

## Immigration in U.S. History

 *Immigration and Illegal Aliens, 2011*

From its beginning, the [United States](#) has been a land of [immigrants](#). People have come from all nations seeking free choice of worship, escape from cruel governments, and relief from [war](#), famine, or poverty. All came with dreams of a better life for themselves and their families. The United States has accommodated people of diverse backgrounds, customs, and beliefs, although not without considerable friction along the way.

On the eastern shore of the peninsula that is now Florida, Spanish conquistadors established a settlement in 1565. The city of St. Augustine survived to become the oldest continuously occupied settlement of European origin in North America. It was the northern colonies, however, that expanded rapidly and became central to the development of the nation. In *Immigration: From the Founding of Virginia to the Closing of Ellis Island* (2002), Dennis Wepman chronicles the immigrants who shaped the United States. Not long after English settlers established the first permanent colony on the James River in Virginia in 1607, the French developed a settlement on the St. Lawrence River at what is now Quebec, Canada. Dutch explorers soon built a fur trading post, Fort Nassau, on the Hudson River at what is now Albany, New York. Swedes settled on the Delaware River near present-day Wilmington, Delaware. German Quakers and Mennonites joined William Penn's (1644-1718) experimental Pennsylvania colony. Jews from Brazil, Protestant Huguenots from France, and Puritans and Catholics from England all came to escape persecution of their religious beliefs and practices.

During the colonial period many immigrants came as indentured servants—meaning they were required to work for four to seven years to earn back the cost of their passage. To the great aggravation of the colonists, some were convicts who accepted being shipped across the ocean as an alternative to imprisonment or death. Wepman estimates that as many as 50,000 British felons were sent to the colonies as indentured servants. The first Africans arrived in Jamestown in 1619 as indentured servants, but other Africans were soon brought in chains and sold as slaves.

A continual flow of immigrants provided settlers to develop communities along the Atlantic coast, pioneers to push the United States westward, builders for the Erie Canal and the transcontinental railways, pickers for cotton in the South and vegetables in the Southwest, laborers for U.S. industrialization, and intellectuals in all fields. Together, these immigrants built, in the opinion of many people, the most diverse nation in the world.

According to Campbell Gibson and Kay Jung of the U.S. Census Bureau, in *Historical Census Statistics on Population Totals by Race, 1790 to 1990, and by Hispanic Origin, 1970 to 1990, for the United States, Regions, Divisions, and States* (September 2002, <http://www.census.gov/population/www/documentation/twps0056/twps0056.html>), the 1790 census in the United States showed a population of 3.2 million white people and 757,000 black people, of whom about 60,000 were free and the rest slaves. The U.S. population was predominantly English but also included

people of Dutch, French, German, Irish, Scottish, and Spanish descent. Native Americans were not counted.

## Attitudes toward Immigrants

Even though immigration was the way of life in the country's first century, negative attitudes began to appear among the already settled English population. Officially, with the major exception of the Alien and Sedition Acts of 1798, the United States encouraged immigration. The Articles of Confederation, drafted in 1777, made citizens of each state citizens of every other state. The U.S. Constitution (adopted in 1787) made only one direct reference to immigration. Article 1, Section 9, Clause 1 provided that the "migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person." Article 1 also gave Congress power to establish "a uniform rule of [naturalization](#)" to grant U.S. [citizenship](#).

### Alien and Sedition Acts

Early federal legislation established basic criteria for naturalization: five years' residence in the United States, good moral character, and loyalty to the U.S. Constitution. These requirements were based on state naturalization laws. In 1798 the Federalist-controlled Congress proposed four laws, collectively called the Alien and Sedition Acts:

- The Naturalization Act lengthened the residence requirement for naturalization from five to 14 years.
- The Alien Act authorized the president to arrest and/or expel allegedly dangerous [aliens](#).
- The Alien Enemies Act allowed the imprisonment or [deportation](#) of aliens who were subjects of an enemy nation during wartime.
- The Sedition Act authorized fines and imprisonment for acts of [treason](#), by immigrants or citizens, including "any false, scandalous and malicious writing."

The Sedition Act was used by the Federalist administration of President John Adams (1735-1826) to arrest and silence a number of newspaper editors who publicly opposed the new laws. The strong public outcry against the Alien and Sedition Acts was partly responsible for the election of Thomas Jefferson (1743-1826), the Democratic-Republican presidential candidate, in 1800. Jefferson pardoned the individuals who had been convicted under the Sedition Act. The Naturalization Act was repealed by Congress in 1802, and the other three laws were allowed to lapse.

## First Century of Immigration

During the early 1800s U.S. territory more than doubled in size with the addition of 828,000 square miles (2.1 million square km) of land with the Louisiana Purchase. Reports of rich farmland and virgin forests provided by explorers such as Meriwether Lewis (1774-1809) and William Clark (1770-1838) enticed Europeans from

all walks of life—farmers, craftsmen, merchants, miners, laborers, and wealthy investors—to leave Europe for the land of opportunity. The U.S. Department of Homeland Security's (DHS) Office of Immigration Statistics reports in *2009 Yearbook of Immigration Statistics* (August 2010, [http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois\\_yb\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois_yb_2009.pdf)) that in 1820, the first year immigration records were kept, only 8,385 immigrants were granted legal permanent residence in the United States. During the 1820s the number began to rise slowly and reached 22,520 in 1829.

