

America's Suicide Pact Of 1965

**The 1965 Immigration Act Sealed The Death
Of America**

Hans Sherrer

America's Suicide Pact of 1965
The 1965 Immigration Act Sealed The Death Of America
Copyright © 2022 Hans Sherrer

All worldwide rights reserved.
No part of this book may be reproduced in any form or by
any means, or stored in a database or retrieval system, or
transmitted by any means, without prior written
permission of the publisher except in the case of brief
quotations embodied in critical articles and reviews.
Making copies of any part of this book for any purpose
other than personal use is a violation of United States
copyright law.

Published by:
TJI Press
PO Box 3012
Lacey, WA 98509

info@forejustice.org

First print edition, May 2022

Trade Paperback ISBN-13: 979-8-8094-7123-7

Cover and back cover photo of President Lyndon Johnson signing the
Immigration and Nationality Act of 1965 at the base of the Statute of Liberty
on October 3, 1965 is public domain LBJ Library photo by Yoichi Okamoto.

Printed in the U.S.A.
This book is printed on acid free paper

Table of Contents

INTRODUCTION	1
1965 WAS WATERSHED YEAR IN AMERICAN HISTORY	1
SECTION I	5
DEMOGRAPHICS ARE DESTINY	5
Notable Events Related To America’s Settlement, and then U.S.	
Immigration And Naturalization	7
America Was Founded and Created By White European Settlers ..	52
From 1790 to 1965 Immigrants to U.S. Were Mainly White	57
Pct Immigration By Whites, and Others From 1820-1965	58
Legal Immigration To U.S. By Whites and Others Since 1820	60
SECTION II	63
U.N. DECLARATION OF HUMAN RIGHTS AND RACIAL EQUALITY DECLARATIONS	63
1948 Universal Declaration of Human Rights	64
The Race Question (UNESCO 1950)	66
Statement on the Nature of Race (UNESCO 1951).....	70
Statement on Race and Racial Prejudice (UNESCO 1967).....	72
Declaration on Race and Racial Prejudice (UNESCO 1978)	73
SECTION III	74
IMMIGRATION ACT OF 1965 – ITS PRELUDE AND AFTERMATH.....	74
Emergency Quota Act of 1921	75
Immigration Act of 1924.....	76
Rep. John Rogers supported the “national origins” quota system.....	76
Rep. Ellison Smith supported the “national origins” quota system.....	77
Sen. Nathaniel Dial supported the “national origins” quota system.....	81
Sen. David Reed supported the “national origins” quota system	82
Sen. Lodge supported the “national origins” quota system	86
President of the Immigration Restriction League supported the “national origins” quota system	87
1929 Pres. Hoover Immigration Proclamation.....	89
Immigration and Nationality Act of 1952.....	91
<i>A Nation Of Immigrants</i> by John F. Kennedy (1958, Rev. 1964)	93

Immigration and Nationality Act of 1965	99
Public Opinion Supported Retaining “National Origins” System .	101
Origin Of The Immigration And Nationality Act Of 1965	104
H.R. 2580 Immigration Bill Introduced In House of Rep.....	109
S. 500 Immigration Bill Introduced In Senate.....	110
House Debate About H.R. 2580	111
Rep. Fisher supported retaining “national origins” quota system	111
Rep. Hall supported retaining “national origins” quota system	118
American Legion supported retaining “national origins” system	121
Rep. Celler supported ending “national origins” quota system.....	121
Rep. Rodino supported ending “national origins” quota system.....	125
Rep. Roosevelt supported ending “national origins” quota system....	126
House Passed H.R. 2580 Sent To Senate	128
Senate Debate About Eliminating “National Origin” System.....	129
Sen. Ervin supported retaining “national origins” quota system.....	129
Sen. Byrd supported retaining “national origins” quota system	136
Sen. Eastland supported retaining “national origins” quota system...	146
Sen. McClellan supported retaining “national origins” quota system	157
Sen. Ellender supported retaining “national origins” quota system ...	163
Sen. Holland supported retaining “national origins” quota system....	168
Sen. Robertson supported retaining “national origins” quota system	173
Sen. Saltonstall supported ending “national origins” quota system ...	174
Sen. Douglas supported ending “national origins” quota system.....	176
Sen. Fong supported ending “national origins” quota system	178
Sen. Edward Kennedy supported ending “national origins” system ..	178
Sen. Robert Kennedy supported ending “national origins” quota system	
and no limit on Western Hemisphere immigration	182
Senate Amendment Limiting Western Hemisphere Immigration .	185
Senate Passed H.R. 2580 By 76 to 18 votes.....	186
House Agreed To H.R. 2580 With Senate Amendment	187
President Johnson Signed H.R. 2580 Into Law	188
Immigration Act of 1986.....	190
Immigration Act of 1988.....	191
Whites Will Be Minority Population In U.S. Before 2030	192

CONCLUSION **194**

Introduction

1965 Was Watershed Year In American History

America died on October 3, 1965. A few prescient people at the time knew it marked America's death.

America was killed on that day by lies, deceit, obfuscation of the truth, but most importantly, by forsaking the foundation of America's creation from a wilderness sparsely populated by people who had not materially progressed in more than 10,000 years, into the most prosperous country on Earth in less than 300 years.

America was dealt a death blow in 1965 by the federal government's abandonment of the key principle of European ancestry underlying the United States' laws related to immigration and naturalization for 175 years.

America was settled by White European pioneers who created what became the original 13 colonies. The war of liberation against Great Britain from 1776 to 1781 was fought and won by Whites of European birth or ancestry. The Articles of Confederation that in 1781 created an alliance between the 13 independent countries created by Great Britain's surrender was written by White men of European birth or ancestry. The United States that came into existence in 1789 was founded by Whites of European birth or ancestry as a country in which the *only* citizens were Whites.

U.S. immigration and naturalization laws from the first one enacted in 1790 sought to preserve America's hegemony as a culture that had English as the common language, and European Whites were the common ethnicity.

1921 was a watershed year because the *Emergency Quota Act* limited annual immigration from each country to 3 percent of the number of people from that country who had been living in the United States in 1910. The overwhelming majority of people in the U.S. from an identifiable country were Whites of European birth or ancestry – and the law sought to preserve America's majority White demographic. The “national origins” basis of U.S. immigration law remained for the next 44 years.

The *Immigration Act of 1924* included the *National Origins Act* that further limited the immigration permissible by the 1921 act by reducing the annual national quotas to 2 percent of the number of people from each country living in the United States in 1890. The law excluded immigrants from the Asian Triangle.

In 1929 President Herbert Hoover signed a proclamation establishing an annual national immigration limit of 150,000 and individual country quotas, in accordance with the *National Origins Act of 1924*, that was scheduled to go into effect on July 1, 1929.

In 1948 the United Nations' *Universal Declaration of Human Rights* established new international norms prohibiting discrimination based on "race, colour, sex, language, religion ... national or social origin ... birth or other status."¹ The U.N.'s declaration undermined the concept of national sovereignty, and provided fresh ammunition for opponents of U.S. immigration policy to claim it was discriminatory because it was based on a person's national origin and ability to assimilate to become an American.

The knife in America's back was the 1952 immigration act that while it preserved "national origin" quotas and encouraged immigration of skilled artisans, it promoted non-quota "chain migration" (family unification) of parents, adult children, and adult siblings of non-citizens who legally immigrated to the U.S.

The knife in America's heart was the 1965 *Immigration and Nationality Act* that ended quotas based on national origin that favored European White immigration. The new law opened the floodgate to legal immigration by non-Europeans, and their relatives through unlimited family unification chain migration.

The 1965 immigration act predictably triggered the elimination of Whites as the majority in America in less than the expected lifetime of a baby born in 1965. President Lyndon Johnson said when on October 3, 1965 he signed the new immigration act into law: "The bill that we will sign today is not a revolutionary bill, and "does not affect the lives of millions.""² Johnson was right in a backhanded sort of way. The bill didn't affect millions, it affected *hundreds of millions*, and altered the course of U.S. history.

The homogeneity of America as an overwhelmingly White nation was undermined by the 1952 immigration law, and that White homogeneity was targeted for destruction by the 1965 immigration law because it was considered discrimination not to "diversify" the country with non-White

“multiculturalism” What was overlooked by people who did not have malevolent reasons to advocate for obliteration of the U.S.’s existing law limiting legal immigration by people from non-European countries, is immigration by non-Whites could only have a non-destructive effect if they were admitted in small enough numbers to assimilate by using the English language and adopting the existing American cultural norms. The 1965 law abandoned the principle of America’s cultural preservation through immigrant assimilation.

The 1965 law set in motion a demographic displacement that has already resulted in a lessening of societal concern for the still White majority who have been legally relegated to second-class (or worse) status under many federal and state laws. As their percentage of the population continues to diminish, the demonization of Whites by influential elements of the political, cultural, financial, and educational establishments can be expected to accelerate.

The demographic shift turning the U.S. into a non-White majority country is not abating. Preservation of the U.S. as a White majority country has passed the point of no return. The U.S. Census Bureau reported the 2020 census determined 57.8% of the U.S. population is White.³ That is 6.1% less than the 63.9% reported in the 2010 census. However, the actual White percentage is significantly less than 57.8%, because it doesn’t include the tens of millions of illegal aliens in the country. It can be expected for Whites to be an actual minority of the U.S. population before 2030.

The ultimate consequences of the racial displacement of Whites in the U.S. are currently a matter of speculation. Two of the most extreme ideas are: 1) The possible quasi-genocide or enslavement of Whites opposed to their relegation to being lower-class citizens; and, 2) Break-up of the United States to formalize the *de facto* racial, language, and cultural balkanization of the country that is underway.

This book is volume two of a series of books that detail the momentous and unprecedented demographic shift happening in real-time replacing the White primacy that created America and its advanced culture, with something very different and unrecognizable.

Volume one – *Bull’s Eye: America Was Fatally Wounded By Post-WWII Immigration Policy* (published in 2021) – provides the demographic data and other relevant facts that identifies America has been irretrievably changed from a land of majority Whites of European ancestry, due to their systematic replacement with non-Whites from non-

European countries. The information documenting this momentous transformation is presented in more than 100 tables, charts, and graphs detailing immigration and population data going back more than 200 years. The data is from official sources including the U.S. Census Bureau, the U.S. State Dept., and the Homeland Security Dept.

This volume details the immigration history of America since before and after the U.S. became a country in 1789. It also includes important arguments made by Senate and Congressional proponents and opponents of the key immigration laws enacted in 1924 and 1965.

As American culture continues its disintegration with the increasing classification of Whites as the quasi-equivalent of India's untouchables, the U.S. can be expected to become a much larger version of South Africa's collapse in less than 30 years from a first-world nation to a third-world nation of infrastructure deterioration and lawlessness. Unfortunately, the U.S. doesn't have a President de Klerk to destroy the country's nuclear arsenal before the Whites are driven from having control of them.⁴ The future of people both inside and outside the U.S. is profoundly affected by the demographic and cultural changes in the U.S. triggered by post-WWII abandonment of America's historical immigration policies.

¹ "Universal Declaration of Human Rights (1948)" United Nations, <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (last viewed Oct. 9, 2021)

² U.S. President Lyndon B. Johnson's remarks on signing the 1965 Immigration & Nationality Act on October 3, 1965. <https://www.youtube.com/watch?v=7HMEBLRt6iI> (last viewed March 3, 2022)

³ "Quick Facts: United States: Population Estimates, July 1, 2021," *United States Census Bureau*, <https://www.census.gov/quickfacts/fact/table/US/PST045221> (last viewed Feb. 12, 2022)

⁴ Weintz, Steve. "How South Africa Built (and Then Dismantled) Its Nuclear Weapons." *Nationalinterest.org*. December 20, 2020. <https://nationalinterest.org/blog/reboot/how-south-africa-built-and-then-dismantled-its-nuclear-weapons-174801>

Section I

Demographics Are Destiny

Demographics is “The study of the human population and its composition.”⁵ It has normally been associated with determining the target audience of broadcasting, advertising and marketing. However, it also applies to analyzing the impact of immigration on a geographical area caused by an increase in the concentration of foreigners.⁶

The racial, religious, ideological, language, and age composition of the people in a country or geographical area exerts a powerful influence on the course it takes. It can literally dictate its destiny.

Although the first known use of the word “demographic” to describe the human constitution of an area was in 1867, the importance of the make-up of the people of an area has been known for millennia.

There have been a number of historical instances when the importation of lower wage less intelligent foreigner workers overwhelmed the native population and a society was changed to where its original character was unrecognizable.

It was recognized in ancient Greece that the importation of inexpensive laborers with a lower intelligence level than the native population could affect the future of the country – and it did in a profoundly negative way.

The importation of foreigners as inexpensive and lower intelligence laborers – who eventually became a majority of the population – is generally considered as a primary contributor to the collapse of the Roman Empire.

Arthur John Hubbard wrote in *The Fate of Empires: Being an inquiry into the stability of civilisation* (1913): “The turning-point in past civilisations has been marked, again and again, by the appearance of Socialism coincidently with a failure of the birthrate. During the lifetime of the present generation these two phenomena have assumed a more and more prominent position among the races of white men, and it has been my object to show how critical the position of any civilisation is when it reaches the point at which they are simultaneously manifested.” Preface, vii.

⁵ Demographics, n., *Oxford English Dictionary*,
<http://www.oed.com.ezproxy.kcls.org/view/Entry/377963?rskey=Ta1VGw&result=2#eid> (last
viewed December 23, 2018)

⁶ *Id.*, A. *adj.*, 1970, “The demographic impact of immigration was increased by the geographic concentration of the foreigners.”

Notable Events Related To America's Settlement, and then U.S. Immigration And Naturalization

On May 14, 1607 the first permanent English settlement in North America was founded at Jamestown by about 100 English members of a joint venture called the Virginia Company. Jamestown remained the capital of the Virginia colony until 1699.⁷

In 1619 the first Africans arrived at Jamestown. The twenty Africans had been on a Portuguese slave ship captured in the West Indies that was brought to the Jamestown region. They worked as indentured servants in the tobacco fields.⁸

In December 1620 about 102 English men and women – mostly Puritan Separatists – landed at Plymouth Rock and founded the first permanent English settlement in present day Massachusetts.⁹

In 1623 the first permanent English settlement was founded in present day New Hampshire at Hilton Point (Dover) by fish merchants Edward Hilton and his brother William Hilton.¹⁰

In 1624 the first permanent European settlement in New York was by Dutch settlers along the Hudson River, who named the area New Netherlands. Two years later they founded New Amsterdam on Manhattan Island. In 1664, the English took control of New Netherlands, and New Amsterdam was renamed New York.¹¹

In 1633 the first permanent English settlement in Connecticut was at Windsor, just north of present-day Hartford. The founding group of about 100 English settlers was from Massachusetts.¹²

In March 1634 the first permanent English settlement in Maryland was by about 150 Catholics and Protestants who landed on St. Clement's Island. It was intended as a refuge of religious tolerance, particularly for English Roman Catholics.¹³

In 1636 the first permanent English settlement in Rhode Island was at Providence. Roger Williams had been banished from the Massachusetts Bay Colony for advocating religious tolerance and the separation of church and state, and he and a group of followers purchased the land for Providence from the Narragansett Indians.¹⁴

In 1638 the first permanent European settlement in Delaware was by Swedish settlers at Fort Christina, the site of present day Wilmington. The Dutch took over the area in 1655 and it became part of New Netherland. In 1664 the British conquered the Atlantic region controlled by the Dutch. In 1682 Delaware became part of Pennsylvania, and it was known as the “Lower Counties on the Delaware.” By 1704 Delaware was essentially an independent area with its own government.¹⁵

In 1643 the first permanent European settlement in present-day Pennsylvania was by Swedes who built Fort Elfsborg and Fort New Gothenburg at Tinicum Island, near the present-day Philadelphia airport.¹⁶ In 1655 Dutch troops took control of the Swedish colony, and held it until the British seized control of it and all of New Amsterdam in 1664.

In 1653 the first permanent English settlement in what is now North Carolina was at Albemarie. The English settlers were from Virginia.¹⁷

In 1654 the first Jewish settlers in North America arrived at New Amsterdam, fleeing Portuguese persecution in Brazil.¹⁸

In 1660 the first permanent European settlement in New Jersey was founded by Dutch settlers in Bergen. It became a part of New Netherlands. Four years later the British took control of New Netherlands, and the area encompassing present-day New Jersey was named after the Isle of Jersey in the English Channel.¹⁹

In 1664 the Britain’s King Charles II annexed New Netherlands and a fleet was sent to seize it.²⁰ Faced with superior British military might, the Dutch capitulated and surrendered all of New Netherlands that included present-day New York, New Jersey, Pennsylvania, and Delaware. The entire area was renamed New York, and New Amsterdam was renamed New York (City). The British ruled all thirteen colonies on America’s east coast that were north of Spanish controlled Florida.

In 1666 the first permanent European settlement in what is now Vermont was when the French built Fort Sainte Anne on Isle La Motte.²¹ In 1724 the first English settlers in present-day Vermont built Fort Dummer on the site of what is now Brattleboro. After the French and Indian Wars, England gained control of Vermont in 1763.

In 1670 the first permanent English settlement in what is now South Carolina was by three shiploads of English settlers who landed near present day Charleston.²²

In 1673 the British surrendered New York to the Dutch who landed troops in New York during the war between England and the Netherlands. The territory comprising New York was renamed New Orange.²³

In 1674 the Treaty of Westminster ended the war between England and the Netherlands. The British sent a fleet that arrived off Manhattan Island on November 1, and the Dutch authorities and soldiers complied with the demand that they leave. New Orange was renamed New York.²⁴ It was the last time until the Revolutionary War, that the British didn't control all of the 13 colonies.

In 1681 King Charles II of England granted 40,000 square miles of present day Pennsylvania to William Penn to repay a large debt owned to Penn's father, Admiral Sir William. Although Penn named his new domain New Wales, the King overruled him and changed the name to Pennsylvania.²⁵

In 1683 13 German families arrived in Philadelphia. They were Mennonites who wanted to "live peaceably according to the tenets of their faith."²⁶ Those Germans "were the forerunners of a substantial migration from Germany. ... By the eve of the Revolution there were over 100,000 German immigrants and descendants of German immigrants living in the United States. They constituted the first numerical challenge to the hitherto predominantly English population."²⁷

In 1697 the Royal African Company's monopoly of African slave trade to America ended, and slave shipments increased with New Englanders handsomely profiting.²⁸

In 1707 the Act of Union between England and Scotland began an era of Scottish emigration to the U.S. from Glasgow. Scots settled as merchants and importers in colonial seaports, and artisans and laborers became indentured servants in the tobacco growing colonies and New York.²⁹

In 1717 the English Parliament legalized transportation of criminals to the American colonies as punishment. Over a period of years around 30,000 English criminals were shipped mostly to Virginia and Maryland to work as *de facto* slaves until completing their sentence – or dying – whichever occurred first.³⁰

In 1718 large-scale settlement of Scotch-Irish in America began. It was sparked by dissatisfaction with the land system that involved absentee landlords; high rents; and short leases.³¹

In 1732 Georgia was founded by Englishman James Oglethorpe, who was given a charter by King George II to create a new colony that would be a buffer protecting South Carolina against a Spanish invasion through Florida.³² It was the last of the 13 English colonies and named after the king. When founded Georgia prohibited slavery, along with lawyers and Roman Catholics.³³

In 1740 the British Parliament enacted the Naturalization Act that conferred British citizenship on non-British settlers in the colonies in hope of encouraging Jewish settlement. Jews in the American colonies had more political and religious freedom than anywhere in the world.³⁴

In 1745 rebels involved in the failed Jacobite rebellion in Scotland to put the Stuarts back on the throne were transported to American colonies as punishment.³⁵

In 1751 Benjamin Franklin wrote that America's settlers were white and he did not want non-whites in America. He was particularly opposed to Blacks from Africa being brought to America so as to not "darken its People":

24. Which leads me to add one Remark: That the Number of purely white People in the World is proportionately very small. All Africa is black or tawny. Asia chiefly tawny. America (exclusive of the new Comers) wholly so. And in Europe, the Spaniards, Italians, French, Russians and Swedes, are generally of what we call a swarthy Complexion; as are the Germans also, the Saxons only excepted, who with the English, make the principal Body of White People on the Face of the Earth. I could wish their Numbers were increased. And while we are, as I may call it, *Scouring* our Planet, by clearing America of Woods, and so making this Side of our Globe reflect a brighter Light to the Eyes of Inhabitants in Mars or Venus, why should we in the Sight of Superior Beings, darken its People? why increase the Sons of Africa, by Planting them in America, where we have so fair an Opportunity, by excluding all Blacks and Tawneys, of increasing the lovely White and Red? But perhaps I am partial to the Complexion of my Country, for such Kind of Partiality is natural to Mankind.³⁶

In 1755 many French Acadians expelled from Nova Scotia on suspicion of disloyalty settled in Louisiana.³⁷

In 1771 a depression in the Ulster linen trade and an acute agrarian crisis resulted in a new exodus of Scotch-Irish to the U.S, estimated at about 10,000 per year from 1771 to 1773.³⁸

In 1774 Thomas Jefferson wrote about the predominantly British ancestry of the settlers in the 13 colonies:

“Resolved, that it be an instruction to the said deputies, when assembled in general congress with the deputies from the other states of British America, to propose to the said congress that an humble and dutiful address be presented to his majesty, begging leave to lay before him, as chief magistrate of the British empire, the united complaints of his majesty’s subjects in America; complaints which are excited by many unwarrantable encroachments and usurpations, attempted to be made by the legislature of one part of the empire, upon those rights which God and the laws have given equally and independently to all ...

To remind him that our ancestors, before their emigration to America, were the free inhabitants of the British dominions in Europe ...”³⁹

In 1775 the outbreak of hostilities in America resulted in the British Government suspending the settlement of English, Scots and Irish in America.⁴⁰

In 1776 the thirteen American colonies declared their independence from Great Britain on July 4.

In 1776 the practice of sending White slaves (aka indentured servants) from Great Britain to America ended with the outbreak of hostilities. Over a 170 year period approximately 300,000 Whites were transported to America to work under a 7-to-14 year contract to pay for their ocean passage to the New World.⁴¹ Around half perished before the end of their contract when they became free citizens. The first field laborers on Southern plantations were White slaves, but when their physical constitution proved unsuitable to working in the South’s hot, humid climate, African slaves naturally acclimated to that weather were brought in.

In 1776 there were about 2,000 Jews in America, with most from Spain or Portugal.⁴²

In 1782 *Letters from an American Farmer* was published. It was a compilation of letters written from 1770 to 1778 by Michel-Guillaume Jean de Crèvecoeur (as James Hector St. John). The observations in the

book included: “The next wish of this traveller will be to know whence came all these people? they are a mixture of English, Scotch, Irish, French, Dutch, Germans, and Swedes. From this promiscuous breed, that race now called Americans have arisen. ... What then is the American, this new man? He is either an European, or the descendant of an European, hence that strange mixture of blood, which you will find in no other country. ... He is an American.”⁴³

In 1783 settlement in America from the British Isles resumed after the Treaty of Paris ended the Revolutionary War. The most numerous immigrant group were Scotch-Irish.⁴⁴

In 1787 John Jay wrote in *The Federalist Paper* Number 2 about the common ancestors and language of Americans – who were White and spoke English – at the time the debate was raging in the thirteen nation-states (the former British colonies) about whether to create a United States by ratifying the U.S. Constitution:

With equal pleasure I have as often taken notice that Providence has been pleased to give this one connected country to one united people—a people descended from the same ancestors, speaking the same language, professing the same religion, attached to the same principles of government, very similar in their manners and customs, and who, by their joint counsels, arms, and efforts, fighting side by side throughout a long and bloody war, have nobly established general liberty and independence.⁴⁵

In June 1788 the U.S. Constitution was ratified, and it was agreed that the federal government it was authorized to create would begin functioning on March 4, 1789.⁴⁶ John Jay was appointed by President George Washington as the first chief justice of the U.S. Supreme Court.⁴⁷

In 1789 the outbreak of the French Revolution resulted in many aristocrats and royalist sympathizers immigrating to the United States.⁴⁸

In 1790 the United States enacted its first law concerning immigration and naturalization. The *Naturalization Act of 1790*, also known as the *Nationality Act*, limited naturalized citizenship to “any alien, being a free white person” who had been a U.S. resident for two years.⁴⁹ The fact that under the 1790 *Nationality Act* only an alien who was a “white person” could become a citizen was consistent with the ethnic composition of the settlers in America from the time of the first white European settlement at Jamestown in 1607.

In 1790 there were about 1,000 Jews in the U.S, with 385 living in New York City.⁵⁰

In 1791 a Negro revolt in Santo Domingo (now Haiti) resulted in 10,000 to 20,000 French exiles immigrating to the United States, primarily settling on the Atlantic seaboard.⁵¹

In 1793 the French Revolution resulted in Girondists and Jacobins threatened with guillotining to seek refuge in the United States.⁵²

In 1795 a new *Naturalization Act* replaced the 1790 law.⁵³ It increased the time to five years before white only immigrants could become a citizen. It also added a good character clause and an oath renouncing allegiance to any foreign entity that continues to be used today. Like the 1790 law, it didn't limit the number of people who could immigrate, or provide for tracking them or their country of origin.

In 1798 *An Act Concerning Aliens* was enacted that authorized the President to deport aliens "Such as the President shall judge dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect of treasonable or secret machinations against the government."⁵⁴

In 1798 Irish rebels sought refuge in the U.S. after the unsuccessful Irish rebellion against British occupation and rule. Other Irish sought refuge in the U.S., including artisans, and farmers and agricultural laborers who suffered from bad harvests and low prices.⁵⁵

In 1803 most U.S. citizens were Protestants. The first significant population of Roman Catholics entered the United States when French citizens who choose to continue living in the area of the Louisiana Purchase were granted U.S. citizenship.⁵⁶

In 1807 a federal law was enacted prohibiting the importation into the U.S. of any "negro, mulatto, or person of colour" to be sold "as a slave, or to be held to service or labour," effective January 1, 1808.⁵⁷ A number of states had already prohibited slave importation including: Delaware in 1776; Virginia in 1778; Maryland in 1783; South Carolina in 1787 (which reopened it in 1803); North Carolina in 1794; and Georgia in 1798.⁵⁸ It is estimated a total of 252,652 African slaves disembarked in the U.S. – 2.3% of all African slaves that disembarked in South America, the Caribbean, and North America.⁵⁹

In 1814 the Treaty of Ghent ended the War of 1812 between the U.S. and Great Britain.

In 1815 years of war in Europe ended with the signing of the Peace Treaty of Vienna on March 25, 1815.⁶⁰ The peace in Europe and between the U.S. and Great Britain marked the beginning of a great wave of European settlers to the U.S.: about 5 million White Europeans settled in the U.S. from 1815 and 1860.⁶¹

In 1817 the U.S. Supreme Court ruled in the case of *Cherac v. Lessee of Chipoe* that the power of naturalization resides exclusively with Congress.⁶²

In 1818 the Black Ball Line of sailing ships began regular service between Liverpool and New York. Liverpool became the main port of departure to the U.S. for Irish and British, and considerable numbers of Germans and Norwegians.⁶³ Liverpool remained an important departure point for almost a century and a half: Between 1860 and 1960 about two-thirds of the total number of people who emigrated to the U.S. and Canada departed Europe from Liverpool.⁶⁴

In 1818 there were about 3,000 Jews in the U.S..⁶⁵

In 1819 *The Steerage Act of 1819*, also called the *Manifest of Immigrants Act*, was passed by Congress and signed into law by President James Monroe.⁶⁶ *The Steerage Act* mandated that for the first time, all immigrants and their country of origin needed to be documented beginning on January 1, 1820.⁶⁷ Consequently, official records of immigration into the U.S. begin with Jan. 1, 1820. There are no official immigration records from 1790 to 1819. However, the limitation of U.S. naturalization to “free white persons” was in effect during those years. So it is reasonable to deduce the ethnic composition of immigrants during those 29 years was heavily weighted toward White Europeans as it was prior to 1790 and from 1820 on.⁶⁸ What isn’t known is how many settlers entered the country during those years, although there are the census records for the population growth from 1790 to 1820. *The Steerage Act* was also intended to improve the conditions of immigrants by limiting the number that each ship could transport. A large number of Europeans immigrating to the U.S. were transported in deplorable, overcrowded conditions. The law sought to change that by limiting the number of immigrants on each ship to no more “than two persons for every five tons of such ship or vessel, according to customhouse measurement.”⁶⁹

In 1825 Great Britain repealed its laws prohibiting emigration of artisans from major trades as ineffective.⁷⁰

In 1825 arrival in United States of the first group of Norwegian immigrants in the sloop *Restauration-timen*, consisted of freeholders leaving an overpopulated country and shrunken farms. They were followed by cotters, laborers, and servants.⁷¹

In 1840 the Cunard Line began operating, marking the beginning of the era of steamship lines especially designed for passenger transportation between Europe and the United States.⁷²

In 1849 the American Party (aka the Know-Nothing Party) was founded with the intent to elect candidates supporting its platform of opposing immigration and employment of followers of the Catholic Church.⁷³ The majority of Americans were Protestants, and the American Party believed Catholics were more loyal to the Pope than to the U.S. The party reached its peak in 1855 when it elected six Governors, controlled several State legislatures, and sent a sizable delegation to Congress. In the 1856 presidential election its candidate, former President Millard Fillmore, garnered about 22% of the vote in finishing third. The American Party didn't take a position on slavery and its end as a party was effectively marked by the 1860 Presidential election when it did not run a candidate.⁷⁴

In 1846 crop failures in Germany and Holland resulted in mortgage foreclosures and forced sales that sent tens of thousands of dispossessed farmers and farm workers to emigrate to the U.S.⁷⁵

In 1846-47 the Irish potato famine resulted in the large scale emigration to the U.S. of all classes of Ireland's population, including laborers, cotters, and even substantial farmers.⁷⁶

In 1848-49 the failure of the German Revolution resulted in a large number of political refugees immigrating to America.⁷⁷

In 1848 the Treaty of Guadalupe Hidalgo settled the Mexican-American War (1846 to 1848) in which the U.S. defeated Mexico. In the treaty Mexico agreed to the Rio Grande River as a boundary for Texas, and ceded ownership of more than 525,000 square miles that encompassed all of present-day California, Nevada and Utah, most of Arizona, parts of Colorado and Wyoming, and about half of New Mexico. The U.S. agreed that Mexicans who chose to remain living in the ceded territory, and not to return to Mexico, would become U.S. citizens at a time to be judged by the U.S. Congress.⁷⁸

In 1855 the *Naturalization Act of 1855* was enacted that clarified immigration law in two primary ways. First, “Any Woman who is now or may hereafter be married to a citizen of the United States, and who might herself be lawfully naturalized, shall be deemed a citizen.” Second, a child born outside the U.S. whose father is a U.S. citizen is automatically conferred U.S. citizenship.⁷⁹

In 1855 the Castle Garden immigrant depot opened in the Port of New York to process immigrants arriving from Europe.⁸⁰ About 11 million Europeans entered the U.S. through Castle Garden before it was replaced in 1892 by Ellis Island.

