

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

2
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.**

7
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

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.



City and County of San Francisco

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

Tails
Resolution

File Number: 230295

Date Passed: March 21, 2023

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

March 21, 2023 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230295

I hereby certify that the foregoing Resolution was ADOPTED on 3/21/2023 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Unsigned

03/28/2023

London N. Breed
Mayor

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.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

03/28/2023

Date