



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

August 24, 2023

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear President Biden:

New York State has been working with the City of New York to manage the arrival of a significant number of migrants and individuals seeking asylum in New York over the past year. This influx has stretched the City's and State's resources, created tremendous operational and management challenges, and imposed overwhelming demands on the City's homeless shelters. I wrote to you earlier this year to ask for the use of certain federal properties to provide temporary shelter. While I appreciate you taking initial steps to assist the State in this regard and your longstanding commitment to an equitable approach to immigration at the Southwest border, the challenges we face demand a much more vigorous federal response. With the arrival of over 100,000 asylum seekers and migrants in the past year, coupled with the sustained arrival of hundreds if not thousands to the City every week, the federal government must partner with the City and State in handling this humanitarian crisis. The City and the State have provided significant funding, staffing, and case management for these arrivals to date. I write to you today to express a most urgent need for the federal government to take executive action and direct significant financial assistance to address this challenge.

There are several key steps that the federal government must take to meet its responsibilities to New York.

First, the federal government must expedite work authorizations. New York has a very strong job market, and the State is committed to providing job placement services to those who have work authorization and to resettling individuals and families who have applied for asylum. Today, many asylum seekers and migrants need both shelter and financial assistance for an indefinite period simply because they cannot legally work in the United States. Work authorization would enable these individuals to resettle in communities more quickly. The federal government can expedite work authorizations through executive actions like granting and extending Temporary Protected Status, specifically for countries like Venezuela, which

constitute a significant portion of the arriving population and where the situation on the ground continues to deteriorate. I also support the use of the humanitarian parole program for individuals from other countries. We cannot make progress in mitigating the humanitarian crisis we face in New York without these essential actions by the federal government.

Second, the federal government must provide the State and the City with significant financial assistance. The State has already committed over \$1.5 billion, and based on the current trajectory and planning, this crisis could cost the State an additional \$4.5 billion next year. According to New York City Mayor Eric Adams, the City projects that the cost to the City will be \$12 billion to support the arriving asylum seekers and migrants. The City and the State are incurring these unexpected expenditures in the midst of declining tax revenues while costs are rising. This is a financial burden the City and State are shouldering on behalf of the federal government. While the State appreciates the \$145 million contribution that the federal government has made to this effort, this allotment of funds is insufficient. The costs to provide services and assistance to migrants arriving in New York are high and the need for federal assistance is clear.

- **Healthcare and Human Services:** The State needs funding from the federal government to pay to test the migrants for illnesses that might pose a threat to public health and to provide Covid-19 vaccine and other immunizations; to offset state program costs through an increase in federal cost sharing under the Medicaid program (FMAP); and to support comprehensive case management services.
- **Transportation:** The Federal Transit Administration has an Emergency Relief program, and we call on the federal government to direct funds from this program to the Metropolitan Transportation Authority (MTA) for free transportation services provided to migrants and asylum seekers. To date, the MTA has spent over \$2.3 million for these services and the costs will continue to rise. The MTA has had to raise fares for New York commuters to close its budget gap and the MTA cannot provide free transport services for migrants on an ongoing basis without federal financial assistance.
- **Housing Assistance:** The Department of Housing and Urban Development has housing subsidy programs, including Section 8 housing vouchers, that should be provided to eligible homeless families and individuals to help them move into permanent housing, to relieve the pressure on the City's shelters, and to decrease the City's significant costs to shelter elsewhere.
- **Education:** The Department of Education must work with the City and the State to surge resources to school districts seeing the dramatic increases in their student population as a direct result of this crisis. Many of the arriving migrants are families with children who are enrolling in public school and need English as a Second Language and other support services.

Third, the federal government has key facilities in the City and metropolitan area that the State and the City urgently need for temporary shelters. The New York City shelter system is caring for over 58,500 asylum seekers and migrants, and the number continues to grow by the thousands each week. The City has opened more than 200 shelters in response to this crisis and is out of space. Additionally, the State has provided multiple state-owned facilities including the former Lincoln Correctional Facility, Building 197 at John F. Kennedy Airport,

August 24, 2023

Page 3

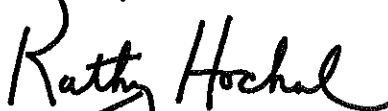
and space on the Creedmoor Psychiatric Hospital campus. The City and State are quickly running out of viable locations to house asylum seekers and migrants. Additional federal assistance to identify, prepare, and operate new sites on federally owned assets is essential. I am grateful for the efforts of your Administration to make Floyd Bennett Field available. However, there are other properties the federal government owns that should also be made available for this purpose.

Fourth, the federal government should reimburse the State for the costs of deploying the National Guard. The State is incurring costs of over \$22 million per month to support approximately 1,950 National Guard members, who are deployed in the City and to counties to assist with humanitarian operations. This is an expense most appropriately borne by the federal government. Title 32 of the United States Code provides those who perform active duty under state control with pay and benefits by the federal government. I understand that the federal government has authorized the use of the Title 32 authority in the past to reimburse states for costs associated with the deployment of the National Guard to assist with immigrants arriving in the United States. I am calling on the federal government to provide that same level of assistance to New York, either through a Title 32 authorization or through another funding mechanism.

In summary, New York City and New York State are deploying all available resources and staff to manage this immigration crisis. New York is a state with tremendous talent, capability, compassion, and potential. No challenge is too great, and we are stepping up to handle this mission. However, the flow of asylum seekers and migrants into New York is continuing at a high and unabated level. It is the federal government's direct responsibility to manage and control of the nation's borders. Without any capacity or responsibility to address the cause of the migrant influx, New Yorkers cannot then shoulder these costs. I cannot ask New Yorkers to pay for what is fundamentally a federal responsibility and I urge the federal government to take prompt and significant action today to meet its obligation to New York State.

Thank you for your continued leadership for our nation on this issue and so many others.

Sincerely,

A handwritten signature in black ink that reads "Kathy Hochul". The signature is written in a cursive, flowing style.

Kathy Hochul
Governor