In 1855 poet Walt Whitman’s famous sentence – “Here is not merely a nation but a teeming Nation of nations” – was published in his Preface to his book of poetry, *Leaves of Grass*.⁸¹ At the time it was written more than 98% of all immigrants to the U.S. were Whites from European nations – with 56% from Great Britain and Ireland, and 30% from Germany.⁸² More than 100 years later Whitman’s sentence became oft-quoted by people who misused it to advocate limiting immigration from the Northern and Western European countries Whitman was referring to, while they promoted opening the U.S. to immigration from all countries.

In 1857 the U.S. Supreme Court ruled in *Dred Scott v. Sandford* that since he was born as a slave Scott was not afforded the rights and protections under the U.S. Constitution regardless of whether or not he temporarily lived in a free state with the intent to become a permanent resident.⁸³ The Court ruled that the Founding Fathers intended for only people who were considered a citizen of the state in which they lived at the time of the Constitution were to be granted U.S. citizenship.⁸⁴ Consequently, as a negro of the African race Scott was not a “citizen” within the meaning of the Constitution of the United States.

In 1864 the *Immigration Act of 1864* (13 Stat. 385) established the position of Commissioner of Immigration, and it provided that labor contracts made by an immigrant outside the United States was enforceable in U.S. courts.⁸⁵

In 1867 the U.S. and Russia entered into the *Treaty of Cession* after the U.S. agreed to buy Alaska from Russia.⁸⁶ Similar to the Louisiana Purchase in 1803, the treaty provided that a Russian had three years to return to their homeland, while those who chose to remain in Alaska would become naturalized U.S. citizens. The treaty also provided that “uncivilized native tribes” would not become U.S. citizens, but they

would have a status similar to that of native Americans in the continental U.S.⁸⁷

In 1868, three years after the end of the War Between The States, the 14th Amendment to the U.S. Constitution was ratified on July 9. It stated: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside.”⁸⁸

In 1870 the *Naturalization Act of 1870* made U.S. naturalization law consistent with the 14th Amendment by extending naturalization to include “aliens of African nativity and to persons of African descent.”⁸⁹ The law also created a system for the naturalization process and imposed penalties for fraudulent activities.

In 1875 the *Page Act* became law.⁹⁰ It was the United States’ first restrictive entry immigration legislation. It barred the entry into the U.S. of any native of an Asian country – the largest of which were China and Japan – who was considered a criminal in their own country; persons coming to the U.S. to be a forced laborer; and any woman who would engage in lewd and immoral behavior, i.e., prostitution. The primary aspect of the law that was enforced was barring entry of Asian women – particularly Chinese – who would work as prostitutes. The law applied to a person who was ½ or more Asian. The *Page Act* effectively marked the beginning of immigration law enforcement at coastal border points of entry.

In 1878 it was ruled in the court case of *In Re Ah Yup*, 5 Sawy. 155 (1878) that the words “white person” for naturalization purposes means only a person of the Caucasian race.⁹¹ The Court’s ruling stated: “As ordinarily used everywhere in the United States, one would scarcely fail to understand that the party employing the words “white person” would intend a person of the Caucasian race.”⁹² The petitioner was a Chinese citizen of Mongolian descent who unsuccessfully argued he was a “white person” under U.S. law and therefore eligible for naturalization as a U.S. citizen. The case acknowledged there are five recognized distinct races of human beings: The Caucasian or White race of Europe and Western Asia; the Mongolian or Yellow race of Central and East Asia; The Ethiopian or Negro (black) race of Africa; The Red race of North and South America; and, The Malay or Brown race of the islands of the Indian Archipelago.⁹³ For more than 50 years federal and state courts ruled consistent with the *In Re Ah Yup* ruling.⁹⁴

In 1882 the *Chinese Exclusion Act* suspended entry into the U.S. for ten years of all Chinese skilled and unskilled laborers, and Chinese employed in mining, with an enforcement penalty of imprisonment and deportation.⁹⁵ (In 1892 the suspension was extended for an additional ten years, and then in 1902 Chinese immigration was suspended indefinitely.) Chinese in the U.S. as of November 17, 1880 were allowed to remain, and to leave and reenter the country with a certificate.⁹⁶ The act also denied U.S. citizenship to Chinese aliens.⁹⁷ Congress acted after receiving political pressure for years from California to do something about the large presence of Chinese, including concerns by the convention that framed California's 1879 Constitution which sent to Congress a Memorandum:

“setting forth in substance that the presence of Chinese laborers had a baneful effect upon the material interests of the state, and upon public morals; that their immigration was in numbers approaching the character of an Oriental invasion, and was a menace to our civilization; that the discontent from this cause was not confined to any political party, or to any class or nationality, but was well nigh universal; that they retained the habits and customs of their own country, and in fact constituted a Chinese settlement within the state, without any interest in our country or its institutions, and praying Congress to take measures to prevent their further immigration.”⁹⁸

In 1882 the *Immigration Act of 1882* delineated categories of “undesirables” who would be prohibited entry into the U.S.⁹⁹ It is considered the first comprehensive U.S. immigration law. The law prohibited entry of “any convict, lunatic, idiot, or any person unable to take care of himself or herself without becoming a public charge.”¹⁰⁰ The “public charge” doctrine acted to bar foreigners who could not show the financial ability to support themselves. Those who were denied entry were returned to their foreign point of departure at the expense of the ship owners. The 1882 act regulated immigration at coastal borders only.

In 1882 an outbreak of anti-Semitism in Russia resulted in a steep increase of Jewish immigration to the United States.¹⁰¹

In 1883 Emma Lazarus' poem *The New Colossus* about immigration to the U.S. was published.¹⁰² At the time more than 97% of all immigrants to the U.S. from 1820 (when records began being kept) to 1883 were

from European countries or Canada.¹⁰³ She wrote the poem to raise money for the construction of a pedestal for the Statute of Liberty.

In 1884 the U.S. Supreme Court ruled in the case of *Elk v. Wilkins*, 112 U.S. 94 (1884) that an Indian born on a reservation is not a U.S. citizen because at birth he owes his allegiance to his tribe rather than to the U.S.¹⁰⁴ The Court ruled that since the federal government controls naturalization, an Indian cannot unilaterally make himself a U.S. citizen by renouncing his tribal allegiance. The Court evaluated the 14th Amendment's first section: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside.", and stated its opinion:

Indians born within the territorial limits of the United States, members of and owing immediate allegiance to one of the Indiana tribes (an alien though dependent power), although in a geographical sense born in the United States, are no more "born in the United States and subject to the jurisdiction thereof," within the meaning of the first section of the Fourteenth Amendment, than the children of subjects of any foreign government born within the domain of that government, or the children born within the United States of ambassadors or other public ministers of foreign nations.¹⁰⁵

In 1884 the suspension of Chinese immigration to the U.S. was made applicable to all Chinese, regardless of their place of birth or their national allegiance.¹⁰⁶

In 1885 the *Foran Act*, also known as the Alien Contract Labor Act, made it illegal for any alien to be transported or assisted by "any person, company, partnership, or corporation. ... under contract or agreement ... to perform labor or services of any kind"¹⁰⁷ It also voided any employment contracts agreed to prior to immigration. The law was in response to the call of natural born Americans and labor unions to reduce the influx of immigrants willing to work for low wages into the U.S. The *Foran Act* did not bar immigration of skilled labor for new industries, artists, actors, lecturers, domestic servants, and individuals in U. S. were not prevented from assisting immigration of relatives and personal friends.¹⁰⁸

In 1886 the Statute of Liberty on Liberty Island in New York Harbor was dedicated by President Grover Cleveland.¹⁰⁹ The statute was a gift from France as a celebration to the end of slavery in the United States in

1865. The undisputed “Father of the Statue of Liberty” is Edouard de Laboulaye, a French abolitionist and president of the French Anti-Slavery Society.¹¹⁰ Laboulaye first proposed the statute in June 1865 – two months after the Civil War ended.¹¹¹

In 1888 the *Scott Act* was enacted as an amendment to the *Chinese Exclusion Act of 1882*. The *Scott Act* allowed the entry of Chinese officials, teachers, students, merchants, and travelers for pleasure. It also revoked the right of reentry into the U.S. of Chinese unless they had reentered prior to October 1, 1888.¹¹² Reentry was barred for thousands of Chinese who had worked in the U.S., but were outside the country when the law took effect.

In 1889 the constitutionality of the *Scott Act* barring the reentry of Chinese was upheld by the U.S. Supreme Court in the case of *Chae Chan Ping v. United States*.¹¹³ A Chinese who had been working in San Francisco traveled to China, and returned on October 8, 1888 – seven days after the return deadline imposed by the *Scott Act*. The man was stopped at the port and denied entry into the U.S. The Supreme Court accepted review of his case after a federal court in California denied the man’s writ of habeas corpus that challenged the legality of his detention and pending deportation after he had already resided in the U.S. In unanimously upholding the *Scott Act* the Supreme Court’s ruling stated:

“The power of the government to exclude foreigners from the country whenever in its judgment the public interests require such exclusion has been asserted in repeated instances, and never denied by the executive or legislative departments.

...

In a dispatch to Mr. Fay, our minister to Switzerland, in March, 1856, Mr. Marcy, Secretary of State under President Pierce, writes:

“Every society possesses the undoubted right to determine who shall compose its members, and it is exercised by all nations, both in peace and war. . . . there can be no doubt that it is possessed by all nations and that each may decide for itself when the occasion arises demanding its exercise.”¹¹⁴

In 1890 the Superintendent of the Census announced the disappearance of the American frontier.¹¹⁵

In 1891 the *Immigration Act of 1891* assigned responsibility for enforcing U.S. immigration policy to the federal government.¹¹⁶ The act

created the Office of Superintendent of Immigration to enforce the law. The new immigration law enforcement agency was comprised of a superintendent appointed by the president and three clerks. In 1894 the OSI became the Bureau of Immigration. The 1891 act regulated, for the first time, the foreign borders contiguous to the U.S. – Canada and Mexico. Reports estimated that upwards of 50,000 people entered the U.S. from Canada without inspection in the six months prior to passage of the 1891 act. The 1891 law also expanded the federal government's authority to include *deporting* from the U.S. the categories of aliens *barred from entry* in the 1882 immigration law, and it increased that list so it comprised as excludable aliens: “idiots,” the insane, paupers, and polygamists; persons liable to become a public charge; people convicted of a felony or other crime or misdemeanor involving moral turpitude; and sufferers “from a loathsome or dangerous” contagious disease.¹¹⁷ The 1891 law also made it a federal misdemeanor crime for any person to bring into the U.S. or aid in bringing into the U.S. any noncitizen not legally entitled to enter.

On January 1, 1892 the federal government's immigrant processing station opened on Ellis Island in Upper New York Bay.¹¹⁸ More than 12 million immigrants were processed through Ellis Island before its closure in November 1954.

In 1892 the *Act to Prohibit the Coming of Chinese Persons into the United States* aka *Geary Act*, extended the 1882 *Chinese Exclusion Act's* suspension of entry into the U.S. of all Chinese skilled and unskilled laborers for ten years.¹¹⁹ The act also mandated that all Chinese workers already in the U.S. acquire from the federal “collector of internal revenue” a “certificate of residence” to prove they legally entered the U.S. and had the right to remain in the country.¹²⁰ The certificate had to be carried at all times. The *Geary Act* placed the burden on a person of Chinese descent to prove the legality of their presence in the U.S., and it mandated the penalty for illegal Chinese of up to a year at hard labor followed by deportation.

In 1893 the *Geary Act's* constitutionality was upheld in the U.S. Supreme Court case of *Fong Yue Ting v. United States*.¹²¹ Several Chinese laborers in New York refused to obtain a “certificate of residence,” and following their arrest by U.S. marshals they filed writs of *habeas corpus* challenging the *Geary Act's* constitutionality. The Syllabus of the Supreme Court ruling states: “The right to exclude or to expel aliens, or any class of aliens, absolutely or upon certain conditions, Notable Events Related To America's Settlement, and then U.S. Immigration and Naturalization

in war or in peace, is an inherent and inalienable right of every sovereign nation. ... Congress has the right to provide a system of registration and identification of any class of aliens within the country, and to take all proper means to carry out that system.”¹²²

In 1894 three Harvard alumni founded the *Immigration Restriction League (IRL)*.¹²³ The founders believed illiterate immigrants from southern and eastern Europe threatened the American way of life and the high wages for U.S. citizens who had immigrated from northern and western Europe. That immigration to the U.S. was almost exclusively from Europe is shown by the *IRL*'s concern with the intelligence of southern and eastern Europeans. The *IRL* lobbied for a change in immigration law so that only literate people would be allowed to immigrate to the U.S. After several failed attempts – which included President Grover Cleveland vetoing a bill in 1896 that would bar immigration by anyone who could not read at least 40 words – an immigrant literacy requirement was finally enacted in 1917.¹²⁴

In 1894-96 the massacres of Armenian Christians by Moslems set in motion emigration by survivors to the U.S..¹²⁵

In 1897 President Grover Cleveland vetoed a federal law that would have imposed a literacy test on immigrants.¹²⁶

In 1898 the U.S. Supreme Court ruled in *United States v. Wong Kim Ark.*, 169 U.S. 649 (1898) that a child who was born in 1873 to non-citizen Chinese parents who were lawful resident aliens in the U.S., was a U.S. citizen.¹²⁷

From 1820 to 1900, 97.1% of the 19,124,066 immigrants to the U.S. were White Europeans.¹²⁸ In those 80 years 18,568,373 White Europeans immigrated to the U.S., while 555,693 non-Whites immigrated.¹²⁹

In 1902 the suspension of Chinese immigration to the U.S. – which had been barred since 1882 – was extended.¹³⁰

In 1903 the *Immigration Act of 1903* expanded the federal government's authority to regulate immigration and added two classes of aliens who could be excluded and deported from the U.S.: those involved in prostitution (both prostitutes and their procurers), and anarchists believing in the overthrow of the U.S. government or any government by force or violence, or the assassination of a public official.¹³¹

In 1904 the U.S. Supreme Court in the case of *Turner v. Williams*, 194 U.S. 279 (1904) upheld the anarchist exclusion provision in the *Immigration Act of 1903*.¹³²

In 1904 the suspension of Chinese immigration to the U.S. – which had been barred since 1882 – was extended indefinitely.¹³³

In 1905 the Japanese and Korean Exclusion League was formed by organized labor in protest against the influx of coolie labor and the belief their willingness to work for low wages was a threat to standard of living of American workingmen.¹³⁴

In 1907 the *Immigration Act of 1907* was far reaching and included 44 sections: Its provisions included creation of the United States Congress Joint Immigration Commission (aka Dillingham Commission) to review U.S. immigration policy; it narrowed Asian immigration by prohibiting Asians from entering the U.S. through the territory of Hawaii; it denied entry to polygamists and any person who espoused polygamy (The Ottoman Empire viewed those exclusions as an attack on Islamic religious practices – which endorses polygamy); it doubled the tax on immigrants to \$4 per head; it expanded the classes excluded from immigration to include contract labor and subversive people; it excluded immigration by a person considered to be mentally or physically defective; it expanded the definition of prostitute to include any woman seeking to immigrate to the U.S. for any immoral purpose (the vague language was used to exclude women in arranged marriages, particularly Asian women, and provided for their deportation.); and it authorized the President to negotiate international agreements regulating immigration.¹³⁵ The act also provided for deportation of any alien woman who lived in a house of prostitution or had practiced prostitution within three years of entering the U.S. That was the first statute authorizing deportation of an alien for criminal conduct after entry into the U.S.¹³⁶ Adoption of the Act made 26 separate classes of aliens expressly excluded from admission to the U.S. – with the first exclusions enacted into law in 1875 – and it was recognized federal laws prevented very large numbers of undesirable people from immigrating to the U.S.¹³⁷

In 1907 the *Expatriation Act* became law.¹³⁸ Under the law an American who became a citizen of another country, and a naturalized citizen who lived abroad for an extended period of time would be expatriated, that is they would lose their U.S. citizenship and subject to deportation if they were in the U.S. The act also revoked the U.S.

citizenship of any woman who married a citizen of another country – establishing the standard that a woman’s citizenship was based her husband’s citizenship. During a hearing in 1912 Congressman N.E. Kendell stated regarding the *Expatriation Act*: “We do not want our girls to marry foreigners.”¹³⁹

In 1907 the U.S. and Japan entered into a *Gentlemen’s Agreement* under which Japan would limit emigration to the United States. Japan agreed not to issue a passport to citizens for emigration to the United States except for certain categories of professional and business men.¹⁴⁰ In exchange, President Theodore Roosevelt agreed to urge the City of San Francisco to rescind its order segregating the children of Japanese parents from white students in public schools.¹⁴¹ The agreement also permitted Japanese to be brought to the territory of Hawaii to work on pineapple and sugar plantations.¹⁴² From 1907 to 1924, 53,000 Japanese immigrated to Hawaii as plantation workers.¹⁴³

In December 1910 the Dillingham Commission submitted to Congress the findings of its work authorized by the Immigration Act of 1907.¹⁴⁴ Its official 41 volumes of statistical information about U.S. immigration it compiled were published in 1911.¹⁴⁵ The Commission concluded the large influx of southern and eastern Europeans from 1880 posed a threat to American society and culture because they were dramatically different from the founding stock of northern and western Europeans. The Commission recommended the number of non-northern/western Europeans allowed to immigrate should be greatly reduced in the future. The Commission also recommended that all immigrants must pass a literacy test.

In 1913 the California Legislature passed the alien land law that effectively barred Japanese – who were “aliens ineligible for citizenship” – from owning agricultural land in California.¹⁴⁶

In 1917 the *Immigration Act of 1917* imposed for the first time, a literacy test on want-to-be immigrants.¹⁴⁷ It also made four other significant changes to U.S. immigration law: It increased the head tax for immigrants to \$8 dollars; it added new enforcement provisions; it significantly increased the categories of “undesirable aliens” excluded from immigration to the U.S.¹⁴⁸; and it created the “Asiatic Barred Zone” that encompassed India, Afghanistan, China, Persia (present day Iran), Arabia, Southeast Asia, the Asian-Pacific islands, and parts of the Ottoman Empire and Russia.¹⁴⁹

In 1917 the *Jones-Shafroth Act* granted statutory U.S. citizenship to Puerto Ricans. It was signed into law by President Woodrow Wilson on March 2, 1917. The *Jones-Shafroth Act's* grant of U.S. citizenship resulted in mass migration to the U.S. mainland by Puerto Ricans. An estimated 42,000 Puerto Ricans migrated to the U.S. during the 1920s, the majority to New York State. Today, Puerto Ricans living on the U.S. mainland can register to vote in state and national elections in their respective states, but Puerto Ricans living on the island are not eligible to vote in general state or national elections.¹⁵⁰

In 1919, three days before he died on January 6, former President Theodore “Teddy” Roosevelt wrote a letter to Richard M. Hurd, the president of the American Defense Society in which he set forth his opinion that all immigrants to the U.S. should assimilate and become loyal Americans, and speak English.¹⁵¹ Roosevelt’s letter stated in part:

“There must be no sagging back in the fight for Americanism merely because the war is over. ... we should insist that if the immigrant who comes here does in good faith become an American and assimilates himself to us, he shall be treated on the exact equality with everyone else ... But this is predicated upon the man’s becoming in the very fact an American and nothing but an American. If he tries to keep segregated with men of his own origin and separated from the rest of America, then he isn’t doing his part as an American. There can be no divided allegiance here. Any man who says he is an American but something else also, isn’t an American at all. ... We have room for but one language here and that is the English language, for we intend to see that the crucible turns people out as Americans, of American nationality, and not as dwellers in a polyglot boarding house; and we have room for but one, soul loyalty, and that loyalty is to the American people.”¹⁵²

From 1820 to 1920, 95% of the 33,654,803 immigrants to the U.S. were White Europeans.¹⁵³ In those 80 years 31,929,019 White Europeans immigrated to the U.S., while 1,725,784 non-Whites immigrated.¹⁵⁴

In 1920, 98.8% of all foreign born people in the United States were White of European ancestry.¹⁵⁵

In 1921 the *Emergency Quota Act*, also known as the Emergency Immigration Act of 1921, restricted immigration into the United States for one year.¹⁵⁶ The law was intended to protect the U.S.’ hegemony as a

nation of European ancestry by pegging the number of immigrants permitted from each country at 3 percent of the number of people from that country who had been living in the United States in 1910.¹⁵⁷ Although intended as temporary legislation, the Act “proved in the long run the most important turning-point in American immigration policy” because it added two new features to American immigration law: 1) numerical limits on immigration; and 2) the use of a national quota system for establishing those limits. The limits came to be known as the National Origins Formula.¹⁵⁸ The National Origins Formula was created because the literacy test established by the *Immigration Act of 1917* wasn’t difficult enough to significantly limit immigration.

In 1922 the *Cable Act* repealed the provisions of the Repatriation Act of 1907 related to the loss of U.S. citizenship of a woman who married a non-citizen, except for a woman who married “an alien ineligible to citizenship”—which were Asian men.¹⁵⁹

In 1922 the *Emergency Quota Act* was renewed for two years.

In 1922 the U.S. Supreme Court ruled in the case of *Ozawa v. United States*, 260 U.S. 178 (1922) that under U.S. law a Japanese citizen born in Japan but who had lived in the U.S. for 20 years was ineligible for U.S. citizenship because they were not “white.” The Court’s ruling recognized the term “white person” as used in all naturalization laws beginning in 1790 applies only to such persons as were known in this country as “white,” in the racial sense, when it was first adopted, and is confined to persons of the Caucasian Race.¹⁶⁰ The Court also recognized the 1790 Nationality Act – the country’s first naturalization act – specifically limited naturalization to only “white persons” and all other persons of any race – including “Negros and Indians” – were excluded from naturalization as a U.S. citizen.¹⁶¹

In 1923 the U.S. Supreme Court ruled in the case of *Terrace v. Thompson*, 263 U.S. 197 that Japanese, Chinese and Malaysians were properly excluded under current law from being eligible for U.S. citizenship.¹⁶²

In 1924 the *Immigration Act of 1924* (aka *The Johnson-Reed Act*) included the *National Origins Act* and the *Asian Exclusion Act*. The *National Origins Act* made permanent the restrictive immigration policy established in 1921’s *Emergency Quota Act*. However, it tightened the immigration permissible by the 1921 act by reducing the national quotas to 2 percent of the number of people from each country living in the

United States in 1890, with a maximum of 165,000 immigrants per year outside the Western Hemisphere.¹⁶³ The purpose of the law was to preserve U.S. homogeneity as a country of White European descendants. It was believed it would do so because 98.2% of immigrants in 1890 were White Europeans.¹⁶⁴ The *Asian Exclusion Act* excluded immigration by people born in the “Asia-Pacific triangle” that included: China; India; Burma; Siam (Thailand); the Malay States (Malaysia); the eastern part of Russia; part of Arabia and Persia (Iran); Afghanistan; most of the Polynesian island, and the East Indies. The one country excluded was the Philippines, which was a U.S. territory so its citizens as U.S. nationals could travel to the U.S.¹⁶⁵ The act formally barred Japanese immigration that Japan had been voluntarily restricting under the informal 1907 *Gentlemen’s Agreement*. (The pro-European national origin immigration quota system remained in effect until 1968.) The act reduced immigration in 1925 to 164,667, from 357,803 in 1924 under the 1921 immigration act. The law excluded immigrants from the Asian Triangle.

In May 1924 the U.S. Border Patrol was created to prevent the entry of illegal aliens along the U.S.-Mexico border and the U.S.-Canada border. The first Border Patrol station was established in Detroit and began operating in June 1924.¹⁶⁶

In June 1924 the *Indian Citizenship Act of 1924* was enacted: “That all non citizen Indians born within the territorial limits of the United States be, and they are hereby, declared to be citizens of the United States.”¹⁶⁷

In 1929 President Herbert Hoover signed a proclamation establishing an annual national immigration limit and individual country quotas, in accordance with the *National Origins Act of 1924* that was scheduled to go into effect on July 1, 1929. Hoover imposed an annual limit of 150,000 immigrants to the U.S. from non-Western Hemisphere countries, and established a quota for those countries based on 1/6 of 1% of people in the 1920 census who originated from that country, with a minimum quota of 100 for any one country.¹⁶⁸ With the economic crisis precipitated by the stock market crash, the Hoover administration ordered rigorous enforcement of the prohibition against admission of persons liable to be public charges.¹⁶⁹

In 1929 the *Undesirable Aliens Act of 1929* (aka *Blease’s Law*) criminalized a border crossing by an alien that occurred outside an official port of entry. The law made “unlawfully entering the country” a

misdeemeanor, punishable by up to a year's imprisonment and fines, and returning to the United States after deportation a felony punishable by up to two years imprisonment and \$1,000 in fines.¹⁷⁰ After the first year 7,001 cases of unlawful entry had been prosecuted, almost all Mexicans, and by the end of the 1930s, more than 44,000 cases had been prosecuted.¹⁷¹ That was to be expected because the law was intended to limit Mexican immigration. The 1924 immigration law didn't limit immigration from any country in Central and South America, but most immigration came from Mexican farm workers, many of whom didn't enter the U.S. at a port of entry.¹⁷²

In 1931 the *Second Cable Act* repealed the exception in 1922's Cable Act that allowed for loss of U.S. citizenship for a woman who married "an alien ineligible to citizenship."¹⁷³

In 1934 the *Philippine Independence Act* restricted Filipino immigration to an annual quota of 50 people.¹⁷⁴

In 1940 the *Alien Registration Act of 1940* required that non-citizens register with the U.S. government within four months of arriving in the country, so the government could track them and their un-American ideas that could possibly lead to the overthrow of the government.¹⁷⁵

In 1943 the *Chinese Exclusion Repeal Act of 1943* (aka the *Magnuson Act*) allowed Chinese immigration for the first time in 61 years, and it opened the door for Chinese in the U.S. to become naturalized citizens.¹⁷⁶ Both had been barred by the Chinese Exclusion Act 1882. The law was largely symbolic because Chinese immigration was limited to 100 per year under the 1929 amendments to the *National Origins Act of 1924*. The act was the first legislation since 1870 that relaxed any racial or national barrier to immigration. The Magnuson Act was in response to China being an official ally of the U.S. in World War II.

In 1945 there was large-scale immigration to the U.S. from Puerto Rico to escape poverty on the island, with many settling in New York City.¹⁷⁷ As a U.S. territory of there was no restriction on the emigration of Puerto Ricans to the U.S.

In 1946 the *War Brides Act* was enacted to allow admittance into the U.S. of alien spouses and alien children of U.S. citizens who had served in the armed forces. The act created exceptions to the immigration limitation imposed by the *Immigration Act of 1917*.

