

1 [Commemorating the 125th Anniversary of United States v. Wong Kim Ark - March 28, 2023]

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3 **Resolution commemorating March 28, 2023, as the 125th anniversary of the landmark**  
4 **Supreme Court decision in United States v. Wong Kim Ark, which affirmed the**  
5 **birthright citizenship of everyone born in the United States including children of**  
6 **immigrants.**

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8 WHEREAS, The Fourteenth Amendment to the Constitution guarantees that "All  
9 persons born or naturalized in the United States, and subject to the jurisdiction thereof, are  
10 citizens of the United States. . .," and

11 WHEREAS, In 1882 Congress passed the first national immigration law banning  
12 persons of a specific ethnicity or nationality regardless of gender -- the Chinese Exclusion Act  
13 -- which prohibited Chinese laborers, and effectively all persons of Chinese descent, from  
14 coming into the United States; and

15 WHEREAS, Wong Kim Ark was born in San Francisco in 1873 to Chinese immigrants  
16 lawfully living in San Francisco, but was denied re-entry into the United States by U.S.  
17 customs in August 1895 after a temporary visit to China; and

18 WHEREAS, Customs officials wrongfully claimed Wong Kim Ark was not a citizen of  
19 the United States because his parents were not American and banned him from entering the  
20 country citing the Chinese Exclusion Act; and

21 WHEREAS, The Supreme Court held in United States v. Wong Kim Ark that the  
22 Fourteenth Amendment guarantees citizenship as a birthright to everyone born in the United  
23 States and not even Congress may limit or alter that right; and

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1           WHEREAS, The Chinese Consolidated Benevolent Association, established in San  
2 Francisco at the height of anti-Chinese laws and sentiment, obtained lawyers and community  
3 support to defend Wong Kim Ark and other members of the community; and

4           WHEREAS, The Wong Kim Ark decision has provided millions of children born in the  
5 United States from all ancestries with the certainty and protection of U.S. citizenship at birth,  
6 including children of permanent residents, international students, temporary workers or those  
7 without immigration status;

8           WHEREAS, By bringing challenges to discrimination in the Wong Kim Ark, Yick Wo v.  
9 Hopkins, Lau v. Nichols and other cases, Chinese American civil rights victories have  
10 advanced civil rights for all communities since the 1800s; now, therefore, be it

11           RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
12 commemorates March 28, 2023, as the 125th anniversary of United States v. Wong Kim Ark  
13 which represented a civil rights victory for Americans of Chinese descent and all US-born  
14 children of immigrants.