## Wave of Irish and German Immigration

Europe experienced a population explosion during the 1800s. As land in Europe became more and more scarce, tenant farmers were pushed off their farms and forced into poverty. Some of these farmers immigrated to the United States to start a new life. This situation was made worse in Ireland when a fungus that caused potato crops to rot struck in 1845. Many poor Irish farmers depended on potatoes for food. They suffered greatly from famine, and epidemics of cholera and typhoid spread among the malnourished from village to village. The potato famine forced people to choose between starving to death and leaving their country. In the 10-year period between 1830 and 1839, 170,672 Irish immigrants arrived in the United States. (See "Table 2. Persons Obtaining Legal Permanent Resident Status by Region and Selected Country of Last Residence: Fiscal Years 1820-2009," in *Yearbook of Immigration Statistics: 2009*, U.S. Department of Homeland Security, Office of Policy, Office of Immigration Statistics, August 2010, [http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois\\_yb\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois_yb_2009.pdf). Accessed January 1, 2011.) Driven by the potato famine, the number of Irish immigrants rose more than 284% to 656,145 between 1840 and 1849. The flow of immigrants from Ireland to the United States peaked at 1,029,486 during the 1850s.

Increasing numbers of German immigrants, who were affected by a potato famine as well as by failed political revolutions, also immigrated to the United States in large numbers. Between 1850 and 1859 the number of German immigrants (976,072) was not far behind the Irish immigrants (1,029,486). (See "Table 2. Persons Obtaining Legal Permanent Resident Status by Region and Selected Country of Last Residence: Fiscal Years 1820-2009," in *Yearbook of Immigration Statistics: 2009*, U.S. Department of Homeland Security, Office of Policy, Office of Immigration Statistics, August 2010, [http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois\\_yb\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois_yb_2009.pdf). Accessed January 1, 2011.) The influx of Germans peaked at 1,445,181 immigrants between 1880 and 1889.

## Immigration, Politics, and the Civil War

This new wave of immigration led to intense anti-Irish, anti-German, and anti-Catholic sentiments among Americans, many of whom had been in the United States for only a few generations. It also triggered the creation of secret nativist societies (groups professing to protect the interests of the native-born against immigrants). Out of these groups grew a new political party, the Know Nothing movement (later known as the American Party), which claimed to support the rights of Protestant, American-born voters. The American Party managed to win 75 seats in Congress and six governorships in 1855 before it dissolved.

In contrast to the nativists, the 1864 Republican Party platform (<http://teachingamericanhistory.org/library/index.asp?document=1472>), which was written in part by Abraham

Lincoln (1809-1865), stated, "Resolved, That foreign immigration, which in the past has added so much to the wealth, development of resources, and increase of power to this nation, the asylum of the oppressed of all nations, should be fostered and encouraged by a liberal and just policy."

In 1862 Lincoln signed the Homestead Law, which offered 160 acres (65 ha) of free land to any adult citizen or prospective citizen who agreed to occupy and improve the land for five years. Wepman notes that between 1862 and 1904 over 147 million acres (59.5 million ha) of western land were claimed by adventurous citizens and eager new immigrants. In addition, efforts to complete a transcontinental railroad during the 1860s provided work for predominantly Irish and Chinese laborers.

The Civil War (1861-1865) seemed to have little impact on immigration. The Office of Immigration Statistics reports in *2009 Yearbook of Immigration Statistics* that even though the number of immigrants dropped from 153,640 in 1860 to just under 92,000 in both 1861 and 1862, there were 176,282 new arrivals in 1863, and the numbers continued to grow.

## Post-Civil War Growth in Immigration

During the Industrial Revolution, which began in the United States in the early 1800s, factory machines and large-scale manufacturing replaced hand tools and small craft shops. These changes accelerated after the Civil War, fueling the need for workers in the nation's flourishing factories. The number of arriving immigrants continued to grow during the 1870s, dominated by people from Canada, Germany, Ireland, and the United Kingdom. (See "Table 2. Persons Obtaining Legal Permanent Resident Status by Region and Selected Country of Last Residence: Fiscal Years 1820-2009," in *Yearbook of Immigration Statistics: 2009*, U.S. Department of Homeland Security, Office of Policy, Office of Immigration Statistics, August 2010, [http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois\\_yb\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois_yb_2009.pdf). Accessed January 1, 2011.) Opposition to immigration continued among some factions of established citizens. Secret societies of white supremacists, such as the Ku Klux Klan, formed throughout the South to oppose not only African-American suffrage but also the influence of the Roman Catholic Church and rapid naturalization of foreign immigrants.

