



CITIES for ACTION



**CITIES & COUNTIES
FOR CITIZENSHIP**
Advancing Citizenship with Local Governments

April 24, 2026

Submitted via www.regulations.gov

Division of Humanitarian Affairs
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
5900 Capital Gateway Drive
Camp Springs, MD 20746

Re: Department of Homeland Security Notice of Proposed Rulemaking, *Employment Authorization Reform for Asylum Applicants* (Feb. 23, 2026), DHS Docket No. USCIS-2025-0370¹

To Whom It May Concern:

Cities for Action, a coalition of nearly 200 U.S. mayors and county executives across America, and Cities and Counties for Citizenship, a national network of nearly 120 cities and counties advancing immigrant and refugee inclusion at the local level, respectfully submit this comment in strong opposition to the Department of Homeland Security (“DHS”) Notice of Proposed Rulemaking, *Employment Authorization Reform for Asylum Applicants*, 91 Fed. Reg. 8,616 (Feb. 23, 2026) (DHS Docket No. USCIS-2025-0370) (“Proposed Rule”). We urge DHS to withdraw the Proposed Rule in its entirety.

As the governments closest to the communities where asylum seekers live and work, we have a direct stake in federal policies that shape local economies, public services, and the well-being of our residents. This Proposed Rule would harm all three—disrupting workforce stability, increasing strain on local systems, and harming the individuals and families who are striving to rebuild their lives in our communities..

I. The Proposed Rule Would Severely Restrict Asylum Seekers’ Access to Work Authorization

The proposed changes would make it almost impossible for people seeking asylum to enter the authorized workforce and maintain continuous work authorization. The Proposed Rule would extend the waiting period for people seeking asylum to apply for an initial work permit from 150 to 365 days and allow U.S. Citizenship and Immigration Services (“USCIS”) at least 180 additional days to adjudicate the application.²

¹ The Proposed Rule contains multiple identifying numbers, including DHS Docket No. USCIS-2025-0370, CIS No. 2799-25, DHS Docket No. 2025-0370, and RIN 1615-AC97.

² 91 Fed. Reg. at 8,618.

The rule goes even further to authorize DHS to pause acceptance of all initial work permit applications when average affirmative asylum processing times exceed 180 days—a pause DHS’s own analysis estimates could last 14 to 173 years.³ The Proposed Rule would also makes all future work permit approvals fully discretionary and introduces new eligibility bars that may disqualify individuals from work authorization who may still ultimately win asylum.⁴ Taken together, these provisions would effectively shut asylum seekers out of the workforce, preventing them from supporting themselves and their families, and placing increased strain on local governments in cities and counties like ours.

II. The Proposed Rule Would Directly Harm City and County Governments

When asylum seekers are denied access to work authorization, cities and counties bear the consequences. Local governments rely on asylum seekers to contribute as workers, taxpayers, and consumers — and when they are excluded from the authorized workforce, the effects ripple across municipal budgets, local businesses, and public services. Reduced tax revenues, increased demand for safety-net programs, and destabilized labor markets in key industries all land at the feet of city and county governments, which have no ability to offset these losses through federal immigration policy. The Proposed Rule would trigger exactly this cascade of harms — and at a scale and duration local governments are wholly unprepared to absorb.

Asylum seekers are an essential part of local economies across the nation. Approximately 2.3 million workers in the U.S. have a pending asylum application, contributing more than \$108 billion to the U.S. economy each year.⁵ People seeking asylum pay \$33 billion in combined taxes annually—including \$14 billion in state and local taxes that fund city and county services.⁶

These workers are concentrated in industries essential to local economies and daily life: construction (453,000 workers), leisure and hospitality (360,000), professional and business services (343,000), wholesale and retail trade (296,000), manufacturing (218,000), and transportation and warehousing (206,000).⁷ In each of these sectors, the number of remaining vacancies far exceeds the number of positions held by asylum applicant workers, meaning this workforce is filling critical gaps, not displacing American workers.⁸ Eliminating work authorization for this population would translate directly into reduced local employment and economic output in sectors that are central to our communities’ growth.

³ *Id.*

⁴ *Id.* at 8,618-19.

⁵ Phillip Connor, *2+ Million Workers, \$100+ Billion Impact: Counting the Overlooked Economic Contributions of Asylum Applicants*, WorkPermits.US (Mar. 2026), <https://data.workpermits.us/asylum-workforce-report/>. Estimates are based on augmented 2024 American Community Survey data with populations reweighted to reflect the total number of asylum applicants as of the end of fiscal year 2025.

