



NYC SHOULD WELCOME MIGRANTS RATHER THAN HAVE A MAYOR WHO DISPARAGES THEM

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Cyrus D. Mehta and Kaitlyn Box*

In recent weeks, New York City Mayor Eric Adams has made a series of increasingly uninformed and disparaging comments about migrants arriving in New York. In a town hall meeting on September 6, Adams [said](#) of the influx of migrants: “this issue will destroy New York City”. Adams further [stated](#) that “every community in this city is going to be impacted” by the arriving migrants, and warned the audience: “It’s going to come to your neighborhoods.” On September 9, 2023, Adams [directed](#) agencies to prepare plans for reducing the city’s budget by 15 percent, stating that the cost of caring for increasing numbers of migrants has put a strain on NYC’s financial resources.

Adams’ comments are incredibly troubling to immigration advocates, who view the mayor as demonizing asylum seekers. Murad Awawdeh, executive director of the New York Immigration Coalition, [told the New York Times](#) that: “What we’ve seen with the rhetoric he’s using is that it’s activating people in a negative way against their new neighbors. The mayor should know better. The contributions of the immigrant community here have been seismic.” New York City has a rich tradition of welcoming immigrants, and the contributions of immigrants have long shaped the fabric of the city. Even Emma Lazarus’ poem, printed at the base of the iconic Statue of Liberty in New York Harbor, issues the following directive: “Send these, the homeless, tempest-tost to me”. Adams’ remarks run entirely contrary to the vision and history of New York City as a refuge for immigrants.

Moreover, Adams seems to ignore the fact that asylum seekers are often eager to find work and begin contributing to their communities. A recent New York Times [article](#) also emphasizes that there is no shortage of available jobs for

migrants, stating “across the state, many large and small employers have expressed an overwhelming willingness to hire recent asylum seekers”. The article further notes that there is a tremendous need for workers in “service industries like landscaping, manufacturing and hospitality”, particularly in areas of upstate New York that have suffered from declining populations in recent years.

However, the path to obtaining work authorization is less than straightforward for many migrants. Pursuant to INA § 208(d)(2) and 8 CFR 208.7(a)(1), asylum applicants may apply for an employment authorization document (EAD) no earlier than 150 days after the submission of a completed asylum application. The Form I-765 application must then remain pending for an additional 30 days, for a total of 180 days, before the asylum applicant is eligible for work authorization and USCIS can issue an EAD. Thus, despite some elected officials urging the Biden administration to expedite the process for issuing the EAD for asylum seekers, the administration is hamstrung by the statute precluding an asylum applicant from applying earlier than 150 days from submitting an application, and then issuing the EAD only after 180 days from the submission of the application.

Some migrants need not wait for 180 days before becoming eligible for employment authorization, though. Pursuant to a special Department of Homeland Security (DHS) [program](#), certain nationals of Cuba, Haiti, Nicaragua, and Venezuela may be paroled into the U.S. for a period of up to two years. Because these individuals are not asylum applicants, but rather have been paroled into the U.S., they are eligible to apply for an EAD immediately.

Similarly, U.S. Customs and Border Protection (CBP) has recently begun using the CBP One app to schedule appointments for migrants seeking to enter the U.S. through a port of entry at the Southern border. According to a DHS [fact sheet](#), “individuals who are processed into the United States are generally placed into immigration proceedings and, on a case-by-case basis, may be considered for a period of parole for up to two years to continue their immigration proceedings”. Migrants who entered the United States through this process are eligible to apply for an EAD immediately upon being paroled into the country, even if they applied for asylum less than 150 days prior. The Biden administration has recently begun sending [text messages](#) to migrants who are eligible for work authorization to encourage them to apply, as well as circulating QR codes that link to information about applying for work

authorization. While this is all salutary, the Biden administration should also process the EADs expeditiously for eligible applicants.

Adams' assertion that migrants will destroy New York City is utterly misguided. He is foolishly [playing into the hands of Republican politicians](#) who have never been friendly towards asylum seekers. Rather, immigrants have played an instrumental role in building New York City into what it is today. The city's newest arrivals are equally eager to contribute, and Adams seemingly disregards the fact that many migrants are already authorized to apply for work authorization and entering a community that is ready to employ them. Once these migrants are employed they will contribute to New York City and the economy. The key to ensuring that New York City can successfully welcome arriving migrants is not to vilify these individuals, but rather to ensure that eligibility for work authorization is extended to as many migrants as possible, and to facilitate the application process for those who are already eligible. This will be a win-win for migrants and New York City!

*Kaitlyn Box is a Senior Associate at Cyrus D. Mehta & Partners PLLC.