



**Testimony of FPWA**

**Presented to:  
New York City Council  
Committee on Immigration  
Preliminary Budget Hearing-Immigration  
Hon. Chair Alexa Avilés  
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**Jennifer Jones Austin  
Executive Director/CEO**

**Prepared By:  
Funmi Akinnawonu, Senior Policy Analyst  
Brad Martin, Senior Fiscal Policy Analyst  
Meg Espey, Policy Intern**

40 Broad Street, 5<sup>th</sup> Floor  
New York, New York 10004  
Phone: (212) 777-4800  
Fax: (212) 414-1328

We are grateful to the New York City Council on Immigration for holding the Preliminary Budget Hearing on Immigration, and to Chair Avilés for the opportunity to provide written testimony on behalf of FPWA (Federation of Protestant Welfare Agencies).

FPWA is an anti-poverty policy and advocacy organization committed to advancing economic opportunity, justice, and upward mobility for New Yorkers with low incomes. Since 1922, FPWA has driven groundbreaking policy reforms to better serve those in need. We work to dismantle the systemic barriers that impede economic security and well-being, and we strengthen the capacity of human services agencies and faith organizations so New Yorkers with lower incomes can thrive and live with dignity.

FPWA also has a membership network of more than 170 faith and community-based organizations. We support our members by offering workshops and trainings on topics such as leadership development, organizational management, and trauma-informed approaches to service delivery. FPWA also provides a range of financial assistance grants through our member network, working to strengthen individuals and families at the ground level. These grants provide direct support to New Yorkers in the form of scholarships, financial assistance for aging adults, funding for organizations providing HIV/AIDS related services, and more.

### **City Programs Must Have the Flexibility to Address the Ebbs and Flows of Migration**

We offer this testimony at a critical moment, when New York City is responding to an increase of incoming migrants, and as we transition out of the COVID-19 pandemic era, during which the city experienced a net population loss. Since the spring of 2022 over 150,000 migrants have arrived in New York City because of changing geopolitical circumstances in foreign countries, the end of pandemic era American immigration policies, (such as Title 42, under which federal government denied entry to and expelled asylum seekers due to fear of the spread of COVID-19), and political grandstanding at the southern border, including bussing migrants to New York City.<sup>1</sup>

There have been moments when the leadership of New York City officials has sparked change at the federal level. This includes successfully lobbying for the expansion of Temporary Protected Status (TPS), and the city working with legal service providers to stand up TPS clinics, advancing the needs of many of New York's newest residents, while highlighting the problems in our federal immigration system.<sup>2</sup>

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<sup>1</sup> <https://www.pbs.org/newshour/nation/what-is-title-42-and-what-does-it-mean-for-immigration-at-the-southern-border>; <https://www.npr.org/2022/08/05/1115479280/migration-border-greg-abbott-texas-bus-dc-nyc-mayors>

<sup>2</sup> <https://www.politico.com/news/2023/09/20/biden-expands-tps-migrants-00117278#:~:text=About%20472%2C000%20individuals%20are%20newly,In%20New%20York%2C%20Gov.>; <https://ny1.com/nyc/all-boroughs/politics/2023/11/28/city-expanding-legal-services-to-migrants-as-costs-grow-and-influx-continues>

City government has guided migrants towards existing programs and developed new ones. The city launched Project Open Arms to help migrant families and students navigate the public school system, as well as the Asylum Seeker Welcome Center, and the Asylum Seeker Resource and Navigation Centers, to provide direct assistance and referrals concerning education, healthcare, legal services, food, language access, housing assistance and more, and New York City has worked to expand the capacity of the shelter system. While the city's efforts have been commendable, they have at times been disorganized and insufficient. City agencies have relied on advocates, activists, community-based and human services organizations to address the needs of migrants. This assistance has come both through city-funded programs, and the development of supplemental programs and initiatives.<sup>3</sup>

The city government has depended on both for-profit and non-profit providers to deliver services. For-profit providers have often received generous funding on no-bid contracts. Late last year, the mayor opted to move forward with a no-bid \$432 million contract with DocGo, a medical services provider who was contracted to house and care for migrants across the state, despite the concerns raised by the NYC comptroller that the company did not have sufficient experience to execute the contract.<sup>4</sup> City contracts to provide migrant services appear to be poorly negotiated. According to a report<sup>5</sup> from the comptroller's office, as of November 2023 the city had generated 340 unique contracts held by 14 city agencies, representing an estimated contract value of \$5.7 billion, procured mostly on an emergency basis. The report found that prices for comparable services varied considerably, demonstrating a lack of coordination among agencies, and a missed opportunity to leverage New York City's buying power. One example is that Health and Hospitals (H+H), and New York City Emergency Management (NYCEM) pay over \$117 per hour and \$79 per hour for security staff from the same company.

