



Office of the City Clerk

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Legislation Details (With Text)

File #: Or2018-371
Type: Order **Status:** Failed to Pass
File created: 7/25/2018 **In control:** City Council
Final action:
Title: Call for Corporation Counsel to join in legal actions against denaturalization efforts by President Donald Trump
Sponsors: Burke, Edward M., Solis, Daniel
Indexes: Lawsuits
Attachments: 1. Or2018-371.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------------|--------|
| 5/29/2019 | 1 | City Council | Failed to Pass | |
| 7/25/2018 | 1 | City Council | Referred | |

ORDER

WHEREAS, under the Trump Administration, naturalized citizens of the United States of America are being deported; and

WHEREAS, The New York Times reported that denaturalization cases haven risen "more than 80 percent, as part of a campaign of aggressive immigration enforcement;" and

WHEREAS, in May of 2018, the Justice Department filed a denaturalization case against Norma Borgono who migrated from Peru in 1989, as a single mother with two children, alleging that she committed fraud when applying for citizenship by failing to disclose her role in a fraud scheme; and

WHEREAS, at the time of Ms. Borgono's application process and taking the oath of citizenship in 2007, she was not charged with a crime, and in fact, she was not charged until 2012 when she pleaded guilty to assisting her boss during a bank loan application; and

WHEREAS, Ms. Borgono cooperated with the investigators to build the case against her boss and never benefitted from the fraudulent scheme; and

WHEREAS, during her guilty plea, Ms. Borgono was not informed by the prosecutors that the guilty plea would affect her citizenship; and

WHEREAS, speaking through tears, Ms. Borgono's daughter, Ms. Rios said, "I'm trying to do the best I can to make her smile every day" and explained that they had no close family left in Peru if her mother was deported; and

WHEREAS, the Trump Administration said, "it is doing what it has always done: Prosecuting cases of fraud among 21.2 million naturalized citizens, from people suspected of war crimes, or terrorism to those in phony marriages or with false identities;" and

WHEREAS, the United States Citizenship and Immigration Services (USCIS), the agency that deals with residency and citizenship, has opened two (2) new offices and expanded ten (10) existing offices to investigate and recommend deportation for thousands of additional denaturalization cases; and

WHEREAS, the agency of Immigration and Customs Enforcement (ICE) has submitted a request for \$207.6 million to hire an additional three-hundred (300) agents to investigate more cases involving marriage, visa, residency and citizenship fraud; and

WHEREAS, a former president of the American Immigration Lawyers Association David W. Leopold said, "You put a question mark next to every naturalized citizen's name. And then you instill fear;" and

WHEREAS, USCIS naturalizes approximately 700,000 to 750,000 people per year; and

WHEREAS, denaturalization is a prolonged and complex process that does not have a statute of limitations; and

WHEREAS, in June of 2017, the Supreme Court of the United States, in *Maslenjak v. United States*, ruled unanimously that citizenship could not be revoked over minor misstatements in the citizenship application and that the offenses had to be materially related to the decision to grant naturalization; and

WHEREAS, when the Trump Administration implemented the "zero-tolerance" policy of forcibly separating families, the City Council issued an order to have the Corporation Counsel join or participate in a legal action; and

WHEREAS, New York Mayor Bill de Blasio, and San Francisco City Attorney Dennis Herrera, /Corporation Counsel filed an amicus brief in *Flores v. Sessions* to oppose President Donald / Trump's efforts to engage in long term detention of migrant children and eliminate critical child / welfare oversight currently being provided by state licensing agencies; and

WHEREAS, naturalization is an important indicator of social and civic integration, as U.S. \ citizenship is the gateway to stable jobs, professional licenses and the ability to vote; and

WHEREAS, City of Chicago is a welcoming city and continues to have one of the largest and most diverse immigrant populations in the country; now, therefore,

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF CHICAGO: that the Corporation Counsel join or participate as appropriate in legal actions that seek to enjoin the Trump Administration's immoral and unfair denaturalization actions, by way of amicus brief filings that press forward on both the City's opposition and its support of immigrants and naturalized citizens of the United States of America.