File	No.	250300

Committee Item	No.	
Board Item No.	31	

COMMITTEE/BOARD OF SUPERVISORS

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Prepared by: Lisa Lew Date: April 4, 2025 Prepared by: Date:			

25

1	[Condemning President Trump's Use of the "Alien Enemies Act"]
2	
3	Resolution condemning President Trump's use of the "Alien Enemies Act" to deport
4	noncitizens as an abuse of power and threat to our constitutional order.
5	
6	WHEREAS, On March 15, 2025, President Donald Trump issued a Proclamation,
7	"Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren de
8	Aragua" (the "Proclamation"), that purports to direct the government to arrest and remove any
9	Venezuelan national over the age of 14 who is alleged by the federal administration to be a
10	member of this gang; and
11	WHEREAS, 200 Venezuelan immigrants were taken by the federal government and
12	deported to El Salvador in violation of a federal court order, some of these individuals have
13	pending civil court dates in order to obtain immigration status, and all of these individuals are
14	now being held indefinitely in a country that's suspended its own constitution, with no speedy
15	trial rights, no independent judiciary, and in a mega-prison, the largest in the hemisphere,
16	that's been condemned by human rights organizations for torture tactics and other human
17	rights abuses; and
18	WHEREAS, The United States invoked the "Alien Enemies Act of 1798" ("AEA") only
19	three prior times in our country's history: the War of 1812, World War I, and World War II; and
20	WHEREAS, The AEA can only be applied following a formal declaration of war or after
21	a foreign nation threatens or conducts a predatory incursion against the territory of the United
22	States (U.S.); and
23	WHEREAS, The AEA was last invoked in December of 1941, to arrest Japanese,
24	Italian, and German immigrants upon U.S. entry into World War II; the AEA authorized the

mass arrests of Japanese American community leaders without warrants or criminal charges,

based on racist – and later disproven – assumptions that these business owners and religious
 leaders were spies and saboteurs; this program of mass arrests of Japanese Americans was
 expanded in February 1942 by Executive Order 9066, to incarcerate over 120,000 Japanese
 Americans without due process, two-thirds of whom were American citizens; this incarceration
 of Japanese Americans is a racist and shameful event in our history; and

WHEREAS, During World War II, San Francisco residents with Japanese, Italian and German descent were detained by the federal government and taken to incarceration camps, including those located on land owned by the City and County of San Francisco; and

WHEREAS, In 1982, the congressionally appointed Commission on Wartime Relocation and Internment of Civilians published a report finding that the U.S. government incarcerated Japanese American civilians despite the lack of military necessity; based on a thorough investigation, including multiple hearings, a review of historical documents and the testimony of more than 750 witnesses, the commission unanimously concluded that the use of the AEA was animated by "race prejudice, war hysteria and a failure of political leadership"; additionally, litigation by incarceration survivors Gordon Hirabayashi, Fred Korematsu, and Minoru Yasui, and earlier, Mitsuye Endo revealed that the U.S. government deliberately misled the U.S. Supreme Court in its effort to justify a provably racist policy; decades later, the U.S. government apologized for the roundup and incarceration of Japanese Americans during World War II and provided reparations to survivors; and

WHEREAS, The roundup and incarceration of Japanese Americans caused lasting devastation for San Francisco families who endured lengthy incarceration and lost their homes, possessions, and jobs, based on a racist and fraudulent pretext that also formed the basis of damaging actions by the City and County of San Francisco as acknowledged in the Board Resolution No. 63-22 commemorating the 80th anniversary of the signing of Executive Order 9066 that was adopted by the Board of Supervisors in 2022; and

1	WHEREAS, The United States has not been invaded by Venezuela, nor has the Trump
2	Administration provided any valid justification to summarily detain and deport Venezuelan
3	members of our families and communities; and
4	WHEREAS, Venezuelans are at imminent risk of deportation without any hearing or
5	meaningful review, regardless of their ties to the United States or the availability of defenses
6	to removal; and
7	WHEREAS, The due process clause of the U.S. constitution applies to all individuals
8	residing in the United States, regardless of immigration status; and
9	WHEREAS, Noncitizen community members cannot be arrested and deported to a
10	foreign country without due process of law; now, therefore, be it
11	RESOLVED, That the City and County of San Francisco hereby opposes the
12	Proclamation purporting to authorize the use of the AEA to deport and members of our
13	community without due process; and, be it
14	FURTHER RESOLVED, That the City and County of San Francisco urges the passage
15	of the "Neighbors Not Enemies Act" (H.R. 630; S. 193) and urges support from Senators
16	Padilla and Schiff and Speaker Emerita Pelosi; and, be it
17	FURTHER RESOLVED, That the City and County of San Francisco affirms its
18	commitment to supporting immigrants and to moving beyond the dark moments in our past
19	when this wartime law was abused to violate the rights of our immigrant neighbors; and, be it
20	FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the
21	Board to transmit a copy of this Resolution to President Trump, Vice President Vance, and
22	U.S. Congressional representatives Senator Padilla, Senator Schiff, and Speaker Emerita
23	Pelosi.
24	