We thank Chair Avilés for highlighting the lack of foresight by the city to contract with for-profit vendors when non-profits offer lower rates, and the detrimental impact of New York City's late payments to non-profit contractors for services already rendered.<sup>6</sup> Throughout the city's response to increased migrants, non-profit providers have been expected to deliver services without upfront funding or prompt reimbursement. This issue is impacting city agencies beyond those that directly impact immigrants and provide immigrant services.<sup>7</sup> The city must continue to work to address these issues and be a better partner to the service providers that the city government depends upon to serve the interests of New Yorkers. City government has also often failed to sufficiently coordinate amongst providers who offer similar services and could collaborate for provider referrals if the city's coordination was more robust.<sup>8</sup> This wastes time and money due to the potential duplication of work, and lack of consolidation of

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<sup>3</sup> <https://www.nytimes.com/2022/10/22/nyregion/venezuelan-asylum-seekers-new-yorkers-aid.html>

<sup>4</sup> <https://gothamist.com/news/nyc-comptroller-rejects-432-million-migrant-contract-to-docgo>

<sup>5</sup> <https://comptroller.nyc.gov/reports/asylum-seeker-staffing-contract-comparison-and-review/>

<sup>6</sup> <https://www.nydailynews.com/2024/03/05/nyc-council-immigration-committee-demands-adams-spend-more-on-migrant-legal-services-education/>

<sup>7</sup> <https://www.cbsnews.com/newyork/news/nonprofits-say-theyre-not-being-paid-due-to-new-york-city-strangling-bureaucracy/>

<sup>8</sup> [https://humanservicescouncil.org/wp-content/uploads/2023/05/HSC\\_Welcoming-Our-Newest-Neighbors\\_Survey-Report\\_January-2023.pdf](https://humanservicescouncil.org/wp-content/uploads/2023/05/HSC_Welcoming-Our-Newest-Neighbors_Survey-Report_January-2023.pdf)

resources. The city's agencies are best positioned to act as a coordinator between their contractors. It is essential that the city embrace this role.

Often, the city's response to the increased migration has seemed reactive rather than proactive, relying on slow federal policy change while neglecting city programs. Some of the city's struggles to deliver services to migrant populations stem from the inflexibility of some city programs, or the lack of infrastructure that is ready to mobilize quickly and adapt to changing needs. For example, New York City advocated to the federal government for expedited work authorization for migrants because many migrants are asylum seekers, and asylum seekers are only eligible to receive work authorization 180 days after they submit their asylum application. This advocacy is incredibly valuable, but in lieu of a change in federal immigration law, the city should have rapidly organized, scaled, and funded asylum clinics to put thousands of migrants on the path to work authorization. Instead, the city's RFP process for immigration legal services was chaotic and delayed, and the launch of Office of Asylum Seeker Operations (OASO) came nearly a year after asylum seekers began arriving in New York in large numbers.<sup>9</sup>

New York City has long been a city of immigrants. Migration is a natural phenomenon, and city government will always have to adapt as people move from one place to another. Throughout its history, New York City has welcomed millions of immigrants arriving by ship to Ellis Island, and more recently by planes, trains, and busses. The city has long celebrated the cultural richness this has gifted New York. Agencies such as the Mayor's Office of Immigrant Affairs (MOIA) and newly created OASO demonstrate a clear investment in meeting the needs of immigrant New Yorkers. Those programs must have the flexibility to adapt. A significant change in immigration border policy will lead to an increase in migration to New York City that city agencies should anticipate. MOIA and OASO need to increase the flexibility of their programs, and coordinate with community-based organizations and the human services sector so that no wave of immigration is ever deemed a crisis, because the city is ready and able to mobilize.