## East European Influx during the 1880s

The decade from 1880 to 1889 marked a new era in immigration to the United States. The volume of immigrants nearly doubled from 2,742,137 during the 1870s to 5,248,568 during the 1880s. (See "Table 2. Persons Obtaining Legal Permanent Resident Status by Region and Selected Country of Last Residence: Fiscal Years 1820-2009," in *Yearbook of Immigration Statistics: 2009*, U.S. Department of Homeland Security, Office of Policy, Office of Immigration Statistics, August 2010, [http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois\\_yb\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois_yb_2009.pdf). Accessed January 1, 2011.) German arrivals peaked at 1,445,181, and the number arriving from Norway, Sweden, and the United Kingdom also reached their highest levels. A new wave of immigrants began to arrive from Russia (including a significant number of Jews fleeing massacres called pogroms), Poland, Austria-Hungary, and Italy. The mass exodus from eastern Europe foretold of events that would result during World War I (1914-1918). These newcomers were different. They came from countries with limited public education and no sense of social equality. They were often unskilled and illiterate. They tended to form tight ethnic communities within large

cities, where they clung to their own language and customs, which further limited their ability to assimilate into U.S. culture.

## A Developing Federal Role in Immigration

The increasing numbers of immigrants prompted a belief that there should be some type of administrative order to the ever-growing influx. In 1864 Congress created the Commission of Immigration under the U.S. Department of State. A one-person office was set up in New York City to oversee immigration.

The 1870s witnessed a national debate over the importation of contract labor and limiting immigration for such purposes. In 1875, after considerable debate, Congress passed the Page Law. As the first major piece of restrictive immigration legislation, it prohibited alien convicts and prostitutes from entering the country.

With the creation of the Commission of Immigration, the federal government began to play a central role in immigration, which had previously been handled by the individual states. Beginning in 1849 court decisions had strengthened the federal government's role and limited the states' role in regulating immigration. In 1875 the U.S. Supreme Court ultimately ruled in *Henderson v. Mayor of the City of New York* (92 U.S. 259) and *Chy Lung v. Freeman* (92 U.S. 275) that the immigration laws of New York, Louisiana, and California were unconstitutional. This ended the rights of states to regulate immigration and exclude undesirable aliens. From then on Congress and the federal government had complete responsibility for immigration.

In 1882 Congress passed the first general [immigration law](#). The [Immigration Act of 1882](#) established a centralized immigration administration under the U.S. secretary of the treasury. The law also allowed the exclusion of "undesirables," such as paupers, criminals, and the insane. A head tax was added at \$0.50 per arriving immigrant to defray the expenses of immigration regulation and caring for the immigrants after their arrival in the United States.

## Influx of Immigrants from Asia

Before the discovery of gold in California in 1848, few Asians (only 121 between 1840 and 1849) came to the United States. (See "Table 2. Persons Obtaining Legal Permanent Resident Status by Region and Selected Country of Last Residence: Fiscal Years 1820-2009," in *Yearbook of Immigration Statistics: 2009*, U.S. Department of Homeland Security, Office of Policy, Office of Immigration Statistics, August 2010, [http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois\\_yb\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois_yb_2009.pdf). Accessed January 1, 2011.) Between 1849 and 1852 large numbers of Asian immigrants began arriving in the United States. These early arrivals came mostly from southern China, spurred on by economic depression, famine, war, and flooding. Thousands of Chinese immigrants were recruited to build railroads and work in mines, construction, and manufacturing. Many became domestic servants. Former mining-camp cooks who had saved some of their income opened restaurants. Others invested small amounts in equipment to operate laundries, performing a service few other people wanted to tackle. Between 1850 and 1879, 223,100 immigrants from China arrived in the United States, whereas only a few thousand arrived from other Asian countries.

Some people became alarmed by this increase in Chinese immigration. Their fears were fueled by a combination of racism and concerns among American-born workers that [employers](#) were bringing over foreign workers to replace them and keep unskilled wages low. The public began to call for restrictions on Chinese immigration.

## Chinese Exclusion Act of 1882

In 1882 Congress passed the Chinese Exclusion Act, which prohibited further immigration of Chinese laborers to the United States for 10 years. Exceptions included teachers, diplomats, students, merchants, and tourists. This act marked the first time the United States barred immigration of a national group. The law also prohibited Chinese immigrants in the United States from becoming naturalized U.S. citizens. As a result, the law dramatically reduced Chinese immigration. Between 1890 and 1899 only 15,268 Chinese immigrants arrived, compared with the 133,139 Chinese immigrants who had arrived in the decade before the act was passed. (See "Table 2. Persons Obtaining Legal Permanent Resident Status by Region and Selected Country of Last Residence: Fiscal Years 1820-2009," in *Yearbook of Immigration Statistics: 2009*, U.S. Department of Homeland Security, Office of Policy, Office of Immigration Statistics, August 2010, [http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois\\_yb\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois_yb_2009.pdf). Accessed January 1, 2011.)

Four other laws that prohibited the immigration of Chinese laborers followed the Chinese Exclusion Act. The Geary Act of 1892 extended the Chinese Exclusion Act for 10 more years. In cases brought before the U.S. Supreme Court, the court upheld the constitutionality of these two laws. The Immigration Act of 1904 made the Chinese exclusion laws permanent. Under the Immigration Act of 1917 the United States suspended the immigration of laborers from almost all Asian countries.