In 1948 the *Displaced Persons Act of 1948* was enacted to allow for admittance of 205,000 wartime refugees from Europe for the next two years.¹⁷⁸ It was specifically intended to assist persons who had fled Soviet occupation of Eastern Europe at the end of World War II. Under the act refugees for the first time became a major factor in U.S. immigration.¹⁷⁹ Three-quarters of the displaced persons were to be from countries with low U.S. immigration quotas, and one-quarter was to be: Volksdeutsche (ethnic Germans); special groups of Greek, Polish, and Italian refugees; orphans; and European refugees stranded in the Far East.¹⁸⁰

On December 10, 1948 the United Nations General Assembly adopted the *Universal Declaration of Human Rights*. It declared what it considered fundamental human rights to be universally protected by countries around the world.¹⁸¹ Among its provisions were:

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.¹⁸²

In 1950 the *Displaced Persons Act of 1948* was extended for two years, with the number of people authorized to be admitted increased to 415,000 for the four-year period 1948-1952.¹⁸³ The people admitted under the refugee program amounted to almost half of all immigration to the U.S. during the four years it was in effect, with 70% from Eastern Europe and the U.S.S.R.¹⁸⁴

In 1952 the *Immigration and Nationality Act of 1952* (aka *McCarran-Walter Act*) codified and brought together for the first time all the nation's laws on immigration and naturalization.¹⁸⁵ Key provisions of the act were it preserved the national origins quota system established by the *Immigration Act of 1924* (and it set a new immigration quota of approx. 270,000 annually); it created a system of preferences for skilled workers

and relatives of U.S. citizens and permanent alien residents; it eliminated race as a bar to immigration by repealing the “alien ineligible to citizenship” category from U.S. immigration law that *de facto* only applied to countries in the “Asiatic Barred Zone” established in 1917; it allowed the U.S. Attorney General to waive laws related to the deportation or immigration of aliens; it allowed the AG to admit aliens “under parole”; it enacted strict security provisions against suspected subversives and “undesirable aliens;” it made deportation easier for immigration law violators; and it included fines and imprisonment for any person convicted of harboring an illegal alien.¹⁸⁶ The preference for granting a visa under a country’s quota was 50% set aside for skilled/professional workers, 30% set aside for parents of an adult U.S. citizen, and 20% set aside for the spouse and children of permanent resident aliens. Immigrants who were not counted against a country’s quota included the spouse and minor children of a U.S. citizen.¹⁸⁷

In 1953 the *Refugee Relief Act of 1953* was enacted in response to expiration of the *Displaced Persons Act of 1948* at the end of 1952.¹⁸⁸ It was the first time the term “refugee” appeared in U.S. Law. Before the refugee act expired in 1956, it resulted in the granting of 209,000 special non-quota immigrant visas to people that included: 60,000 Italians; 55,000 Germans; 17,000 Greeks; 17,000 Dutch; 5,000 Chinese; 45,000 people from Communist countries; and 4,000 orphans under 10 who U.S. citizens had agreed to adopt.¹⁸⁹ In order to be eligible for a visa, a refugee had to prove they would be subject to government persecution in their own country if they were unable to emigrate; provide suitable proof of identity, provide evidence by a U.S. resident that they would have a home and a job that would not displace an American worker.¹⁹⁰ To try and prevent the entry of former Nazis, anyone who had advocated or participated in any form of racial or religious persecution was automatically and permanently denied consideration for a visa.¹⁹¹

In the summer of 1954 *Operation Wetback* was launched by the U.S. Immigration and Naturalization Service to deport illegal Mexican nationals from the country. The program under the Eisenhower administration resulted in an estimated 1,100,000 illegal alien Mexicans leaving the country.¹⁹² In addition to the Mexicans returned to Mexico under Operation Wetback, in 1953, 886,000 illegal aliens from Mexico were seized by the INS and deported to Mexico.¹⁹³ Agriculture companies were opposed to Operation Wetback and the deportation of illegal alien

Mexicans, because they wanted to take advantage of their willingness to work for less than Americans.

In 1954 the Ellis Island immigration facility was closed. The closing was considered to symbolize the end of mass immigration to the U.S..¹⁹⁴

In 1954 the U.S. Supreme Court ruled in the case of *Brown v. Board of Education* that equivalent but separate educational facilities for Whites and Blacks were discriminatory because they are “inherently unequal.”¹⁹⁵ *Brown* and subsequent legal cases made alleged race-related “discrimination” a hot political issue in the U.S.

In 1957 27,301 Hungarians who fled to Austria and Yugoslavia after the failed 1956 uprising against Soviet occupation were “paroled” into the U.S. by Attorney General William P. Rogers under authority of a provision in the *Immigration and Nationality Act of 1952*.¹⁹⁶ There was wide public opposition to the flood of Hungarians, so the federal government initiated a public relations campaign that portrayed them as skilled, trustworthy “freedom fighters” against the Soviet threat.¹⁹⁷ As “parolees” they were in a quasi-limbo state because they were not legally considered refugees or permanent resident aliens.

In 1957 the *Hungarian Escape Act of 1957* was enacted that allowed Hungarian “parolees” to be reclassified as refugees, as well as allowing admittance of an additional 6,284 Hungarians. – and thus placed on track to become U.S. citizens. Only a few of the Hungarian “parolees” actually qualified as a refugee under the 1953 refugee act: the handful that had a legitimate fear of persecution due to their involvement in the liberation movement against the Soviets. The overwhelming majority of “parolees” could have returned to Hungary with no reprisal – they just wanted to live in the U.S. that had more material wealth than Hungary.¹⁹⁸

In 1960 Cuban refugees were paroled into United States after the takeover of the Cuban government by Fidel Castro.¹⁹⁹

In 1960 the Fair Share Refugee-Escapee Act of 1960 established a temporary program for the parole of refugees under the mandate of the UNHCR – the UN Refugee Agency. The program was limited primarily to Western Europeans, and lasted through July 1, 1962. Approximately 20,000 people were eventually paroled.²⁰⁰

In 1962 Attorney General Robert Kennedy exercised his authority under U.S. law to grant Special Permission for admission of skilled Chinese refugees in Hong Kong as parolees. The refugees had fled

persecution in Communist China.²⁰¹ From 1962 to 1965, 15,000 skilled refugees were admitted to the U.S.

In July 1963 President John F. Kennedy urged Congress to pass legislation eliminating the national origins quota system that he considered discriminatory for favoring immigration from Northern and Western European countries.²⁰²

On November 22, 1963 President Kennedy was shot to death while riding in a motorcade in Dallas, Texas. Vice-President Lyndon Johnson was sworn in as president later that day.²⁰³

In January 1964 President Lyndon Johnson called for elimination of the national origins quota system in his State of the Union address:

We must also lift by legislation the bars of discrimination against those who seek entry into our country, particularly those who have much needed skills and those joining their families.

In establishing preferences, a nation that was built by the immigrants of all lands can ask those who now seek admission: “What can you do for our country?” But we should not be asking: “In what country were you born?”²⁰⁴

On January 4, 1965 President Lyndon Johnson again demanded elimination of the national origins quota system in his State of the Union address:

“Let a just nation throw open to them the city of promise: —to those in other lands that are seeking the promise of America, through an immigration law based on the work a man can do and not where he was born or how he spells his name.”²⁰⁵

On January 13, 1965 Rep. Emanuel Celler (D-NY) introduced H.R. 2580 in the House of Representatives, “to amend the Immigration and Nationality Act”, which that included eliminating the national origins quota system.²⁰⁶

On January 15, 1965 Senator Philip Hart (D-MI) introduced S. 500: “A bill to amend the Immigration and Nationality Act”, which that included eliminating the national origins quota system.²⁰⁷ H.R. 2580 and S. 500 were companion bills.

On September 30, 1965 the *Immigration and Nationality Act of 1965* (aka the *Hart-Celler Act*) was approved by Congress, abolishing the national origin immigration quota system that had been in effect since 1921.²⁰⁸ The quota system favored European immigration – and

particularly Northern/Western Europeans – and with the rise of the civil rights movement in the U.S. the quota system was portrayed as discriminatory to non-Europeans. There was intense political pressure to open immigration to the U.S. to persons from all countries. The *Hart-Celler Act* opened immigration to people from all countries while establishing a per country annual limit of 20,000, with total non-Western Hemisphere visas set at 170,000 per year. However, there were two key exceptions that circumvented the visa limit for non-Western Hemisphere countries: 1) Aliens with “special skills” from any country could be admitted without restriction; and, 2) it allowed chain migration by permitting aliens who were relatives of a U.S. citizen to be admitted without restriction (The eligible aliens included a spouse; unmarried children (and any children they might have); parents, married children (and any children they might have); brothers and sisters; and grandparents). Immigration from Western Hemisphere countries was limited to 120,000 per year with the same two exceptions applicable to other countries.²⁰⁹ Critics of the Act said it would result in the change of America’s demographic as a predominantly European country as it had been since settlers began arriving in 1607. Proponents of the bill pooh-poohed the critics claim as unfounded. The new law had a three-year phase in period from 1966 to 1968.

On October 3, 1965 President Lyndon Johnson signed the *Hart-Celler Act* into law at the base of the Statute of Liberty, stating in his remarks this “is not a revolutionary bill. It does not affect the lives of millions....It will not reshape the structure of our daily lives or add importantly to either our wealth or our power.”²¹⁰

In the 145 years from 1820 to 1965, 90.3% of the 43,291,273 legal immigrants to the U.S. were Europeans.²¹¹ In those 145 years 39,103,421 Europeans legally immigrated to the U.S., while 4,187,852 non-Europeans immigrated.²¹² During the 44 years that the national origin quota system was in full effect from 1921 to 1965, almost 75% of the 10,066,471 legal immigrants to the U.S. were Europeans.²¹³ During those 44 years 7,513,424 Europeans legally immigrated to the U.S., while 2,553,047 non-Europeans immigrated.²¹⁴

In 1966 – the first year of the *Hart-Celler Act* being phased in – immigrants of European heritage were less than 50% of all immigrants in a year for the first time in U.S. history.²¹⁵

In 1966 the *Cuban Refugees Act of 1966* was enacted that allowed any native or citizen of Cuba who had been inspected and admitted or paroled into the United States after January 1, 1959 and had been physically present for at least two years, to make an application for an immigrant visa and to be reclassified as a permanent resident alien.²¹⁶

On June 30, 1968 the open country first-applies-first-in immigration system established by the *Hart-Celler Act* took full effect, officially ending the national origin quota system established in 1921.²¹⁷

In 1972 the average hourly pay for American workers peaked. Adjusted for inflation workers were paid more than \$24 an hour in 1972, while in 2018 the average wage is \$22.65 an hour.²¹⁸ Thus, for 46 years the wages of Americans have not just stagnated, but declined by 5%.

In 1975 *The Indochina Migration and Refugee Assistance Act of 1975* was enacted to allow the federal government to render assistance to, or in behalf of certain natives of Vietnam and Cambodia who fled those countries in the wake of the surrender of the South Vietnamese government to North Vietnam on April 30, 1975, and could not return to those countries due to the threat of violence or ill-treatment.²¹⁹ The act provided financial assistance with relocation and resettlement for refugees who met certain criteria.

In 1980 the *Refugee Act of 1980* changed the U.S.' definition of "refugee" to be in line with the United Nations' convention that a refugee is a person afraid to return to their homeland "because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion"; it enhanced the ability of aliens to claim the "right" of admission to the U.S. and government benefits; it raised the annual ceiling for refugees from 17,400 to 50,000; it created a process for reviewing and adjusting the refugee ceiling to meet emergencies; and it created The Federal Refugee Resettlement Program to provide for the effective resettlement of refugees and to assist them to achieve economic self-sufficiency as quickly as possible after arrival in the United States.²²⁰ The Refugee Act of 1980 has been described as effectively giving the President unlimited power to admit aliens without numerical limitation, and without regarding other immigration laws.²²¹

In 1982 the U. S. Supreme Court ruled in the case of *Plyler v. Doe*, 457 U.S. 202 (1982) that a state cannot deny funding for the public

education of illegal alien children, and a school district cannot charge illegal aliens a tuition fee to compensate for lost state funding.²²²

In 1986 the *Immigration Reform and Control Act of 1986* had four major provisions: required employers to attest to their employees' immigration status; made it illegal to knowingly hire or recruit illegal aliens; legalized certain seasonal agricultural illegal aliens; and, provided amnesty to illegal aliens who entered the United States before January 1, 1982 and had resided in the U.S. continuously with the penalty of a fine, back taxes due, and admission of guilt.²²³ The law went into effect in May 1987, and within two years 3.1 million illegal aliens had applied to be a legal resident.²²⁴ It was observed the amnesty did not stem the flow of illegals into the country, but it made it worse by encouraging the relatives of persons who applied for amnesty to come in illegally.²²⁵

In 1988 the *Immigration Act of 1988* amended the *Immigration and Nationality Act* to establish a three-year two-tiered immigration annual entry level of 590,000 with adjustments made up of 440,000 “family connection” immigrants and 150,000 “independent” (employment-related) immigrants.²²⁶ Legal immigration increased more than 50% after enactment of the act.

In November 1994 ballot initiative *Proposition 187*, also known as the Save Our State initiative, was passed by California's voters by a margin of 58.9% to 41.1% to deny illegal aliens access to non-emergency public health care, public education, require law enforcement to investigate the immigration status of anyone arrested who is suspected in violation of immigration law, all public agencies would be required to report anyone applying for any public benefit who was suspected of being an illegal alien, and many other provisions.²²⁷ The purpose of Proposition 187 was to deprive illegal aliens of being the beneficiary of publicly paid benefits intended for U.S. citizens and other persons in the country legally. Illegal alien Mexicans who would have public benefits cut off by Prop 187 staged protests before the Nov. 8 vote during which they waved the Mexican flag.

In December 1994 U.S. District Court Judge Mariana Pfaelzer in Los Angeles granted a permanent injunction blocking all of Proposition 187's provisions except those dealing with higher education and false documents.²²⁸ In November 1997 Judge Pfaelzer ruled Proposition 187 was unconstitutional on the basis it infringed on the federal government's exclusive jurisdiction over matters relating to immigration. California's

Republican Governor Pete Wilson appealed the ruling to the Ninth Circuit Court of Appeals.²²⁹ While the case was on appeal, newly elected Democrat Governor Gray Davis withdrew California's appeal in July 1999, making Judge Pfaelzer's ruling final.²³⁰

In 1996, *The Illegal Immigration Reform and Immigrant Responsibility Act of 1996* strengthened U.S. immigration law by: 1) Allowing for deportation of illegal aliens who commit crimes while in the United States; 2) Mandating three years exclusion from the U.S. for any alien illegally in the country for 180 to 365 days, and ten years exclusion for being in the U.S. for more than 365 days; 3) Imposing criminal penalties for racketeering, alien smuggling, and the use or creation of fraudulent immigration-related documents; and 4) Increasing interior enforcement by agencies charged with monitoring visa applications and visa abusers.²³¹

In March 2003 the Homeland Security Act resulted in the creation of the Bureau of Immigration and Customs Enforcement (ICE) by a merging of the U.S. Customs Service and the Immigration and Naturalization Service.²³²

In June 2012 the Deferred Action for Childhood Arrivals (DACA) was enacted by Executive Order of President Barack Obama.²³³ DACA allows some illegal aliens who were brought to the United States as children to receive a renewable two-year period of deferred action from deportation and become eligible for a work permit in the U.S. An illegal alien cannot have a felony or serious misdemeanor to be eligible for the DACA program.²³⁴

In 2012 the U.S. Supreme Court ruled in the court case of *Arizona v. United States*, 567 U.S. 387 (2012) that federal law preempted the provisions in a 2010 law signed by Arizona Governor Jan Brewer that required legal immigrants to carry registration documents at all times; allowed state police to arrest any individual for suspicion of being an illegal immigrant; and made it a crime for an illegal immigrant to search for a job (or to hold one) in the state.²³⁵

In June 2016 the U.S. Supreme Court's ruling in the court case of *U.S. v. Texas*, 136 S. Ct. 2271 (2016) allowed a U.S. District Court injunction to remain in effect blocking the Executive Order by President Obama creating the Deferred Action for Parents of Americans (DAPA) program.²³⁶ Consistent with the DAPA Executive Order Homeland Security Secretary Jeh Johnson issued two memorandums that directed

U.S. Immigration and Customs Enforcement to consider illegal aliens without criminal histories the lowest priority for removal; and to grant deferred action to illegal aliens who are the parents of a U.S. citizen or lawful U.S. permanent resident and allow them to apply for work permits.²³⁷ There were an estimated 3.6 million illegal aliens who would be protected from deportation by President Obama's DAPA Executive Order and Johnson's memorandums. Texas Attorney General Greg Abbott was joined by the AG's of 26 other states in a lawsuit challenging the constitutionality of Obama's DAPA EO. U.S. District Court Judge Andrew S. Hanen issued an injunction barring Obama's DAPA executive action effectively giving illegal aliens legal status and protection from deportation, while permitting them to apply for work permits in the U.S. Judge Hanen's Order was appealed, but it was affirmed on November 9, 2015 by the U.S. Court of Appeals for the Fifth Circuit. The Supreme Court accepted review, but with the death of Justice Antonin Scalia, the Court deadlocked in a 4 to 4 vote, which allowed Judge Hanen's injunction to remain in effect until he is able to hold a hearing and make a final ruling. After the election of Donald Trump as President, new Homeland Security Secretary John F. Kelly signed a memo rescinding Johnson's memo, which effectively ended the legal matter.²³⁸

In 2020 the White population was 57.8% as determined by the U.S. Census Bureau.²³⁹ That was 6.1% less than the 63.9% White population reported by the 2010 census, 11.3% less than the 69.1% reported by the 2000 census, and 17.8% less than the 75.6% reported by the 1990 census.²⁴⁰

In 2021 calendar year 2,275,015 illegal aliens entered the U.S. after Joseph Biden assumed the office of the U.S. presidency in January and promptly reversed Donald Trump's policies intended to limit the illegal entry of aliens into the United States.²⁴¹ In the 2020 calendar year 744,356 illegal aliens entered the U.S. under President Trump's policies.²⁴²

-
- ⁷ “Jamestown Colony,” *History.com*, <https://www.history.com/topics/colonial-america/jamestown> (last viewed October 31, 2018)
- ⁸ “Appendix B: Chronology of Immigration,” *Congressional Record* –Senate, 24495, September 20, 1965.
- ⁹ “Plymouth Colony,” *History.com*, <https://www.history.com/topics/colonial-america/plymouth> (last viewed October 31, 2018) The area comprising the state of Maine was part of Massachusetts until 1820, when under the Missouri Compromise it was allowed to be divided into a separate free (non-slavery) state and join the U.S. as the 23rd state. Jim Brunelle, “Detailed History (of Maine)” extracted from *Maine Almanac*, <https://www.maine.gov/sos/kids/about/history.htm> (last viewed November 3, 2018)
- ¹⁰ “Early Settlements,” Nhptv.org, <http://www.nhptv.org/kn/itv/ournh/ournhtg3.htm> (last viewed November 3, 2018)
- ¹¹ “New York,” *History.com*, <https://www.history.com/topics/us-states/new-york> (last viewed November 3, 2018)
- ¹² “Connecticut’s Oldest English Settlement,” *ConnecticutHistory.org*, <https://connecticuthistory.org/connecticuts-oldest-english-settlement/> (last viewed November 3, 2018) (In 1636 the Dutch also settled in Connecticut, building a small fort at Hartford.)
- ¹³ “George Calvert, 1st Baron Baltimore,” *Encyclopedia Britannica*, <https://www.britannica.com/biography/George-Calvert-1st-Baron-Baltimore-of-Baltimore> (last viewed November 3, 2018)
- ¹⁴ “Rhode Island,” *History.com*, <https://www.history.com/topics/us-states/rhode-island> (last viewed November 3, 2018)
- ¹⁵ “Delaware State History,” *Duckster.com*, https://www.ducksters.com/geography/us_states/delaware_history.php (last viewed November 3, 2018)
- ¹⁶ Rudolph J. Walther, “Pennsylvania 1630-1700,” U-S-History.com, <http://www.ushistory.org/pennsylvania/pennsylvania.html> (last viewed October 31, 2018)
- ¹⁷ “Exploration and Settlement of North Carolina,” U-S-History.com, <https://www.u-s-history.com/pages/h624.html> (last viewed November 3, 2018) (In 1712 Carolina was divided into North Carolina and South Carolina.)
- ¹⁸ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022) (Sept. 20, 1965.) , at p. 24495.
- ¹⁹ “A Short History of New Jersey,” NJ.gov, https://www.nj.gov/nj/about/history/short_history.html (last viewed November 3, , 2018)
- ²⁰ “A Brief Outline of Dutch History and the Province of New Netherland,” coins.nd.edu, <https://coins.nd.edu/ColCoin/ColCoinIntros/Netherlands.html> (last viewed November 13, 2018)
- ²¹ “Vermont,” Infoplease.com, <https://www.infoplease.com/us/states/vermont> (last viewed September 15, 2019)
- ²² “Carolina – the Barbadian Settlers, *et.al.*,” *Carolina.com*, http://www.carolana.com/Carolina/Settlement/barbadian_settlers.html (last viewed November 2, 2018) (In 1712 Carolina was formally divided into North Carolina and South Carolina.)
- ²³ “A Brief Outline of Dutch History and the Province of New Netherland,” coins.nd.edu, <https://coins.nd.edu/ColCoin/ColCoinIntros/Netherlands.html> (last viewed November 13, 2018)
- ²⁴ *Id.*
- ²⁵ Rudolph J. Walther, “Pennsylvania 1630-1700,” U-S-History.com, <http://www.ushistory.org/pennsylvania/pennsylvania.html> (last viewed October 31, 2018)

-
- ²⁶ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24495 (Sept. 20, 1965.)
- ²⁷ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24488 (Sept. 20, 1965.)
- ²⁸ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24495 (Sept. 20, 1965.)
- ²⁹ *Id.*
- ³⁰ *Id.*
- ³¹ *Id.*
- ³² *Id.*
- ³³ “Who Founded Georgia?,” Reference.com, <https://www.reference.com/history/founded-georgia-3607ff0e9db6120e> (last viewed November 2, 2018). (After Georgia became a royal colony in 1752 slavery and plantations became a large part of its economy.)
- ³⁴ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022) (Sept. 20, 1965.) , at p. 24495.
- ³⁵ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022) (Sept. 20, 1965.) , at p. 24495.
- ³⁶ Benjamin Franklin, “Observations Concerning the Increase of Mankind, 1751,” *Founders Online*, National Archives, last modified June 13, 2018, <http://founders.archives.gov/documents/Franklin/01-04-02-0080>. [Original source: *The Papers of Benjamin Franklin*, vol. 4, *July 1, 1750, through June 30, 1753*, ed. Leonard W. Labaree. New Haven: Yale University Press, 1961, pp. 225–234.] (last viewed October 31, 2018)
- ³⁷ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24495 (Sept. 20, 1965.)
- ³⁸ *Id.*
- ³⁹ Thomas Jefferson, *A Summary of the Rights of British America*, July 1774, Papers 1:121—35, <http://www.history.org/Almanack/life/politics/sumview.cfm> (last viewed October 8, 2018)
- ⁴⁰ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24495 (Sept. 20, 1965.)
- ⁴¹ Don Jordan and Michael Walsh, *White Cargo: The Forgotten History of Britain's White Slaves in America*, Mainstream Publishing, 2007.
- ⁴² Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24488 (Sept. 20, 1965.)
- ⁴³ Michel-Guillaume Jean de Crèvecoeur (as James Hector St. John). *Letters from an American Farmer*, 1782 (written ca. 1770-1778), Quotes from: “Letter III. What Is An American,” at 22, <http://public-library.uk/ebooks/59/3.pdf> (last viewed October 9, 2021)
- ⁴⁴ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24495 (Sept. 20, 1965.)
- ⁴⁵ John Jay (Published under pseudonym PUBLIUS, “Concerning Dangers from Foreign Force and Influence For the Independent Journal,” *The Federalist Papers*, No. 2, 1787, http://avalon.law.yale.edu/18th_century/fed02.asp (last viewed October 8, 2018)
- ⁴⁶ U.S. Constitution ratified, History.com, <https://www.history.com/this-day-in-history/u-s-constitution-ratified> (last viewed October 14, 2018)
- ⁴⁷ John Jay, Biography.com, <https://www.biography.com/people/john-jay-9353566> (last viewed October 14, 2018)
- ⁴⁸ *Id.*
- ⁴⁹ Naturalization Act of 1790, http://encyclopedia.densho.org/Naturalization_Act_of_1790/ (last viewed October, 8, 2018)

⁵⁰ “The Jewish Population of the United States,” *American Jewish Year Book*, 32, <https://www.census.gov/history/pdf/jewishpop-ajc.pdf> (last viewed April 25, 2022)

⁵¹ *Id.*

⁵² *Id.*

⁵³ *An Act to Establish an Uniform Rule of Naturalization; and to Repeal the Act Heretofore Passed on That Subject*, January 29, 1795.

⁵⁴ *An Act Concerning Aliens*, June 25, 1798, http://www.constitution.org/rf/alien_1798.htm (last viewed October 8, 2018)

⁵⁵ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24495 (Sept. 20, 1965.)

⁵⁶ Louisiana Purchase Treaty (1803), <https://www.ourdocuments.gov/doc.php?flash=true&doc=18> (last viewed October 8, 2018)

In 1803 the U.S. purchased 828,000 square miles claimed by France that stretched from the Mississippi River in the east to the Rocky Mountains in the west, and from the Gulf of Mexico in the south to the Canadian border in the north. All or part of 15 states were eventually created from the formerly French land. See, “Louisiana Purchase,” *History.com*, <https://www.history.com/topics/westward-expansion/louisiana-purchase> (last viewed November 4, 2018).

⁵⁷ *Act of 1807* (Prohibiting Importation of Slaves into U.S.) (2 Stat. 426, enacted March 2, 1807), http://abolition.nysl.org/essays/us_constitution/5/ (last viewed October 8, 2018)

Effective January 1, 1808 “it shall not be lawful to import or bring into the United States or the territories thereof from any foreign kingdom, place, or country, any negro, mulatto, or person of colour, with intent to hold, sell, or dispose of such negro, mulatto, or person of colour, as a slave, or to be held to service or labour.”

⁵⁸ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

⁵⁹ “Assessing the Slave Trade --- Estimates,” The Trans-Atlantic Trade Database, [slavevoyages.org](http://www.slavevoyages.org/assessment/estimates), <http://www.slavevoyages.org/assessment/estimates> (last viewed November 13, 2018)

The 252,652 Africans that disembarked in North America was 2.3% of the total of 10,702,657 Africans that disembarked in North America, South America, and the Caribbean. *Id.*

⁶⁰ Congress of Vienna, [Wikipedia.org](https://en.wikipedia.org/wiki/Congress_of_Vienna), https://en.wikipedia.org/wiki/Congress_of_Vienna (last viewed September 29, 2018) The Peace Treaty of Vienna was signed on March 25, 1815.

⁶¹ *Id.*

⁶² *Cherac v. Lessee of Chipoe*, 15 U.S. 259 (1817), <https://supreme.justia.com/cases/federal/us/15/259/> (last viewed November 4, 2018)

⁶³ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

⁶⁴ “Intriguing History,” *intriguing-history.com*, <http://www.intriguing-history.com/repeal-of-antiemigration-laws/> (last viewed November 3, 2018)

⁶⁵ “The Jewish Population of the United States,” *American Jewish Year Book*, 3, <https://www.census.gov/history/pdf/jewishpop-ajc.pdf> (last viewed April 25, 2022)

⁶⁶ Steerage Act of 1819, <http://www.sunnyev.com/steve/ar/immig/steerage.html> (last viewed November 3, 2018) (The act was signed into law by President James Monroe.)

⁶⁷ The Collector of Customs at a port of entry was to be provided with a sworn manifest containing the names of the passengers who had arrived aboard each vessel. The manifests were processed for a quarterly report that was sent to the Secretary of State, who was required to present the arrival figures to Congress at each session. *Id.*

⁶⁸ 94.2% of immigrants to the U.S. were White Europeans from 1820 to 1829.

⁶⁹ Steerage Act of 1819, <http://www.sunnycv.com/steve/ar/immig/steerage.html> (last viewed September 29, 2018)

⁷⁰ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

⁷¹ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

⁷² Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

⁷³ “Know-Nothing Party,” *Ohio History Central*, http://ohiohistorycentral.org/w/Know-Nothing_Party (last viewed November 3, 2018)

⁷⁴ *Id.*

⁷⁵ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

⁷⁶ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

⁷⁷ The German Revolution of 1948/49, [Mpi-fg-koeln.mpg.de, http://www.mpi-fg-koeln.mpg.de/~lk/netvis/exposure/German_Revolution.html](http://www.mpi-fg-koeln.mpg.de/~lk/netvis/exposure/German_Revolution.html) (last viewed November 3, 2018)

⁷⁸ “Treaty of Guadalupe Hidalgo,” *Wikipedia.org*, https://en.wikipedia.org/wiki/Treaty_of_Guadalupe_Hidalgo (last viewed November 3, 2018).

Article VIII of the Treaty stated regarding Mexican citizens “But they shall be under the obligation to make their election within one year from the date of the exchange of ratifications of this treaty; and those who shall remain in the said territories after the expiration of that year, without having declared their intention to retain the character of Mexicans, shall be considered to have elected to become citizens of the United States.” However, Article IX stated Mexican citizens who remained would be admitted as U.S. citizens “at the proper time (to be judged of by the Congress of the United States).” See, “Treaty of Guadalupe Hidalgo (1848), *Notesfrommaztlan.com*, <http://www.notesfrommaztlan.com/2014/03/06/treaty-of-guadalupe-hidalgo-1848/> (last viewed December 3, 2018).

This author was unable to find that Congress ever passed a law actually changing the status of those Mexican citizens from legal residents to U.S. citizens. If they are now considered as U.S. citizens it may be as a matter of custom, and not law, because they would still retain their legal resident status.

⁷⁹ *Naturalization Act of 1855*, enacted February 2, 1855, <https://www.docsteach.org/documents/document/naturalization-act-1855> (last viewed November 3, 2018)

⁸⁰ “Castle Garden: America’s First Immigration Center,” *CastleGarden.org*, <http://www.castlegarden.org/> (last viewed November 3, 2018)

⁸¹ Walt Whitman. *Preface to Leaves of Grass* (1855). Published in “Famous Prefaces.” *The Harvard Classics. 1909-1914*. Online at, <https://www.bartleby.com/39/45.html> (last viewed December 1, 2018)

The first three lines of Whitman’s famous poem *Pioneers! O Pioneers!*, first published in 1855 in *Leaves of Grass*, are:

“COME, my tan-faced children,

Follow well in order, get your weapons ready;

Have you your pistols? have you your sharp edged axes? Pioneers! O pioneers!”

Pioneers! O Pioneers!, is online at,

https://www.poetrysoup.com/famous/poem/pioneers!_o_pioneers!_13391 (last viewed December 1, 2018)

Leaves of Grass was a volume of 12 poems published at Whitman's expense.

⁸² U.S. Bureau of the Census, *Historical Statistics of the United States, Colonial Times to 1957*, Washington, D.C., 1960. Library of Congress Card No. A 60-9150.

