

COVER MEMO

Briefing Date/Time: April 27, 2026
Staff Contact/Title: Alex Smith, Executive Director, alexs@portolympia.com
Subject: Civil Immigration Enforcement Activities Policy
Purpose: Information Only Decision Needed

Overview:

This Resolution establishes a neutral property-management policy governing discretionary use of Port-owned property by non-Port governmental entities for activities unrelated to the Port's primary commercial and transportation functions.

This Resolution regulates only the Port's proprietary decisions concerning the voluntary leasing, licensing, or contractual use of Port property. It does not regulate the conduct of federal officers nor purport to control activities occurring outside Port property.

Background:

Civil immigration enforcement and border control are functions of the federal government, including the agencies known as U.S. Immigration and Customs Enforcement ("ICE") and Customs and Border Patrol ("CBP"), and the Port recognizes the federal government's exclusive authority in matters of immigration and customs regulation.

Nothing in this Resolution is intended to regulate, restrict, impede, or otherwise interfere with federal officers acting within the scope of federal authority, nor to conflict with federal law.

Consistent with the Tenth Amendment to the United States Constitution and applicable Supreme Court precedent, state and local governmental entities are not required to use their property, personnel, or resources to administer or enforce federal regulatory programs.

Port retains proprietary authority to determine how its property, personnel, and financial resources are allocated, provided such determinations do not conflict with binding federal or state law.

The Port Commission finds it appropriate to clarify the circumstances under which Port-owned property may be made available for non-Port governmental uses in order to ensure operational continuity and minimize legal risk.

Sample Motion:

“I move to adopt Resolution 2026-04, a Property Use Policy Regarding Civil Immigration Enforcement Activities.”

Documents Attached:

Draft Policy Resolution