

## Introduction: U.S. Immigration Policy

***“Give me your tired, your poor,  
Your huddled masses yearning to breathe free.  
The wretched refuse of your teeming shore,  
Send these, the homeless, the tempest-tost to me  
I lift my lamp beside the golden door!”***

—Emma Larzarus

When these words were inscribed in 1886 on the Statue of Liberty overlooking New York Harbor, the United States was a country of fewer than sixty million people. Vast tracts of land in the West and the Great Plains were still largely unsettled, and the nation’s growing cities were in the middle of the Industrial Revolution. That year, 334,000 immigrants entered the United States. The country was in the early stages of a forty-year upsurge in immigration that would transform American society and spark debate about U.S. immigration policy. Even though many Americans viewed the immigrants streaming into the country with apprehension, few could deny the need for more farmers and factory workers.

To say that we are a nation of immigrants is more than an acknowledgment of history. It also reflects how many Americans perceive our country’s place in the world—shining a beacon of freedom and opportunity to all. Since records were first kept in 1820, more than sixty-five million immigrants have entered the United States. Nearly 40 percent of that total was admitted between 1881 and 1920.

After a lull of almost half a century, immigration rates turned upward again in the late 1970s. The 9.5 million newcomers who arrived in the 1980s surpassed the previous peak decade of 1901-1910. In the 1990s immigration continued to rise. In the first years of the twenty-first century, more than one million

immigrants (legal and illegal) have come to the United States yearly.

As in 1886, these latest newcomers are arriving at a time when U.S. immigration policy is again the subject of debate. With the U.S. population greater than 300 million, many Americans contend that the United States does not have the room for more immigrants. Others argue that we cannot afford to close our door to the skills and energy newcomers bring.

Since the terrorist attacks of September 11, 2001, national security has become a prominent issue in the debate over immigration policy. The fear of terrorists has led to increased border control, stricter enforcement of immigration laws, and more frequent deportations. Nevertheless, the United States continues to accept more immigrants, by far, than any other country.

In the following pages, you will have the opportunity to explore the issues surrounding immigration policy and consider the course the United States should take. In Part I of the background reading, you will examine the history of immigration and its evolution over the years. Part II explores the nature of immigration today and the issues the United States faces. Ultimately, you will be confronted with the same questions facing U.S. policymakers: How does immigration affect our economy? How much immigration does the United States need? How should we balance security and our historical tradition of immigration?

## Part I: Immigration and the American Experience

The generation that authored the Declaration of Independence and the U.S. Constitution traced its roots primarily to the British Isles and other areas of northwestern Europe. They welcomed the prospect of continued immigration, but also sought to protect the democratic institutions of the young republic from outside influences.

The Constitution said little about immigration and citizenship other than to make these issues the responsibility of Congress. Before 1820, the United States did not even bother to count how many newcomers reached its shores by ship. Not until the ratification of the Fourteenth Amendment in 1868 was citizenship clearly granted to anyone born in the United States, including African-Americans. (Native Americans were not admitted to full citizenship until 1924.)

***“The bosom of America is open to receive not only the opulent and respectable stranger but the oppressed and persecuted of all nations and religions; whom we shall welcome to a participation of all our rights and privileges, if by decency and propriety of conduct they appear to merit the enjoyment.”***

—George Washington

### **What motivated U.S. immigration in the 1800s?**

Even without an official policy, the United States proved to be a magnet for immigrants in the 1800s. For most of the century, a nearly

ideal balance existed between the problems of Europe and the needs of the United States. In much of Europe, the forces of the Industrial Revolution, shifts in agriculture, and a soaring population left millions of people unable to make a living. In addition, a blight wiped out the potato crop in much of northwestern Europe in the late 1840s. Ireland, hit particularly hard by the blight, lost half a million people to disease and starvation.

Meanwhile, the United States expanded in both size and wealth throughout the 1800s. By 1848, the country stretched across the continent. Booming factories and abundant farmland seemed capable of absorbing an endless stream of immigrants. American railroad companies actively recruited workers in Europe, while steamship lines depicted a country of boundless opportunity to spur ticket sales for the voyage across the Atlantic.

### **The Nineteenth Century**

Immigrants found not only opportunity in the United States, but often hardship and discrimination as well. While immigrants poured into the United States, many Americans remained ambivalent about the Statue of Liberty’s inscription. From the earliest days of the republic, there had been anxiety about the social and political implications of immigration. Thomas Jefferson argued against welcoming the “servile masses of Europe,” fearing that they would transform the American people into a “heterogeneous, incoherent, distracted mass.”