⁸³ *Dred Scott v. Sandford*, 60 U.S. 393 (1857) (See e.g., "They [Blacks] had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race either in social or political relations, and so far inferior that they had no rights which the white man was bound to respect, and that the negro might justly and lawfully be reduced to slavery for his benefit. . . . And in no nation was this opinion more firmly fixed or more [60 U. S. 408] uniformly acted upon than by the English Government and English people." *Id.* at 407-408.) <https://supreme.justia.com/cases/federal/us/60/393/#tab-opinion-1964281> (last viewed October 8, 2018)

⁸⁴ *Id.*

⁸⁵ "Major U.S. Immigration Laws, 1790-Present," *Migration Policy Institute*, March 2013, <https://www.migrationpolicy.org/sites/default/files/publications/CIR-1790Timeline.pdf> (last viewed August 9, 2021)

⁸⁶ *Treaty With Russia* (1867), <http://www.alaskool.org/projects/anca/treaties/russia1867/rustreat.html> (last viewed October 8, 2018)

⁸⁷ *Id.* (Article III states, "The uncivilized tribes will be subject to such laws and regulations as the United States may from time to time adopt in regard to aboriginal tribes of that country." *Id.*)

⁸⁸ 14th Amendment, U.S. Constitution, Cornell Law School, <https://www.law.cornell.edu/constitution/amendmentxiv> (last viewed October 8, 2018)

⁸⁹ Naturalization Act of 1870, Wikipedia.org, https://en.wikipedia.org/wiki/Naturalization_Act_of_1870 (last viewed October 14, 2018) The Page Act was signed into law by President Ulysses S. Grant on July 14, 1870.

⁹⁰ Page Act of 1875, Wikipedia.org, https://en.wikipedia.org/wiki/Page_Act_of_1875 (last viewed October 8, 2018) The Page Act was signed into law by President Ulysses S. Grant on March 3, 1875. It imposed a fine of up to \$2,000 and maximum prison sentence of one year upon a person convicted of attempting to bring a person from China, Japan, or any Asian country to the United States "without their free and voluntary consent, for the purpose of holding them to a term of service."

⁹¹ The ruling was on April 29, 1878 by the Ninth Circuit Court in California with Circuit Judge Lorenzo Sawyer presiding. It is online at, <https://law.resource.org/pub/us/case/reporter/F.Cas/0001.f.cas/0001.f.cas.0223.pdf> (last viewed November 3, 2018).

⁹² *Id.*

⁹³ *Id.* The Court's ruling stated:

"In speaking of the various classifications of races, Webster in his dictionary says, "The common classification is that of Blumenbach, who makes five. 1. The Caucasian, or white race, to which belong the greater part of the European nations and those of Western Asia; 2. The Mongolian, or yellow race, occupying Tartary, China, Japan, etc.; 3. The Ethiopian or Negro (black) race, occupying all Africa, except the north; 4. The American, or red race, containing the Indians of North and South America; and, 5. The Malay, or Brown race, occupying the islands of the Indian Archipelago," etc. This division was adopted from Buffon, with some changes in names, and is founded on the combined characteristics of complexion, hair and skull. Linnaeus makes four divisions, founded on the color of the skin: "1. European, whitish; 2. American, coppery; 3. Asiatic, tawny; and, 4. African, black."

-
- ⁹⁴ See, *Ozawa v. United States*, 260 U.S. 178, 197 (1922)
- ⁹⁵ Chinese Exclusion Act (1882) (22 Stat. 58), Ourdocuments.gov, <https://www.ourdocuments.gov/doc.php?flash=true&doc=47> (last viewed October 8, 2018) (Signed into law by President Chester A. Arthur on May 6, 1882.)
- ⁹⁶ *Id.*
- ⁹⁷ *Id.*
- ⁹⁸ *Chae Chan Ping v. United States*, 130 U.S. 581, 595-596 (1889), <https://supreme.justia.com/cases/federal/us/130/581/> (last viewed November 16, 2018)
- ⁹⁹ Immigration Act of 1882 (22 Stat. 214), <http://immigrationtounitedstates.org/584-immigration-act-of-1882.html> (last viewed October 8, 2018) (Enacted into law on August 3, 1882.)
- ¹⁰⁰ *Id.*
- ¹⁰¹ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022) (Sept. 20, 1965)., at p. 24496.
- ¹⁰² Emma Lazarus, *The New Colossus*, <https://www.poetryfoundation.org/poems/46550/the-new-colossus> (last viewed February 20, 2022)
- ¹⁰³ See, “Statistical Abstract of the United States” – U.S. Census series 1878 to 2012, Census.gov, https://www.census.gov/library/publications/time-series/statistical_abstracts.html (last viewed October 8, 2018)
- ¹⁰⁴ *Elk v. Wilkins*, 112 U.S. 94 (1884), <https://supreme.justia.com/cases/federal/us/112/94/> (last viewed October 11, 2018)
- ¹⁰⁵ *Id.* at 102.
- ¹⁰⁶ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24447 (Sept. 20, 1965.)
- ¹⁰⁷ Alien Contract Labor Act (Foran Act) (United States) (1885), <http://immigrationtous.net/12-alien-contract-labor-act-foran-act-united-states-1885.html> (last viewed October 11, 2018)
- ¹⁰⁸ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)
- ¹⁰⁹ In 1903 a plaque bearing the text of Emma Lazarus’ 1883 poem glorifying the White European immigrants to the U.S., who were virtually the only people who had immigrated through New York up to the time her poem was written, was put on a plaque placed on the inner wall of the pedestal of the Statue of Liberty
- ¹¹⁰ “The Statue of Liberty Was Originally Intended to Celebrate the End of American Slavery,” Vice.com, September 14, 2016, https://www.vice.com/en_ca/article/mvkgjb/the-statue-of-liberty-was-originally-intended-to-celebrate-the-end-of-american-slavery (last viewed November 3, 2018). (The article is based on information in the book by Edward Berenson, *The Statute of Liberty: A Transatlantic Story* (2012), and an interview of Berenson by staff members of Vice.com.)
- ¹¹¹ *Id.*
- ¹¹² Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24447 (Sept. 20, 1965.)
- ¹¹³ *Chae Chan Ping v. United States*, 130 U.S. 581 (1889), <https://supreme.justia.com/cases/federal/us/130/581/> (last viewed November 16, 2018)
- ¹¹⁴ *Id.* at 606-607.
- ¹¹⁵ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

¹¹⁶ Torrie Hester, “Immigration Act of 1891,” *Immigrationtounitedstates.org*, <http://immigrationtounitedstates.org/585-immigration-act-of-1891.html> (last viewed October 11, 2018) (26 Stat. 1084, enacted March 3, 1891)

¹¹⁷ *Id.*

¹¹⁸ Ellis Island History, *libertyellisfoundation.org*, <https://www.libertyellisfoundation.org/ellis-island-history> (last viewed October 11, 2018)

¹¹⁹ “1892 Geary Act - extension of the Chinese Exclusion Act,” US Immigration Legislation Online (with links to act), http://library.uwb.edu/Static/USImmigration/1892_geary_act.html (last viewed November 16, 2018)

¹²⁰ *Id.*

¹²¹ *Fong Yue Ting v. United States*, 149 U.S. 698 (1893) (5 to 3 majority ruling), <https://supreme.justia.com/cases/federal/us/149/698/> (last viewed November 16, 2018)

¹²² *Id.*

¹²³ Colette Leung, “Immigration Restriction League,” *Eugenicsarchive.ca*, <http://eugenicsarchive.ca/discover/connections/5233dbb05c2ec500000000c0#!> (last viewed October 11, 2018) (The IRL’s founders were lawyer Charles Warren, climatologist Robert DeCourcy Ward, and attorney Prescott F. Hall.)

¹²⁴ *Id.*

¹²⁵ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

¹²⁶ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

¹²⁷ *United States v. Wong Kim Ark.*, 169 U.S. 649 (1898), <https://supreme.justia.com/cases/federal/us/169/649> (last viewed October 11, 2018) The Court’s ruling stated:

“The question presented by the record is whether a child born in the United States, of parents of Chinese descent, who, at the time of his birth, are subjects of the Emperor of China, but have a permanent domicile and residence in the United States, and are there carrying on business, and are not employed in any diplomatic or official capacity under the Emperor of China, becomes at the time of his birth a citizen of the United States by virtue of the first clause of the Fourteenth Amendment of the Constitution.” *Id.* at 653.

¹²⁸ Statistical Abstract of the United States from 1878 to 2012 are on [census.gov](https://www.census.gov/library/publications/time-series/statistical_abstracts.html), https://www.census.gov/library/publications/time-series/statistical_abstracts.html (last viewed November 5, 2018)

¹²⁹ *Id.*

¹³⁰ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24447 (Sept. 20, 1965.)

¹³¹ Torrie Hester, “Immigration Act of 1903,” *Immigrationtounitedstates.org*, <http://immigrationtounitedstates.org/586-immigration-act-of-1903.html> (last viewed October 11, 2018) (Enacted March 3, 1903.)

¹³² *Turner v. Williams*, 194 U.S. 279 (1904), <https://supreme.justia.com/cases/federal/us/194/279/> (last viewed November 2, 2018)

¹³³ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24447 (Sept. 20, 1965.)

¹³⁴ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

¹³⁵ “An Act To regulate the immigration of aliens into the United States.” 34 Stat. 898 (Signed into law February 20, 1907.), <https://www.loc.gov/law/help/statutes-at-large/59th-congress/session-2/c59s2ch1134.pdf> (last viewed February 19, 2021)

The Act stated regarding exclusion of persons considered undesirable for admittance to the U.S.: for mental or physical reasons: “SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease;” *Id.*

¹³⁶ See, Linda Upham-Bornstein, “Immigration Act of 1907,” *Immigrationtounitedstates.org*, <http://immigrationtounitedstates.org/587-immigration-act-of-1907.html> (last viewed October 11, 2018)

¹³⁷ See, Charles Earl, Theodore Marburg and Clement L. Bouvé, “Admission and Restrictions upon the Admission of Aliens,” *Proceedings of the American Society of International Law at Its Annual Meeting (1907-1917)* 5 (1911): 66-116, esp. 67.
<https://www.jstor.org/stable/25656409> (last viewed February 19, 2021)

¹³⁸ *Expatriation Act (1907)*, 34 Stat. 1228, ch. 2534, Worldhistory.biz,
<https://www.worldhistory.biz/modern-history/82386-expatriation-act-1907.html> (last viewed October 11, 2018)

¹³⁹ *Id.*

¹⁴⁰ Gentlemen’s Agreement (1907), Britannica.com,
<https://www.britannica.com/event/Gentlemens-Agreement> (last viewed October 12, 2018).
Signed Feb. 15, 1907.

¹⁴¹ *Id.*

¹⁴² Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965, at p. 24447 (Sept. 20, 1965.)

¹⁴³ *Id.* Up to 1924 a total of 180,000 Japanese were brought to Hawaii to work on the pineapple and sugar plantations. That is why today Japanese comprise the largest racial group in Hawaii, outnumbering native Hawaiians.

¹⁴⁴ Carl L. Bankston III, “Dillingham Commission,” *Immigrationtounitedstates.org*, <http://immigrationtounitedstates.org/462-dillingham-commission.html> (last viewed October 11, 2018) (It was known as the Dillingham Commission after its chairman, Republican Senator William P. Dillingham of Vermont.)

¹⁴⁵ An index of 41 volumes of the Dillingham Report is online at, “United States Congress Joint Immigration Commission,” Wikipedia.org,
https://en.wikipedia.org/wiki/United_States_Congress_Joint_Immigration_Commission (last viewed September 30, 2018)

¹⁴⁶ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

¹⁴⁷ Howard Bromberg, “Immigration Act of 1917,” *Immigrationtounitedstates.org*, <http://immigrationtounitedstates.org/588-immigration-act-of-1917.html> (last viewed October 11, 2018) (Went into effect May 1, 1917.) Imposition of a literacy test was defeated in Congress in 1896, 1898, 1902, 1906, it had been vetoed by President Taft in 1913, and twice by President Wilson: in 1915 and his veto of the Immigration Act of 1917, which was overridden by Congress.

¹⁴⁸ The Immigration Act of 1917 stated regarding undesirable aliens:

“That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons; persons who have had one or more attacks of insanity at any time previously; persons of constitutional psychopathic inferiority; persons with chronic alcoholism; paupers; professional beggars; vagrants; persons afflicted with tuberculosis in any form or with 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.” See, The Immigration Act of 1917 (39 Stat. part 1, p. 874, c. 29, § 3 [Comp. St. 1918, Comp. St. Ann. Supp. 1919, § 4287½b]).

¹⁴⁹ *Id.* The act excluded from immigration persons identified as “idiots, imbeciles, and feeble-minded persons;” persons of “constitutional psychopathic inferiority;” “mentally or physically defective” persons; the insane; alcoholics; persons with epilepsy, tuberculosis; or contagious diseases; paupers and vagrants; criminals; prostitutes; anarchists; polygamists; political radicals; and contract laborers.

¹⁵⁰ “1917: Jones-Shafroth Act”, Library of Congress Research Guides, <https://guides.loc.gov/latinx-civil-rights/jones-shafroth-act> (last viewed November 27, 2021)

¹⁵¹ Theodore Roosevelt letter to Richard Melancthon Hurd, President of the American Defense Society, January 3, 1919. Source: Theodore Roosevelt Center at Dickinson State University, <https://www.theodorerooseveltcenter.org/Research/Digital-Library/Record?libID=o265602> (last viewed November 27, 2021)

¹⁵² *Id.*

¹⁵³ Statistical Abstract of the United States from 1878 to 2012 are on census.gov at, https://www.census.gov/library/publications/time-series/statistical_abstracts.html (last viewed November 5, 2018)

¹⁵⁴ *Id.*

¹⁵⁵ Walter F. Willcox, “Immigration Into The United States,” *International Migrations, Vol. II: Interpretations*, 100, Endnote 1 (“In 1920 the proportion of whites among the foreign born was, in the North, 99.3 per cent and in the South 97.6 per cent.”), <http://www.nber.org/chapters/c5104> (last viewed November 5, 2018)

In 1920 the following percentages of the U.S. population lived in the four major regions: 28% Northeast; 32.1% Midwest; 8.7% West; and, 31.2% South. Overall 98.8 of foreign born people in the U.S. were white.

¹⁵⁶ *Emergency Quota Act*, Wikipedia.org, https://en.wikipedia.org/wiki/Emergency_Quota_Act (last viewed October 13, 2018) The act was also known as the Immigration Restriction Act of 1921, the Per Centum Law, and the Johnson Quota Act (ch. 8, 42 Stat. 5) The act was enacted on May 19, 1921)

¹⁵⁷ Carl L. Bankston III, “Dillingham Commission,” *Immigrationtounitedstates.org*, <http://immigrationtounitedstates.org/462-dillingham-commission.html> (last viewed October 11, 2018)

¹⁵⁸ *Emergency Quota Act*, Wikipedia.org, https://en.wikipedia.org/wiki/Emergency_Quota_Act (last viewed October 13, 2018)

¹⁵⁹ *Expatriation Act (1907)*, Worldhistory.biz, <https://www.worldhistory.biz/modern-history/82386-expatriation-act-1907.html> (last viewed October 11, 2018)

¹⁶⁰ *Ozawa v. United States*, 260 U.S. 178, 195 (1922)

¹⁶¹ *Id.*

¹⁶² *Terrace v. Thompson*, 263 U.S. 197 (1923), <https://supreme.justia.com/cases/federal/us/263/197/> (last viewed October 13, 2018)

¹⁶³ *The Immigration Act of 1924* (The Johnson-Reed Act), *history.state.gov*, <https://history.state.gov/milestones/1921-1936/immigration-act> (last viewed October 11, 2018)

¹⁶⁴ Statistical Abstract of the United States: 1891 (listed immigration for 1890), Part 3, Chart No. 195. Number and Nationality of IMMIGRANTS ARRIVED In The United States During The Fifteen Years Ending June 30, From 1877 to 1891, Inclusive, p. 218,

<http://www2.census.gov/library/publications/1892/compendia/statab/14ed/1891-03.pdf?#> (last viewed October 13, 2018)

¹⁶⁵ *The Immigration Act of 1924* (The Johnson-Reed Act), *history.state.gov*, <https://history.state.gov/milestones/1921-1936/immigration-act> (last viewed October 11, 2018)

¹⁶⁶ “Our History,” *BorderPatrolMuseum.com*, <https://borderpatrolmuseum.com/history-of-the-border-patrol/> (last viewed October 13, 2018) (“On May 28, 1924, Congress passed the Labor Appropriations Act of 1924, officially establishing the United States Border Patrol with appropriations for 450 Patrol Inspectors.”)

¹⁶⁷ Indian Citizenship Act of 1924, <https://worldhistoryproject.org/1924/6/2/indian-citizenship-act-is-enacted> (last viewed October 14, 2018) (Approved June 2, 1924)

¹⁶⁸ Andrew Glass. “Hoover sets national origin immigration quotas, March 22, 1929”, *Politico*, March 22, 2019, <https://www.politico.com/story/2019/03/22/hoover-immigration-quotas-1929-1228039> (last viewed April 26, 2022)

¹⁶⁹ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

¹⁷⁰ Undesirable Aliens Act of 1929 (Blease’s Law), *Immigrationhistory.org*, <https://immigrationhistory.org/item/undesirable-aliens-act-of-1929-bleases-law/> (last viewed February 22, 2022)

¹⁷¹ *Id.*

¹⁷² Employers who depended on Mexican labor (most particularly in the agriculture industry) had been successful in influencing Congress not to put a limit on Mexican immigration (which meant also not putting a limit on Central and South America, and Caribbean immigration).

¹⁷³ Expatriation Act (1907), *Worldhistory.biz*, <https://www.worldhistory.biz/modern-history/82386-expatriation-act-1907.html> (last viewed October 13, 2018)

¹⁷⁴ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

¹⁷⁵ Deanne S. Puloka, *The Alien Registration Act of 1940*, <https://www.mckendree.edu/academics/scholars/issue13/puloka.htm> (last viewed November 4, 2018)

¹⁷⁶ Chinese Exclusion Repeal Act of 1943, Public Law 78-199 (78th United States Congress), <http://legisworks.org/congress/78/publaw-199.pdf> (last viewed November 4, 2018) (Signed into law by President Franklin Roosevelt on December 17, 1943.)

¹⁷⁷ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

¹⁷⁸ Displaced Persons Act of 1948, *Immigrationtounitedstates.org*, <http://immigrationtounitedstates.org/464-displaced-persons-act-of-1948.html> (last viewed October 13, 2018)

¹⁷⁹ *Id.*

¹⁸⁰ *Id.*

¹⁸¹ “Universal Declaration of Human Rights (1948)” United Nations, <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (last viewed October 9, 2021)

¹⁸² *Id.*

¹⁸³ Displaced Persons Act of 1948, *Immigrationtounitedstates.org*, <http://immigrationtounitedstates.org/464-displaced-persons-act-of-1948.html> (last viewed October 13, 2018)

¹⁸⁴ *Id.*

¹⁸⁵ The *Immigration and Nationality Act of 1952*, Immigrationtounitedstates.org, <http://immigrationtounitedstates.org/593-immigration-and-nationality-act-of-1952.html> (last viewed November 4, 2018)

President Harry Truman vetoed the act on June 25, 1952. The House overrode Truman's veto on June 26, 1952 by a vote of 278-113. The Senate overrode Truman's veto on June 27, 1952 by a vote of 57-26. The act became effective on June 27, 1952.

¹⁸⁶ *Id.* ("The law's quota numbers for European immigrants were raised slightly from the 1920 base of 154,000, to 158,000, and northwestern Europe was allocated 85 percent of these slots, with Great Britain (65,000), Germany (26,000) and Ireland (18,000) receiving two-thirds of the total. The number for Asian nations was set at 2,000 visas annually. No quota restrictions were placed on spouses and minor children of U.S. citizens and on immigrants from the Western Hemisphere.")

¹⁸⁷ "The Immigration and Nationality (McCarran-Walter) Act of 1952, as Amended to 1965," *The Annals of The American Academy* (127-136), at 132. Online at, https://www.jstor.org/stable/1034850?read-now=1&loggedin=true&seq=6#page_scan_tab_contents

¹⁸⁸ "Refugee Relief Act of 1953," WorldHistory.biz, June 29, 2015, <https://www.worldhistory.biz/modern-history/76235-refugee-relief-act-of-1953.html> (last viewed November 4, 2018) (Signed into law by President Eisenhower on August 7, 1953.)

¹⁸⁹ Italian-Americans and Greek-Americans were permitted to pre-empt refugee quotas to admit their relatives. *Id.*

¹⁹⁰ *Id.*

¹⁹¹ *Id.*

¹⁹² Brent Funderburk, "Operation Wetback," *Britannica.com*, <https://www.britannica.com/topic/Operation-Wetback> (last viewed November 3, 2018)

¹⁹³ *Id.*

¹⁹⁴ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

¹⁹⁵ *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954). The Court unanimously ruled:

"We conclude that in the field of public education the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment." *Id.* at 495.

¹⁹⁶ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

The parole provision was Sec. 212(d)(5) of the *Immigration and Nationality Act of 1952*.

¹⁹⁷ Kathryn M. Bockley, "A Historical Overview of Refugee Legislation," *NC Journal of Int. Law and Comm. Reg.*, Vol. 21, No. 1, 254-292 (Fall 1995), at 266-267. Online at, <http://scholarship.law.unc.edu/cgi/viewcontent.cgi?article=1579&context=ncilj> (last viewed November 8, 2018)

¹⁹⁸ *Id.*, and "Refugee Policies – Refugees and the cold war," Encyclopedia of the New American Nation, <http://www.americanforeignrelations.com/O-W/Refugee-Policies-Refugees-and-the-cold-war.html> (last viewed November 8, 2018)

¹⁹⁹ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

²⁰⁰ The Fair Share Refugee Act. Pub. L. No. 86-648. 74 Stat. 504 (1960). See also, “A Guide to Immigration Legislation History of America,” Immigration.laws.com, <https://immigration.laws.com/immigration-history> (last viewed October 10, 2021)

²⁰¹ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

²⁰² Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

²⁰³ “Assassination of John F. Kennedy”, history.com, <https://www.history.com/topics/us-presidents/jfk-assassination> (last viewed February 20, 2022)

²⁰⁴ President Lyndon Baines Johnson, Annual Message to the Congress on the State of the Union, January 8, 1964, Sec. VII, *lbjlibrary.net*, <http://www.lbjlibrary.net/collections/selected-speeches/november-1963-1964/01-08-1964.html> (last viewed November 3, 2018)

²⁰⁵ President Lyndon Baines Johnson, Annual Message to the Congress on the State of the Union, January 4, 1965, Sec. II, *lbjlibrary.net*, <http://www.lbjlibrary.net/collections/selected-speeches/1965/01-04-1965.html> (last viewed October 9, 2021)

²⁰⁶ “Public Bills And Resolutions,” *Congressional Record* – 89th Congress, Vol. III, Pt. 1 – Jan. 4, 1965 to Jan. 27, 1965 (Pgs 1 to 1426), at p. 650 (Jan. 13, 1965.)

²⁰⁷ “Public Bills And Resolutions,” *Congressional Record* – 89th Congress, Vol. III, Pt. 1 – Jan. 4, 1965 to Jan. 27, 1965 (Pgs 1 to 1426), at p. 696 (Jan. 15, 1965.)

²⁰⁸ “U.S. Immigration Since 1965,” history.com, <https://www.history.com/topics/immigration/us-immigration-since-1965> (last viewed November 4, 2018). House bill was H.R. 2580 was introduced on January 13, 1965 by Brooklyn Democrat Emanuel Celler, who was chairman of the House Judiciary Committee. (The companion Senate version S.500 was introduced on January 15, 1965.):

By Mr. CELLER:

H.R. 2580. A bill to amend the immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary. (Congressional Record – 89th Congress, Vol. III, Pt. 1 – Jan. 4, 1965 to Jan. 27, 1965 (Pgs 1 to 1426), at p. 650 (Jan. 13, 1965).)

There were four votes on H.R.2580:

August 23, 1965. House defeated by vote of 218 to 189:

TO AMEND H.R. 2580, A BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT, BY ESTABLISHING ON JULY 1, 1968, A LIMIT OF 115,000 IMMIGRANTS PER YEAR FROM COUNTRIES IN THE WESTERN HEMISPHERE AND REQUIRE CANCELLATION OF SPECIAL IMMIGRATION VISAS FROM NUMERICAL CEILING OF 115,000 WHEN DEPORTATION PROCEEDINGS ARE STAYED OR ALIEN STATUS ADJUSTED.

August 24, 1965. House passed by a vote of 318 to 95:

TO PASS H.R. 2580, THE AMENDED IMMIGRATION AND NATIONALITY ACT. (209 Democrats voted for, 71 against, and 13 didn’t vote. 109 Republicans voted for, 24 voted against, and 6 didn’t vote.)

September 22, 1965. Senate passed by vote of 76 to 18:

TO PASS H.R. 2580, IMMIGRATION AND NATIONALITY ACT AMENDMENTS. (The key Amendment was imposition of a Western Hemisphere annual limit of 120,000 immigrants with the exception of “special people” with skills, and immediate family members of a U.S. citizen. This was essentially the Amendment defeated in the House on August 23 with the limit raised to 120,000 to 115,000.)

September 30, 1965. House passed by vote of 320 to 70:

TO AGREE TO THE CONFERENCE REPORT ON H.R. 2580, THE IMMIGRATION AND NATIONALITY ACT.

²⁰⁹ Public law 89-236, Sec. 21 (e); (79 Stat. 921). Online at, <https://www.gpo.gov/fdsys/pkg/STATUTE-79/pdf/STATUTE-79-Pg911.pdf>

²¹⁰ U.S. Immigration Since 1965, history.com, <https://www.history.com/topics/immigration/us-immigration-since-1965> (last viewed November 4, 2018).

²¹¹ Statistical Abstract of the United States from 1878 to 2012 are on census.gov at, https://www.census.gov/library/publications/time-series/statistical_abstracts.html (last viewed November 5, 2018)

²¹² *Id.*

²¹³ Statistical Abstract of the United States from 1878 to 2012 are on census.gov at, https://www.census.gov/library/publications/time-series/statistical_abstracts.html (last viewed November 5, 2018)

²¹⁴ *Id.*

²¹⁵ See, “Statistical Abstract of the United States 1967,” Census.gov, “Chart No. 128. Immigrants, By Country of Last Permanent Residence, 1820 to 1966,” at p. 96, https://www.census.gov/library/publications/time-series/statistical_abstracts.html (last viewed November 10, 2018)

²¹⁶ *The Cuban Adjustment Act*, 80 Stat., Public Law 89-732, effective November 2, 1966, <https://www.gpo.gov/fdsys/pkg/STATUTE-80/pdf/STATUTE-80-Pg1161.pdf> (last viewed November 13, 2018).

²¹⁷ “Immigration and Nationality Act of 1965,” *Wikipedia.org*, https://en.wikipedia.org/wiki/Immigration_and_Nationality_Act_of_1965 (last viewed November 4, 2018).

²¹⁸ Drew Desilver, “For most U.S. workers, real wages have barely budged in decades,” *Pew Research Center*, August 7, 2018, <http://www.pewresearch.org/fact-tank/2018/08/07/for-most-us-workers-real-wages-have-barely-budged-for-decades/> (last viewed November 4, 2018).

²¹⁹ Indochina Migration and Refugee Assistance Act of 1975 (An act to enable the United States to render assistance to, or in behalf of, certain immigrants and refugees), Public Law 94-23, U.S. Immigration Legislation Online, http://library.uwb.edu/Static/USImmigration/1970s_indochina.html (last viewed November 18, 2018).

²²⁰ Refugee Act of 1980, Archivesfoundation.org, <https://www.archivesfoundation.org/documents/refugee-act-1980/> (last viewed November 4, 2018).

²²¹ Roger J. LeMaster & Barnaby Zall, “Compassion Fatigue: The Expansion of Refugee Admissions to the United States,” 6 *B.C. Int’l & Comp. L. Rev.* 447, 448 (1983), <http://lawdigitalcommons.bc.edu/iclr/vol6/iss2/4> (last viewed November 10, 2018).

²²² The case involved a 1975 revision by Texas to its education law to withhold from local school districts any state funds for the education of children who were no “legally admitted” into the United States.

²²³ Immigration Reform and Control Act of 1986, USCIS.gov, <https://www.uscis.gov/tools/glossary/immigration-reform-and-control-act-1986-irca> (Signed into law by President Ronald Reagan on Nov. 6, 1986.) (last viewed October 13, 2018)

To be eligible for amnesty an illegal alien was required to prove they were not guilty of crimes, that they were in the country before January 1, 1982, and that they possessed at least a minimal knowledge about U.S. history, government, and the English language.

²²⁴ Roberto Suro, “1986 Amnesty Law Is Seen As Failing To Slow Alien Tide,” *New York Times*, June 18, 1986, <https://www.nytimes.com/1989/06/18/us/1986-amnesty-law-is-seen-as-failing-to-slow-alien-tide.html> (last viewed October 31, 2018)

²²⁵ *Id.*

²²⁶ S. 2104 (100th): Immigration Act of 1988, <https://www.govtrack.us/congress/bills/100/s2104> (last viewed November 13, 2021)

²²⁷ California Proposition 187, Wikipedia.org, https://en.wikipedia.org/wiki/California_Proposition_187 (last viewed October 14, 2018)

Section 1 of Proposition 187 states as an Introduction:

“The People of California find and declare as follows:

That they have suffered and are suffering economic hardship caused by the presence of illegal aliens in this state. That they have suffered and are suffering personal injury and damage caused by the criminal conduct of illegal aliens in this state. That they have a right to the protection of their government from any person or persons entering this country unlawfully.”

