



Office of Temporary and Disability Assistance

KATHY HOCHUL
Governor

DANIEL W. TIETZ
Commissioner

BARBARA C. GUINN
Executive Deputy Commissioner

General Information System (GIS) Message

Section 1

Transmittal:	22 TA/DC048 Upstate and New York City
Date:	May 18, 2022
To:	Subscribers
Suggested Distribution:	Commissioners, TA Directors, HEAP Coordinators, SNAP Directors, Employment Coordinators, Fair Hearing Officers, Staff Development Coordinators, WMS Coordinators
From:	Valerie Figueroa, Deputy Commissioner Employment and Income Support Programs
Subject:	Designation of Sudan for Temporary Protected Status
Effective Date:	Immediately
Contact Information:	Temporary Assistance Bureau at: 518-474-9344 or: otda.sm.cees.tabureau@otda.ny.gov

Section 2

The purpose of this GIS message is to inform social services districts (districts) that the United States Department of Homeland Security (DHS) Secretary recently designated Sudan for Temporary Protected Status (TPS).

TPS can be extended to a country with conditions that fall into one or more of three statutory bases for designation: ongoing armed conflict, environmental disasters, or extraordinary and temporary conditions. The TPS designation for Sudan went into effect on April 19, 2022, due to extraordinary and temporary conditions in Sudan that prevent nationals of Sudan, and those of no nationality who last habitually resided in Sudan, from returning to Sudan safely. In the future, it is possible that the DHS Secretary could extend the TPS designation for Sudan. If this were to occur, DHS may issue a blanket automatic extension of the expiring Employment Authorization Documents (EADs) for TPS beneficiaries of Sudan in order to allow time for EADs with new validity dates to be issued. If Sudan's TPS designation is terminated in the future, the Office of Temporary and Disability Assistance (OTDA) will issue guidance to districts regarding the change.

It is important to note that TPS is not automatically granted to non-citizens. To receive TPS, non-citizens must apply for it by submitting the necessary information to the United States Citizenship and Immigration Services (USCIS). USCIS is responsible for making the TPS eligibility determination. For non-citizens who may need assistance with acquiring TPS, districts may refer those non-citizens to the New York State Office for New Americans (ONA), which provides free services to all non-citizens in New York State. Districts may provide non-citizens with the ONA New Americans Hotline: 1-800-566-7636.

Districts are reminded that per [GIS 16 TA/DC053](#), OTDA recognizes non-citizens with TPS as Permanently Residing Under Color of Law (PRUCOL) for the purposes of Safety Net Assistance (SNA) eligibility. If otherwise eligible, non-citizens with TPS can receive SNA. Further guidance can be found in [GIS 18 TA/DC042](#). Non-citizens granted TPS are ineligible for Family Assistance (FA), the Home Energy Assistance Program (HEAP) and the Supplemental Nutrition Assistance Program (SNAP), unless they are also in some other qualifying non-citizen status.

The following is a list of USCIS documents that may be presented to districts by nationals of Sudan, and those of no nationality who last habitually resided in Sudan, to verify they were granted TPS and are now seeking SNA:

- Form I-766, EAD, with a category code of A12, or
- Form I-797, Notice of Action, that shows the approval of an EAD with a category code of A12, or
- Form I-797, Notice of Action, indicating the approval of Form I-821, Application for Temporary Protected Status, or
- Any other authoritative USCIS document indicating TPS granted.

As a reminder, in accordance with [13-ADM-07](#), when determining Temporary Assistance (TA) eligibility, districts must use the Systematic Alien Verification for Entitlements (SAVE) system to verify non-citizens' immigration documentation. Benefits must not be delayed, denied, reduced, or terminated, pending verification of non-citizens' documentation through the SAVE system. If all other factors of eligibility have been established and the non-citizens are otherwise eligible, benefits must be granted while awaiting responses from the SAVE system.

Due to the complexity of the rules regarding TPS document extensions, if the "EAD Expiration Date" field of the initial SAVE response does not indicate that the non-citizen's TPS has been extended beyond the date on their document, the district must initiate a second step additional SAVE verification. If the results of the second step additional verification do not indicate an extension has been granted, the district must call SAVE Customer Service at: (877) 469-2563 to confirm whether the non-citizen still has TPS. All three steps must be taken prior to the district taking any negative action on the TA application/case. These actions must also be noted in the non-citizen's case record.

For information from USCIS regarding TPS, districts may visit: <https://www.uscis.gov/humanitarian/temporary-protected-status>, or call the USCIS TPS Hotline at: (202) 272-1533.

Districts may refer to the [LDSS-4579](#): "Non-Citizen Eligibility Desk Aid" for SNA eligibility information pertaining to non-citizens with TPS. [GIS 16 TA/DC053](#), [GIS 18 TA/DC042](#), [GIS 21 TA/DC028](#) and [GIS 21 TA/DC043](#) also include guidance on determining SNA eligibility for non-citizens with TPS. For any TA related questions, please contact the OTDA TA Bureau at: (518) 474-9344 or by email: otda.sm.cees.tabureau@otda.ny.gov.