

1 [Affirming San Francisco's Support for Birthright Citizenship]

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3 **Resolution affirming San Francisco's commitment to birthright citizenship as a**  
4 **constitutional right and opposing President Donald Trump's Executive Order that**  
5 **attempts to unconstitutionally limit birthright citizenship.**  
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7 WHEREAS, On January 20, 2025, President Donald Trump issued an Executive Order,  
8 "Protecting the Meaning and Value of Birthright Citizenship" (the "Executive Order"), that  
9 attempts to end birthright citizenship for children born to (i) a mother who is unlawfully present  
10 or who is lawfully present in the United States but on a temporary basis, and (ii) a father who  
11 is neither a citizen nor a lawful permanent resident ; and

12 WHEREAS, Birthright citizenship is enshrined in the Citizenship Clause of the  
13 Fourteenth Amendment of the United States Constitution, ratified after the Civil War to, among  
14 other things, repudiate the infamous Dred Scott v. Sandford case, which denied citizenship to  
15 descendants of enslaved people; and

16 WHEREAS, Birthright citizenship is especially important to San Francisco, home to  
17 many immigrants and where one in two children have at least one immigrant parent; and

18 WHEREAS, Denying birthright citizenship to children of certain immigrants would make  
19 thousands of children ineligible for federal and state benefits and services such as  
20 CalWORKS and CalFresh, damage their educational, economic, and health prospects, and  
21 undermine the City's community safety, political participation, and economy; and

22 WHEREAS, The Executive Order would also block these children's access to U.S.  
23 passports, social security cards, free lunch programs, healthcare, federal student aid, and  
24 denying these fundamental needs jeopardizes the well-being of these children and harms the  
25 broader community, leading to devastating social, political, and economic consequences; and

1 WHEREAS, The Fourteenth Amendment's guarantee of birthright citizenship was  
2 affirmed over 125 years ago in a landmark U.S. Supreme Court decision involving San  
3 Francisco-born Chinese American, Wong Kim Ark; and

4 WHEREAS, Wong Kim Ark was born in 1873 at 751 Sacramento Street in San  
5 Francisco Chinatown to parents Wong Si Ping and Wee Lee, who owned a grocery store but  
6 were unable to naturalize as U.S. citizens due to prevailing anti-Chinese policies; and

7 WHEREAS, In 1894, Wong Kim Ark returned to San Francisco after visiting his family  
8 in China and upon reentry, was denied admission on the false basis that he was not a citizen  
9 of the United States, and ordered to be deported under the 1882 Chinese Exclusion Act; and

10 WHEREAS, The Chinese Consolidated Benevolent Association in San Francisco hired  
11 an attorney to fight Wong Kim Ark's unlawful detention, and the case was ultimately decided  
12 by the U.S. Supreme Court on March 28, 1898, which ruled that birthright citizenship applied  
13 to all children born in the United States including those whose parents were immigrants; and

14 WHEREAS, Wong Kim Ark's legacy and historic fight for justice ensured the  
15 Constitution's guarantee of birthright citizenship regardless of the race, class, or immigration  
16 status of a child's parents; now, therefore, be it

17 RESOLVED, That the City and County of San Francisco hereby opposes the Executive  
18 Order purporting to unconstitutionally limit birthright citizenship as enshrined in the United  
19 States Constitution; and, be it

20 FURTHER RESOLVED, That the City and County of San Francisco affirms its  
21 commitment to birthright citizenship and recognizes and honors Wong Kim Ark's fight to  
22 uphold the fundamental right of birthright citizenship under the Fourteenth Amendment of the  
23 United States Constitution; and, be it

1           FURTHER RESOLVED, The Board of Supervisors urges the Mayor's Office of Civic  
2   Engagement and Immigrant Affairs to support historical education and advocacy programs in  
3   support of birthright citizenship.