Between 1820 and 1880, 70 percent of

### **The “Know-Nothing Party”**

The first organized opposition to open immigration emerged in the 1840s with the creation of the American Party, better known as the Know-Nothing Party for the secretiveness of its members. The Know-Nothings claimed that Irish and German immigrants, most of whom were Roman Catholic, would corrupt the country’s Protestant heritage. The Know-Nothings also used violence designed to terrorize the newcomers. Although the Know-Nothings faded from the political arena before the Civil War, anti-immigrant feelings remained strong.

immigrants to the United States came from Great Britain, Germany, and Ireland. The Irish were the first Roman Catholics to arrive in large numbers in what was largely a Protestant nation.

The mayor of New York in the 1820s looked upon the Irish and the Germans as “filthy, intemperate, unused to the comforts of life and regardless of its proprieties.” Half a century later, the editor of the *Atlantic Monthly* magazine feared that a new generation of immigrants brought with them “unknown gods and rites.... Accents of menace alien to our air.”

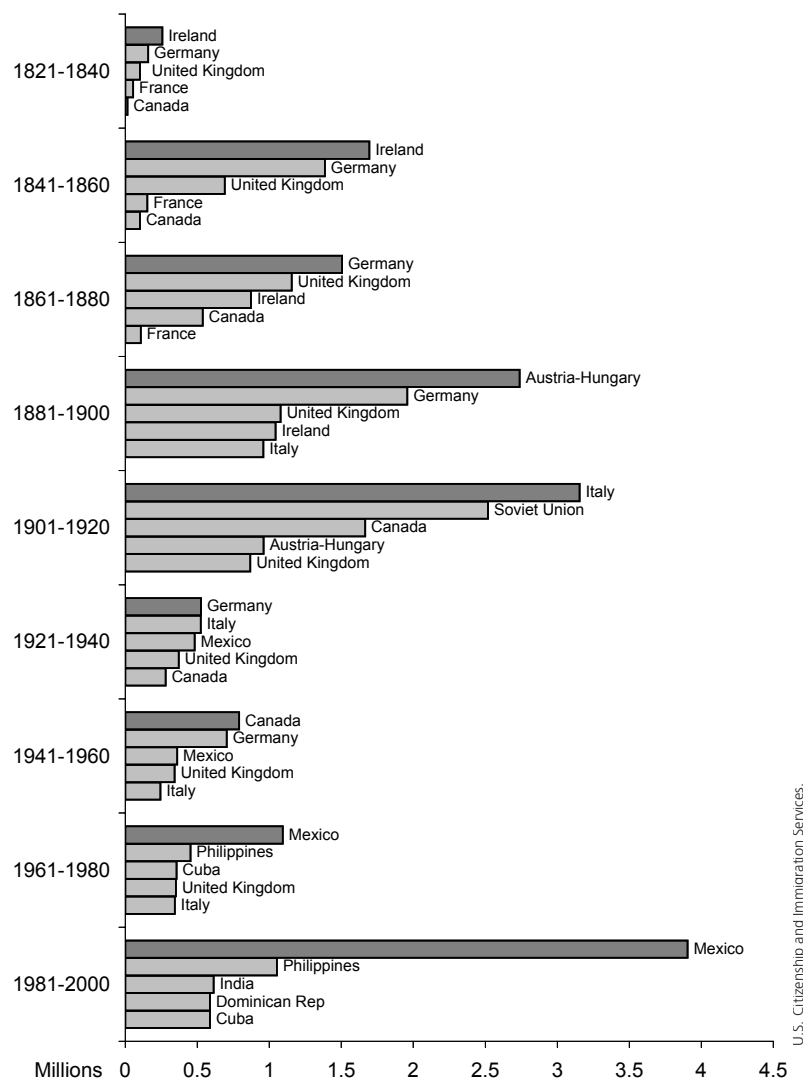
During the period from 1881 to 1920, the majority of newcomers came from southern and eastern Europe, especially from Italy, Austria-Hungary, and Russia. These immigrants had different languages, different cultures, and different religions than immigrants from Great Britain. Anti-immigration forces in Congress sought to make literacy a requirement for entry to the United States. Since free public education was slow to advance in much of southern and eastern Europe, opponents of immigration expected that a literacy test would stem the flow of newcomers from those regions.

The turn of the nineteenth century also marked a major change in how immigrants fit into their adopted country. The new wave of immigrants formed close-knit communities in major cities. Distinct enclaves of Italians, Poles, Jews, Greeks, and other ethnic groups peppered America’s urban centers.

By 1900, four out of five New Yorkers either were born abroad or were the children of immigrants.

The 1890 census revealed that the unbroken frontier of the American West had been filled in. The most fertile land of the Great Plains and western valleys had been claimed by newcomers. At the same time, the industrial cities of the Northeast and the Great Lakes region still needed cheap, unskilled labor.

**Immigrants Admitted from the Top Five Countries of Last Residence: 1821-2000**



U.S. Citizenship and Immigration Services.



Courtesy of Ellis Island Immigration Museum.

Turn-of-the-century immigrants approach New York.