Federal Register

Vol. 90, No. 53

Thursday, March 20, 2025

Presidential Documents

Title 3—

Proclamation 10903 of March 14, 2025

The President

Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren de Aragua

By the President of the United States of America

A Proclamation

Tren de Aragua (TdA) is a designated Foreign Terrorist Organization with thousands of members, many of whom have unlawfully infiltrated the United States and are conducting irregular warfare and undertaking hostile actions against the United States. TdA operates in conjunction with Cártel de los Soles, the Nicolas Maduro regime-sponsored, narco-terrorism enterprise based in Venezuela, and commits brutal crimes, including murders, kidnappings, extortions, and human, drug, and weapons trafficking. TdA has engaged in and continues to engage in mass illegal migration to the United States to further its objectives of harming United States citizens, undermining public safety, and supporting the Maduro regime's goal of destabilizing democratic nations in the Americas, including the United States.

TdA is closely aligned with, and indeed has infiltrated, the Maduro regime, including its military and law enforcement apparatus. TdA grew significantly while Tareck El Aissami served as governor of Aragua between 2012 and 2017. In 2017, El Aissami was appointed as Vice President of Venezuela. Soon thereafter, the United States Department of the Treasury designated El Aissami as a Specially Designated Narcotics Trafficker under the Foreign Narcotics Kingpin Designation Act, 21 U.S.C. 1901 et seq. El Aissami is currently a United States fugitive facing charges arising from his violations of United States sanctions triggered by his Department of the Treasury designation.

Like El Aissami, Nicolas Maduro, who claims to act as Venezuela's President and asserts control over the security forces and other authorities in Venezuela, also maintains close ties to regime-sponsored narco-terrorists. Maduro leads the regime-sponsored enterprise Cártel de los Soles, which coordinates with and relies on TdA and other organizations to carry out its objective of using illegal narcotics as a weapon to "flood" the United States. In 2020, Maduro and other regime members were charged with narcoterrorism and other crimes in connection with this plot against America.

Over the years, Venezuelan national and local authorities have ceded evergreater control over their territories to transnational criminal organizations, including TdA. The result is a hybrid criminal state that is perpetrating an invasion of and predatory incursion into the United States, and which poses a substantial danger to the United States. Indeed, in December 2024, INTERPOL Washington confirmed: "Tren de Aragua has emerged as a significant threat to the United States as it infiltrates migration flows from Venezuela." Evidence irrefutably demonstrates that TdA has invaded the United States and continues to invade, attempt to invade, and threaten to invade the country; perpetrated irregular warfare within the country; and used drug trafficking as a weapon against our citizens.

Based upon a review of TdA's activities, and in consultation with the Attorney General and the Secretary of the Treasury, on February 20, 2025, acting pursuant to the authority in 8 U.S.C. 1189, the Secretary of State designated TdA as a Foreign Terrorist Organization.

As President of the United States and Commander in Chief, it is my solemn duty to protect the American people from the devastating effects of this invasion. NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States of America, including the Alien Enemies Act, 50 U.S.C. 21 *et seq.*, hereby proclaim and direct as follows:

