



Office of Temporary and Disability Assistance

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General Information System (GIS) Message

Section 1

Transmittal:	23 TA/DC028 Upstate and New York City
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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:	Extension and Redesignation of Haiti for Temporary Protected Status (TPS)
Effective Date:	Immediately
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Section 2

The Department of Homeland Security (DHS) posted a Federal Register notice for the extension and redesignation of Haiti for Temporary Protected Status (TPS) for 18 months, from February 4, 2023, through August 3, 2024. DHS previously announced the decision to extend and redesignate TPS for Haiti on December 5, 2022.

This extension and redesignation of Haiti for TPS allows nationals of Haiti (and individuals having no nationality who last habitually resided in Haiti) who have continuously resided in the United States since November 6, 2022, and who have been continuously physically present in the United States since February 4, 2023, to apply for TPS. Those who have been continuously residing in the United States since Nov.6, 2022, and have a pending TPS application with USCIS do not have to refile at this time.

Social services districts (districts) are reminded that there is a distinction between Haitians classified as Haitian Entrants, and those nationals of Haiti (and individuals having no nationality who last habitually resided in Haiti) who have been granted TPS, and the effect that each non-citizen status may have on eligibility for Temporary Assistance (TA) and Supplemental Nutrition Assistance Program (SNAP) benefits.

Haitian Entrants

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. This law defines a Haitian Entrant as:

- 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 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](#) and [GIS 16 TA/DC048](#).

Temporary Protected Status (TPS)

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](#).