### **The City is Misguided in Challenging the Right to Shelter**

Today, the Adams Administration is trying to roll back New York City's long championed right to shelter to stem the tide of migration. Since 1981, all New Yorkers have been protected by a consent decree establishing the right to shelter. The mayor is seeking to amend the consent decree so that the mayor could suspend the right to shelter if either the mayor or governor declares a state of emergency. If successful, the mayor would effectively dismantle a 40-year policy, that has protected all New Yorkers, not just migrants. While this court battle threatens all New Yorkers' rights, the dismantling of the right to shelter is currently targeting migrants. The city is issuing eviction notices to migrants –30-day notices for single adults and 60-day notices for migrant families. Now, evicted migrants who are still in need of shelter must go to a re-ticketing center and hope to be reassigned.

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<sup>9</sup> <https://www.bloomberg.com/news/articles/2023-09-27/nyc-legal-help-with-migrant-asylum-applications-work-permits-lagged>

We are grateful to the New York City Council for reintroducing a bill to challenge the shelter limits placed upon migrants.<sup>10</sup> Evicting migrants from shelters will have serious health impacts on migrant families. While homelessness drives negative health outcomes generally, unsheltered unhoused individuals have worse physical and mental health outcomes than their sheltered counterparts.<sup>11</sup> One report<sup>12</sup> found, unsheltered people were more than four times as likely to report that physical health conditions had contributed to loss of housing than sheltered people (46% vs. 11%), nearly three times as likely to report mental health conditions had contributed to loss of housing (50% to 17%), and more than eight times as likely to report that use of drugs or alcohol had contributed to loss of housing (51% vs. 6%). They are also more likely to interact with police, with the same report noting that unsheltered individuals report ten times as many police contacts on average. If the city ends the right to shelter it will drive negative outcomes for individuals who are already vulnerable. New York City should invest its resources in getting individuals and families into permanent housing, rather than generating harm to migrants and potentially financial costs to the city if those migrants are jailed or hospitalized because of this policy change.

Emergency measures should not be used to address systemic and structural problems in New York City's shelter system. The New York City shelter system has been struggling to transition people into permanent housing well before migrants began arriving in higher numbers in the Spring of 2022. A report from the NYC comptroller's office shows in FY21 the average shelter length of stay for an adult family was over 2 years, and for adult families with children and single adults it was over a year.<sup>13</sup> The city has made strides in its affordable housing policies, including allowing CityFHEPS vouchers to be used outside of New York City. The ultimate solution is to transition folks more quickly to permanent housing. A study by the New York Immigration Coalition (NYIC) and Win demonstrates that extending housing subsidy programs to immigrants, regardless of their status, could save the city up to \$2.9 billion per year.<sup>14</sup>

New York City is inflicting additional trauma on migrants, who in many cases have survived harrowing journeys to get here. New York City's shelter policies should be trauma-informed and logical. Evicting individuals and families who then reapply for the shelter system potentially displaces migrants from schools and jobs and causes additional trauma, and it also causes an administrative burden to reprocess those individuals back into shelters. This policy is dangerous for migrants unable to find housing and not readmitted to the shelter system, and it unfairly blames them for the operational issues of New York City's shelter system.

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<sup>10</sup> <https://ny1.com/nyc/all-boroughs/politics/2024/03/02/council-hears-bill-aimed-to-roll-back-migrant-shelter-limits>

<sup>11</sup> <https://endhomelessness.org/blog/new-research-unsheltered-homelessness-is-a-health-crisis/>

<sup>12</sup> <https://www.capolicylab.org/wp-content/uploads/2023/02/Health-Conditions-Among-Unsheltered-Adults-in-the-U.S..pdf>

<sup>13</sup> <https://comptroller.nyc.gov/wp-content/uploads/documents/MD22-105S.pdf>

<sup>14</sup> <https://winnyc.org/wp-content/uploads/2023/08/Housing-Instead-of-Emergency-Shelter-for-Asylum-Seekersbriefv4.pdf>

## **The Cost of Supporting New Arrivals Should not be Used as Justification for Cuts to Other Services**

FPWA recognizes the important work the city has done to support new arrivals to New York and the costs associated with this. However, we have also been concerned with the Adams Administration's rhetoric towards the newest New Yorkers in the context of the city's financial situation.