²²⁸ *Id.*

²²⁹ Dave Leshner and Dan Morain, “Davis Asks Court to Mediate on Prop. 187,” *Los Angeles Times*, April 16, 1999, <http://articles.latimes.com/1999/apr/16/news/mn-28023> (last viewed October 14, 2018)

²³⁰ Patrick J. McDonnell, “Davis Won’t Appeal Prop. 187 Ruling, Ending Court Battles,” *Los Angeles Times*, July 29, 1999, <http://articles.latimes.com/1999/jul/29/news/mn-60700> (last viewed October 14, 2018)

²³¹ “The Illegal Immigration Reform and Immigrant Responsibility Act of 1996,” *Legal Information Institute*, https://www.law.cornell.edu/wex/illegal_immigration_reform_and_immigration_responsibility_act
https://www.law.cornell.edu/wex/illegal_immigration_reform_and_immigration_responsibility_act

²³² History of ICE, ICE.gov, <https://www.ice.gov/history> (last viewed October 14, 2018)

²³³ Deferred Action for Childhood Arrivals, Wikipedia.org, https://en.wikipedia.org/wiki/Deferred_Action_for_Childhood_Arrivals (last viewed October 14, 2018) (The DACA Executive Order was signed on June 15, 2012.)

²³⁴ *Id.*

²³⁵ Online at, <https://supreme.justia.com/cases/federal/us/567/387/> (last viewed October 14, 2018)

²³⁶ Online at, https://scholar.google.com/scholar_case?case=9830266283753068292&hl=en&as_sdt=6&as_vis=1&oi=scholar (last viewed October 14, 2018)

²³⁷ *United States v. Texas*, Wikipedia.org, https://en.wikipedia.org/wiki/United_States_v._Texas (last viewed October 14, 2018)

²³⁸ *Id.*

²³⁹ “Quick Facts: United States: Population Estimates, July 1, 2021,” *United States Census Bureau*, <https://www.census.gov/quickfacts/fact/table/US/PST045221> (last viewed February 12, 2022)

²⁴⁰ Sherrer, Hans. *Bullseye*. TJI Publishing (Lacey, WA) (2021), at 6.

²⁴¹ “Nationwide Encounters,” U.S. Customs and Border Protection, <https://www.cbp.gov/newsroom/stats/nationwide-encounters> (last viewed February 6, 2022)

²⁴² *Id.*

America Was Founded and Created By White European Pioneers and Settlers

*L*etters from an American Farmer published in 1782 makes some of the clearest statements contemporary to the Revolutionary War and the time around the writing of the Constitution about the European heritage of Americas pioneers and settlers. The book is a compilation of letters written from 1770 to 1778 by Michel-Guillaume Jean de Crèvecoeur (as James Hector St. John). The observations in the book included:

I wish I could be acquainted with the feelings and thoughts which must agitate the heart and present themselves to the mind of an enlightened Englishman, when he first lands on this continent. He must greatly rejoice that he lived at a time to see this fair country discovered and settled; he must necessarily feel a share of national pride, when he views the chain of settlements which embellishes these extended shores. When he says to himself, this is the work of my countrymen, who, when convulsed by factions, afflicted by a variety of miseries and wants, restless and impatient, took refuge here. They brought along with them their national genius, to which they principally owe what liberty they enjoy, and what substance they possess. Here he sees the industry of his native country displayed in a new manner, and traces in their works the embryos of all the arts, sciences, and ingenuity which nourish in Europe. Here he beholds fair cities, substantial villages, extensive fields, an immense country filled with decent houses, good roads, orchards, meadows, and bridges, where an hundred years ago all was wild, woody, and uncultivated! [21]

...

The next wish of this traveller will be to know whence came all these people? they are a mixture of English, Scotch, Irish, French, Dutch, Germans, and Swedes. From this promiscuous breed, that race now called Americans have arisen. [22]

...

What then is the American, this new man? He is either an European, or the descendant of an European, hence that strange mixture of blood, which you will find in no other country. I could

point out to you a family whose grandfather was an Englishman, whose wife was Dutch, whose son married a French woman, and whose present four sons have now four wives of different nations. He is an American ...[22]

...

Americans are the western pilgrims, who are carrying along with them that great mass of arts, sciences, vigour, and industry which began long since in the east; they will finish the great circle. The Americans were once scattered all over Europe; here they are incorporated into one of the finest systems of population which has ever appeared, and which will hereafter become distinct by the power of the different climates they inhabit. [23]

British America is divided into many provinces, forming a large association, scattered along a coast 1500 miles extent and about 200 wide. [23]

...

Exclusive of those general characteristics, each province has its own, founded on the government, climate, mode of husbandry, customs, and peculiarity of circumstances. Europeans submit insensibly to these great powers, and become, in the course of a few generations, not only Americans in general, but either Pennsylvanians, Virginians, or provincials under some other name. ... their only points of unity will be those of religion and language. [24]

... I have endeavoured to show you how Europeans become Americans ...[24]

...

There is no wonder that this country has so many charms, and presents to Europeans so many temptations to remain in it. ... No sooner does an European arrive, no matter of what condition, than his eyes are opened upon the fair prospect; he hears his language spoke, he retraces many of his own country manners, he perpetually hears the names of families and towns with which he is acquainted; he sees happiness and prosperity in all places disseminated; he meets with hospitality, kindness, and plenty everywhere; he beholds hardly any poor, he seldom hears of punishments and executions; and he wonders at the elegance of our towns, those miracles of industry and freedom. ... The rich stay in Europe, it is only the middling and the poor that emigrate. ... [27]

An European, when he first arrives, seems limited in his intentions, as well as in his views; but he very suddenly alters his scale; two hundred miles formerly appeared a very great distance, it is now but a trifle; he no sooner breathes our air than he forms schemes, and embarks in designs he never would have thought of in his own country. There the plenitude of society confines many useful ideas, and often extinguishes the most laudable schemes which here ripen into maturity. Thus Europeans become Americans. [28]

...

After a foreigner from any part of Europe is arrived, and become a citizen; let him devoutly listen to the voice of our great parent, which says to him, "Welcome to my shores, distressed European; bless the hour in which thou didst see my verdant fields, my fair navigable rivers, and my green mountains!" [31]

In 1751 Benjamin Franklin wrote that America's settlers were white and he did not want non-whites in America. He was particularly opposed to Blacks from Africa being brought to America so as to not "darken its People":

24. Which leads me to add one Remark: That the Number of purely white People in the World is proportionately very small. All Africa is black or tawny. Asia chiefly tawny. America (exclusive of the new Comers) wholly so. And in Europe, the Spaniards, Italians, French, Russians and Swedes, are generally of what we call a swarthy Complexion; as are the Germans also, the Saxons only excepted, who with the English, make the principal Body of White People on the Face of the Earth. I could wish their Numbers were increased. And while we are, as I may call it, *Scouring* our Planet, by clearing America of Woods, and so making this Side of our Globe reflect a brighter Light to the Eyes of Inhabitants in Mars or Venus, why should we in the Sight of Superior Beings, darken its People? why increase the Sons of Africa, by Planting them in America, where we have so fair an Opportunity, by excluding all Blacks and Tawneys, of increasing the lovely White and Red? But perhaps I am partial to the Complexion of my Country, for such Kind of Partiality is natural to Mankind.²⁴³

In 1774 Thomas Jefferson wrote about the predominantly British ancestry of the settlers in the 13 colonies:

“Resolved, that it be an instruction to the said deputies, when assembled in general congress with the deputies from the other states of British America, to propose to the said congress that an humble and dutiful address be presented to his majesty, begging leave to lay before him, as chief magistrate of the British empire, the united complaints of his majesty’s subjects in America; complaints which are excited by many unwarrantable encroachments and usurpations, attempted to be made by the legislature of one part of the empire, upon those rights which God and the laws have given equally and independently to all ...

To remind him that our ancestors, before their emigration to America, were the free inhabitants of the British dominions in Europe ...”²⁴⁴

In 1787 John Jay wrote in *The Federalist Paper* Number 2 about the common ancestors and language of Americans – who were White and spoke English – at the time the debate was raging in the thirteen nation-states (the former British colonies) about whether to create a United States by ratifying the U.S. Constitution:

With equal pleasure I have as often taken notice that Providence has been pleased to give this one connected country to one united people—a people descended from the same ancestors, speaking the same language, professing the same religion, attached to the same principles of government, very similar in their manners and customs, and who, by their joint counsels, arms, and efforts, fighting side by side throughout a long and bloody war, have nobly established general liberty and independence.²⁴⁵

In 1790 the United States enacted its first law concerning immigration and naturalization. The *Naturalization Act of 1790*, also known as the *Nationality Act*, limited naturalized citizenship to “any alien, being a free white person” who had been a U.S. resident for two years.²⁴⁶ The fact that under the 1790 *Nationality Act* only an alien who was a “white person”

could become a citizen was consistent with the ethnic composition of the settlers in America from the time of the first white European settlement at Jamestown in 1607.

²⁴³ Benjamin Franklin, “Observations Concerning the Increase of Mankind, 1751,” *Founders Online*, National Archives, last modified June 13, 2018, <http://founders.archives.gov/documents/Franklin/01-04-02-0080>. [Original source: *The Papers of Benjamin Franklin*, vol. 4, *July 1, 1750, through June 30, 1753*, ed. Leonard W. Labaree. New Haven: Yale University Press, 1961, pp. 225–234.] (last viewed October 31, 2018)

²⁴⁴ Thomas Jefferson, *A Summary of the Rights of British America*, July 1774, Papers 1:121—35, <http://www.history.org/Almanack/life/politics/sumview.cfm> (last viewed October 8, 2018)

²⁴⁵ John Jay (Published under pseudonym PUBLIUS, “Concerning Dangers from Foreign Force and Influence For the Independent Journal,” *The Federalist Papers*, No. 2, 1787, http://avalon.law.yale.edu/18th_century/fed02.asp (last viewed October 11, 2021) (Emphasis added to original)

²⁴⁶ Naturalization Act of 1790, http://encyclopedia.densho.org/Naturalization_Act_of_1790/ (last viewed October, 8, 2018)

From 1790 to 1965 Legal Immigrants to U.S. Were Overwhelmingly White

The Naturalization Act of 1790 was the United States' first law concerning immigration and naturalization. It limited naturalized citizenship to "any alien, being a free white person" who had been a U.S. resident for two years.²⁴⁷ That act only permitting an alien who was a "white person" to become a citizen was consistent with the ethnic composition of the settlers in the 13 colonies from the time of the first white European settlement at Jamestown in 1607. Although the settlers in America were white, there was significant diversity among them because while the majority came from English speaking countries, there were many from European countries like Germany, Poland, and France, and the white Scandinavian countries.

For the 175 years from 1790 to 1965 the official policy of the United States encouraged immigration by white Europeans to the exclusion of other races, and for much of that time naturalization was limited solely to people of the white race. It wasn't until passage of the *Immigration and Nationality Act of 1965* that the U.S. abandoned its immigration policy based on the recognition it is a country founded and built by people of white European ancestry.

The following chart show the race of immigrants to the U.S. for different periods of time up to 1965 (The federal government began collecting immigration data in 1820.).

²⁴⁷ Naturalization Act of 1790, http://encyclopedia.densho.org/Naturalization_Act_of_1790/ (last viewed October, 8, 2018)

Pct Immigration By Whites, Asians, and Others From 1820 to 1965

The table below shows that 95% of all immigrants to the U.S. were white up to 1921, when the Emergency Immigration Act – the forerunner of the 1924 immigration act – was enacted. And less than 2% were Asian.

The table shows that almost 94% of all immigrants were white up to 1940, before the U.S.’ entry into World War II in 1941. Less than 2% were Asian.

WWII marks the beginning of a decline in the percentage of white immigration to the U.S., and an increase of Asian immigration. The chart shows that from the beginning of WW II to enactment of the 1965 immigration act, about 2/3rds (66.2%) of all immigrants were white, while about 5-1/2% were Asian.

Even with the decline in white immigration marked by the beginning of WWII, from 1922 to 1965 almost 3/4 (73%) of immigrants were white.

Up to 1965 90% of all immigrants from 1820 were white, and less than 2% were Asian.

The table also shows that Whites were 97% of immigrants up to 1883, so it is known Emma Lazarus’ 1883 poem *The New Colossus* – which in 1903 was put on a plaque on the pedestal of the Statute of liberty – was about white European immigration to the U.S.²⁴⁸

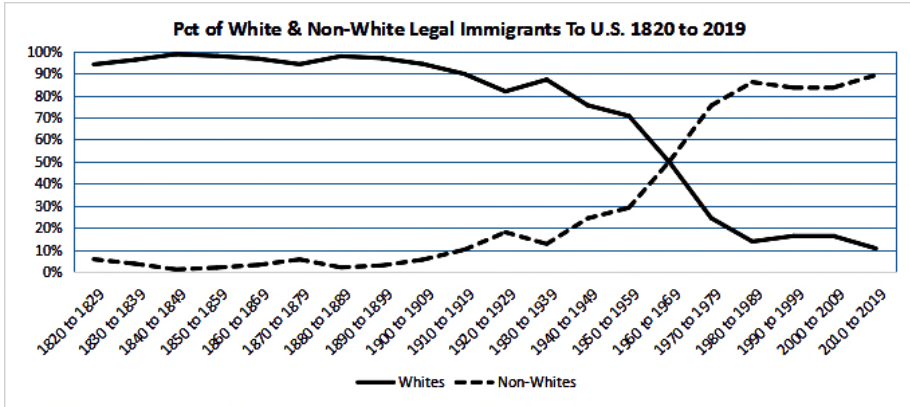
Percentage	1820-1965	1820-1883	1820-1903	1820-1921	1922-1965	1820-1940	1941-1965
Whites (Europe, Canada, Australia, New Zealand & South Africa)	90.3%	96.8%	96.9%	94.7%	73.0%	93.5%	66.2%
Non-Whites	9.7%	3.2%	3.1%	5.3%	27.0%	6.5%	33.8%
Whites & Asians	92.1%	99.1%	98.7%	96.5%	75.1%	95.3%	71.8%
Others (Rest of world)	7.9%	0.9%	1.3%	3.5%	24.9%	4.7%	28.2%
Notable event		In 1883 Emma Lazarus’ poem <i>The New Colossus</i> about white European immigration to the U.S. was published.		Immigration Act of 1921 restricted non-European immigration to protect the U.S.’ hegemony as a nation of European ancestry.			

²⁴⁸ Emma Lazarus, *The New Colossus*, <https://www.poetryfoundation.org/poems/46550/the-new-colossus> (last viewed February 20, 2022):

Not like the brazen giant of Greek fame,
With conquering limbs astride from land to land;
Here at our sea-washed, sunset gates shall stand
A mighty woman with a torch, whose flame
Is the imprisoned lightning, and her name
Mother of Exiles. From her beacon-hand
Glow world-wide welcome; her mild eyes command
The air-bridged harbor that twin cities frame.
“Keep, ancient lands, your storied pomp!” cries she
With silent lips. “Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door!”

Legal Immigration To U.S. By Whites and non-Whites Since 1820

The following chart documents the percentage of legal immigrants that entered the United States from 1820 to 2019 – a period of 200 years:



1966 – the year after the Immigration Act of 1965 was enacted – was the first year ever since the founding of the U.S., to have less than 50% of legal immigrants from European countries.

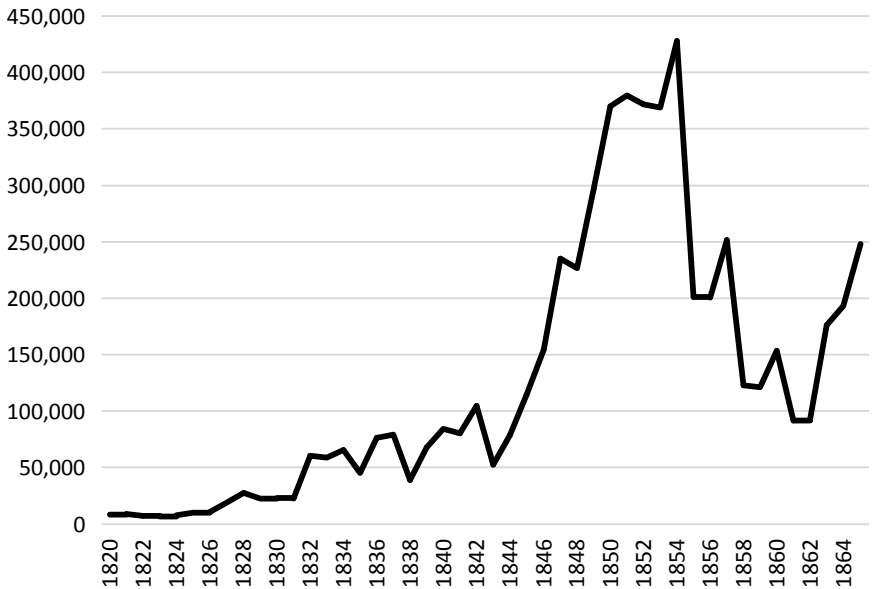
From 1832 to 1860 the minimum percentage of white legal immigrants was 94.8% in 1858, and the maximum was 99.8% in 1853. In six of those years more than 99% of immigrants were white.

98.4% of immigrants were white Europeans in 1883, the year Emma Lazarus’ poem *The New Colossus* about immigration to the U.S. was published. From 1884 to 1890 white immigration per year was 99.3%; 99.1%; 98.9%; 98.7%; 98.8%; 98.2%; and, 98.1%. It is obvious the poem was about white European immigration – since that is who was immigrating to the U.S. when the poem was written.

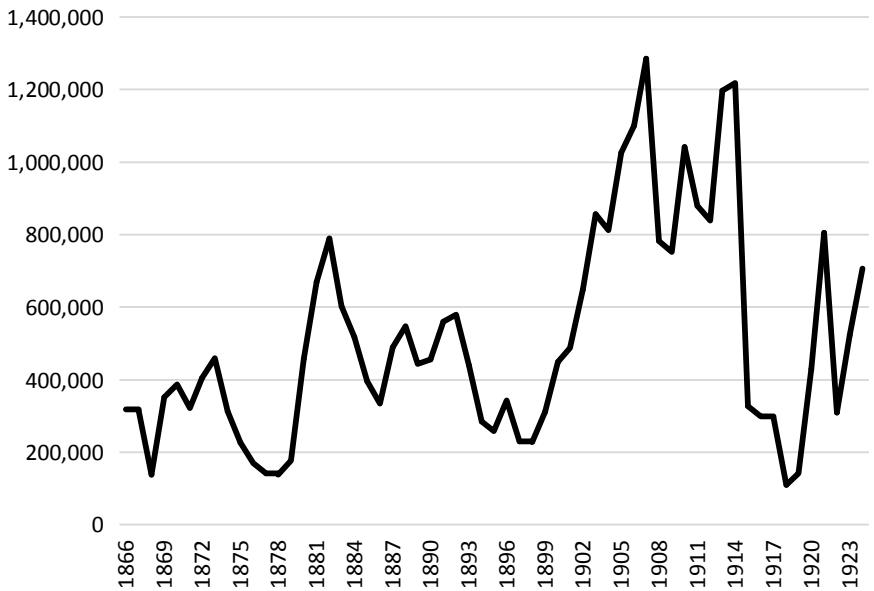
The following charts show that since the 1965 Immigration Act took full effect in 1968, immigration every year has exceeded the greatest number of immigrants in any one year from 1925 to 1967. The most legal immigrants from 1925 to 1965 was the 335,175 in 1927, while the fewest legal immigrants after 1965 was the 358,579 in 1969.

During the height of the Depression, in 1933 there were 23,068 immigrants, and in 1934 there were 29,470. From 1931 to 1945 the maximum number of immigrants in any one year was 82,998 in 1939.

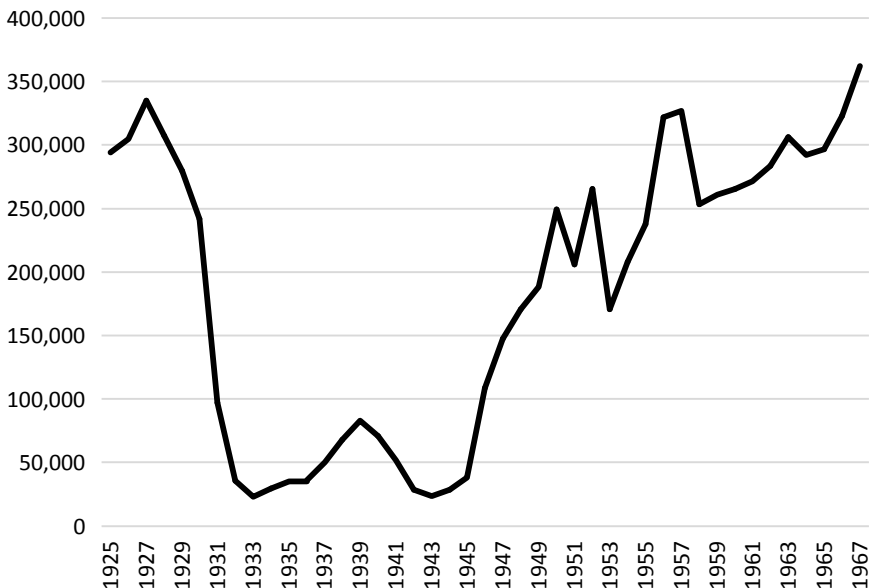
Legal Immigrants 1820 to 1865



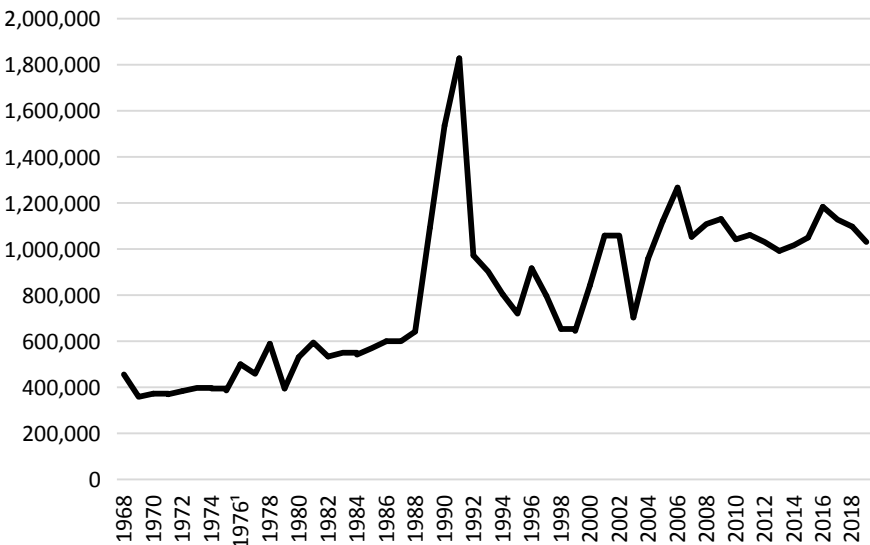
Legal Immigrants 1866 to 1924



Legal Immigrants 1925 to 1967



Legal Immigrants 1968 to 2019



Section II

U.N. Declaration of Human Rights and Racial Equality Declarations

As Soviet troops battled to capture Berlin in late April 1945, and two weeks before Germany's unconditional surrender of its armed forces, representatives of 50 countries gathered in San Francisco, California at the United Nations Conference on International Organization. The attendees created a draft of the U.N. Charter that would create the United Nations. The conference ended on June 26 after the representatives signed the Charter.

The U.N. was established as an international organization that would work "to maintain international peace and security, give humanitarian assistance to those in need, protect human rights, and uphold international law."²⁴⁹

The United Nations began operating on October 24, 1945 after its Charter was ratified by a majority of the signatories, including China, France, the Soviet Union, the United Kingdom, and the United States.

The U.N. subsequently issued declarations on human rights (1948) and race (1950, 1951, 1967, 1978) that directly impacted immigration policy in the U.S. and other (Western) countries.

²⁴⁹ "History of the United Nations", UN.org, <https://www.un.org/en/about-us/history-of-the-un> (last viewed October 28, 2021)

1948 Universal Declaration of Human Rights

On December 10, 1948 the United Nations General Assembly adopted the *Universal Declaration of Human Rights*.²⁵⁰ It declared what it considered fundamental human rights to be universally protected by countries around the world. The Declaration was based on a draft *Declaration on Fundamental Human Rights and Freedoms* taken up at the first session of the General Assembly in 1946.²⁵¹ The 1948 *Declaration* is considered an international bill of rights. Among its provisions are:

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.²⁵²

The U.N.'s establishment of new international norms prohibiting discrimination based on "race, colour, sex, language, religion ... *national or social origin* ... birth or other status." provided fresh ammunition for opponents of U.S. immigration policy to claim it was discriminatory because it was based on a person's national origin.²⁵³ The Declaration's equality principle enunciated in the Declaration weren't only used to attack the U.S.'s "national origin" immigration policy, but eventually the restrictive immigration policies of a number of Western countries were targeted that included Australia, New Zealand, Sweden, and the U.K.

The U.N.'s Declaration amounted to an attack on the idea of national sovereignty that is symbolized by a country's borders and enforcement of who can enter the country. This was openly declared in Article 14(1.) that asserted an individual's "right" to asylum in "other countries" to avoid "persecution."

²⁵⁰ “Universal Declaration of Human Rights (1948)” United Nations, <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (last viewed Oct. 9, 2021)

²⁵¹ “Draft Declaration on Fundamental Human Rights and Freedoms,” United Nations, December 11, 1946, <https://digitallibrary.un.org/record/209759?ln=en> (last viewed Feb. 5, 2022)

See also, “Universal Declaration of Human Rights – History of the Declaration,” <https://www.un.org/en/about-us/udhr/history-of-the-declaration> (last viewed February 5, 2022)

²⁵² “Universal Declaration of Human Rights (1948)” United Nations, <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (last viewed October 9, 2021) (emphasis added to original)

²⁵³ *Id.*

The Race Question (UNESCO 1950)

In July 1950 UNESCO (United Nations Educational, Scientific and Cultural Organization) issued its declaration on *The Race Question*.²⁵⁴

The declaration opened with the statement:

“1. Scientists have reached general agreement in recognising that mankind is one: that all men belong to the same species, *Homo sapiens*. It is further generally agreed among scientists that all men are probably derived from the same common stock; and that such differences as exist between different groups of mankind are due to the operation of evolutionary factors of differentiation such as isolation, the drift and random fixation of the material particles which control heredity (the genes), changes in the structure of these particles, hybridisation, and natural selection.

...

6. ... it would be better when speaking of human races to drop the term “race” altogether and speak of *ethnic groups*.²⁵⁵

The declaration generated a storm of criticism by scientists and researchers who expressed concern that “freedom of scientific enquiry is imperiled when any scientific findings or opinions are elevated, by an authoritative body, into the position of doctrines.”²⁵⁶ German anthropology Professor Walter Scheidt wrote: “...I should disagree with this Statement as strongly as I did with the National Socialist ravings about race and with the anthropology that was then the vogue. I can have no part in attempts to solve scientific questions by political manifestoes, as is the practice in Soviet Russia and now at UNESCO as well.”²⁵⁷

Professor Eugen Fischer likewise compared UNESCO’s approach to dictating racial policies to “the National Socialists’ notorious attempts to establish certain doctrines as the only correct conclusions to be drawn from research on race, and their suppression of any contrary opinion; as well as the Soviet Government’s similar claim on behalf of Lysenko’s theory of heredity, and its condemnation of Mendel’s teaching. heredity, and its condemnation of Mendel’s teaching. The present Statement likewise puts forward certain scientific doctrines as the only correct ones, and quite obviously expects them to receive general endorsement as such. I repeat that, without assuming any attitude towards the substance of the doctrines in the Statement, I am opposed to the principle of advancing

them as doctrines. The experiences of the past have strengthened my conviction that freedom of scientific enquiry is imperiled when any scientific findings or opinions are elevated, by an authoritative body, into the position of doctrines.”²⁵⁸

Professor Karl Felix Saller, an anthropologist, observed about the Statement:

“Coming down to more specific details, I feel that there is a certain danger in the Statement, especially in so far as the drafts hitherto evolved have utterly disregarded or even flatly denied the existence of mental (psychic) differences between certain groups of peoples. We may or may not give the name of race to such groups of human beings, who differ in their inherited psychic characteristics; but the whole science of eugenics is based on the existence of such hereditary psychic differences.”²⁵⁹

Professor Hans Weinert, an anthropologist, had several criticisms of the Statement:

“In my opinion, some of the statements made in Section 3 do not correspond to the facts. Many of the groups mentioned do actually coincide with racial groups. In regard to Section 7: Whether there is any biological justification for considering races to differ in value does not alter the fact that human beings themselves attach different values to their races. Consequently, half-castes always try to win recognition as members of a higher race, but this the latter race generally denies them. In defence of prohibiting marriage between persons of different races, I should like to ask which of the gentlemen who signed the Statement would be prepared to marry his daughter for example to an Australian aboriginal. In regard to Section .9 (b), if it is true that all races have the same innate capacity for intellectual development, then why is it that so far only the members of the white race have built up any scientific knowledge?”²⁶⁰

Professor Fritz Lenz, a physician and anthropologist, criticized the Statement in general by asserting: “In my opinion one of the dangers of the present Statement is that it disregards not only the enormous hereditary differences between men, but also absence of selection as the decisive cause of the decline of civilization, and it therefore runs counter to the science of eugenics. ... “In conclusion, I would like to refer to the book written by H. J. Muller, C. C. Little and L. H. Snyder, *Genetics*,

Medicine and Man (Cornell University Press, Ithaca, 1947). The authors express the hope that the continued increase in biological knowledge will destroy the fallacious concept of the equality or similarity of all men and the current belief in the omnipotence of social influences.”²⁶¹

Lenz was particularly critical of Section 1’s assertion there is only one human species: ““In my opinion, the Linnaean theory that all men belong to a single species is inaccurate. Moreover, it is by no means true that this theory is accepted by scientists in general. In his well-known *Lehrbuch der Anthropologie* (Manual of Physical Anthropology), Rudolf Martin speaks of the ‘Sub-groups of the Hominids’; ‘Opinions are divided on the question whether these sub-groups are to be regarded as species or simply varieties of species in the zoological sense of the term.’ ... “If an unprejudiced scientist were confronted with a West-African Negro, an Eskimo and a North-West European, he could hardly consider them to belong to the same ‘species’. ... Only one thing is certain: all men belong to the same genus. ... In my opinion, the term *Homo sapiens*, which is used in Section 1, is a misnomer. As is well known, it was invented by Linnaeus, who did not however give any diagnosis or description of his *Homo sapiens*. ... It seems to me that the term ‘species’ cannot be appropriately applied to the whole of mankind...”²⁶²

Doctor C. D. Darlington was critical of Section 5’s assertions: “The superficial view [of a national group having particular attributes] would be that this is due to race. ... within different populations consisting of many human types, one will find approximately the same range of temperament and intelligence.” Darlington observed: “I believe the methods of genetic study, the analysis of twins, the considerations, mathematical, cytological and experimental, of the genetics of populations and the effects of inbreeding and outbreeding, are not superficial. ... Are we to suppose that the difference between ‘the common historical and sociological background’, for example of the Patahna and the Bengali, has no genetic component? Are we to suppose that the intellectual and temperamental differences between the Brahmin and the Untouchable, or between Muslim, Jewish and Christian inhabitants of Palestine, living together in the same country for centuries, have no genetic basis and nothing to do with race?”²⁶³

²⁵⁴ “The Race Question”. UNESCO. July 1950.
http://www.honestthinking.org/en/unesco/UNESCO.1950.Statement_on_Race.htm (last viewed December 4, 2021)

²⁵⁵ *Id.*

²⁵⁶ “The Race Concept: Results of an Inquiry”. UNESCO. 1952. at 32.