During World War II (1939-1945) the United States and China became allies against the Japanese in Asia. As a gesture of goodwill, in December 1943 President Franklin D. Roosevelt (1882-1945) signed the Act to Repeal the Chinese Exclusion Acts, to Establish Quotas, and for Other Purposes. The new law lifted the ban on the naturalization of Chinese nationals but established a quota (a prescribed number) of 105 Chinese immigrants to be admitted per year.

## Beginning of Japanese Immigration

Until the passage of the Chinese Exclusion Act, Japanese immigration was hardly noticeable, with the total flow at 331 between 1860 and 1879. (See "Table 2. Persons Obtaining Legal Permanent Resident Status by Region and Selected Country of Last Residence: Fiscal Years 1820-2009," in *Yearbook of Immigration Statistics: 2009*, U.S. Department of Homeland Security, Office of Policy, Office of Immigration Statistics, August 2010, [http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois\\_yb\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois_yb_2009.pdf). Accessed January 1, 2011.) Because Japanese immigrants were not covered by the Chinese Exclusion Act, Japanese laborers were brought in to replace Chinese workers. Consequently, Japanese immigration increased from 1,583 during the 1880s to 139,712 during the first decade of the 20th century. According to Marianne K. G. Tanabe of the University of Hawaii, in *Health and Health Care of Japanese-American Elders* (2001, <http://www.stanford.edu/group/ethnoger/japanese.html>), the booming Hawaiian sugar industry offered so many jobs that by 1910 "Hawaii had four times as many Japanese as the U.S. mainland."

The same anti-Asian attitudes that led to the Chinese Exclusion Act of 1882 culminated in President Theodore Roosevelt's (1858-1919) Gentlemen's Agreement of 1907, an informal arrangement between the United States and Japan that cut the flow of Japanese immigration to a trickle. This anti-Asian attitude resurfaced a generation later in the National Origins Act of 1924. The immigration quota for any nationality group had been based on the number of people of that nationality that were residents in the United States during the 1910 census. The new law reduced quotas from 3% to 2% and shifted the base for quota calculations from 1910 to 1890. Because few Asians lived in the United States in 1890, the 1924 reduction in Asian immigration was particularly dramatic. Asian immigration was not permitted to increase until after World War II.

## Greater Government Control

In "U.S. Immigration and Naturalization Service—Populating a Nation: A History of Immigration and Naturalization" (2011, [http://www.cbp.gov/xp/cgov/about/history/legacy/ins\\_history.xml](http://www.cbp.gov/xp/cgov/about/history/legacy/ins_history.xml)), the DHS provides an overview of the development of the implementation of immigration policy in the United States. In 1891 the federal government assumed total control over immigration issues. The Immigration Act of 1891 authorized the establishment of the U.S. Office of Immigration under the U.S. Department of the Treasury. This first comprehensive immigration law added to the list of inadmissible people those suffering from certain contagious diseases, polygamists (married people who have more than one spouse at the same time), and aliens convicted of minor crimes. The law also prohibited using advertisements to encourage immigration.

On January 1, 1892, a new federal immigration station began operating on Ellis Island in New York City. During its years of operation, from 1892 to 1954, more than 12 million immigrants were processed through Ellis Island. This figure represents nearly half of the more than 23 million total immigrants who arrived during that period. (See "Table 2. Persons Obtaining Legal Permanent Resident Status by Region and Selected Country of Last Residence: Fiscal Years 1820-2009," in *Yearbook of Immigration Statistics: 2009*, U.S. Department of Homeland Security, Office of Policy, Office of Immigration Statistics, August 2010, [http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois\\_yb\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois_yb_2009.pdf). Accessed January 1, 2011.)

In 1895 the Office of Immigration became the Bureau of Immigration under the commissioner-general of immigration. In 1903 the Bureau of Immigration was transferred to the U.S. Department of Commerce and Labor. The Basic Naturalization Act of 1906 consolidated the immigration and naturalization functions of the federal government under the Bureau of Immigration and Naturalization. When the Department of Commerce and Labor was separated into two cabinet departments in 1913, two bureaus were formed: the Bureau of Immigration and the Bureau of Naturalization. In 1933 the two bureaus were reunited as the U.S. Immigration and Naturalization Service (INS).

## A Million Immigrants per Year by 1905

By the 1890s the origins of those arriving in the United States had changed. Fewer immigrants came from northern Europe, whereas immigrants from southern, central, and eastern Europe increased every year. Of

the 7.6 million European immigrants who arrived between 1900 and 1909, 5.4 million (72%) came from Austria-Hungary, Italy, and Russia. (See "Table 2. Persons Obtaining Legal Permanent Resident Status by Region and Selected Country of Last Residence: Fiscal Years 1820-2009," in *Yearbook of Immigration Statistics: 2009*, U.S. Department of Homeland Security, Office of Policy, Office of Immigration Statistics, August 2010, [http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois\\_yb\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois_yb_2009.pdf). Accessed January 1, 2011.) The exodus of Jews from eastern Europe was particularly significant. The American Immigration Law Foundation notes in "AILF Overview of U.S. Jewish Immigration History" (December 6, 2004, [http://www.aifl.org/exhibits/jewish2004/jewish\\_history.shtml](http://www.aifl.org/exhibits/jewish2004/jewish_history.shtml)) that many of these Jewish immigrants were merchants, shopkeepers, craftsmen, and professionals, contrary to the stereotype of poor, uneducated immigrants coming out of eastern Europe.