- Section 1. I find and declare that TdA is perpetrating, attempting, and threatening an invasion or predatory incursion against the territory of the United States. TdA is undertaking hostile actions and conducting irregular warfare against the territory of the United States both directly and at the direction, clandestine or otherwise, of the Maduro regime in Venezuela. I make these findings using the full extent of my authority to conduct the Nation's foreign affairs under the Constitution. Based on these findings, and by the authority vested in me by the Constitution and the laws of the United States of America, including 50 U.S.C. 21, I proclaim that all Venezuelan citizens 14 years of age or older who are members of TdA, are within the United States, and are not actually naturalized or lawful permanent residents of the United States are liable to be apprehended, restrained, secured, and removed as Alien Enemies. I further find and declare that all such members of TdA are, by virtue of their membership in that organization, chargeable with actual hostility against the United States and are therefore ineligible for the benefits of 50 U.S.C. 22. I further find and declare that all such members of TdA are a danger to the public peace or safety of the United States.
- **Sec. 2**. I direct the Attorney General, within 60 days of the date of this proclamation, to prepare and publish a letter under her signature declaring the policy described in section 1 of this proclamation as the policy of the United States and attaching this proclamation. I direct the Attorney General to transmit this letter to the Chief Justice of the United States, the chief judge of every circuit court of appeals, the chief judge of every district and territorial court of the United States, each Governor of a State and territory of the United States, and the highest-ranking judicial officer of each State and territory of the United States.
- **Sec. 3**. I direct that all Alien Enemies described in section 1 of this proclamation are subject to immediate apprehension, detention, and removal, and further that they shall not be permitted residence in the United States.
- **Sec. 4**. Pursuant to the Alien Enemies Act, the Attorney General and the Secretary of Homeland Security shall, consistent with applicable law, apprehend, restrain, secure, and remove every Alien Enemy described in section 1 of this proclamation. The Secretary of Homeland Security retains discretion to apprehend and remove any Alien Enemy under any separate authority.
- **Sec. 5**. All executive departments and agencies (agencies) shall collaborate with law enforcement officials of the United States and with appropriate State, local, and tribal officials, to use all lawful means to apprehend, restrain, secure, and remove Alien Enemies described in section 1 of this proclamation.
- Sec. 6. Pursuant to my authority under 50 U.S.C. 21 to direct the conduct to be observed on the part of the United States toward the Alien Enemies subject to this proclamation, to direct the manner and degree of the restraint to which such Alien Enemies shall be subject and in what cases, to provide for the removal of such Alien Enemies, and to establish any other regulations which are found necessary "in the premises and for the public safety," I hereby direct the Attorney General and the Secretary of Homeland Security to execute all the regulations hereinafter contained regarding the Alien Enemies described in section 1 of this proclamation. The Attorney General and the Secretary of Homeland Security are further directed to cause the apprehension, detention, and removal of all members of TdA who otherwise qualify as Alien Enemies under section 1 of this proclamation. The Attorney General and the Secretary of Homeland Security are authorized to take

all necessary actions under the Alien Enemies Act to effectuate this proclamation, consistent with applicable law. In doing so, and for such purpose, they are authorized to utilize agents, agencies, and officers of the United States Government and of the several States, territories, dependencies, and municipalities thereof and of the District of Columbia. All such agents, agencies, and officers are hereby granted full authority for all acts done by them in the execution of such regulations when acting by direction of the Attorney General or the Secretary of Homeland Security, as the case may be.

Pursuant to the authority vested in me by the Constitution and the laws of the United States of America, including the Alien Enemies Act, 50 U.S.C. 21 *et seq.*, I hereby declare and establish the following regulations which I find necessary "in the premises and for the public safety":

- (a) No Alien Enemy described in section 1 of this proclamation shall enter, attempt to enter, or be found within any territory subject to the jurisdiction of the United States. Any such Alien Enemy who enters, attempts to enter, or is found within such territory shall be immediately apprehended and detained until removed from the United States. All such Alien Enemies, wherever found within any territory subject to the jurisdiction of the United States, are subject to summary apprehension.
- (b) Alien Enemies apprehended pursuant to this proclamation shall be subject to detention until removed from the United States in such place of detention as may be directed by the officers responsible for the execution of these regulations.
- (c) Alien Enemies shall be subject to removal to any such location as may be directed by the officers responsible for the execution of these regulations consistent with applicable law.
- (d) All property in the possession of, or traceable to, an Alien Enemy, which is used, intended to be used, or is commonly used to perpetrate the hostile activity and irregular warfare of TdA, along with evidence of such hostile activity and irregular warfare, shall be subject to seizure and forfeiture.

The Attorney General is further granted authority, pursuant to the Alien Enemies Act and 3 U.S.C. 301, in consultation with the Secretary of Homeland Security, to issue any guidance necessary to effectuate the prompt apprehension, detention, and removal of all Alien Enemies described in section 1 of this proclamation. Any such guidance shall be effective immediately upon issuance by the Attorney General.