<https://unesdoc.unesco.org/ark:/48223/pf0000073351> (last viewed December 4, 2021)

²⁵⁷ *Id.*

²⁵⁸ *Id.*

²⁵⁹ *Id.* at 34.

²⁶⁰ *Id.* at 35.

²⁶¹ *Id.* at 30-31.

²⁶² *Id.* at 36-37.

²⁶³ *Id.* at 59.

Statement on the Nature of Race and Race Differences (UNESCO 1951)

In June 1951 UNESCO issued its *Statement on the Nature of Race and Race Differences*.²⁶⁴

The Statement was intended to diffuse the opposition by academics and other experts to “The Race Question” released in July 1950. However, it didn’t actually abandon any key point in the 1950 declaration, but reworded some of those points to try and gain the support of physical anthropologists and geneticists, because “the first statement did not, in all its details, carry conviction of these groups and, because of this, it was not supported by many authorities in these two fields.”²⁶⁵

The Statement disregarded a key objection to the 1950 declaration by opening with the controversial statement: “1. Scientists are generally agreed that all men living today belong to a single species, *Homo sapiens*, and are derived from a common stock, even though there is some dispute as to when and how different human groups diverged from this common stock.”²⁶⁶ That statement presumes every human on Earth had a single origin, when there was no compelling evidence at the time – or even today 60 years later – that was true.

The Statement made a number of other controversial declarations, including that: “6. The scientific material available to us at present does not justify the conclusion that inherited genetic differences are a major factor in producing the differences between the cultures and cultural achievements of different peoples or groups. It does indicate, on the contrary, that a major factor in explaining such differences is the cultural experience which each group has undergone.”²⁶⁷ This declaration was patently false in 1951, and it is false today. It is known that “inherited genetic differences are a major factor in producing the differences between the cultures and cultural achievements of different peoples or groups.”

Another controversial statement was: “9.(b) (b) Available scientific knowledge provides no basis for believing that the groups of mankind differ in their innate capacity for intellectual and emotional development.”²⁶⁸ That statement had no basis in reality in 1951, or today.

The essence of the 1951 statement was to try and convey the impression that there were no meaningful “intellectual and emotional” differences between the races on Earth, when it is beyond rational dispute

that those differences are very significant. Nevertheless it remained the U.N.'s primary document on race for the next 16 years.

²⁶⁴ “Statement on the Nature of Race and Race Differences”. L. C. Dunn (rapporteur). UNESCO. June 1951.

http://www.honestthinking.org/en/unesco/UNESCO.1951.Statement_on_Race.htm (last viewed December 4, 2021)

²⁶⁵ *Id.*

²⁶⁶ *Id.*

²⁶⁷ *Id.*

²⁶⁸ *Id.*

Statement on Race and Racial Prejudice (UNESCO 1967)

In September 1967 UNESCO issued its *Statement on Race and Racial Prejudice*.²⁶⁹

The Statement's primarily theme was "Racism continues to haunt the world." Running throughout the Statement is the idea that any identification of biological and intellectual differences between races is due to "evil" racism, and not a recognition of reality. This position is demonstrated by the 1951's Statement by asserting without evidence: 3(a) All men living today belong to the same species and descend from the same stock."²⁷⁰

The Statement also made the scientifically insupportable statement: "3(c) Current biological knowledge does not permit us to impute cultural achievements to differences in genetic potential. Differences in the achievements of different peoples should be attributed solely to their cultural history. The peoples of the world today appear to possess equal biological potentialities for attaining any level of civilisation. Racism grossly falsifies the knowledge of human biology."²⁷¹

The Statement's idea that human differences are social in origin and not based in reality is expressed in the assertion: "4. The human problems arising from so-called 'race' relations are social in origin rather than biological."²⁷²

The 1967 Statement was essentially a reaffirmation of the 1950 and 1951 U.N. Statements on race, although it slightly shifted the argument by claiming that racism underlies any disagreement with the U.N.'s position that there are no natural racial differences. The U.N.'s position is that racial differences are artificial social constructs – and thus only a racist would be ascribe to the idea of genetic inherited differences.

²⁶⁹ "Statement on Race and Racial Prejudice". UNESCO. September 1967.
http://www.honestthinking.org/en/unesco/UNESCO.1967.Statement_on_Race.htm (last viewed December 4, 2021)

²⁷⁰ *Id.*, at 3(a).

²⁷¹ *Id.*, at 3(c).

²⁷² *Id.*, at 4.

Declaration on Race and Racial Prejudice (UNESCO 1978)

In November 1978 UNESCO issued its *Declaration on Race and Racial Prejudice*.²⁷³ The Declaration was essentially a restatement in one document, of the 1950, 1951, and 1967 statements that disregarded the scientific basis for genetic differences between races. Key points in the Declaration were:

Article 1

1. All human beings belong to a single species and are descended from a common stock. They are born equal in dignity and rights and all form an integral part of humanity.

4. All peoples of the world possess equal faculties for attaining the highest level in intellectual, technical, social, economic, cultural and political development.

5. The differences between the achievements of the different peoples are entirely attributable to geographical, historical, political, economic, social and cultural factors.

Article 2

1. Any theory which ... bases value judgments on racial differentiation, has no scientific foundation and is contrary to the moral and ethical principles of humanity.

Article 10

International organizations, whether universal or regional, governmental or nongovernmental, are called upon to co-operate and assist, so far as their respective fields of competence and means allow, in the full and complete implementation of the principles set out in this Declaration ...

²⁷³ “Declaration on Race and Racial Prejudice”. UNESCO. Nov. 27, 1978. http://portal.unesco.org/en/ev.php-URL_ID=13161&URL_DO=DO_TOPIC&URL_SECTION=201.html (last viewed December 4, 2021)

Section III

Immigration Act of 1965 – Its Prelude and Aftermath

The Immigration Act of 1965 was intended to undo the “national origins” quota system that had been the basis of U.S. immigration law since 1921.

The “national origins” system first became part of immigration law in the *Emergency Quota Act of 1921*.

The “national origins” system was made permanent, and the number of legal immigrants was reduced in the *Immigration Act of 1924*.

The *Immigration and Nationality Act of 1952* retained the “national origins” system, but increased the total number of non-quota legal immigrants by the “chain migration” of relatives of citizens and permanent alien residents, and a system of preferences for skilled workers needed in the U.S.

Emergency Quota Act of 1921

In 1921 the *Emergency Quota Act*, also known as the Emergency Immigration Act of 1921, restricted immigration into the United States for one year.²⁷⁴ The law was intended to protect the U.S.’ hegemony as a nation of European ancestry by pegging the number of immigrants permitted from each country at 3 percent of the number of people from that country who had been living in the United States in 1910.²⁷⁵ Although intended as temporary legislation, the Act “proved in the long run the most important turning-point in American immigration policy” because it added two new features to American immigration law: 1) numerical limits on immigration; and 2) the use of a national quota system for establishing those limits. The limits came to be known as the National Origins Formula.²⁷⁶ The National Origins Formula was created because the literacy test established by the *Immigration Act of 1917* wasn’t difficult enough to significantly limit immigration.

²⁷⁴ *Emergency Quota Act*, Wikipedia.org,

https://en.wikipedia.org/wiki/Emergency_Quota_Act (last viewed October 13, 2018) The act was also known as the Immigration Restriction Act of 1921, the Per Centum Law, and the Johnson Quota Act (ch. 8, 42 Stat. 5) The act was enacted on May 19, 1921)

²⁷⁵ Carl L. Bankston III, “Dillingham Commission,” *Immigrationtounitedstates.org*, <http://immigrationtounitedstates.org/462-dillingham-commission.html> (last viewed October 11, 2018)

²⁷⁶ *Emergency Quota Act*, Wikipedia.org,

https://en.wikipedia.org/wiki/Emergency_Quota_Act (last viewed October 13, 2018)

Immigration Act of 1924

The *Immigration Act of 1924* (aka *The Johnson-Reed Act*) included the *National Origins Act* and the *Asian Exclusion Act*.

The *National Origins Act* made permanent the restrictive immigration policy established in 1921's *Emergency Quota Act*. However, it tightened the immigration permissible by the 1921 act by reducing the annual national quotas to 2 percent of the number of people from each country living in the United States in 1890.²⁷⁷ Spouses, minor children, and parents of adult U.S. citizens were considered nonquota immigrants (i.e., they didn't count against a country's quota). The purpose of the law was to preserve U.S. homogeneity as a country of White European descendants. It was believed it would do so because 98.2% of immigrants in 1890 were White Europeans.²⁷⁸ (The United States' pro-European national origin immigration quota system remained in effect until 1968.)

The *Asian Exclusion Act* severely restricted immigration by people born in the "Asia-Pacific triangle" that included: China; India; Burma; Siam (Thailand); the Malay States (Malaysia); the eastern part of Russia; part of Arabia and Persia (Iran); Afghanistan; most of the Polynesian islands, and the East Indies. The one country excluded was the Philippines, which was a U.S. territory its citizens were U.S. nationals who could travel to the U.S.²⁷⁹ The act formally barred Japanese immigration that Japan had been voluntarily restricting under the informal 1907 *Gentlemen's Agreement*.

It was also said about the 1924 immigration act: "Congress divided the world into two parts in 1924 when it approved an immigration law prohibiting the entry of Asiatics into this country for permanent residence. In effect, Congress informed the peoples of Europe, Africa, and the Western Hemisphere that they were considered superior, desirable, welcome to immigrate to the United States ..."²⁸⁰

Rep. John Rogers supported the "national origins" quota system

Representative John Jacob Rogers (R-MA) made the following statement on the floor of the House when the 1924 bill was being considered: "We should proportion our admission of immigrants, not to the numbers of racial or national representatives composing the alien

colonies or foreign groups now in the country but to the quantities of the various racial and national elements which have passed the refining test of the melting pot and have become amalgamated in the structure of the American Nation.” (65 Congressional Record, 6226.)”²⁸¹

Rep. Ellison Smith supported the “national origins” quota system

Congressman Ellison DuRant Smith (D-SC made a speech on April 9, 1924 in support of the proposed immigration bill:

I had the honor of being the chairman of the Committee on Immigration for something over three years ...

...

I understood it at the time of my chairmanship, it was not a question as to whether the United States should have the right to indicate who should come into her borders as immigrants. Everyone knows that we have that right, and no nation would question or should question our right to indicate who might become citizens of this country and the conditions under which they could do so.

It seems to me the point as to this measure—and I have been so impressed for several years—is that the time has arrived when we should shut the door. We have been called the melting pot of the world. We had an experience just a few years ago, during the great World War, when it looked as though we had allowed influences to enter our borders that were about to melt the pot in place of us being the melting pot.

I think that we have sufficient stock in America now for us to shut the door, Americanize what we have, and save the resources of America for the natural increase of our population. We all know that one of the most prolific causes of war is the desire for increased land ownership for the overflow of a congested population. We are increasing at such a rate that in the natural course of things in a comparatively few years the landed resources, the natural resources of the country, shall be taken up by the natural increase of our population. It seems to me the part of wisdom now that we have throughout the length and breadth of continental America a population which is beginning to encroach upon the reserve and virgin resources of the country to keep it in trust for the multiplying population of the country.

I do not believe that political reasons should enter into the discussion of this very vital question. It is of greater concern to us to maintain the institutions of America, to maintain the principles upon which this Government is founded, than to develop and exploit the underdeveloped resources of the country. There are some things that are dearer to us, fraught with more benefit to us, than the immediate development of the undeveloped resources of the country. **I believe that our particular ideas, social, moral, religious, and political, have demonstrated, by virtue of the progress we have made and the character of people that we are, that we have the highest ideals of any member of the human family or any nation.** We have demonstrated the fact that the human family, certainly the predominant breed in America, can govern themselves by a direct government of the people. If this Government shall fail, it shall fail by virtue of the terrible law of inherited tendency. *Those who come from the nations which from time immemorial have been under the dictation of a master fall more easily by the law of inheritance and the inertia of habit into a condition of political servitude than the descendants of those who cleared the forests, conquered the savage, stood at arms and won their liberty from their mother country, England.*

I think we now have sufficient population in our country for us to shut the door and to breed up a pure, unadulterated American citizenship. *I recognize that there is a dangerous lack of distinction between people of a certain nationality and the breed of the dog. Who is an American? Is he an immigrant from Italy? Is he an immigrant from Germany? If you were to go abroad and some one were to meet you and say, "I met a typical American," what would flash into your mind as a typical American, the typical representative of that new Nation? Would it be the son of an Italian immigrant, the son of a German immigrant, the son of any of the breeds from the Orient, the son of the denizens of Africa?*

We must not get our ethnological distinctions mixed up with out anthropological distinctions. It is the breed of the dog in which I am interested. I would like for the Members of the Senate to read that book just recently published by Madison Grant, *The Passing of a Great Race*. **Thank God we have in America perhaps the largest percentage of any country in the world of**

the pure, unadulterated Anglo-Saxon stock; certainly the greatest of any nation in the Nordic breed. It is for the preservation of that splendid stock that has characterized us that I would make this not an asylum for the oppressed of all countries, but a country to assimilate and perfect that splendid type of manhood that has made America the foremost Nation in her progress and in her power, and yet the youngest of all the nations. I myself believe that the preservation of her institutions depends upon us now taking counsel with our condition and our experience during the last World War.

Without offense, but with regard to the salvation of our own, let us shut the door and assimilate what we have, and let us breed pure American citizens and develop our own American resources. I am more in favor of that than I am of our quota proposition. Of course, it may not meet the approbation of the Senate that we shall shut the door—which I unqualifiedly and unreservedly believe to be our duty—and develop what we have, assimilate and digest what we have into pure Americans, with American aspirations, and thoroughly familiar with the love of American institutions, rather than the importation of any number of men from other countries. If we may not have that, then I am in favor of putting the quota down to the lowest possible point, with every selective element in it that may be.

The great desideratum of modern times has been education not alone book knowledge, but that education which enables men to think right, to think logically, to think truthfully, men equipped with power to appreciate the rapidly developing conditions that are all about us, that have converted the world in the last 50 years into a brand new world and made us masters of forces that are revolutionizing production. We want men not like dumb, driven cattle from those nations where the progressive thought of the times has scarcely made a beginning and where they see men as mere machines; we want men who have an appreciation of the responsibility brought about by the manifestation of the power of that individual. We have not that in this country to-day. We have men here to-day who are selfishly utilizing the enormous forces discovered by genius, and if we are not careful as statesmen, if we are not careful in our legislation, these very masters of the tremendous forces that have been made available to us will bring

us under their domination and control by virtue of the power they have in multiplying their wealth.

We are struggling to-day against the organized forces of man's brain multiplied a million times by materialized thought in the form of steam and electricity as applied in the everyday affairs of man. We have enough in this country to engage the brain of every lover of his country in solving the problems of a democratic government in the midst of the imperial power that genius is discovering and placing in the hands of man. We have population enough to-day without throwing wide our doors and jeopardizing the interests of this country by pouring into it men who willingly become the slaves of those who employ them in manipulating these forces of nature, and they few reap the enormous benefits that accrue therefrom.

We ought to Americanize not only our population but our forces. We ought to Americanize our factories and our vast material resources, so that we can make each contribute to the other and have an abundance for us under the form of the government laid down by our fathers.

The Senator from Georgia [Mr. Harris] has introduced an amendment to shut the door. It is not a question of politics. It is a question of maintaining that which has made you and me the beneficiaries of the greatest hope that ever burned in the human breast for the most splendid future that ever stood before mankind, where the boy in the gutter can look with confidence to the seat of the Presidency of the United States; where the boy in the gutter can look forward to the time when, paying the price of a proper citizen, he may fill a seat in this hall; where the boy to-day poverty-stricken, standing in the midst of all the splendid opportunities of America, should have and, please God, if we do our duty, will have an opportunity to enjoy the marvelous wealth that the genius and brain of our country is making possible for us all.

We do not want to tangle the skein of America's progress by those who imperfectly understand the genius of our Government and the opportunities that lie about us. **Let up keep what we have, protect what we have, make what we have the realization of the dream of those who wrote the Constitution.**

I am more concerned about that than I am about whether a new railroad shall be built or whether there shall be diversified farming next year or whether a certain coal mine shall be mined. I would rather see American citizenship refined to the last degree in all that makes America what we hope it will be than to develop the resources of America at the expense of the citizenship of our country. The time has come when we should shut the door and keep what we have for what we hope our own people to be.²⁸²

Sen. Nathaniel Dial supported the “national origins” quota system

Senator Nathaniel B. Dial (D-SC) spoke on April 9, 1924 in support of the restrictions of foreigners entering the U.S. under the proposed Immigration Act of 1924:

Mr. DIAL. Mr. President, coming from the South, as I do, I know that we have not heard as much of immigration as they have in other parts of the United States. *In my State we have only about one-half of 1 per cent of foreign population.* We are very much in earnest, however, in regard to the measure now before the Senate. *It is one of the most important bills that has been or that will be before us.* When we are reminded that we had only 3,000,000 white population in this country in 1790, and that in 1920 we had 47,330,000 of white native population, amounting to 49.9 per cent of the 'white population in the United States, but in 1920 we had 47,490,000 foreigners and descendants of foreigners, comprising 50.1 per cent of the white population, we are certainly reminded that *the time has come when we must not only restrict immigration but we must stop it altogether for the present.*

I am strongly in favor of a selective method if Congress will not close the door.

...When we consider how the population in those great cities is growing we certainly should not be unmindful of our duty in the restriction of further immigration. When the Senator made that statement I was reminded that I had just read a day or two previous a statement to the effect that *in the penitentiaries and prisons of New York over one-half of those confined there were foreigners, and also the startling statement was made that nine-tenths of the inmates of the asylums in New York were foreigners.*

...

I am reminded, however, of the fact that we should be more diligent in the selection of immigrants; that we should examine immigrants at the port of embarkation and not wait until they come to this country. If we allow any at an to come, we should examine them not only as to their physical but as to their moral and financial status, in order to determine that they are suitable people to become citizens of this country. *We now have too much of the riff-raff of other countries here. In fact, I should favor an examination into the activities of many immigrants who are here, and if they can not show a clean bill of health and a clean bill of morals, if they could not prove an intention to support our institutions and our Government in a proper way, I should favor deporting such.* We should be better off if the vicious element among them were denied the privileges of this great country.

...
...Whatever bill we pass if we do not exclude all, we should go back, by all means, to the census of 1890, which, as I understand, would give us a pro rata proportion of the nationals of all countries, counting the natives of the United States. I do not see how we can be criticized for taking that as our starting point.

*This is one of the most important matters that could occupy our attention, and I am glad that the question is approaching an early solution. I trust a bill may soon pass Congress and become a law which will be very restrictive and selective, if it is not prohibitive, such as will protect the best interest of America. We do not desire people to enjoy our opportunities, advantages, and blessings, to accumulate wealth and return to other shores. We have a great country here and we should protect it from all disturbing elements from every section of the world.*²⁸³

Sen. David Reed supported the “national origins” quota system

Senator David Aiken Reed (R-PA) spoke on April 9, 1924 in support of the proposed Immigration Act of 1924:

Mr. Reed of Pennsylvania. Mr. President, I have been asked by many Senators the meaning of the term "national origins" method at the head of the quota list which was laid on the desk of every Senator on yesterday.

...

... I think the Japanese question, which is involved in the pending amendment, ought first to be voted on, ...

...

It would reduce the inflow of Japanese immigrants by about fourteen-fifteenths; that is, it would reduce the inflow to about one-fifteenth of what it is to-day, and the result will be the gradual diminution of the number of Japanese in this country.

...

... the Japanese Government has already made it clear and has issued a statement to the effect that if we apply the additional check of the quota to their immigrants they will not regard that as a violation on our part of the gentlemen's agreement; they will continue to enforce the gentlemen's agreement; so that we will have a double restraint on the incoming of Japanese.

...

Mr. President, the quota will absolutely restrict the incoming Japanese.

...

Mr. REED of Pennsylvania. Immigrant aliens who come in under a treaty are not immigrants at all. The treaty does not concern immigration. [1907 Gentleman's Agreement Treaty with Japan.]

...

... Out of every 87 Americans to-day, 74 come from northwestern European stocks and 13 from southeastern European stocks. ...

...

The idea of this national origins amendment is that we will establish a method against which there can not be the slightest accusation of discrimination; that if – I will answer the Senator's question with an: "if" for the moment – if we can determine the national origins of all our people, foreign born and native born, then, the fairest thing and the wisest thing to do is to make our immigration an exact cross section of our present population.

We talk about the melting pot to-day, and, what we mean by the melting pot is that a nation of one kind of people is getting an inflow of different kinds of people; but we will not need any melting pot if our immigration is just a cross section of our present population, and the idea, which underlies the last

proposition is that we will make our quotas whatever aggregate figure Congress sees fit to select, or as Congress may from time to time decide. to vary it, but within that aggregate we will apportion the quotas to the several nationalities according as their people are represented in the United States in our present census.

...I say at the- beginning that we have a study by the Census Bureau, which has determined that 47,000,000 out of the 94,000,000 of whites who are here to-day are descended from our original population of 3,900,000 who were tabulated in the 1790 census.

...
...all authorities are agreed that immigration was approximately 300,000 persons in those first three decades, and that it all came from northwestern Europe, and since 1820 we know exactly how many people have come, .and we know exactly from what country they have come; ...

...
That is what the last column of this quota sheet means. As far as it is possible to do it, it is a cross section of the present population of America. It is defensible to any group. It discriminates against nobody. It merely recognizes the fact that we native-born Americans are as much entitled to be considered in the calculations of the quotas as are the people who came here a year or two ago. It is all wrong to base our quotas on the foreign born, entirely wrong. There is no reason why they should be so based. If we are going to base them on any count of any group of our population, they had better be based on our native born ; but for the sake of fairness we treat all alike, and we base our quotas on our native born, like ourselves, on our foreign born who are naturalized, and we even include the foreign born who are not naturalized.

...
One thing more, and I think my explanation will be complete. Obviously, some account has to be taken of the 10,000,000 negroes in the United States. The negroes do not want and we do not want a negro quota. That is the reason for the exception which Senators will notice in my amendment, that in the calculation of national origins the descendants of involuntary immigrants shall be disregarded. We deal only with white

population, and our negro friends are perfectly satisfied, I know, that that should be done. Nobody wants a quota from Africa of that type of immigration. So our calculations deal only with the whites.

...

That would be the equivalent of saying that the guests in a hotel who registered last night should have the equivalent say as to the kind of new guests who were to be taken in. [Referring to including foreign born people in the U.S. in determining a country's immigration quota.]

...

Of course, *the philosophy that underlies immigration restrictions, if it is not going to be mere sentimentalism, has to be that the people who are here have a vested and an equal right to say who shall come, and that every native-born American has just as much right to say that as has a recent unnaturalized immigrant.*

...

No, Mr. President; it means that all those countries will be held down by a very low quota. [Referring to immigration from predominantly negro countries.] Haiti, for example, would have a quota of about 25. Immigration would practically be excluded from Haiti, because there are so few Haitians in this country now.

...

The Senator is exactly right. We have to base it on nationality, because racial distinctions are impossible. [Referring to observation by Senator Sterling that nationality encompasses racial distribution in a country.]²⁸⁴

Senator Reed engaged in the following conversation with several participants during hearings about the proposed immigration bill:

“Senator Reed. Mr. Secretary, it is not a fact that every one of these foreign countries determines its emigration policy according to its selfish , national interest , without any regard to what we want?

Secretary [James J.] Davis. I should say yes straight-out to that question.

Senator Reed. Then ought not we to determine our immigration policy according to our selfish, national interest and without trying to satisfy all creation?

Secretary Davis. We certainly should.

Senator Shields. That strikes the keynote of what I think ought to control this committee and the Senate. *I am not so much disturbed about discrimination against any nation. The controlling principle we ought to be governed by is the protection of the American Government and the American people, and if it hurts any particular nation let it hurt them to the heart.* We do not want undesirable citizens here.”²⁸⁵

Public sentiment in 1924 was summarized by Senator Reed in his statement during hearings regarding the proposed immigration act’s protection of Americans by relying on a proposed immigrant’s country of origin:

“I think most of us are reconciled to the idea of a discrimination; I think that the American people want us to discriminate; and I do not think discrimination in itself is unfair, because our duty is to the American people and we owe no duty to be fair to all nationals. If that were so we would have to repeal our Chinese exclusion law. We have got to discriminate. The only question that I think worries the committee is whether the use of the 1890 census or the use of the method based on naturalization is the more plausible method of attaining that discrimination , which is the object which we are all seeking. ...The question we are tackling is which is the more plausible, the more reasonable , and the more defensible method of attaining that end. Practically all of us are agreed that that is an end that should be attained.”²⁸⁶

Sen. Henry Cabot Lodge supported the “national origins” quota system

Senator Henry Cabot Lodge (D-MA) supported the “national origins” quota system embodied in the proposed 1924 immigration bill. Lodge’s experience as an authority on immigration was spoken about by his colleague, Senator Reed, on April 9, 1924 during debate about the bill:

“I want to refer you to the words of one of our colleagues who is an authority on immigration—the senior Senator from Massachusetts [Mr. LODGE], who served on the Immigration Committee of the Senate from 1895 to 1917. He was chairman of it twice. He has studied this subject for nearly half a century; and if there is one man in the United States who to-day is an authority on immigration, it is the senior Senator from Massachusetts.”²⁸⁷

Lodge said on the floor of the Senate on April 4:

It is evident that we are going to retain the quota system in some form, and it ought to be placed, if possible, on a permanent basis. That can only be done by taking the total population of the country as a basis for the distribution. If that shall be done, I think it will settle this question. Then the numbers of the quota can be changed without altering the basis if Congress desires to effect such a change ; but the basis of the whole system of legislation which we have already inaugurated and are now going to extend rests on the quota according to the accepted basis.

...

It will take some time to make the calculations, but they certainly can be made. I have examined with care the computations so far made and am convinced that it is possible to ascertain the division of races in this country with sufficient correctness. *If such a basis is adopted, there can be no question then of discrimination, because it will treat all races alike on the basis of their actual proportion of the existing population.* ...”²⁸⁸

President of the Immigration Restriction League supported the “national origins” quota system

Francis H. Kinnicutt, lawyer and President of the Immigration Restriction League, testified during Congressional hearings for the Immigration Act of 1924:

“Up to 1880 we had practically a homogenous race, and it is only within the last 30 years that we have been getting the widely divergent races through immigration. We are getting too much mixture. That does not mean that these races are inferior. While biologists agree that a certain amount of mixture of blood is all right—and we have a great deal of it already—we cannot have too

much mixture of the races such as is going on in South America now without getting into trouble in the long run. We are getting too much of this Mexican immigration in here now. That is very different from European immigration. European immigration is much more assimilable. We have had about ten or twelve million of the newer immigration from southeastern and eastern Europe, from the Near East, from the Balkans—some of it of Asiatic origin—and it is different from the basic stocks of this country.”²⁸⁹

²⁷⁷ *The Immigration Act of 1924* (The Johnson-Reed Act), *history.state.gov*, <https://history.state.gov/milestones/1921-1936/immigration-act> (last viewed October 11, 2018)

²⁷⁸ Statistical Abstract of the United States: 1891 (listed immigration for 1890), Part 3, Chart No. 195. Number and Nationality of IMMIGRANTS ARRIVED In The United States During The Fifteen Years Ending June 30, From 1877 to 1891, Inclusive, p. 218, <http://www2.census.gov/library/publications/1892/compendia/statab/14ed/1891-03.pdf?#> (last viewed October 13, 2018)

²⁷⁹ *The Immigration Act of 1924* (The Johnson-Reed Act), *history.state.gov*, <https://history.state.gov/milestones/1921-1936/immigration-act> (last viewed October 11, 2018)

²⁸⁰ See, Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24447 (Sept. 20, 1965.)

²⁸¹ *Id.* at 24447.