Through our work tracking city funding,<sup>15</sup> FPWA is aware of the complexity of factors that determine the state of the city's finances. Through this work, we have also long highlighted the impending fiscal cliff of expiring COVID-19 funding.<sup>16</sup> Despite these warnings, the city failed to adequately prepare for this eventuality. This escalated late last year, when the Administration announced that it would require agencies to submit plans for the first of three Programs to Eliminate the Gap (PEGs), each totaling about 5 percent of city spending. Most concerning, the Administration attempted to dodge questions of its own financial management by blaming the situation on migrants, claiming that the increase in new arrivals "will destroy New York City."

When this was announced, we highlighted that the cuts being outlined by the city went beyond what would be required to fund the increased costs of supporting migrants.<sup>17</sup> This has subsequently been backed up by independent analysis from the NYC comptroller<sup>18</sup> and the IBO<sup>19</sup>, who both predicted smaller budget gaps than outlined by the city. Finally, this was confirmed by the city's own revisions to its estimates in February of this year.

The Administration anticipates costs of \$4.2 billion for asylum seekers this year, compared with IBO's estimate of \$3.6 billion. A notable expense by either estimate, it is manageable within the context of the overall City Budget of \$116 billion, especially when a portion is expected to be reimbursed by the State if claims are properly submitted.<sup>20</sup>

While we welcome the news that the city has since scaled back the January PEG, and cancelled the upcoming April PEG, the damage has already been done. There has been an increase in anti-immigrant sentiment as the lives of New Yorkers have been politicized, with the mayor leading this discourse.

Instead of blaming migrants to justify PEGs, the city should be exploring more prudent options, including:

- *Collaborating* with Albany and Washington to secure more funding for the city, including for asylum seeker services;
- Controlling ballooning costs in areas such as claims against the city and overtime spending;

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<sup>15</sup> <https://www.fpwa.org/nycfundstracker/>

<sup>16</sup> <https://www.fpwa.org/resource-center/in-the-news/new-fpwa-report-reveals-alarming-decline-in-federal-state-funding-for-city-agencies/>

<sup>17</sup> <https://www.fpwa.org/resource-center/in-the-news/fpwa-response-to-15-budget-cuts/>

<sup>18</sup> <https://comptroller.nyc.gov/services/for-the-public/accounting-for-asylum-seeker-services/overview/>

<sup>19</sup> <https://www.ibo.nyc.ny.us/iboreports/print-2024-preliminary-budget-report-february.pdf>

<sup>20</sup> <https://ibo.nyc.ny.us/iboreports/preliminary-budget-testimony-march-2024.pdf>

- Passing minor, progressive tax adjustments to fund vital services;
- Leveraging the expertise of the human services sector to more effectively manage asylum seeker spending.

### **The City Should Address Cost Pressures by Adopting More Prudent Financial Management**

While we reject the claim that the cost of providing services to new arrivals is the sole cause of the city's financial situation, we do accept that there is the need for increased expenditure on these services. Given this, it is important that the city uses this funding efficiently, in a way that maximizes outcomes for New York.

This is why we were particularly concerned about the findings of the recent comptroller report on asylum seeker staffing and contracting.<sup>21</sup> While the city has largely depended on non-profits in the past, the report reveals that city agencies are increasingly entering into contracts with for-profit providers at rates that represent poor value for money for the city. These contracts are being entered into at the same time as cuts to other vital services are taking place.

The pay rates in these contracts (as high as \$201 per hour) are particularly galling when considering the pay rates, the city offers in its non-profit human services contracts. Contracted human services workers provide critical services to millions of New Yorkers each day and deserve to be compensated in accordance with the value they provide to the city. Currently, they make between 20 to 35 percent less in median annual wages and benefits than workers in comparable positions in the government and private sector. Two-thirds of all full-time human services workers had 2019 earnings below the city's near poverty threshold.<sup>22</sup>

FPWA calls on the Administration to utilize the expertise of the non-for-profit sector to deliver vital asylum seeker services and pay these providers fairly in the process.

