family Assistance (FA), Safety Net Assistance (SNA), the Home Energy Assistance Program (HEAP) and the Supplemental Nutrition Assistance Program (SNAP). As qualified non-citizens, Haitian Entrants are eligible for SNAP benefits indefinitely and without a waiting period. When determining benefit eligibility for Haitian Entrants, districts should refer to the [LDSS-4579: "Non-Citizen Eligibility Desk Aid"](#) and [GIS 16 TA/DC048](#).

TPS can be extended to a country with conditions that fall into one, or more, of the three statutory bases for designation: ongoing armed conflict, environmental disasters, or extraordinary and temporary conditions. Districts are reminded that per [GIS 16 TA/DC053](#), the New York State Office of Temporary and Disability Assistance (OTDA) recognizes non-citizens with TPS as Permanently Residing Under Color of Law (PRUCOL) for the purposes of SNA eligibility. If otherwise eligible, non-citizens with TPS can receive SNA.

Any non-citizens granted TPS, unless in some other qualifying non-citizen status, are ineligible for FA, HEAP and SNAP. Haitian nationals granted TPS do not meet the definition of Haitian Entrants and are not eligible for SNAP unless there is some other qualifying status. Further TPS guidance can be found in the [LDSS-4579](#), [GIS 18 TA/DC042](#), [GIS 21 TA/DC028](#) and [GIS 21 TA/DC043](#).