²⁸² Congressional Record, 68th Congress, 1st Session (Washington DC: Government Printing Office, 1924), vol. 65, 5961–5962 (Speech by Ellison DuRant Smith, April 9, 1924.) (Smith made comments about the 1924 immigration bill at, 5412, 5414, 5942, 5944, 5000, 6312, 6313, 6314, 6317, 6319, 6539, 6547, 6548, 6614, 6615, 8580.)

²⁸³ *Id.* at 5941 (Statement by Senator Dial.)

²⁸⁴ *Id.* at 5942-45 (Statement by Senator Reed.)

²⁸⁵ Selective Immigration Legislation: Hearings Before the Committee on Immigration, United States Senate, Sixty-eighth Congress, First Session, on S. 2365 and S. 2576, a Bill to Limit the Immigration of Aliens Into the United States, and to Provide a System of Selection in Connection Therewith, and for Other Purposes. February 13, 14, 20, 21, March 8, 13, 14, April 7 and 8, 1924. Feb. 13, at p. 20. Online at, <https://play.google.com/books/reader?id=sR0RAAAAIAAJ&pg=GBS.PA20&hl=en>

²⁸⁶ *Id.* at 30, Feb. 14, 1924.

²⁸⁷ *Id.* at 5944 (Statement by Senator Reed.)

²⁸⁸ Speech by Rep. Henry Cabot Lodge, April 4, 1924, Congressional Record, 68th Congress, 1st Session (Washington DC: Government Printing Office, 1924), vol. 65, pt.6, 5568.

²⁸⁹ “Historical Race-Based Arguments on U.S. Immigration Policy,” Section D, Argument Centered Education, <http://argumentcenterededucation.com/wp-content/uploads/2019/08/HistoricalImmigrationPolicyArguments18.08.01.pdf> (last viewed October 17, 2021)

1929 Pres. Hoover Immigration Proclamation

On March 22, 1929 President Herbert Hoover signed a proclamation establishing an annual national immigration limit and individual country quotas, in accordance with the *National Origins Act of 1924*, that was scheduled to go into effect on July 1, 1929. Hoover imposed an annual limit of 150,000 immigrants to the U.S. from non-Western Hemisphere countries, and established a quota for those countries based on 1/6 of 1% of people in the 1920 census who originated from that country, with a minimum quota of 100 for any one country.²⁹⁰

With the economic crisis precipitated by the stock market crash, the Hoover administration ordered rigorous enforcement of the prohibition against admission of persons liable to be public charges.²⁹¹

The following chart shows the effect on legal immigration caused by the 1921 Emergency Immigration Act, the 1924 Immigration Act and the National Origins Act that went into effect in 1929.

The following chart shows the effect of those immigration laws on selected countries:

Country	1921 EIA	1924 IA	1929 NOA
United Kingdom	77,342	34,007	65,721
Germany	67,607	41,227	25,057
USSR (Russia)	24,405	2,248	2,712
Italy	42,057	3,845	5,802
Greece	3,063	100	307

(Chart source: 1939 Department of Labor, Immigration and Naturalization Service, Annual Report of Secretary and mimeographed releases.

https://fraser.stlouisfed.org/files/docs/publications/stat_abstract/pages/52753_1935-1939.pdf)

No. 104.—IMMIGRATION QUOTAS ALLOTTED AND QUOTA ALIENS ADMITTED, BY COUNTRY OF BIRTH: YEARS ENDED JUNE 30, 1925 TO 1938

NOTE.—The Immigration Act of 1921 limited the number of aliens admitted annually of any nationality subject to the quota law, to 3 per cent of the number of foreign-born persons of such nationality resident in continental United States as determined by the census of 1910; the population plan of the act of 1924, to 2 per cent according to the census of 1890. The national origins clause of the latter act, which became effective July 1, 1929, provided that the quota of any nationality should be computed by applying to 150,000 the ratio between the calculated number of inhabitants in continental United States in 1920 owing their origin to the nationality concerned and the total inhabitants in the United States of all nationalities subject to the quota law. (For estimates of white population by countries of origin, calculated as a basis for immigration quotas, see table 97, Statistical Abstract, 1932.) Under the act of 1924, the minimum quota is 100. Both immigrant and nonimmigrant aliens may appear in quota law statistics, or aliens of both classes may not be counted against quotas at all

Country or region	Under Immigration Act of 1921, annual quota ¹	Under Immigration Act of 1924							
		Annual quota, 1925-1929	Admitted, 1925-1929, total	Annual quota, 1930 to 1938	Admitted				
					1930-1934, total	1935	1936	1937	1938
All countries.....	357,803	164,687	761,322	2163,774	320,301	17,207	18,673	37,762	42,484
Europe.....	366,061	161,422	748,311	2160,501	319,544	16,325	17,733	28,054	40,764
Albania.....	238	100	472	100	425	74	107	98	106
Austria ²	7,342	785	4,213	1,413	2,478	641	599	409	(³)
Belgium.....	1,563	512	2,652	1,304	1,922	173	185	211	278
Bulgaria.....	302	100	509	100	180	52	63	57	100
Czechoslovakia.....	14,357	3,073	14,685	2,874	5,210	610	769	1,510	2,853
Denalg, Free City of.....	301	228	1,065	100	188	13	19	41	80
Denmark.....	5,619	2,789	13,114	1,181	2,093	146	135	192	323
Estonia.....	1,348	124	612	116	261	28	34	30	40
Finland.....	3,921	471	2,393	569	1,114	105	72	215	496
France.....	5,729	3,954	17,730	3,086	4,801	413	464	599	720
Germany ⁴	67,007	51,227	242,365	26,957	44,144	4,801	6,073	11,127	⁵ 17,868
Greece.....	3,063	100	737	307	1,110	324	347	370	351
Hungary.....	5,747	473	2,445	809	2,213	399	515	730	992
Ireland (Eire) ⁴		28,567	132,715	17,853	27,628	301	367	447	1,100
Italy.....	42,067	3,845	18,383	5,802	14,378	2,127	2,487	2,905	3,428
Latvia.....	1,540	142	754	236	480	49	60	114	154
Lithuania.....	2,020	344	1,823	386	1,104	190	151	221	307
Luxemburg.....	62	100	465	100	150	12	6	10	18
Netherlands.....	3,607	1,048	7,708	3,153	4,379	244	245	347	331
Norway.....	12,202	6,463	30,336	2,377	4,258	208	197	330	518
Poland.....	30,977	6,982	29,000	6,524	12,313	1,082	1,260	1,856	4,218
Portugal.....	2,465	693	2,440	440	1,302	303	276	239	323
Rumania.....	7,419	603	3,783	377	1,920	295	282	371	407
Soviet Union (Russia).....	24,406	2,248	10,018	⁶ 2,712	6,012	357	391	578	917
Spain.....	912	131	805	282	1,178	262	250	244	264
Sweden.....	20,042	6,561	44,849	3,314	4,909	160	154	303	364
Switzerland.....	3,752	2,681	6,683	1,707	2,780	192	189	312	427
Turkey.....	2,654	100	431	220	191	55	72	48	68
United Kingdom ⁴	77,342	34,007	148,600	65,721	68,645	1,679	1,638	2,107	2,630
Yugoslavia.....	6,426	671	3,081	845	1,772	215	201	527	862
Other Europe.....	353	500	1,991	500	1,572	185	162	125	145
Asia.....	1,261	⁶ 1,424	⁶ 4,027	⁶ 1,423	⁶ 4,840	⁶ 393	⁶ 390	⁶ 467	⁶ 880
Africa.....	122	⁶ 1,200	⁶ 1,067	⁶ 1,200	⁶ 754	⁶ 81	⁶ 77	⁶ 106	⁶ 115
Australia, New Zealand, and Pacific Islands.....	359	⁶ 621	⁶ 1,470	⁶ 659	⁶ 617	⁶ 157	⁶ 173	⁶ 196	⁶ 223
American colonies of European countries.....		(⁶)	⁶ 3,047	(⁶)	⁶ 3,237	⁶ 251	⁶ 294	⁶ 330	⁶ 616

²⁹⁰ Andrew Glass, "Hoover sets national origin immigration quotas, March 22, 1929", *Politico*, March 22, 2019, <https://www.politico.com/story/2019/03/22/hoover-immigration-quotas-1929-1228039> (last viewed April 26, 2022)

²⁹¹ Congressional Record - 89th Congress, Vol. III, Pt. 18 - Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

Immigration and Nationality Act of 1952

In 1952 the *Immigration and Nationality Act of 1952* (aka *McCarran-Walter Act*) codified and brought together for the first time all the nation's laws on immigration and naturalization. The act became law after a super-majority of both the House of Representatives and the Senate overrode President Truman's veto.²⁹² Among Truman's objections was the law continued to encourage legal immigration by people in northern and western Europe (85% of quotas were reserved for those countries) while restricting it for people in southern and eastern Europe, and it continued to severely limit annual legal immigration to the U.S. from Africa and Asia.²⁹³

Key provisions of the 1952 act were:

- It preserved the national origins quota system established by the *Immigration Act of 1924* (although it set a new immigration quota of approx. 270,000 annually);
- It created a system of preferences for skilled workers and relatives of U.S. citizens and permanent alien residents;
- It eliminated race as a bar to immigration by repealing the "alien ineligible to citizenship" category from U.S. immigration law that *de facto* only applied to countries in the "Asiatic Barred Zone" established in 1917;
- It allowed the U.S. Attorney General to waive laws related to the deportation or immigration of aliens;
- It allowed the Attorney General to admit aliens "under parole";
- It enacted strict security provisions against suspected subversives and "undesirable aliens";
- It made deportation easier for immigration law violators; and,
- It included fines and imprisonment for any person convicted of harboring an illegal alien.²⁹⁴

The preference for granting a visa under a country's quota was 30% for parents of an adult U.S. citizen, 20% for the spouse and children of permanent resident aliens, and 50% for skilled/professional workers. Immigrants who were not counted against a country's quota included the spouse and minor children of a U.S. citizen.²⁹⁵

²⁹² The *Immigration and Nationality Act of 1952*, Immigrationuntoidedstates.org, <http://immigrationuntoidedstates.org/593-immigration-and-nationality-act-of-1952.html> (last viewed November 4, 2018)

President Harry Truman vetoed the act on June 25, 1952. The House overrode Truman's veto on June 26, 1952 by a vote of 278-113. The Senate overrode Truman's veto on June 27, 1952 by a vote of 57-26. The act became effective on June 27, 1952.

²⁹³ "Veto of Bill To Revise the Laws Relating to Immigration, Naturalization, and Nationality", President Harry S. Truman, June 25, 1952, <https://www.trumanlibrary.gov/library/public-papers/182/veto-bill-revise-laws-relating-immigration-naturalization-and-nationality> (last viewed August 9, 2021) (Immigration was capped at 2,000 per year from all countries in the Asian-Pacific Triangle.)

²⁹⁴ *Id.* ("The law's quota numbers for European immigrants were raised slightly from the 1920 base of 154,000, to 158,000, and northwestern Europe was allocated 85 percent of these slots, with Great Britain (65,000), Germany (26,000) and Ireland (18,000) receiving two-thirds of the total. The number for Asian nations was set at 2,000 visas annually. No quota restrictions were placed on spouses and minor children of U.S. citizens and on immigrants from the Western Hemisphere.")

²⁹⁵ "The Immigration and Nationality (McCarran-Walter) Act of 1952, as Amended to 1965," *The Annals of The American Academy* (127-136), at 132. Online at, https://www.jstor.org/stable/1034850?read-now=1&loggedin=true&seq=6#page_scan_tab_contents

***A Nation Of Immigrants* by John F. Kennedy (1958, Rev. 1964)**

As a U.S. Senator, John F. Kennedy supported revision of the U.S. immigration policy, and elimination of the national origins policy.

In 1957 Kennedy sponsored the *Displaced Persons Act and the Refugee Relief Act* (Refugee-Escapee Act of 1957), which was intended to bring children together into a family.

In 1958 Kennedy published the first edition of his book, *A Nation of Immigrants*, which “tells us what Immigrants have done for America, and what America has done for its immigrants.”²⁹⁶ He was working on an expanded edition at the time he was assassinated in November 1963. His brother Robert Kennedy – then the U.S. Attorney General – supervised completion of the revised edition, that included contributions by his younger brother Senator Edward Kennedy (D-MA). The following are excerpts from the revised edition published in the Congressional Record in September 1964:

On May 12, 1831, Alexis de Tocqueville, a young French aristocrat, disembarked in the bustling harbor of New York City. He had crossed the ocean to try to understand the implications for European civilization of the new experiment in democracy on the far side of the Atlantic. In the next 9 months, Tocqueville and his friend Gustave de Beaumont traveled the length and breadth of the eastern half of the continent—from Boston to Green Bay and from New Orleans to Quebec—in search of the essence of American life.

Tocqueville was fascinated by what he saw. He marveled at the energy of the people who were building the new Nation. He admired many of the new political Institutions and ideals. And he was impressed most of all by the spirit of equality that pervaded the life and customs of the people. Though he had reservations about some of the expressions of this spirit, he could discern its workings in every aspect of American society—in politics, business, personal relations, Culture, thought. This commitment to equality was in striking contrast to the class-ridden society of Europe. Yet Tocqueville believed “the democratic revolution” to be irresistible.

“Balanced between the past and the future,” as he wrote of himself, “with no natural instinctive attraction toward either, I could without effort quietly contemplate each side of the question.” On his return to France, Tocqueville delivered his dispassionate and penetrating judgment of the American experiment. In his great work “Democracy in America.” No one, before or since, has written about the United States with such insight. And, in discussing the successive waves of immigration from England, France, Spain, and other European countries, Tocqueville identified a central factor in the American democratic faith:

“All these European colonies contained the elements, if not the development, of a complete democracy. Two causes led to this result. It may be said that on leaving the mother country the emigrants had, in general, no notion of superiority one over another. The happy and powerful do not go into exile, and there are no surer guarantees of equality among men than poverty and misfortune.”

...

Immigration flowed toward America in a series of continuous waves. Every new migration gathered force, built momentum, reached a crest and then merged imperceptibly into the great tide of people already on our shores.

The name “America” was given to this continent by a German mapmaker, Martin Waldseemüller, to honor an Italian explorer, Amerigo Vespucci. ...

...

The first wave of settlement came with the colonists at Jamestown in 1607 and at Plymouth in 1620. It was predominantly English in origin. The urge for greater economic opportunity, together with the desire for religious freedom, impelled these people to leave their homes. Of all the groups that have come to America, these settlers had the most difficult physical environment to master, but the easiest social adjustment to make. They fought a rugged land, and that was hard. But they built a society in their own image, and never knew the hostility of the old toward the new that succeeding groups would meet.

The English, the numerical majority of the first settlers, gave America the basic foundation of its institutions: our form of

government, our common law, our language, our tradition of freedom of religious worship. Some of these concepts have been modified as the Nation has grown. but the basic elements remain. Those who came later built upon these foundations.

...

At one time it seemed the continent might ultimately divide into three language sections: English, Spanish and French. But the English victories over the French and the purchase of territories held by the French and Spanish resulted in the creation of an indivisible country, with the same language, customs and government.

...

During the Revolutionary War itself, men came from many other lands to help the new Nation. Two Poles helped turn the tide toward victory.

Between a third and a half of the fighting men of the Revolutionary Army were of Scottish or Scotch-Irish descent. Many of those at Valley Forge were German.

...

Four signers of the Declaration of Independence were immigrants of Irish birth: Matthew Thornton, James Smith. George Taylor. and Edward Rutledge. The great doctrine "All men are created equal," incorporated in the Declaration by Thomas Jefferson, was paraphrased from the writing of Philip Mazzei, an Italian-born patriot and pamphleteer, who was a close friend of Jefferson. ...

...

American independence, the spreading westward of the new nations, the beginnings of economic diversification and industrialization, all these factors gave immigration in the 19th century a new context and a new role. The gates were now flung open, and men and women in search of a new life came to these shores in ever-increasing numbers-150,000 in the 1820's 1.7 million in the 1840's 2.8 million in the 1870's, 5.2 million in the 1880's, 8.8 million in the first decade of the 20th century. And, as the numbers increased, the sources changed. As the English had predominated in the 17th and 18th centuries, so the Irish and Germans predominated in the first half of the 19th and the Italians and east Europeans in the last part of the 19th and the early part of

the 20th centuries. Each new wave of immigration helped meet the needs of American development and made its distinctive contribution to the American character.

...

Scandinavian immigrants left their homelands for economic rather than political or religious reasons. In America they found a political and social climate wholly compatible with their prior experience. Democratic institutions and a homogeneous society were already developing in Scandinavia, in an atmosphere of comparative tranquility. The seemingly limitless availability of farmland in America was an attractive prospect to land-hungry people.

...

The home economics courses of our public schools were introduced by Scandinavians. They also helped launch adult education programs. The 4-H clubs, now an international as well as a national institution, were originated at a farm school in Minnesota by Americans of Scandinavian descent.

...

Toward the end of the 19th century, emigration to America underwent a significant change. Large numbers of Italians, Russians, Poles, Czechs, Hungarians, Rumanians, Bulgarians, Austrians, and Greeks began to arrive.

...

Most students of the history of immigration to America make special mention of the Jews. Although they appeared as part of several of the waves of immigration, they warrant separate discussion because of their religion, culture, and historical background.

...

Immigration from the Orient in the latter part of the 19th century was confined chiefly to California and the west coast.

...

Perhaps our brightest hope for the future lies in the lessons of the past. The people who have come to this country have made America, in the words of one perceptive writer, "a heterogeneous race but a homogeneous nation."

...

Each new group was met by the groups already in America, and adjustment was often difficult and painful. The early English settlers had to find ways to get along with the Indians; the Irish who followed were met by these “Yankees”; German immigrants faced both Yankee and Irish; and so it has gone down to the latest group of Hungarian refugees. Somehow, the difficult adjustments are made and people get down to the tasks of earning a living, raising a family, living with their new neighbors, and, in the process, building a nation.

...

The *Immigration and Nationality Act of 1952* undertook to codify all our national laws on immigration. This was a proper and long overdue task. But it was not just a housekeeping chore. In the course of the deliberation over the act, many basic decisions about our immigration policy were made. The total racial bar against the naturalization of Japanese, Koreans, and other East Asians was removed, and a minimum annual quota of 100 was provided . for each of these countries. Provision was also made to make it easier to reunite husbands and wives. Most important of all was the decision to do nothing about the national origins system.

...

The Presidential message to Congress on July 23, 1963, recommended that the national origins system be replaced by a formula governing immigration to the United States which takes into account: (1) the skills of the immigrant and their relationships to our needs; (2) the family relationship between immigrants and persons already here, so that the reuniting of families is encouraged; and (3) the priority of registration. Present law grants a preference to immigrants with special skills, education, or training. It also grants a preference to various relatives of United States citizens and lawfully resident aliens. But it does so only with a national origins quota. It should be modified so that those with the greatest ability to add to the national welfare, no matter where they are born, are granted the highest priority. The next priority should go to those who seek to be reunited with their relatives. For applicants with equal claims, the earliest registrant should be the first admitted. In order to remove other existing barriers to the reuniting of families, two additional improvements

in the law are needed. First, parents of American citizens, who now have a preferred quota status, should be accorded nonquota status. Second, parents of aliens resident in the United States, who now have no preference, should be accorded a preference, after skilled specialists and other relatives of citizens and alien residents.

...

Immigration policy should be generous; it should be fair; it should be flexible. With such a policy we can turn to the world, and to our own past, with clean hands and a clear conscience. Such a policy would be but a reaffirmation of old principles. It would be an expression of our agreement with George Washington that “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.”

[End of book text and beginning of Appendixes] ²⁹⁷

²⁹⁶ Entire revised book is reproduced in the *Congressional Record* –Senate, 24485-24498, September 20, 1965.

²⁹⁷ *Id.*

Immigration and Nationality Act of 1965

On October 3, 1965 President Lyndon Johnson signed the *Immigration and Nationality Act of 1965* into law. It is also known as the *Hart-Celler Act*. The law replaced the *Immigration and Nationality Act of 1952* (aka the *McCarran-Walter Act*).

Opponents of the 1965 law prophesized it would have two significant consequences:

- First, it would result in dramatically increased immigration, and;
- Second, it would change the racial demographics of the United States.

Advocates for the law vigorously dismissed those concerns as unfounded.

History has shown the advocates for the *Immigration and Nationality Act of 1965* were profoundly wrong that it wouldn't significantly increase immigration, and that it wouldn't significantly alter the racial demographics of the United States.

Regarding the first concern of the 1965 act's opponents, 42,698,905 people legally immigrated to the U.S. from 1966 to 2019. That is an average of 790,720 per year for the 54 years after it was enacted. In contrast, in the 13 years from when the 1952 immigration law was enacted to 1965, 3,760,074 people legally immigrated to the U.S. That is an average of 268,577 per year. Thus long term, annual average immigration almost tripled after enactment of the 1965 act.

Regarding the second concern of the 1965 act's opponents, in 2019 the demographic of the U.S. was 60.1% White (European ancestry) and 39.9% non-White. The non-Whites were comprised of 12.5% Black; 18.5% Hispanic; 5.8% Asian; 0.7% American Indian and Alaska Native; 0.2% Native Hawaiian and Pacific Islanders; and 2.2% Others.²⁹⁸ In contrast, in 1960 the demographic of the U.S. was 85.5% White and 14.5% non-White. The non-Whites were comprised of 10.5% Black; 2.8% Hispanic; 0.5% Asian; 0.3% American Indian and Alaska Native; and 0.4% Others.²⁹⁹ Thus the racial demographic of the U.S. changed radically after enactment of the 1965 act. The country's percentage of Whites has dropped by 30% – over 1/2% per year – while the percentage of Hispanics has increased by 660% and Asians have increased by 1,160%.

The demographic shift triggered by the 1965 immigration act has reached the point that the Census Bureau has reported that in 2015 the White population in the U.S. declined for the first time in history; by 2020 less than half of children in the U.S. were White; and with the aging of the White population, they will be a numeric minority by at least 2037³⁰⁰ – although there are estimates White’s will be a minority by the mid-to-late 2020s.³⁰¹

²⁹⁸ The 2017 U.S. Census Bureau’s population estimate was 325,719,178. The racial make-up was 197,803,083 White and 127,916,095 non-White comprised of: 40,652,365 Black; 58,946,729 Hispanic; 18,398,646 Asian; 2,403,292 American Indian and Alaska Native; 576,773 Native Hawaiian and Pacific Islanders; and 6,938,290 Other.

²⁹⁹ The 1960 U.S. Census determined the population was 179,323,175. The racial make-up was 153,217,498 White and 26,105,677 non-White comprised of: 18,871,831 Black; 5,062,565 Hispanic; 980,337 Asian; 551,669 American Indian and Alaska Native; and 741,678 other. U.S. Census Bureau information from: “Table 56. Race of the Population, By Regions, Divisions, and States, 1960,” Chapter B. General Population Characteristics, p. 164, *1960 Census: Population, Volume I. Characteristics of the Population, Part 1- 57*, <https://census.gov/library/publications/1961/dec/population-vol-01.html> (last viewed November 26, 2018)

³⁰⁰ Jonathan Vespa, David M. Armstrong, and Lauren Medina, “Demographic Turning Points for the United States: Population Projections for 2020 to 2060: Population Estimates and Projections,” *U.S. Census Bureau*, March 2018, p. 4 (“By 2020, fewer than one-half of children in the United States are projected to be non-Hispanic White”), 7 (“Whites are projected to remain the single largest race group throughout the next 40 years. Beginning in 2045, however, they are no longer projected to make up the majority of the U.S. population.”), https://www.census.gov/content/dam/Census/library/publications/.../P25_1144.pdf (last viewed November 26, 2018)

³⁰¹ After the Census Bureau publicly reported that it had erred by seven years in estimating the White population would begin declining in 2022, this author downloaded the raw U.S. census population data available on its website and analyzed it to determine if the Census Bureau had likewise erred in estimating Whites would be an absolute majority by 2045. This author discovered that the Census Bureau had indeed erred, and that the White population can expect to be a minority as early as the late 2020s.

Public Opinion in 1965 Supported Retaining “National Origins” Immigration Quota System

Four public opinion polls conducted in congressional districts from January to March 1965 all found that a large majority of Americans favored retaining the current immigration quota system based on race and national origin, and rejected President Johnson’s proposal to abolish it. Results of those four polls follows.

A public opinion poll conducted in January 1965 in the 18th District of Pennsylvania found: 57% of respondents were opposed to abolishing the 1952 Immigration Acts quota system:

8. Should we abolish race and nationality in determining eligibility for immigration to the United States? Yes, 43 percent; no, 57 percent.³⁰²

A public opinion poll conducted in March 1965 in the 1st Congressional District of Arkansas found: 39% of respondents supported abolishing the 1952 Immigration Acts quota system:

1. Changing our immigration laws by the elimination of the national origins quota system and providing entrance for persons with needed talents and skills? Yes, 39%; No, 46%; No opinion, 15%.³⁰³

A public opinion poll conducted in March 1965 in the 15th Congressional District of Illinois found: 16.6% of respondents supported abolishing the 1952 Immigration Acts quota system:

8. Do you favor the administration’s proposal to revise the McCarran-Walter Immigration Act to abolish the national origin quota system, to establish a general quota pool not based on country of origin, and to increase the total number of immigrants coming to the United States? Yes, 16.6%; No, 77.4%; No opinion, 6%.³⁰⁴

A public opinion poll mailed to constituents in January and February 1965 in the 39th Congressional District of New York found: 22.3% of respondents supported abolishing the 1952 Immigration Acts quota system:

IMMIGRATION POLICY. President Johnson has proposed elimination of the quota system in the U.S. Immigration policy. The quota system gives larger immigration allotments to some countries than others. (Great Britain, France, and Denmark, for example, have relatively larger allotments than Italy, Poland, and Greece.) Do you favor –

- (a) The President’s proposal, 22.3%;
- (b) No changes in immigration policy, 29.0%;
- (c) Modification but not complete elimination of the quota system, 40.9%;
- (d) Other response or no answer, 7.8%.³⁰⁵

Those polls reflected the results of a national Harris poll released in May, 1965 that showed only 24% of the public supported relaxing the immigration law to allow more people to enter the U.S., and by a margin of 2-1/2 to 1 the public was “strongly opposed to easing of immigration laws.”³⁰⁶

A June 1965 Gallup poll found even less support for easing immigration: only 7% supported increasing immigration, while 33% supported reducing it, and 39% wanted to maintain current levels. Support for changing the immigration law was so miniscule that only 1% of respondents considered it an important legislative issue.³⁰⁷

In 1965 the most preferred immigrant nationalities were the same ones that were favored under the 1952 (and 1924) U.S. immigration laws national origins quota system. In a Harris poll, the following are the leading responses to the question, “Which countries or places would you **most like** to see immigrants into the United States come from:

- Canada – 28%
- England/Scotland – 28%
- Scandinavia – 20%
- Germany – 17%
- Ireland – 16%
- France – 9%
- Italy 7%
- Poland 6%³⁰⁸

That poll suggests that the minority of people in 1965 who supported increased immigration, supported it from White dominant countries in Europe, Scandinavia, and Canada.

In the same Harris poll, the following are the leading responses to the question, “Which countries or places would you **least like** to see immigrants into the United States come from:

- Russia – 26%
- Asia – 15%
- Middle East – 14%
- Mexico – 11%
- Latin America – 9%³⁰⁹

The U.S.S.R. (aka Russia) led the unfavorable list because in 1965 it was a nuclear super power and considered the United States’ arch enemy. Asia and the Middle East were second and third on the unfavorable list and they both had very limited immigration under the prevailing 1952 law.

In 1965, 72% of adults in a national poll favored keeping immigration at the present level (39%) or decreasing it (33%). The 1965 Immigration Act was enacted even though it directly flew in the face of what the public wanted, because it was assured to significantly increase immigration.³¹⁰

Fifty years later in 2015, after it had been proven that the 1965 Immigration Act opened the gates for the U.S. to be flooded with non-European immigrants, 70% of adults in a national poll favored keeping immigration at the present level (39%) or decreasing it (31%).³¹¹

³⁰² “Results of Public Opinion Poll.” *Congressional Record – House*, 6083, March 25, 1965.

³⁰³ “Public Opinion Poll: First Congressional District of Arkansas.” *Congressional Record – House*, 6365, March 31, 1965.

³⁰⁴ “Public Opinion Poll—15th Congressional District of Illinois.” *Congressional Record – House*, 6481, March 31, 1965.

³⁰⁵ “Results of Poll in 39th Congressional District of New York.” *Congressional Record – House*, 7191-92, April 6, 1965.

³⁰⁶ “A Vast Social Experiment: The Immigration Act Of 1965,” Negative Population Growth, <https://npg.org/library/forum-series/a-vast-social-experiment-the-immigration-act-of-1965.html> (last viewed October 24, 2021) (By 58% to 24% the public was “strongly opposed to easing of immigration laws.”)

³⁰⁷ Kohut, Andrew. “From the archives: In ’60s, Americans gave thumbs-up to immigration law that changed the nation”, PewResearch.org, <https://www.pewresearch.org/fact-tank/2019/09/20/in-1965-majority-of-americans-favored-immigration-and-nationality-act-2/> (last viewed November 27, 2021)

³⁰⁸ “Most and Least Preferred Immigrant Groups, 1965,” Harris poll, <https://ropercenter.cornell.edu/huddled-masses-public-opinion-1965-us-immigration-act> (last viewed September 5, 2021)

³⁰⁹ *Id.*

³¹⁰ “Should immigration be kept at its present level, increased or decreased?,” Roper Center data, <https://ropercenter.cornell.edu/huddled-masses-public-opinion-1965-us-immigration-act> (last viewed September 5, 2021)

³¹¹ *Id.*

Origin Of The Immigration And Nationality Act Of 1965

In 1952 a super-majority of both the House of Representatives and the Senate overrode President Truman's veto of the *Immigration and Nationality Act of 1952*. The act continued the four-decade-old standard of setting the immigration quota for a country based on the proportion of the U.S. population in 1920 whose ancestry was from that country.