### **New York City Has Always Benefitted Economically from Immigrant New Yorkers, Who Are Often Vulnerable to Wage and Labor Exploitation Due to Occupational Segregation**

Investing in services for immigrants is an investment in community. Approximately 37% of all New York City residents are immigrants. For generations, immigrants have been coming to New York City and contributing to the economy. Immigrants are disproportionately represented among several professions. During their first few years in New York City, immigrants are most likely to work in essential field such as construction laborers, home health aides, janitors, cashiers, cooks, waiters, truck drivers

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<sup>21</sup> <https://comptroller.nyc.gov/wp-content/uploads/documents/Asylum-Seeker-Staffing-Contract-Comparison-and-Review.pdf>

<sup>22</sup> <https://www.nyc.gov/site/opportunity/poverty-in-nyc/poverty-measure.page>  
<https://www.centernyc.org/reports-briefs/the-case-for-ending-poverty-wages-for-new-york-citys-human-services-workers>

and taxi drivers.<sup>23</sup> Immigrants are also often entrepreneurial and according to a 2015 study<sup>24</sup> are twice as likely as native-born Americans to establish a new business. Immigrants have played a huge role in the founding of NY Fortune 500 companies. The same study noted that of the 55 Fortune 500 firms based in New York, 56.4 percent of firms had at least one founder who was an immigrant or the child of an immigrant.<sup>25</sup> Immigrants contribute mightily to New York States tax revenue. In 2021, New York State immigrants contributed \$61 billion in taxes and constituted \$138 billion in spending power. Undocumented immigrants contributed \$3 billion in tax revenue.<sup>26</sup>

New York State has benefitted from the labor of immigrant communities for generations. When immigrants, particularly immigrants of color, are dominant within a labor sector due to occupational segregation, they often experience poor conditions and wages. One example is within the home health care field. Immigrant New Yorkers are disproportionately represented among essential workers, including healthcare workers.<sup>27</sup> Home care workers' salaries have been largely stagnant for the last 10-20 years, and as of 2022 home care workers in New York were making about \$16 per hour, or \$32,000 per year. Research shows that over half of home care workers access some form of public assistance, whether through SNAP, Medicaid or cash assistance.<sup>28</sup>

New York State is facing labor shortages that could be addressed by migrants, by allowing migrants to gain work authorization to fill these jobs.<sup>29</sup> Expanded legal services that target the migrant community and expanded the population with work authorization, is an investment in New York's economic development. The newly arrived migrants are just New Yorkers' newest neighbors. Investing in their well-being is investing in the future of New York.

Wage theft and labor violations have continued to be a huge issue in the immigrant community. We are grateful to city council for recognizing these issues and introducing the Immigrant Workers Bill of Rights.<sup>30</sup> We look forward to seeing how MOIA, Department of Consumer and Worker Protection (DCWP), and New York City Commission on Human Rights (CCHR) progress in developing language for the bill of rights over the next year. Empowering immigrants to protect their rights, and reducing both labor violations and wage theft could reduce the administrative and financial burden of investigating and addressing this harm.

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<sup>23</sup> <https://immresearch.org/publications/new-immigrants-arriving-in-the-new-york-city-economic-projections/>

<sup>24</sup> <https://research.newamericaneconomy.org/wp-content/uploads/2017/02/nae-ny-report.pdf>

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<sup>26</sup> <https://comptroller.nyc.gov/reports/facts-not-fear-how-welcoming-immigrants-benefits-new-york-city/#:~:text=In%202021%2C%20immigrant%20New%20Yorkers,population%2C%20and%20boosted%20public%20revenues.>

<sup>27</sup> <https://cmsny.org/publications/new-york-essential-workers/#:~:text=About%20one%2Dthird%20of%20health,all%20workers%20in%20essential%20businesses.>

<sup>28</sup> <https://fiscalfpolicy.org/workforce-report-labor-shortage-mitigation-in-new-yorks-home-care-sector>

<sup>29</sup> <https://www.nytimes.com/2023/09/09/nyregion/migrants-work-permits.html>

<sup>30</sup> <https://gothamist.com/news/immigrant-workers-in-new-york-city-are-getting-their-own-bill-of-rights>



## The City's Migrant Response is a Racial Justice Issue

Recently, tropes concerning the criminality of poor immigrants of color have gained traction in New York. Immigrants are less likely to commit serious crimes than their native-born counterparts, yet they are treated with suspicion as a monolith if any individual immigrant is accused of a crime.<sup>31</sup>

The over-policing of communities of color, which leads to disproportionate criminal system involvement for poor Black and Brown folks, funnels those same people into deportation proceedings.<sup>32</sup> The mayor has called for immigrants accused of serious crimes to be deported and would like the city to be able to coordinate with ICE in defiance of our sanctuary city laws.<sup>33</sup> This would deputize NYPD to work on behalf of ICE, invest NYC resources in federal immigration enforcement, and undermine due process.