In 2009 *Yearbook of Immigration Statistics*, the Office of Immigration Statistics reports that the nation's already high immigration rate at the turn of the 20th century nearly doubled between 1902 and 1907. Immigration reached a million per year in 1905, 1906, 1907, 1910, 1913, and 1914, but declined to less than 325,000 per year from 1915 through 1919 because of World War I. Many Americans worried about the growing influx of immigrants, whose customs seemed unfamiliar and strange to most of the native population. Anti-Catholic sentiments, distrust of political radicalism (usually expressed as antisocialism), and racist movements gained prevalence and spurred a resurgence of nativism.

The Immigration Act of 1907 barred the immigration of "feeble-minded" people (those with physical or mental defects that might prevent them from earning a living) and people with tuberculosis. Besides increasing the head tax on each arriving immigrant to \$5, the 1907 law also officially classified the arriving aliens as either immigrants (people planning to take up residence in the United States) or nonimmigrants (people visiting for a short period to attend school, conduct business, or travel as tourists). All arrivals were required to declare their intentions for permanent or temporary stays in the United States. The law further authorized the president to refuse admission to people he considered harmful to the labor conditions in the nation.

Reflecting national concerns about conflicts between old and new immigrant groups, the Bureau of Immigration and Naturalization proposed in annual reports that the immigrants should be more widely dispersed throughout the rest of the country, instead of being concentrated mostly in the northeastern urban areas of the United States. Not only would such a distribution of aliens help relieve the nation's urban problems but also the bureau thought it might promote greater racial and cultural assimilation.

## Immigration Act of 1917

The mounting negative feelings toward immigrants resulted in the Immigration Act of 1917, which was passed despite President Woodrow Wilson's (1856-1924) veto. Besides codifying previous immigration legislation, the 1917 act required that immigrants over the age of 16 years be able to pass a literacy test, which proved to be a controversial clause. The new act also cited the following groups to the inadmissible classes of immigrants:

All idiots, imbeciles, feeble-minded persons, epileptics, insane persons ... persons with chronic alcoholism; paupers; professional beggars; vagrants; persons afflicted with tuberculosis in any form

or a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted ... of a felony or other **crime** or misdemeanor involving moral turpitude; polygamists, or persons who practice polygamy or believe in and advocate the practice of polygamy; anarchists, or persons who advocate the overthrow by force or violence of the Government of the United States, or of all forms of law ... or who advocate the assassination of public officials, or who advocate and teach the unlawful destruction of property...; prostitutes, or persons coming to the United States for the purpose of prostitution or immoral purposes.

The act also specifically disqualified those coming from the designated Asiatic "barred zone," which encompassed mostly Asia and the Pacific Islands. This provision was a continuation of the Chinese Exclusion Act of 1882 and the Gentlemen's Agreement of 1907, in which the Japanese government had agreed to stop the flow of workers to the United States. In 1918 **passports** were required by presidential proclamation for all entries into the United States.

## Denied Entry

Despite the restrictive immigration legislation, only a small percentage of those attempting to immigrate to the United States were turned away. According to the Office of Immigration Statistics (January 2002, <http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2003/Table44.xls>), 650,252 people were denied entry for a variety of reasons between 1892 and 1990. Aside from those attempting to enter without proper papers, the largest excluded group consisted of 219,399 people who were considered "likely to become public charge." The 30-year period from 1901 to 1930 was the peak era for exclusion of immigrants deemed likely to become public charges and those considered to be mentally or physically defective or immoral. The 1917 ban on illiterate immigrants excluded 13,679 aliens over the next 50 years.

World War I temporarily stopped the influx of immigrants. According to the Office of Immigration Statistics, in *2009 Yearbook of Immigration Statistics*, 1,218,480 immigrants arrived in 1914; a year later the number dropped to 326,700. By 1918, the final year of the war, 110,618 immigrants ventured to the United States. However, the heavy flow of immigration started again after the war as people fled the war-ravaged European continent. In 1921, 805,228 immigrants arrived in the United States.

The new wave of immigrants flocked to major cities where they hoped to find relatives or other immigrants from their native country. According to the Census Bureau, in *Increase of Population in the United States, 1910-1920* (1922, [http://www2.census.gov/prod2/decennial/documents/00476515n1\\_TOC.pdf](http://www2.census.gov/prod2/decennial/documents/00476515n1_TOC.pdf)), the **1920 census reported that for the first time in U.S. history the population living in cities exceeded that living in rural areas.**

## First Quota Law

Concern over whether the United States could continue to absorb such huge numbers of immigrants led Congress to introduce a major change in U.S. immigration policy. Other factors influencing Congress included

racial fears about the new immigrants and apprehension over many of the immigrants' politically radical ideas.