This proclamation and the directives and regulations prescribed herein shall extend and apply to all land and water, continental or insular, in any way within the jurisdiction of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of March, in the year of our Lord two thousand twenty-five, and of the Independence of the United States of America the two hundred and forty-ninth.

Lundsamm

[FR Doc. 2025–04865 Filed 3–19–25; 8:45 am] Billing code 3395–F4–P

H. R. 630

To repeal the Alien Enemies Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

January 22, 2025

Ms. OMAR (for herself, Mr. CARSON, Mr. CASAR, Mr. CASTRO of Texas, Ms. Chu, Mr. Espaillat, Mr. Evans of Pennsylvania, Mrs. Foushee, Mr. García of Illinois, Mr. Green of Texas, Mr. Grijalva, Mrs. Hayes, Mr. Jackson of Illinois, Ms. Jacobs, Ms. Jayapal, Mr. Johnson of Georgia, Ms. Lee of Pennsylvania, Ms. Matsui, Ms. McCollum, Mr. McGovern, Mrs. McIver, Ms. Meng, Ms. Moore of Wisconsin, Ms. Norton, Mr. Pallone, Mr. Pocan, Ms. Pressley, Mrs. Ramirez, Ms. Scanlon, Ms. Schakowsky, Mr. Scott of Virginia, Ms. Simon, Mr. Smith of Washington, Ms. Stansbury, Mr. Takano, Ms. Tlaib, Ms. Tokuda, Mr. Vargas, Mrs. Watson Coleman, Mr. Davis of Illinois, and Ms. Clarke of New York) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To repeal the Alien Enemies Act, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Neighbors Not En-
- 5 emies Act".

1 SEC. 2. REPEAL OF ALIEN ENEMIES ACT.

- 2 Sections 4067 through 4070 of the Revised Statutes
- 3 of the United States (50 U.S.C. 21–24) are repealed.

 \bigcirc

119TH CONGRESS 1ST SESSION

S. 193

To repeal the Alien Enemies Act.

IN THE SENATE OF THE UNITED STATES

January 22, 2025

Ms. Hirono (for herself, Mr. Booker, Ms. Duckworth, Mr. Durbin, Mr. Markey, Mr. Sanders, and Ms. Warren) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To repeal the Alien Enemies Act.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Neighbors Not En-
- 5 emies Act".
- 6 SEC. 2. REPEAL OF ALIEN ENEMIES ACT.
- 7 Sections 4067 through 4070 of the Revised Statutes
- 8 of the United States (50 U.S.C. 21–24) are repealed.

[Commemorating the 80th Anniversary of the Signing of Executive Order 9066 - Day of Remembrance - February 19, 2022]

Resolution commemorating the 80th Anniversary of the signing of Executive Order 9066 and declaring February 19, 2022, as a Day of Remembrance; recognizing the need for increased public awareness of the events surrounding the incarceration of Americans of Japanese ancestry during World War II; and recognizing the role the City and County of San Francisco actively engaged in one of the most blatant acts of civil and constitutional wrongs in our country's history.

WHEREAS, The Japanese Exclusion League of California was founded in San Francisco and its successor organization, the California Joint Immigration Committee, promoted fabricated and baseless accusations of espionage committed by Japanese Americans following the 1941 bombing of Pearl Harbor; and

WHEREAS, San Francisco was home to the Western Defense Command, which following the Pearl Harbor attack, produced a series of report findings including: "the Japanese race is an enemy race and while many second and third generation Japanese born on United States soil [...] have become 'Americanized,' the racial strains are undiluted;" and

WHEREAS, On February 19, 1942, President Franklin Delano Roosevelt signed Executive Order 9066 (EO 9066), which authorized the United States War Department to forcibly remove and incarcerate over 120,000 Japanese Americans during World War II (WWII), two-thirds of whom were U.S. citizens; and

WHEREAS, The Wartime Civil Control Administration, located in the Presidio of San Francisco, issued specific instructions: "To All Persons of Japanese Ancestry" residing in San Francisco to be "evacuated" by May 11, 1942; and

WHEREAS, Japanese American families only had a matter of days to close their businesses, sell many of their significant assets and priceless cultural artifacts, leave everything behind, and bring only what they could carry; and