Despite the rhetoric from the mayor and other city leaders, fears of a 'migrant crime wave' are not supported by the data<sup>34</sup>. These tropes are fueling over-policing and over-incarceration, the cost of which is a financial burden on the city. This is particularly relevant at a time when the mayor is claiming to be in a fiscal crisis. Police spending, particularly for police overtime has consistently increased over the last decade. This has seen uniformed personnel overtime at the New York City Police Department (NYPD) become the largest share of overtime in the city's budget each year.<sup>35</sup> These cost pressures continue once incarcerated, with the comptroller previously estimating that the full annual cost per incarcerated person has nearly quadrupled over the last decade to over \$500,000<sup>36</sup>. City government should be wary about how these xenophobic and racist tropes can be used to justify a bloated policing budget while essential programs are experiencing budget cuts.

As with its policing, the city should be wary of immigration policies that foster disparate treatment. Immigrants come to New York City from all over the world,<sup>37</sup> yet African migrants are more likely to be

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<sup>31</sup> <https://www.americanimmigrationcouncil.org/research/criminalization-immigration-united-states>

<sup>32</sup> <https://www.vox.com/identities/2019/9/30/20875821/black-immigrants-school-prison-deportation-pipeline>

<sup>33</sup> <https://www.nytimes.com/2024/02/27/nyregion/adams-deport-migrants-crime.html>;  
<https://www.usatoday.com/story/news/nation/2024/02/28/nyc-mayor-police-immigration-law-changes/72775010007/>

<sup>34</sup> <https://www.nytimes.com/2024/02/15/nyregion/migrants-crime-nyc.html#:~:text=The%20monthly%20number%20of%20robberies,climbed%20to%201%2C417%20last%20month.>

<sup>35</sup> <https://comptroller.nyc.gov/newsroom/nypd-overspending-on-overtime-grew-dramatically-in-recent-years/>

<sup>36</sup> <https://comptroller.nyc.gov/reports/nyc-department-of-correction/#:~:text=This%20report%20analyzes%20jail%20population,to%20%24556%2C539%20in%20FY%202021.>

<sup>37</sup> <https://www.nytimes.com/article/nyc-migrant-crisis-explained.html>

evicted from New York City shelters because they are more likely to be single adults than populations from countries closer to the United States. A study found that out of 14,000 eviction notices, 44% were issued to migrants from Mauritania and 42% to migrants from Senegal even though collectively those countries reflect less than half of migrants in the shelter system.<sup>38</sup> Language access has been a problem, with migrants reporting that they have had to rely on community services when the city did not provide sufficient translation services in their native tongues.<sup>39</sup>

## **Conclusion**

Thank you for the opportunity to testify. FPWA hopes you will consider our recommendations to improve immigration services including, introducing more flexibility and capacity to mobilize and adapt immigration services, and the city dropping its challenge to the right to shelter and expanding programming that helps shelter occupants transition to permanent housing. We also urge the city to avoid making misleading statements that attribute budget cuts to migrant services. New York City needs to engage in more prudent financial planning. Supporting immigrants is an investment in the future of the city. We must work hard to ensure that city policies and programs align with the intersectional values that New York has long espoused, and that they actively counteract poverty, racism, and xenophobia. We look forward to working with you to ensure that immigrant New Yorkers are empowered and thrive in New York City.

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<sup>38</sup> <https://nysfocus.com/2024/02/15/eric-adams-migrants-shelter-mauritania-senegal>

<sup>39</sup> <https://documentedny.com/2024/01/24/chinese-migrants-southern-border/>;  
<https://www.chalkbeat.org/newyork/2023/8/15/23833320/nyc-asylum-seekers-migrant-crisis-community-center-volunteer/>