



# Office of the City Clerk

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## Legislation Text

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### OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

December 12, 2018

TO THE HONORABLE, THE CITY COUNCIL OF THE  
CITY OF CHICAGO

Ladies and Gentlemen:

I transmit herewith a resolution regarding the Department of Homeland Security's proposed rule expanding the definition of "Public Charge."

Your favorable consideration of this resolution will be appreciated.

Mayor

Very truly yours,

### **RESOLUTION**

WHEREAS, guidelines pertaining to immigrants or potential immigrants being deemed public charges have been codified in federal law through the McCarran-Walter Act of 1952 and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, and historically have been narrowly tailored to only pertain to immigrants who are or would be primarily dependent on federal cash programs for their support; and

WHEREAS, according to longstanding policy, the public charge determination has never included the receipt of non-cash

government benefit programs, including but not limited food stamps, medical care, and housing assistance; and

WHEREAS, On October 10, 2018, the United States Department of Homeland Security (DHS) issued a Proposed Rule expanding the definition of "Public Charge," to include the potential use of the aforementioned non-cash benefits as grounds to deny or restrict legal status of immigrants and potential immigrants; and

WHEREAS, the implementation of the proposed rule may be used to not only determine which immigrants may be barred from entry into the United States, but also which lawfully present immigrants may become permanent residents; and

WHEREAS, DHS, in its own filing, openly admits that the Proposed Rule will likely create a "chilling effect" in immigrant communities, discouraging immigrants from applying for and participating in benefits programs for which they are eligible; and

WHEREAS, the actions of DHS in this matter, in concert with the addition of questions regarding citizenship to the decennial United States Census and the Department of Justice's restrictions on domestic violence as a criterion for seeking asylum, continues the pattern of the Trump administration in using the power of the federal government to suppress immigrants in Chicago and around the United States; and

WHEREAS, The City of Chicago, of its own accord and in cooperation with New York City and 31 other municipalities, has filed comments with DHS stating that the Proposed Rule change amounts to a drastic change in established law that will only harm our most vulnerable of residents; and

WHEREAS, a recent report by the New American Economy estimates that immigrants in Chicago earned \$16.9 billion in 2016 while paying approximately \$6 billion in federal, state, and local taxes; and

WHEREAS, the economically wise and morally right thing for the United States to do is not to create barriers to regulated immigration but rather open doors to such immigration; now, therefore;

BE IT RESOLVED, That we, the Mayor and Members of the City Council of the City of Chicago, assembled this twelfth day of December, 2018, do hereby call upon the United States Department of Homeland Security to immediately withdraw the Proposed Rule regarding changes to "Public Charge"; and

BE IT FURTHER RESOLVED, That suitable copies of this resolution be delivered to the Secretary of Homeland Security and each member of the Illinois Congressional delegation as a sign of our dedication to this fundamentally important issue.