**The Quota Law of 1921 was the first quantitative immigration law. Congress limited the number of aliens of any nationality who could enter the United States to 3% of the number of foreign-born people of that nationality who lived in the United States in 1910 (based on the U.S. census). By 1910, however, many south and east Europeans had already entered the country, a fact legislators had overlooked. Consequently, to restructure the makeup of the immigrant population Congress approved the National Origins Act of 1924. This act set the first permanent limitation on immigration, called the national origins quota system. The law immediately limited the number of people of each nationality to 2% of the population of that nationality who lived in the United States in 1890.**

The 1924 law provided that after July 1, 1927, an overall cap would allow a total of 150,000 immigrants per year. Quotas for each national origin group were to be developed based on the 1920 census. Exempted from the quota limitation were spouses or dependents of U.S. citizens, returning alien residents, or natives of Western Hemisphere countries not subject to quotas (natives of Mexico, Canada, or other independent countries of Central or South America). The 1924 law further required that all arriving nonimmigrants present **visas** (government authorizations permitting entry into a country for a specific purpose and for a finite amount of time) obtained from a U.S. consulate abroad. U.S. immigration policies adhered to the 1917 and 1924 acts until 1952.

## Impact of Quotas

The new laws also barred all Asian immigration, which soon led to a shortage of farm and sugar plantation workers. **Filipinos filled the gap because the Philippines was a U.S. territory and did not come under the immigration quota laws.** In addition, large numbers of Caribbean immigrants arrived, peaking during the 1910 to 1919 period, when 120,860 Caribbean immigrants entered the United States. (See "Table 2. Persons Obtaining Legal Permanent Resident Status by Region and Selected Country of Last Residence: Fiscal Years 1820-2009," in *Yearbook of Immigration Statistics: 2009*, U.S. Department of Homeland Security, Office of Policy, Office of Immigration Statistics, August 2010, [http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois\\_yb\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois_yb_2009.pdf). Accessed January 1, 2011.)

Before World War I, Caribbean workers had moved among the islands and to parts of South and Central America. Following the war many went north in search of work. Similarly, after World War II, when agricultural changes in the Caribbean forced many people off farms and into cities, many traveled on to the United States or the United Kingdom.

**With the new quota laws, the problem of illegal aliens arose for the first time.** Previously, only a few who had failed the immigration standards tried to sneak in, usually across the U.S.-Mexican or U.S.-Canadian land borders. With the new laws, the number of illegal aliens began to increase. **Subsequently, Congress created the U.S. Border Patrol in 1924** (under the Labor Appropriation Act) to oversee the nation's borders and prevent illegal aliens from coming into the United States.

## Immigration during World War II

Immigration dropped well below 100,000 arrivals per year during the Great Depression (1929-1939) because the United States offered no escape from the unemployment that was rampant throughout most of the world. However, in the latter half of the 1930s Nazi persecution caused a new round of immigrants to flee Europe. In 1940 the INS was transferred from the U.S. Department of Labor to the U.S. Department of Justice. This move reflected the growing fear of war, making the surveillance of aliens a question of national security rather than of how many to admit. The job of the INS shifted from the exclusion of aliens to combating alien criminal and subversive elements. This required closer cooperation with the U.S. attorney general's office and the Federal Bureau of Investigation.

### Alien Registration

World War II began with the German invasion of Poland in September 1939. Growing concern about an increase in refugees that might result from the war in Europe led Congress to pass the Alien Registration Act of 1940 (also known as the Smith Act). Among its provisions, this act required all aliens to register. Those over 14 years old also had to be fingerprinted. All registration and fingerprinting took place at local post offices between August 27 and December 26, 1940. Each alien was identified by an alien registration number, known as an A-number. For the first time, the government had a means of identifying individual immigrants. The law has been challenged by the courts, but the A-number system is still in use in the 21st century. Following registration, each alien received by mail an Alien Registration Receipt Card, which he or she was required to keep to prove registration. Each alien was also required to report any change of address within five days. Managing such a vast number of registrants and documents in a short time created a monumental challenge for the federal government. The ranks of employees in the Alien Registration Division of the INS increased dramatically in late 1940 and early 1941.

The United States officially entered World War II on December 8, 1941, the day after the Japanese attack on the U.S. naval station in Pearl Harbor, Hawaii. President Roosevelt immediately proclaimed all "nationals and subjects" of nations with which the country was at war to be enemy aliens. According to the INS, on January 14, 1942, the president issued a proclamation requiring further registration of aliens from enemy nations (primarily Germany, Italy, and Japan). All such aliens aged 14 years and older were directed to apply for a Certificate of Identification during the month of February 1942.

Alien registrations were used by a variety of government agencies and private industry to locate possible enemy subversives, such as aliens working for defense contractors, aliens with radio operator licenses, and aliens trained to pilot aircraft. The INS notes that one out of every 23 workers in U.S. industry at that time was a noncitizen.

