



THE CITY OF NEW YORK

January 27th, 2023

Hon. Kathy Hochul
Governor of the State of New York
Executive Chamber
New York State Capitol Building
Albany, NY 12224

RE: State Aid for Humanitarian and Legal Assistance to Newly Arrived Asylum Seekers

Dear Governor Hochul,

We, the undersigned New York City elected officials, write to urge you to allocate significant funding in the upcoming New York State Budget to support critical humanitarian and legal assistance to the tens of thousands of asylum seekers who have arrived here in recent months.

As a city of immigrants that has thrived on the contributions of newcomers for more than 400 years, we take seriously both the duty and the opportunity to welcome new immigrants. However, the cost of providing these services is not one that the City of New York should bear alone. Both the State and Federal governments have a clear responsibility.

The right to seek asylum is a human right guaranteed under both international and U.S. law. Guaranteeing that right is an obligation of the federal government. We have written to President Biden and the FEMA Administrator Deanne Criswell, urging them to allocate significant resources to localities like ours, that are providing shelter and services to people seeking asylum while they await the adjudication of their cases, and to expeditiously provide work authorizations that will allow individuals to seek employment.

However, New York State has a clear responsibility here as well. While we very much appreciate the State assistance provided to date, including the National Guard staff who are assigned to the shelters, and the prompt enrollment of asylum seekers in Medicaid, the primary cost to New York City, by far, is the cost of providing shelter. That legal responsibility is a result of the "right to shelter" guaranteed by Article 17 of the New York State Constitution. It is a State obligation; without State funding, it is an unfunded mandate, requiring the City of New York to pay to meet the State's responsibility amidst a humanitarian emergency.

Since last spring, New York City has welcomed 42,000 asylum seekers, providing food, shelter, medical care, and legal aid. The City of New York is currently providing shelter to approximately 28,000 of them. The population in our shelters has risen 40% from last year, with new arrivals now making up over one-third of New York City's shelter population. We estimate that the total cost to the City of New York to provide shelter and services this year will likely exceed \$1 billion, with costs continuing to grow with new arrivals.

While we are encouraged by indications that funding for shelter costs is being considered for budget inclusion, at present, the City is bearing these costs on its own. This contrasts with the State's support for families in the shelter system who are not asylum seekers, for whom the State covers a portion of the costs of shelter, through a combination of the shelter rent allowance for households and direct payments to the City.¹ As you negotiate the New York State FY 2024 budget, we therefore urge you to:

- **Provide funding to the City of New York for the provision of shelter and services to asylum seekers**, at least at the level of State funding provided for non-asylum seeker families in shelter. As outlined above, this is the most pressing and critical need.
- **Support relocation to other areas of the State for asylum seekers who wish to settle there**. The State should seek agreement from cities, counties, and towns across New York to help families resettle, coordinate efforts that offer asylum seekers the opportunity to relocate, and fund the relocation, housing assistance, and case management services needed for success. Given the high cost of shelter and housing in New York City, this will generally allow for a faster transition to permanent housing, and cost far less than the amount needed for shelter here.
- **Fund and provide case management/refugee resettlement services**, including support to access medical care, enroll kids in school, English language instruction, workforce development, and access to permanent housing. The Office of Temporary and Disability Assistance (OTDA) and the Office for New Americans (ONA) should be funded to effectively contract with existing refugee services providers and other culturally-competent and community-based service providers.
- **Fund and provide legal assistance and representation**. As of December 2022, there are approximately 190,000 immigration cases pending in New York State (two thirds of which are being adjudicated in New York City courts). To meaningfully address this court backlog, State leaders should pass and adequately fund the [Access to Representation Act](#), to provide quality legal representation in immigration court, helping asylum seekers and other immigrants to navigate our complex legal system.

While there is a short-term cost to helping new immigrants get on their feet, the very history of New York has shown over and over that there is long-term gain. For generations, immigrants have helped to power NYC's economy, perform care and essential work, and bring creativity and entrepreneurship. At a time when there is concern about declining population, shrinking school enrollment, and many jobs unfilled, we welcome new families, new entrepreneurs, new workers,

¹To be clear, even for non-asylum seekers, the State does not pay anywhere close to its fair share of the City's total shelter costs, pursuant to the right to shelter provided in the State Constitution. We receive only a token payment of \$69 million for sheltering single adults, even though annual costs total nearly \$1 billion. The shelter rent allowance of \$215 is absurdly low and has not been raised in years. In addition, it is important to note that the State essentially covers 100% of the costs of shelter for all other municipalities, besides New York City.

and new neighbors. We believe that New York will benefit from stepping up now to ensure those new neighbors can build homes and businesses here.

The City of New York cannot do it on our own, however. The State of New York has an obligation to join us in providing a haven for those seeking refuge and support their efforts to build a better life in their new home. As you adopt the FY 2024 New York State budget, we both urge and plead with you to include significant funding to fulfill that obligation.

Sincerely,



Brad Lander
New York City Comptroller



Jumaane D. Williams
New York City Public Advocate



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Brooklyn Borough President



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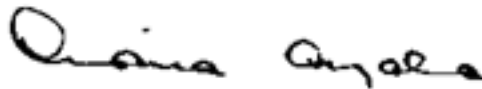
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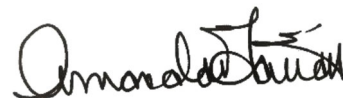
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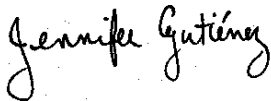
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