### ***How were Asian immigrants received?***

While the eastern and central parts of the country were dealing with an influx of Europeans, Californians saw Asians arriving in their state. Not only were these immigrants culturally different, their physical appearance set them apart as well.

Between 1861 and 1880, almost two hundred thousand Chinese came to the United States, recruited for construction crews for the transcontinental railroad. They soon found other kinds of jobs as well and by the 1870s they comprised 20 to 30 percent of the labor force in California. Their willingness to work

for low wages caused other workers to lobby for laws to restrict them. State law barred them from marrying whites or testifying in court against whites. Riots in a number of Western towns resulted in the deaths of dozens of Chinese newcomers.

Anti-Chinese sentiment went national in 1882 when Congress passed the Chinese Exclusion Act. This law prohibited Chinese workers from entering the United States. Further laws led to a complete suspension of Chinese immigration and prohibited those already here from sending for their wives. The Chinese Exclusion Act set the stage for later efforts to establish immigration restrictions on the basis of national origin.

Japanese immigrants began arriving during this same era because, for the first time in three hundred years, their government allowed them to emigrate. Like the Chinese, they

were known as hard workers who would work for low wages. It was not long before they too became the victims of prejudice. Americans talked about a “yellow peril” and the city of San Francisco created segregated schools, separating Asians from other children. The Japanese government protested to President Theodore Roosevelt. In what became known as the Gentlemen’s Agreement, Roosevelt persuaded Japan to return to restrictions on emigration. Nevertheless, discrimination in the United States continued.

## The Twentieth Century

The anti-immigration movement that emerged at the end of the nineteenth century based its appeal on the ideas advocated by the Know-Nothings (see box on page 2) half a century earlier and drew support from other groups. Labor union organizers, for example, feared that their struggle to raise wages and improve working conditions was being undercut by the availability of cheap immigrant labor. In addition, political reformers believed that immigrant voters could be easily manipulated to support corrupt big-city politicians.

The campaign to restrict immigration faced opposition from business leaders. Presidents from Grover Cleveland in 1895 to Woodrow Wilson in 1915 repeatedly vetoed Congressional legislation to require a literacy test for immigrants. Not until 1917, with Americans caught up in the nationalistic spirit of World War I, did Congress override President Wilson's veto, making literacy an entrance requirement. In 1921, Congress passed another restrictive law, creating immigration quotas on the basis of national origin. That concept served as the foundation of the Immigration Act of 1924, more commonly known as the National Origins Act.

### ***What was the 1924 National Origins Act?***

The National Origins Act grew out of recommendations presented to Congress in 1911 by the Dillingham Commission, a group of Senators who investigated the state and effect of immigration. Reflecting the mood of Congress, the commission called for new regulations to reduce immigration. More important, it proposed limiting the number of immigrants to be accepted from each country. Many of the Dillingham Commission's suggestions found their way into the legislation that followed. The 1924 act limited the annual immigration quota of each European nationality to 2 percent of its proportion in the U.S. population in 1890. This had the effect of reducing immigration by Italians, Hungarians, Poles, and other groups that had begun coming to the United States in large numbers only after 1890. The 1924 act also affirmed earlier laws that

closed the door to immigration from Asia.

The 1924 National Origins Act governed U.S. immigration policy until 1952. During this period, immigration fell to its lowest level since the mid-1800s. The effects of the quota system, the Depression of the 1930s, and World War II combined to reduce immigration significantly. In the 1930s, the number of people emigrating from the United States actually exceeded the number of immigrants coming into the country.

### ***How did the Cold War affect immigration policy?***

During this lull in immigration, the United States underwent a dramatic transformation. World War II not only lifted the U.S. economy out of the Depression, but also sparked a new era of technological innovation. The United States emerged from the war as the most powerful nation on earth. By the late 1940s, U.S. leaders had taken on a new range of international commitments to thwart the growing threat of the Soviet Union. The deepening Cold War redefined the U.S. role in the world and touched almost every aspect of government policy, including regulations on immigration.

The Displaced Persons Act of 1948 highlighted the new international position of the United States. The act allowed for the admission of more than 400,000 refugees left homeless by World War II and the imposition of Soviet communism in Eastern Europe. The Displaced Persons Act was followed in the 1950s and 1960s by a number of special bills designed to accommodate "escapees" from communist domination. The biggest wave of refugees—approximately 700,000—came from Cuba after a revolution brought Fidel Castro to power in 1959.

### ***How was 1965 a turning point in immigration?***

Although the 1952 Immigration and Nationality Act slightly relaxed restrictions against immigration from Asia, the system created in 1924 remained in place until the

### Recent Immigration Laws

- The **Refugee Act** of 1980 was prompted in large part by the arrival of more than four hundred thousand refugees from Southeast Asia between 1975 and 1980. The legislation sought to give refugee policy greater consistency by allowing for both a regular flow of refugees and emergency admissions.