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*; see also Economic Analysis Submitted by Michael Clemens (George Mason), Natalia Rigol (Harvard), and Amy Nice (Cornell) in response to the Department of Homeland Security Notice of Proposed Rulemaking, Employment Authorization Reform for Asylum Applicants (April 7, 2026), <https://www.regulations.gov/comment/USCIS-2025-0370-2638> (finding that in communities where asylum applicants settle, existing U.S. workers see higher wages and lower unemployment).

The changes proposed in this rule would also significantly reduce tax revenues and increase service demands. DHS estimates lost compensation to asylum seekers could range from \$34.6 billion to \$126.6 billion annually.⁹ This lost income means reduced payroll and sales tax revenues for cities and counties—revenues that fund schools, public safety, roads, and health services. Asylum applicants currently pay \$14 billion in state and local taxes each year, with significant contributions in states and metro areas across the country.¹⁰ At the same time, when workers cannot legally support themselves, demand for local safety-net programs increases including shelter capacity, emergency healthcare, food assistance, and housing support. Cities and counties are left to absorb costs that individuals would otherwise cover through their own earnings.

Without work authorization, asylum seekers will be driven into informal labor markets where they face substandard wages, unsafe conditions, and wage theft, and are less likely to report abuses due to fear of deportation.¹¹ This dynamic harms not only the workers themselves but the broader labor market: informal employment undercuts compliant businesses that pay prevailing wages and maintain safety standards, creating unfair competition and downward pressure on wages for all workers in affected industries. It also shifts significant burdens onto local labor enforcement agencies, which must identify, investigate, and prosecute violations that are deliberately concealed, often involve transient worksites, and require far more resources to detect than standard workplace complaints. Cities and counties — not the federal government — bear the cost of this enforcement. DHS's failure to account for these downstream effects in its regulatory impact analysis renders that analysis incomplete and legally insufficient.

Despite these far-reaching impacts, DHS has failed to adequately quantify the fiscal harm from this Proposed Rule. DHS acknowledges the rule would harm local businesses and governments but states it “does not know” the extent of those harms.¹² The Proposed Rule also does not address whether forcing individuals out of the workforce can have negative implications for public safety. This failure to assess the rule’s impact —particularly to state and local governments—is both legally deficient and deeply concerning for local communities across the U.S. that will incur the costs.

III. Requested Action and Conclusion

City and county governments are committed to ensuring that individuals seeking refuge can rebuild their lives in safety and contribute meaningfully to our communities. We demonstrate that commitment through

⁹ 91 Fed. Reg. at 8,621. DHS’s five-year estimates of lost compensation to asylum applicants ranges from \$155.4 billion to \$568.6 billion. *Id.*

¹⁰ 2+ *Million Workers, \$100+ Billion Impact*, supra note 5 (estimating asylum applicant workers pay \$33 billion in combined taxes annually, including \$19 billion in federal and payroll taxes and \$14 billion in state and local taxes). See also FWD.us, *Ending Work Authorization for Asylum Seekers Will Cost Billions* (Mar. 4, 2026), <https://www.fwd.us/news/asylum-work-permit-rule/>.

¹¹ See Brief for Am. Fed’n of Lab. & Cong. of Indus. Orgs. et al. as Amici Curiae Supporting Plaintiffs-Appellees, *Svitalana Doe v. Noem*, 152 F.4th 272 (2025) (No. 25-1384), at 15–16; Susan Ferriss & Joe Yerardi, *Wage theft hits immigrants—hard*, CTR. FOR PUB. INTEGRITY (Oct. 14, 2021), <https://publicintegrity.org/inequality-poverty-opportunity/garment-immigrant-workers-wage-theft/>.

¹² 91 Fed. Reg. at 8,621, 8,664.

sustained investments in resettlement services, workforce development, and community integration—strategies that promote self-sufficiency and strengthen local economies. The Proposed Rule would undermine these efforts by making lawful work inaccessible, destabilizing local workforces, reducing municipal revenues, and increasing demand for local services.

We urge DHS to withdraw the Proposed Rule in its entirety and instead advance solutions that promote stability, self-sufficiency, and economic contribution—solutions that serve the interests of people seeking asylum and their families, local communities, and the broader American economy alike.

Respectfully submitted,

Steering Committee of Cities for Action Coalition
Executive Committee of Cities & Counties for Citizenship