

Congress of the United States

Washington, DC 20515

August 9, 2022

The Honorable Kathy Hochul
Governor of New York State
New York State Capitol
Albany, NY 12224

Dear Governor Hochul,

The Biden Administration's refusal to secure our nation's border is resulting in a historic influx of illegal immigrants, who are being transported to their destinations of choice, including New York. This creates a significant stress on state and local resources, and also increases security risks. For far too long, failed leadership in our state has implemented policies that incentivize the arrival of individuals who are in the country illegally, and now the burden is very predictably falling onto the laps of New Yorkers. With a profound sense of concern, we call upon your Administration and the state legislature to take immediate action to stem the tide of illegal immigrants into our state and repeal problematic laws that enthusiastically reward those who have broken the law.

Since the beginning of this fiscal year (FY), Customs and Border Protection (CBP) has already encountered 2,002,604 individuals illegally crossing into the country. We still have two months left in FY22, and we've already surpassed the total border encounters of 1,956,519 in FY21. As if that isn't alarming enough, CBP has reported 37,345 encounters along New York's border with Canada so far in FY22, an exponential 276.6% increase from FY21, and our local communities are suffering the consequences. In October of last year, New Yorkers were shocked to learn that nearly 2,000 undocumented immigrants had been secretly flown, and released, into our state. There isn't some great mystery as to why this is happening, it's because New York's pro-illegal immigration policies are the perfect supplement to the Biden Administration's border crisis.

The dead of the night flights to Westchester County have now morphed into a multi-faceted travel agency with destinations elsewhere in New York, dealing striking blows to local resources. This crisis has escalated to the point that New York City Mayor Eric Adams recently called for federal intervention due to the city's inability to accommodate the arrival of 3,000 illegal immigrants in recent weeks. New Yorkers have no concrete information about what sort of vetting these migrants have gone through, why they are being relocated, where they will stay, who was involved in this decision-making process and so much more. The silence and lack of transparency from your administration has been completely unacceptable. Instead of conducting these covert flights and covering up these decisions from the public, you must take accountability and stop the influx of illegal immigrants into our communities.

In 2019, the Cuomo Administration, in which you were the Lieutenant Governor, began issuing driver's licenses to illegal immigrants following the passage of the Green Light Law. Among other controversial provisions, this law revoked the ability of "any agency that primarily enforces immigration law" to access the Department of Motor Vehicles (DMV) database without a warrant or court order. The DMV database allows law enforcement officers to quickly access information

about vehicle registration and traffic-related offenses, including misdemeanors, during routine traffic stops and investigations. This provision intentionally targeted the efforts by the U.S. Department of Homeland Security to enforce federal immigration law.

Several counties in New York have rejected the Green Light Law, and warnings from the Department of Homeland Security (DHS) have signified that the law undermines their efforts. While DHS access to the DMV database is vital to “identify foreign terrorist connections and build criminal cases and identify criminal suspects including gang members, sex offenders, drug smugglers and others,” the Cuomo Administration proceeded with implementing a law that offered protection to illegal immigrants over New Yorkers.

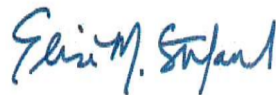
While the Green Light Law is a prime example of a New York policy that motivates illegal immigrants to make our state their destination, there is unfortunately no shortage of additional state and local incentives such as: COVID-19 stimulus checks for undocumented immigrants; the law you passed which provides \$820 million in Medicaid services for undocumented immigrants; tuition aid for undocumented students, and of course, the recently struck down New York City law which granted non-citizens the sacred right of voting. Despite publicly calling the surge of illegals a “real burden” to city resources, New York City’s legal team filed an appeal to “vigorously” defend legislation that allows non-citizens to vote in municipal elections.

At a time when inflation and the effects of a post-pandemic stalled economy are burdening communities across New York, now more than ever is the time to allocate state resources to New Yorkers. This crisis cannot be solved if your Administration continues to deflect responsibility. Given the current humanitarian crisis and the strain on federal law enforcement, you must end the transportation of illegal immigrants into our state, permit and encourage more coordination and cooperation between federal, state and local law enforcement agencies, and repeal problematic incentives that reward illegal entry.

Sincerely,



Lee Zeldin
Member of Congress



Elise M. Stefanik
Member of Congress



John Katko
Member of Congress



Andrew Garbarino
Member of Congress



Chris Jacobs
Member of Congress



Nicole Malliotakis
Member of Congress



Claudia Tenney
Member of Congress