- In 1986, the **Immigration Reform and Control Act** tackled the issue of illegal immigration. To stem the entry of illegal aliens, the 1986 act imposed penalties on employers who knowingly hired workers without proper documentation. It also allowed illegal aliens who had lived in the United States since 1981, as well as undocumented agricultural workers, to become citizens. Under the amnesty program, about 3.2 million illegal immigrants gained legal status.

- The **Immigration Act** of 1990 raised the limit on annual admissions from 290,000 to 675,000 immigrants. (The 1965 act had set the ceiling at 290,000.) The 1990 law also nearly tripled the number of immigration slots reserved for newcomers with prized job skills and their families. Like the 1965 act, the Immigration Act of 1990 emphasized family reunification as the guiding principle of U.S. immigration policy. Under the law, over 71 percent of immigration visas go to family members of U.S. citizens and permanent legal residents. (There are no limits on the immigration of the parents, spouses, and children of U.S. citizens.) In addition, about 21 percent of visas are set aside for well-trained workers and their families, and about 8 percent are available for immigrants from countries that have received relatively few visas in previous years.

- The **Illegal Immigration Reform and Immigrant Responsibility Act** of 1996 grew out of the economic troubles of the early 1990s. In its original form, it would have reduced overall annual immigration to 535,000 (including refugees and asylum seekers) and strengthened border control efforts. By the time the bill became law, however, the economic outlook had brightened and Congress had narrowed the focus of the act to curbing illegal immigration. The 1996 act streamlined procedures for deporting illegal aliens and rejecting asylum claims. The number of deportations doubled as a result. Critics warned that the law placed too much power in the hands of the Immigration and Naturalization Service and denied legitimate refugees a fair hearing.

civil rights movement forced lawmakers to re-examine the national origins quotas. The Immigration and Nationality Act of 1965, enacted during a period of robust economic growth, replaced the old quotas with a set of seven preference categories. The new system placed priority on reuniting families and attracting highly skilled professionals.

The 1965 act immediately boosted immigration for the nationalities that the previous quota system severely restricted. As late as the 1950s, 68 percent of the immigrants entering the United States had come from Europe and Canada. The new law cleared the way for greater immigration from Asia. Asian doctors, nurses, engineers, scientists, and other university-trained specialists were part of an unprecedented wave of immigration due to

the emphasis on admitting professionals. The 1965 act also set in motion a chain reaction that would affect future immigration patterns. Under the preference system, newcomers with citizenship status could sponsor the immigration of their spouses, children, and siblings. These new arrivals, in turn, could arrange for other family members to join them.

In the 1970s, immigrants had begun to enter the United States in the largest numbers in half a century. Officially, legal controls on immigration were tighter than in the early 1900s. No more than twenty thousand immigrants from any single country could enter the United States annually. At the same time, the law limited the total number of immigrants to be admitted annually to 290,000. (The immediate relatives of U.S. citizens—spouses,

children under age eighteen, and parents—were exempt from the ceiling of 290,000.)

Immigration law in the 1970s faced new challenges. Despite the strict regulations, more immigrants entered the country outside of normal routes, either as refugees or illegal aliens. Meanwhile, hundreds of thousands of backlogged applicants clogged the conventional channels of immigration. Mexicans—who made up 24 percent of legal immigrants between 1971 and 1991—for example, faced a wait of more than six years to have their applications processed.

### ***What characterizes immigrants of the last two decades?***

In the last two decades, the ranks of immigrants have been swelled by refugees and asylum seekers, who are granted special status within the law, and by illegal aliens, who stay in the United States without legal documentation. Of the more than 1.5 million immigrants who settled in the United States in 2006, the U.S. government estimates that roughly 500,000 were illegal aliens and 200,000 were refugees or asylum seekers.

The new arrivals of recent decades are the most highly educated group of immigrants in U.S. history. In the 1990s, 1.6 million college-educated immigrants joined the work force, nearly 50 per cent of them from Asia. However, American society spends more than ever on new immigrants for schooling, health care, and other social services.



Rob Rogers, Reprinted with Permission of UPS, Inc.

### ***How have immigration laws changed in recent years?***

The high numbers of newcomers in the 1980s and 90s set off a debate about immigration not seen since the late nineteenth century. Pressure for immigration reform gathered momentum and resulted in a series of laws from Congress designed to deal with concerns surrounding refugees, illegal aliens, and reuniting families.

Although new laws and increased personnel have streamlined the immigration process, the system remains slow and overburdened. Today, the backlog of visa applications has decreased, but some immigrants can still face waits of five years. Each year the U.S. Citizenship and Immigration Service processes about six million immigration applications. The sheer number of applicants and the individual attention that must be given each put significant stress on the system. After September 11 2001, the picture became more complex as another level of scrutiny came into play.