WHEREAS, The San Francisco Board of Supervisors were implicit in their support of the incarceration of Japanese Americans and the implementation of the Civilian Exclusion Orders; and

WHEREAS, The San Francisco Police Department participated with the Federal Bureau of Investigation in raiding the homes and businesses of Japanese Americans, the arrest of Japanese American community leaders, and assisted in the round-up of over 5,000 Japanese Americans residing in San Francisco; and

WHEREAS, The San Francisco Board of Supervisors passed a Resolution banning

Japanese Americans and Japanese immigrants from employment by the City and County of

San Francisco; and

WHEREAS, From April through June of 1942, all San Francisco City government and law enforcement agencies assisted in the forced removal of all persons of Japanese ancestry from San Francisco; and

WHEREAS, The Board of Supervisors has never recognized its role and participation in the forced evacuation of Japanese Americans from San Francisco, nor it has it apologized or explored restitution of the civil and economic losses the Japanese American community suffered due to their forced removal and incarceration; and

WHEREAS, Japantown community members requested a Resolution be introduced to commemorate the 80th Anniversary of EO 9066 and recognizing the role the City and County of San Francisco actively played in the forced removal and evacuation of Japanese Americans, on file with the Clerk of the Board of Supervisors in File No. 220153, which is hereby declared to be a part of this Resolution as if set forth fully herein; and

WHEREAS, Japantown continues to reel from the effects of the pre- and post-WWII policies created by the City and County of San Francisco; now, therefore, be it

RESOLVED, That the City and County of San Francisco commemorates the 80th anniversary of EO 9066 and declares February 19, 2022, as a Day of Remembrance and recognizes the need for increased public awareness of the events surrounding the incarceration of Americans of Japanese ancestry during World War II; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco recognizes that the Japanese American community was the only community to be forced to leave San Francisco into concentration camps; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco recognizes and acknowledges the deep pain and suffering created by the role the City played in perpetuating fear, hatred, and racist discrimination toward the Japanese American community both pre- and post-WWII; and, be it

FURTHER RESOLVED, That the City and County of San Francisco hereby recognizes its role and participation in the forced removal of Japanese Americans in San Francisco during WWII and vows to ensure such acts will never be repeated again; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco acknowledges Japantown's request to formally commission a study to fully document its role in actively supporting racist and systemic forms of oppression towards San Francisco's Japanese American community; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the Board to transmit a copy of this Resolution to all city agencies and departments to ensure that they recognize the direct role the City participated in the forced removal of the Japanese American community from San Francisco.



City and County of San Francisco Tails

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

Resolution

File Number: 220153

Date Passed: February 15, 2022

Resolution commemorating the 80th Anniversary of the signing of Executive Order 9066 and declaring February 19, 2022, as a Day of Remembrance; recognizing the need for increased public awareness of the events surrounding the incarceration of Americans of Japanese ancestry during World War II; and recognizing the role the City and County of San Francisco actively engaged in one of the most blatant acts of civil and constitutional wrongs in our country's history.

February 15, 2022 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 10 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton Absent: 1 - Haney

February 15, 2022 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 10 - Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

Absent: 1 - Haney

File No. 220153

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 2/15/2022 by the Board of Supervisors of the City and County of San Francisco.

> Angela Calvillo Clerk of the Board

Unsigned

London N. Breed Mayor 2/25/22

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo

Date

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp or meeting date I hereby submit the following item for introduction (select only one): 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment). ✓ 2. Request for next printed agenda Without Reference to Committee. 3. Request for hearing on a subject matter at Committee. 4. Request for letter beginning: "Supervisor inquiries" 5. City Attorney Request. 6. Call File No. from Committee. 7. Budget Analyst request (attached written motion). 8. Substitute Legislation File No. 9. Reactivate File No. 10. Topic submitted for Mayoral Appearance before the BOS on Please check the appropriate boxes. The proposed legislation should be forwarded to the following: Small Business Commission ☐ Youth Commission Ethics Commission **Building Inspection Commission** Planning Commission Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form. Sponsor(s): Supervisors Melgar; Dorsey, Sherrill, Mahmood, Chan, and Fielder Subject: Condemning President Trump's Use of the "Alien Enemies Act" The text is listed: Resolution condemning President Trump's use of the "Alien Enemies Act" to deport noncitizens as an abuse of power and threat to our constitutional order. Signature of Sponsoring Supervisor: /s/Myrna Melgar

For Clerk's Use Only