



Office of Temporary and Disability Assistance

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General Information System (GIS) Message

Section 1

Transmittal:	22 TA/DC082 Upstate and New York City
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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:	Extension of Temporary Protected Status for Venezuela
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) has extended the period of Temporary Protected Status (TPS) for Venezuela.

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. As indicated in [GIS 21 TA/DC028](#), the TPS designation for Venezuela originally became effective on March 9, 2021, and was recently extended due to the extraordinary and temporary conditions that continue in Venezuela, which prevent nationals from returning safely.

It should be noted 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. If Venezuela's TPS designation is terminated, the Office of Temporary and Disability Assistance (OTDA) will issue guidance to districts regarding the change.

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 may receive SNA. Non-citizens granted TPS are ineligible for Family Assistance (FA), the Home Energy Assistance Program (HEAP), and the Supplemental Nutrition Assistance Program (SNAP), unless in some other qualifying non-citizen status.

The following is a list of USCIS documents that may be presented to districts by Venezuelan nationals, to verify they were granted TPS:

- Form I-766, Employment Authorization Document (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.

In the future, it is possible that the DHS Secretary could extend the TPS designation for Venezuela again. If this were to occur, DHS may issue a blanket automatic extension of the expiring EADs for TPS beneficiaries of Venezuela to allow time for EADs with new validity dates to be issued. 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.

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 Hotline: 1-800-566-7636.

Districts may refer to the [LDSS-4579](#): "Non-Citizen Eligibility Desk Aid" for SNA eligibility information pertaining to non-citizens with TPS. [GIS 21 TA/DC028](#) also includes 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.