### Japanese Internment

Following the recommendation of military advisers, President Roosevelt issued Executive Order 9066 on

February 19, 1942, which authorized the forcible internment of people of Japanese ancestry. Lieutenant General John L. DeWitt (1880-1962) was placed in charge of removal of the Japanese to internment camps, which were located in remote areas in western states, including Arizona, California, Colorado, Idaho, Utah, and Wyoming. Two camps were also established in Arkansas. In *Final Report: Japanese Evacuation from the West Coast 1942* (1943), DeWitt stated that during a period of less than 90 days 110,442 people of Japanese ancestry were evacuated from the West Coast. More than two-thirds were U.S. citizens. Relocation began in April 1942. The last camp was vacated in March 1946.

Even though the United States was also at war with Germany and Italy, only people of Japanese descent were forced into internment camps. Noncitizens and citizens alike were forced to sell their home and possessions and to leave their job. They lived in tiny, single-room accommodations, sometimes for many years. This treatment, based on fear of Japanese disloyalty, proved unfounded and unfair.

Executive Order 9066 was never formally terminated after the war ended. Over the years many Japanese-Americans expressed concern that it could be implemented again. In 1976 President Gerald R. Ford (1913-2006) issued a proclamation that officially terminated the provisions of Executive Order 9066 retroactive to December 31, 1946. In 1988 President Ronald Reagan (1911-2004) signed a bill into law that provided \$20,000 in restitution (monetary compensation) to each of the surviving internees.

## Postwar Immigration Law

A growing fear of communist infiltration, called the Red Scare, arose during the post-World War II period. One result was the passage of the Internal Security Act of 1950, which made membership in communist or totalitarian organizations cause for exclusion (denial of an alien's entry into the United States), deportation, or denial of naturalization. The law also required resident aliens to report their addresses annually and made reading, writing, and speaking English prerequisites for naturalization.

The Immigration and Nationality Act of 1952 added preferences for relatives and skilled aliens, gave immigrants and aliens certain legal protections, made all races eligible for immigration and naturalization, and absorbed most of the Internal Security Act of 1950. The act changed the national origin quotas to only one-sixth of 1% of the number of people in the United States in 1920 whose ancestry or national origin was attributable to a specific area of the world. It also allowed aliens to be excluded on ideological grounds, homosexuality, health restrictions, criminal records, narcotics addiction, and involvement in terrorism.

Once again, countries within the Western Hemisphere were not included in the quota system. President Harry S. Truman (1884-1972) vetoed the legislation, but Congress overrode his veto. Even though there were major amendments, the Immigration and Nationality Act remained the basic statute governing who could gain entry into the United States until the passage of new laws following the September 11, 2001, terrorist attacks against the United States.

During the 1950s a half-dozen special laws allowed the entrance of additional refugees. Many of the laws resulted from World War II, but some stemmed from new developments, including laws that relaxed the

quotas for refugees fleeing the failed 1956 Hungarian revolution and those seeking asylum following the 1959 Cuban revolution.

## A Two-Hemisphere System

In 1963 President John F. Kennedy (1917-1963) submitted a plan to change the quota system. Two years later Congress passed the [Immigration and Nationality Act Amendments of 1965](#). Since 1924 sources of immigration had changed. During the 1950s immigration from Asia to the United States nearly quadrupled from 34,532 (between 1940 and 1949) to 135,844 (between 1950 and 1959). (See "Table 2. Persons Obtaining Legal Permanent Resident Status by Region and Selected Country of Last Residence: Fiscal Years 1820-2009," in *Yearbook of Immigration Statistics: 2009*, U.S. Department of Homeland Security, Office of Policy, Office of Immigration Statistics, August 2010, [http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois\\_yb\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/yearbook/2009/ois_yb_2009.pdf). Accessed January 1, 2011.) During the same period immigrants to the United States from North, Central, and South America increased dramatically.

The 1965 legislation canceled the national origins quota system and made visas available on a first-come, first-served basis. A seven-category preference system was implemented for families of U.S. citizens and permanent resident aliens for the purpose of family reunification. In addition, the law set visa allocations for people with special occupational skills, abilities, or training needed in the United States. It also established an annual ceiling of 170,000 Eastern Hemisphere immigrants with a 20,000 per-country limit, and an annual limit of 120,000 for the Western Hemisphere without a per-country limit or preference system.

The Immigration and Nationality Act Amendments of 1976 extended the 20,000 per-country limit to Western Hemisphere countries. Some legislators were concerned that the 20,000-person limit for Mexico was inadequate, but their objections were overruled. The Immigration and Nationality Act Amendments of 1978 combined the separate ceilings for the Eastern and Western Hemispheres into a single worldwide ceiling of 290,000.

## Programs for Refugees

Official U.S. refugee programs began in response to the devastation of World War II, which created millions of [refugees](#) and [displaced people \(DPs\)](#). (A displaced person was a person living in a foreign country as a result of having been driven from his or her home country because of war or political unrest.) This was the first time the United States formulated policy to admit people fleeing persecution. The Presidential Directive of December 22, 1945, gave priority in issuing visas to about 40,000 DPs. The directive was followed by the [Displaced Persons Act of 1948](#), which authorized the admission of 202,000 people from Eastern Europe, and the [Refugee Relief Act of 1953](#), which approved entry of another 209,000 defectors from communist countries over a three-year period. The Displaced Persons Act counted the refugees in the existing immigration quotas, whereas the Refugee Relief Act admitted them outside the quota system.

## Parole Authority: A Temporary Admission Policy

In 1956 the U.S. attorney general used the parole authority (temporary admission) under section 212(d) (15) of the Immigration and Nationality Act of 1952 for the first time on a large scale. This section authorized the attorney general to temporarily admit any alien to the United States. Even though parole was not admission for permanent residence, it could lead to permanent resident or immigrant status. Aliens already in the United States on a temporary basis could apply for asylum (to stay in the United States) on the grounds they were likely to suffer persecution if returned to their native land. The attorney general was authorized to withhold deportation on the same grounds.

In *Americans at the Gate: The United States and Refugees during the Cold War* (2008), Carl J. Bon Tempo estimates that this parole authority was used to admit approximately 32,000 of the 38,000 Hungarians who fled the failed 1956 Hungarian revolution. The other 6,000 entered under the Refugee Relief Act of 1953 and were automatically admitted as permanent residents. Similarly, in *Defining America through Immigration Policy* (2004), Bill Ong Hing notes that the parole provision was used to accommodate 15,000 refugees leaving China following the communist revolution there in 1949, and was used again in 1962 to admit several thousand Chinese refugees from Hong Kong to the United States.

## Refugees as Conditional Entrants

In 1965, under the Immigration and Nationality Act Amendments, Congress added section 203(a) (7) to the Immigration and Nationality Act of 1952, creating a group of conditional entrant refugees from communist or Middle Eastern countries, with status similar to the refugee parolees. Sections 203(a) (7) and 212(d) (15) were used to admit thousands of refugees, including Czechoslovakians escaping their failed revolution in 1968, Ugandans fleeing their dictatorship during the 1970s, and Lebanese avoiding the civil war in their country during the 1980s.

The United States did not have a general policy governing the admission of refugees until the [Refugee Act of 1980](#). This act eliminated refugees as a category in the preference system and set a worldwide ceiling on immigration of 270,000, not counting refugees. It also removed the requirement that refugees had to originate from a communist or Middle Eastern nation.

## Illegal Immigration Leads to Reform

In his testimony before the Subcommittee on Immigration and [Border Security](#) of the Judiciary Committee of the U.S. Senate (February 12, 2004, [http://judiciary.senate.gov/hearings/testimony.cfm?id=1034&wit\\_id=2959](http://judiciary.senate.gov/hearings/testimony.cfm?id=1034&wit_id=2959)), Vernon M. Briggs Jr. of Cornell University discussed the history of guest worker programs and the effects of the Immigration Act of 1917 and later [legislation that provided for the temporary admission of seasonal farm labor in what would become known as the Bracero Program](#). During wartime, the Department of Labor authorized the admission of temporary workers, mainly from Mexico. For example, during World War I, 76,862 Mexican workers were admitted to the United States, but only about half of them

returned to Mexico. The other half remained in the United States illegally. According to the National Museum of American History, in "Opportunity or Exploitation: The Bracero Program" (2009, [http://americanhistory.si.edu/onthemove/themes/story\\_51\\_5.html](http://americanhistory.si.edu/onthemove/themes/story_51_5.html)), between 1942 and 1964 more than 4.5 million nonimmigrant workers entered the United States from Mexico. In 1964 the United States ended the program following an agreement with Mexico that allowed migrant workers to enter the country to supply seasonal agricultural labor. However, ending the program did not stop migrants from crossing the border for work they had come to rely on. Those who could get visas often overstayed their time limit. Others simply crossed the border illegally to look for work. The population of [illegal immigrants](#) began to grow.

During the 1970s the Vietnam War (1954-1975) divided the nation, oil prices skyrocketed, and gasoline shortages caused long waiting lines at the pumps. Price controls were implemented and removed to control rampant inflation. In this period of political, social, and economic uncertainty many people saw immigrants as straining the already limited welfare and educational systems. [States with growing immigrant populations, such as California, Florida, Illinois, New York, and Texas, pushed Congress for immigration reform.](#)

A surge of refugees from Vietnam and Cambodia as well as Cubans escaping the Fidel Castro (1926-) regime during the mid-1970s added to Americans' concerns. The major source of immigrants had changed from Europe to Latin America and Asia. Many people were uncomfortable with the faces and cultures of these new arrivals.

President Ford established the cabinet-level Domestic Council Committee on Illegal Aliens. Its December 1976 report recommended sanctions against employers who knowingly hired undocumented workers, increased border enforcement, and called for legalization for certain illegal aliens who arrived in the United States before July 1, 1968. In 1979 Congress established the Select Commission on Immigration and Refugee Policy. The commission spent the next two years evaluating the problem. Its 1981 *Final Report* fostered ideas that would become part of major new immigration reform legislation in 1986. Twenty-five years later, however, Congress and the nation were still debating issues such as employers hiring undocumented workers, border enforcement, and legalization of long-term illegals.

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