In 1954 "discrimination" became the new political watch word after the U.S. Supreme Court ruled in the case of *Brown v. Board of Education of Topeka* that equivalent but separate educational facilities for Whites and Blacks were inherently unequal, and therefore unconstitutional under the 14th Amendment.³¹²

Activists and pressure groups began seeking to change laws and aspects of American society they believed resulted in discriminatory treatment of people.

One target zeroed in on to be changed was the "national origins" standard used to determine a country's immigration quota under 1952's *McCarran-Walter Act*. Opponents of the act sought to make the "national origin" standard synonymous with "discrimination."

President John F. Kennedy joined the chorus linking immigration based on a person's "national origin" with discrimination.³¹³ On July 23, 1963 Kennedy submitted his administration's: "Proposal To Liberalize Immigration Statutes."³¹⁴ The proposal stated in part:

"The most urgent and fundamental reform I am recommending relates to the national origins system of selecting immigrants. Since 1924 it has been used to determine the number of quota immigrants permitted to enter the United States each year. Accordingly, although the legislation I am transmitting deals with many problems which require remedial action, it concentrates attention primarily upon revision of our quota immigration system. ...

Present legislation establishes a system of annual quotas to govern immigration from each country. The system is based upon the national origins of the population of the United States in 1920. ... In an age of interdependence among nations, such a system is

an anachronism, for it discriminates among applicants for admission into the United States on the basis of accident of birth.

Because of the composition of our population in 1920, the system is heavily weighted in favor of immigration from northern Europe ...

I recommend that there be substituted for the national origins system a formula governing immigration to the United States which takes into account (1) the skills of the immigrant and their relationship to our need; (2) the family relationship between immigrants and persons already here, so that the reuniting of families is encouraged; and (3) the priority of registration. Present law grants a preference to immigrants with special skills, education, or training. It also grants a preference to various relatives of U.S. citizens and lawfully resident aliens. But it does so only within a national origins quota. It should be modified so that those with the greatest ability to add to the national welfare, no matter where they were born, are granted the highest priority. The next priority should go to those who seek to be reunited with their relatives. As between applicants with equal claims the earliest registrant should be the first admitted.

A special discriminatory formula is now used to regulate the immigration of persons who are attributable by their ancestry to an area called the Asia-Pacific triangle. This area embraces all countries from Pakistan to Japan and the Pacific islands north of Australia and New Zealand. Usually, the quota under which a prospective immigrant must enter is determined by his place of birth. However, if as much as one-half of an immigrant's ancestors came from nations in the Asia-Pacific triangle, he must rely upon the small quota assigned to the country of his ancestry, regardless of where he was born. This provision of our law should be repealed.

In order to remove other existing barriers to the reuniting of families, I recommend two additional improvements in the law.

First, parents of American citizens, who now have a preferred quota status, should be accorded non quota status.

Second, parents of aliens resident in the United States, who now have no preference, should be accorded a preference, after skilled specialists and other relatives of citizens and alien residents.

In addition, I recommend the following changes in the law in order to correct certain deficiencies and improve its general application.

...

3. Persons afflicted with mental health problems should be admitted provided certain standards are met. Today, any person afflicted with a mental disease or mental *defect*, psychotic personality, or epilepsy, and any person who has suffered an attack of mental illness, can enter this country only if a private bill is enacted for his benefit. ... I recommend that the Attorney General, at his discretion and under proper safeguards, be authorized to waive those provisions of the law which prohibit the admission to the United States of persons with mental problems when they are close relatives of United States citizens and lawfully resident aliens.

...

As I have already indicated the measures I have outlined will not solve all the problems of immigration. ... But the legislation I am submitting will insure that progress will continue to be made toward our ideals and toward the realization of humanitarian objectives. The measures I have recommended will help eliminate discrimination between peoples and nations on a basis that is unrelated to any contribution that immigrants can make and is inconsistent with our traditions of welcome. Our investment in new citizens has always been a valuable source of our strength.”³¹⁵

Many newspapers editorialized about Kennedy’s proposed changes. One of those was the *St. Paul Pioneer Press*, whose editorial on July 26, 1963 stated: “The time to worry about immigration is when people stop wanting to come to this country.”³¹⁶

After Kennedy was assassinated on November 22, 1963, his Vice-President Lyndon Johnson was sworn in as President. Johnson was to complete Kennedy’s term that was to end in January 1965.

Johnson outlined in his January 8, 1964 State of the Union address that he was embarking on a plan to radically change and transform America by enactment of a series of new laws. The issues he wanted addressed in new laws included civil rights, voter rights, medical care, widespread poverty in the U.S., and immigration reform.

Regarding immigration, Johnson called for elimination of the national origins quota system:

We must also lift by legislation the bars of discrimination against those who seek entry into our country, particularly those who have much needed skills and those joining their families.

In establishing preferences, a nation that was built by the immigrants of all lands can ask those who now seek admission: “What can you do for our country?” But we should not be asking: “In what country were you born?”³¹⁷

Johnson also made it crystal clear his call for ending the national origins immigration quota system was a step towards accomplishing his twin long-term goals: 1) racially diversifying the U.S. population from being almost 90% Whites of European ancestry; and 2) for the U.S. to have a completely open international border with unrestricted entry and egress for people and goods. Johnson said in his State of the Union address what he wanted that for the entire world: “For our ultimate goal is a world without war, a world made safe for diversity, in which all men, goods, and ideas can freely move across every border and every boundary.”³¹⁸ Johnson was what today is called a Globalist.

Johnson also called for the creation of more jobs in the U.S. because of the many millions of unemployed workers. One of his suggestions to solve the U.S. unemployment problem was to determine where “a higher penalty rate for overtime would increase job openings without unduly increasing costs.”³¹⁹

Johnson also said: “Poverty is a national problem,” and, “This administration today, here and now, declares unconditional war on poverty in America.”³²⁰

In 1964 bills were introduced in Congress to eliminate the “national origins” immigration quota system, none garnered enough support to be enacted.

Johnson again talked about the need for immigration reform in his January 4, 1965 State of the Union Address. In the part of his speech he called “Opportunity For All,” He said:

“Let a just nation throw open to them the city of promise: —to those in other lands that are seeking the promise of America, through an immigration law based on the work a man can do and not where he was born or how he spells his name.”³²¹

As he had the year before, Johnson focused on poverty and joblessness for Americans. He announced his administration's legislative agenda was to create the Great Society. That included programs to economically "develop regions of our country that are now suffering from distress and depression."³²²

On January 13, 1965 Johnson sent to the Congress his strong recommendation for revision of U.S. immigration law.

³¹² *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954).

³¹³ Then U.S. Senator John F. Kennedy (D MA) wrote the pamphlet *A Nation of Immigrants* for the Anti-Defamation League of B'nai B'rith that it published in 1959 as part of its series "The One Nation Library." Excerpts from the pamphlet were published by the *New York Time Magazine* in August 1963. At the time of his assassination on November 22, 1963 President Kennedy was supposedly working on revising the pamphlet for publication as a book. His brother, New York Senator Robert F. Kennedy, took credit for generally supervising completion of the book, which was posthumously published in October 1964 under the title *A Nation of Immigrants*. Robert Kennedy wrote the book's Introduction. The book was used as a cheerleader to help rally Senators and Congressmen to support repealing the *McCarran-Walter Act* and replacing its "national origin" quota system as a "Win One For The Gipper" cause. The book provided talking points for repeal of *McCarran-Walter Act* during the Senate and House hearings and floor debates in 1965 concerning bills to replace it.

³¹⁴ Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496-7 (Sept. 20, 1965.)

³¹⁵ *Id.* at 24496-98.

³¹⁶ *Id.* at 24498.

³¹⁷ President Lyndon Baines Johnson, Annual Message to the Congress on the State of the Union, January 8, 1964, Sec. VII, *lbjlibrary.net*, <http://www.lbjlibrary.net/collections/selected-speeches/november-1963-1964/01-08-1964.html> (last viewed November 28, 2018)

³¹⁸ President Lyndon Baines Johnson, Annual Message to the Congress on the State of the Union, January 8, 1964, Sec. VIII, *lbjlibrary.net*, <http://www.lbjlibrary.net/collections/selected-speeches/november-1963-1964/01-08-1964.html> (last viewed November 28, 2018)

³¹⁹ President Lyndon Baines Johnson, Annual Message to the Congress on the State of the Union, January 8, 1964, Sec. V, *lbjlibrary.net*, <http://www.lbjlibrary.net/collections/selected-speeches/november-1963-1964/01-08-1964.html> (last viewed November 28, 2018)

³²⁰ President Lyndon Baines Johnson, Annual Message to the Congress on the State of the Union, January 8, 1964, Sec. III, *lbjlibrary.net*, <http://www.lbjlibrary.net/collections/selected-speeches/november-1963-1964/01-08-1964.html> (last viewed November 28, 2018)

³²¹ President Lyndon Baines Johnson, Annual Message to the Congress on the State of the Union, January 4, 1965, Sec. II, *lbjlibrary.net*, <http://www.lbjlibrary.net/collections/selected-speeches/1965/01-04-1965.html> (last viewed October 9, 2021)

³²² President Lyndon Baines Johnson, Annual Message to the Congress on the State of the Union, January 4, 1965, Sec. "Toward The Great Society," *lbjlibrary.net*, <http://www.lbjlibrary.net/collections/selected-speeches/1965/01-04-1965.html> (last viewed October 9, 2021) Johnson's intention to reduce poverty through employment was a failure and continues to be a failure: The poverty rate in the U.S. today is higher than in 1965 for people under age 65. Because of Social Security, there is less poverty for people 65 and older.

H.R. 2580 Immigration Bill Introduced In House of Representatives

On January 13, 1965 Representative Emanuel Celler (D-NY) introduced H.R. 2580: “A bill to amend the immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.”³²³ Celler represented the 16th District that included northern Bronx County, New York.³²⁴ The bill met with the approval of President Johnson.

The bill was based on the recommendations of *Whom We Shall Welcome* – a report on immigration commissioned by President Harry Truman in 1952.³²⁵

Three representatives who made statements against the bill were Armistead Selden (D-AL), Durward Hall (R-MO), and Ovie Fisher (D-TX).

³²³ “Public Bills And Resolutions,” *Congressional Record* – 89th Congress, Vol. III, Pt. 1 – Jan. 4, 1965 to Jan. 27, 1965 (Pgs 1 to 1426), at p. 650 (Jan. 13, 1965.)

³²⁴ The 16th Congressional District in 2008 gave Barack Obama his largest victory margin of any congressional district, a margin of 90% (95%-5%).

³²⁵ *Whom We Shall Welcome*, Report Of The President’s Commission On Immigration And Naturalization, Jan. 1, 1953, <https://ia800204.us.archive.org/31/items/whomweshallwelco00unit/whomweshallwelco00unit.pdf> (last viewed November 28, 2018)

S. 500 Immigration Bill Introduced In Senate

On January 15, 1965 Senator Philip Hart, a Democrat from Detroit, Michigan, introduced S. 500: “A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.”³²⁶ The bill was co-sponsored by 26 other senators, including Senators Edward Kennedy (D MA) and Robert Kennedy (D NY), who were the brothers of assassinated President John Kennedy.³²⁷ The bill met with the approval of President Johnson.

Both S. 500 and the House bill H.R. 2580 eliminated the national origins quota system that favored immigration from northern and western European countries.

A key difference between S. 500 and the House bill H.R. 2580, was S. 500 included an annual quota of 120,000 for immigration from the Western Hemisphere (excluding close family members), while H.R. 2580 had no limit.

³²⁶ “Public Bills And Resolutions,” *Congressional Record* – 89th Congress, Vol. III, Pt. 1 – Jan. 4, 1965 to Jan. 27, 1965 (Pgs 1 to 1426), at p. 696 (Jan. 15, 1965.)

³²⁷ Robert F. Kennedy was the U.S. Attorney General until September 3, 1964. In November 1964 he was elected a U.S. Senator from New York, and he took office on January 3, 1965.

House Debate About H.R. 2580

Rep. Ovie Fisher supported retaining “national origins” quota system

Representative Ovie Fisher (D-TX) made a statement to the House opposing H.R. 2580 on April 6, 1965. Fisher’s key argument was the purpose of the bill was to reduce immigration barriers to allow a dramatic increase in the number of immigrants who could legally enter the U.S. each year – from 300,000 to possibly 1 million, and at least 500,000.

Fisher also argued that dramatically increasing immigration would swell the relief rolls of people supported by state and federal government welfare programs.

Fisher’s statement published in the Congressional Record follows a two paragraph introduction:

Mr. Speaker, a concerted effort is being made to destroy the McCarran-Walter Act as it relates to admission of immigrants, and make admissible hundreds of thousands of additional immigrants each year. I am convinced this would be contrary to the public interest. The Secretary of State has admitted that we already have one of the most generous immigration policies in the world, though he favors a few changes.

This effort to destroy our quota system and open the floodgates for new categories of admissions should be defeated. I expressed my views on this subject in testimony given to the House Subcommittee on Immigration of the Committee on the Judiciary, of which the distinguished member from Ohio [Mr. FEIGHAN] is chairman. Under leave to extend my remarks, I include that statement:

Statement Of O.C. Fisher Before Subcommittee On Immigration, House Judiciary Committee

Mr. Chairman, I desire to record my opposition to H.R. 2580. This measure would destroy our time-tested traditional national origins system of admitting immigrants from European countries. It would transfer from the Congress to the Executive the responsibility of determining how many immigrants would be admitted each year. It would give to a politically appointed

commission power to decide who would be admitted and from what country they would come. This would create a bonanza for immigration lawyers and influence peddlers, and would not be in the public interest.

Unfortunately, the real purposes of this proposal are obscured in political motivations, emotionalism, claims of racial discrimination, alleged foreign policy embarrassments, and a contention that we are desperately in need of the skills of those who would be admitted under the new policy that is proposed.

Now, what are the real purposes of this bill? One man described it as a numbers game, and I think that is a fairly accurate description. *The real purpose is to increase the number of people who can be admitted to this country each year. We might as well be frank about it.*

The alleged discrimination is, of course, ridiculous. Since admissions from various European countries is now based upon the ratio of people from those nations who were here in 1920, it would be just as sensible to contend that the Italians, the Russians, the French, or others discriminated against this country because more of them did not choose to emigrate here prior to 1920. In other words, discrimination has no place in this discussion.

Likewise, the claim that the State Department runs into embarrassing situations because all nations are not treated alike, is, in my judgment, flimsy and very farfetched. *Other nations, in their wisdom, impose certain restrictions on admission of immigrants, and so do we.* That is their business, and we have our business to look after.

The same is true of trade policies. Some of our people did not like the Common Market when it was announced some years ago. Diplomats representing the member nations that comprised the Common Market could have reported to their respective governments that they were embarrassed by claims of discrimination from some of their foreign counterparts. But who would contend that those countries were for that reason under any obligation to rescind their trade restrictions which were imposed to serve their own self-interest?

The matter of immigration policy, as with trade policy, is purely a domestic issue, and has always been treated as such by all countries.

It could, of course, be contended that we discriminate against the English, the French, the Italians, and all quota countries because we admit people from the Western Hemisphere without any quota restrictions at all. In a manner of speaking, that is true. But that is a part of our policy, the making of which comes under the head of our own business. The fact, for example, that we admit an Argentinean without regard to any quota does not mean that we consider that South American as a better person than an Englishman who can be admitted only under a strict quota.

I mention this to illustrate how ridiculous is the discrimination contention. It simply has no place in this discussion.

The real question to be resolved is: Do we need more immigrants? We now admit about 300,000 a year. Frankly, I think that is too many, under present conditions. We already have 196 million people in this country. The U.S. Census Bureau estimates that at the present rate of growth we will have 372 million by the turn of the century. By the year 2000 it is estimated world population will approximate 6 billion,³²⁸ and that at the present growth rate it will pass 25 billion by 2070.

It is imperative that we consider our normal population growth, and the population explosion around the world, in the fashioning of immigration policies for the admission of more people to this country.

Mr. Chairman, I am constrained to question the good faith of those who insist this legislation is needed in order to be able to admit more skilled people. Again, I am convinced that is an excuse, not a reason. *I simply do not believe very many people are sincerely concerned about supplying more trained and skilled people for our labor market. I have not heard that appeal coming from prospective employers. On the contrary, it comes from the politicians and organized selfish-interest pressure groups as an excuse to justify their desire to have our restrictions broken down so more people can be admitted. Besides, our present law contains the same preferential treatment for skilled people as is proposed in H.R. 2580. Yet I understand that only 2,500 immigrants were admitted because of special skills last year.*

New Immigrants Swell Relief Rolls

Another reason we do not need to increase the number of immigrants is because of the burden they become to so many

localities in terms of unemployment, housing, education, crime, subversive activities, and assimilation problems in some instances.

It must be assumed that most of our new immigrants are good people and deserving. But despite the screening, the records are replete with instances of bad characters who, though relatively few in number, manage to get in despite all precautions.

We are told there are 35 million in this country who are poverty stricken or are in that general category. *We have scores of welfare programs, local, State, and Federal, the costs of which have increased astronomically in recent years. Yet, sponsors of this legislation want to admit more, a good many of whom would undoubtedly be added to relief rolls or would otherwise become burden some.* In other words, we have our hands full trying to handle our own problems with our 5 million unemployed and others who are in need of retraining, rehabilitation, and other types of help.

Now, what will the proposed increase amount to? Sponsors estimate it will be about 60,000 a year, bringing the total to about 360,000. If that is true, then why not put an overall ceiling of 360,000 on the total number who can be admitted in any one year, and write it into the law? ,I daresay sponsors would not stand for that.

The fact is that the increase will probably be substantially more than that if the bill is passed. There is simply no way of estimating the number of refugees, Asiatics, Africans, and others who would be admissible under the terms of H.R. 2580, because there is no way of determining in advance how many of the eligibles will choose to seek admission and how many of the applications will be granted. **Estimates of the total increase run as high as 1 million a year.** Perhaps that figure is a bit extravagant, but *I will not be surprised if more than a half-million come in each year under the Celler bill, if enacted.*

In addition, we must assume that pressures for increases in the nonquota category will occur in the years ahead. Rate of population growth in Latin America is the highest in the world, and there is much poverty. *It is estimated that the already overpopulated area of Latin America will double during the next*

20 years. So we must brace ourselves for stepped-up pressures to admit more of those people.

The big increase under the Celler proposal would come primarily from Africa, Asia, and some from southern Europe.

Mr. Chairman, the far-reaching effect of this legislation is simply too important to be decided, or even influenced, on the basis of politics or emotionalism. We are playing for keeps. Once this bill is enacted, the die is cast.

We already have a good immigration law. It has stood the test of time. The McCarran-Walter Act, which reenacted the provisions now under attack, was passed over a Presidential veto on June 26, 1952, by a vote of 278 to 112 in the House and 57 to 26 in the Senate. I am convinced the vast majority of Americans want it retained. I recently submitted a questionnaire to every voter in my district, and included the immigration issue. The responses which have been tabulated, revealed that 78 percent of my constituents are opposed to the proposed changes. There is a lot more grassroot opposition to this bill than the sponsors realize.

Mr. Chairman, in considering this legislation let us think in terms of what is best for America and its future. *Are we to become the dumping ground for the surplus populations of other countries?*

Above everything, let us keep control of immigration in the Congress where it belongs. *Someone wisely suggested that it would be better to have a mathematician select who comes here, under a formula, than to have a politician do it, without any formula at all. With that I agree.*

I respectfully urge the committee to reject this bill.³²⁹

Fisher also made a statement to the House against H.R. 2580 on August 25, 1965. An edited version of Fisher's statement published in the Congressional Record follows:

Mr. FISHER. *Mr. Chairman, the purpose of this bill, according to the committee report, page 8, and according to the author of the bill, is the elimination of the national origins system as the basis for the selection of immigrants to the United States.*

... I am convinced the scrapping of our national origins system will be unfortunate for the future of our country. The

system we have has worked well, has stood the test of time, and I think we should leave well enough alone.

My chief objection to this bill is that it very substantially increases the number of immigrants who will be admitted each year, and it shifts the mainstream of immigration from western and northern Europe—the principal source of our present population—to Africa, Asia, and the Orient.

... Under the Celler bill, now being debated, instead of 100,000 being admitted, there will be a total of 170,000—an increase of approximately 70,000 annually. *Added to that are parents, spouses, and unmarried minor children of citizens.*

...
The Celler bill repeals the Asia-Pacific-triangle provision, now a part of our Immigration and Nationality Act. This is of grave concern to me. That provision requires quota chargeability on the basis of racial ancestry, and has traditionally been very useful and effective in curbing the great pressures for more immigrants to be admitted from the more overpopulated areas of the world. The so-called triangle includes more than one-half of all the people of the earth.

By repealing the triangle, the Celler bill will admit as many as 20,000 a year from each of those countries that now have an annual quota of 100. Those countries include Japan, China, Pakistan, Ceylon, Iraq, Iran, the Congo, Kenya Colony, Liberia, Ethiopia, and every other nation in the world outside the Western Hemisphere.

Thus, we will decide here today whether we want to undertake a major shift in the makeup of our main immigration stream from western and northern Europe, to Asia, Africa, and the Orient. At the same time we will decide whether we want to increase the net total of immigrants to this country by some 100,000 or more each year.

The elimination of the national origins quota system, as proposed here, would do much more than change the cultural pattern of our immigration—serious as this would be. It would have a direct effect on the numbers of people who would be pouring in from nonquota countries. When the Asia-Pacific-triangle provision is removed, and place of birth as a criterion in making a quota charge is eliminated, the nonquota countries of

the Western Hemisphere will then become simply way stations in an ever-increasing migration to the United States from the overpopulated countries of Asia and the orient. In the future this will undoubtedly bring about the admission to this country of tens of thousands of people from the Far East and Asia. I understand, for example, there are more than half a million Chinese now living in South America, many of whom will be made eligible for admission to this country if the Celler bill is enacted.

... At the present time, the flow of Asiatics to this country is checked by the simple device of quota limitation to which all Asiatics are chargeable. ...

It has been argued that because some European countries now have a larger annual quota than others, this country regards the people of the larger quota nations as being better people than those in countries with the lower quotas. That is a ridiculous argument. *Immigration laws, like trade laws and the like, come under the normal exercise of sovereign power. ...*

Mr. Chairman, never let it be said that this country is not generous in its immigration policies. Each year, for 175 years, the United States has admitted more immigrants than any other nation in the world. We have admitted nearly 5 million since World War II. No other nation can match that. Yet there are those who would open even wider the gates and allow greater numbers to enter. That will be the case if this bill is enacted.

... Our neighbor to the south, Mexico, is due to double its present 38 million in about 20 years. That same growth rate is characteristic of all of Latin America. ...

It is high time we remove this immigration issue from the realm of politics and treat it as one of the most serious domestic issues with which we are confronted today.

...

... Mr. Chairman ... *it is my understanding that there are about half a million Chinese living in the Western Hemisphere, many of whom would like to come into this country if they could, but who are prohibited now from doing so because of the triangle provision. The passage of this bill would remove that limitation and permit them to come in if they could otherwise qualify.*

...

Mr. Chairman... the information I have is that there are more than half a million Chinese, for example, as long as they have been mentioned, who live in the Western Hemisphere who are not eligible to come in now but who will be eligible to come in once the triangle provision is repealed.

We cannot treat this issue lightly. I think undoubtedly it will mean that a very large number of people will be eligible to come in who are now not permitted because of the prohibition in the triangle provision. ...

Mr. Chairman, in conclusion I repeat that the passage of this bill will result in the admission to this country of approximately 100,000 additional immigrants each year. That fact is documented. It is a matter of record. It cannot and will not be disputed.

Moreover, the Members who vote for this bill must know that by its passage they are voting to shift the mainstream of our immigrants in the future from western and northern Europe, to Africa, Asia, and the Far East. ... But you should know what you are voting for when you approve the passage of this measure.³³⁰

Rep. Durward Hall supported retaining “national origins” quota system

Representative Durward G. Hall (R-MO) followed Rep. Fisher, with a statement against H.R. 2580 on August 25, 1965. An edited version of Hall’s statement published in the Congressional Record follows:

... Today in this vast audience of "filled seats" in the Chamber, as so often, passion enters into the colloquy and debate on immigration policy, we are reminded oftentimes that America is the "melting pot" of the world, that present immigration policy under the Walter-McCarran Act runs counter to our heritage.

The fact is, Mr. Chairman, that at one time and place in our history we were indeed a "melting pot," but that time and place have changed, and to adopt this legislation would not be advancing into the 20th century but rather would be retreating a bit into the 19th century when our needs were far different.

Then, Mr. Chairman, we had a wilderness to conquer, "savages" to be subdued by we immigrants, laws to be established, and land to be cultivated. Our task was to bring civilization to America. ...

Mr. Chairman, from the "melting pot" which we certainly were, and had to be, has come an American culture, a culture no less unique than that of any other established nation in the world.

...

Persons from many nations and many nationalities and many ethnic groups all contribute to this culture. But it is also important to recognize that as they have changed America, so has America changed them. The result is a nation which in combining the best of each ethnic group has, in effect, like a great, fine hybrid, surpassed each predecessor, and has provided a standard of living that surpasses that of any country from which all our forebears once immigrated.

Mr. Chairman, the question that must be answered today, it seems to me, is, will our national interests be advanced by the emasculation of a new immigration policy which has served us so well, even though it is imperfect, or will it, instead, create new problems for a nation that is only now beginning to accept, that even in a land of plenty, we have problems of poverty, problems of unemployment, and of racial conflict?

Mr. Chairman, will a drastic change in immigration policy contribute to or aggravate those problems That is the question. *Surely it is all too obvious that it will compound our efforts to reduce poverty, to provide jobs for the unemployed, and to reduce minority tensions.*

Mr. Chairman, let us not lose sight of the fact that under the present McCarran-Walter type of immigration law, the United States is the most generous of all nations in its immigration policy. It not only admits about 200,000 more newcomers a year than any other country in the world, but it is one of the few countries on earth that excludes no nation.

...

Yet, Mr. Chairman, by this legislation, we put the same persons we are now training into competition with the very people we propose to come here. Does this make sense? Only if we assume we will then have to untrain our present unemployed and put them back on the dole.

...

Mr. Chairman, does it make sense at all to spend billions bringing new skills to the underdeveloped nations and at the same time initiating a new immigration policy that will draw the same

skills from nations which need them far worse than we do? I say it does not. Mr. Chairman, in every major metropolis in the United States urbanization and the population explosion have created problems which no major city in this country has been able to solve. We have no better example of this than the insurrection which took place 2 weeks ago in the city of Los Angeles. We have seen the failure to solve these problems in Harlem, in Philadelphia, in Rochester, in Springfield, Mass., in Selma, in Birmingham, and in varying degrees in a hundred other cities. The problem is not one of minorities alone. It is one of too few jobs, of too few skills, of too little housing, of insufficient classrooms. It has led some of our so-called leaders to practically advocate insurrection, or at least government by man, not laws.

We have problems of polluted water and insufficient water, of crowded highways and impossible traffic jams, these and a thousand others. ...

Let me state still another contradiction. *We have just enacted the most far reaching medical legislation in a century, to provide Government medical and hospital care for all persons over age 65. Every medical expert in the country, both proponent and opponent of the measure, admits that this will create a new strain on our medical facilities. We know full well that under this bill's preference clause for close relations many persons over age 65 will be among the new immigrants who will come. Each and every one will be entitled to Government medical care, thus adding to the strain on our hospital and nursing home facilities, to say naught of our own "abuse" factors.*

Mr. Chairman, *if we could eliminate political pressures and efforts to rally support from various pressure groups, this bill could not be passed. But surely we do not have to wipe out a good law just to prove our good intentions.* We need respect based on responsibility not an image of fawning and supplication. *The United States need apologize to no country for our present law. It is fair, it is humane, and it compares favorably with the immigration policy of any nation in the world.*

...
*The present law is more liberal than that of any other nation. We need not apologize for it. We should not repeal it, and I for one will not be a party to its demise. I hope others will follow suit.*³³¹

American Legion supported retaining “national origins” quota system

The American Legion publicly came out in favor of continuing the national origins basis for immigration to the U.S., and opposed passage of H.R. 2580:

“Therefore be it resolved by the American Legion in convention assembled, That we favor and recommend continuance of the method of restriction upon immigration in the 1924 immigration law with its fundamental national-origins provision, so that American citizenship and economic prosperity may be maintained at the highest possible level.”

And in a statement to the Senate Committee on Immigration the American Legion said:

“We emphatically uphold the theory underlying the national-origins provision, which is that immigration quotas based upon entire population of the Nation is not only the fairest method for selecting immigrants, but is the most certain method of maintaining in the future the blend of population and the racial mixtures as they exist in America. today.”³³²

Rep. Celler supported ending “national origins” quota system

Representative Emanuel Celler, who introduced H.R. 2580 to the House and was its leading cheerleader, made his final statement in support of the bill on August 25, 1965. Celler tried to allay the fears of critics by repeatedly emphasizing his opinions that the U.S. population would not be appreciably increased by the bill, and it would not result in large numbers of Africans or Asians immigrating to the U.S. An edited version of Celler’s statement published in the Congressional Record follows:

The dawn of the national origins theory has set, and it will be cast into midnight of darkness by this bill, which I am sure will have an overwhelmingly favorable vote.

...

Apparently the architects of our immigration policy in 1921, 1922, and 1923, knowing that our Nation had, in point of time, been first peopled by immigrants from Northern and Western Europe namely, English, German, and Irish and only subsequently by those of the Latin and Slavic races-Italians, Greeks, Poles,

Czechs, Spaniards, and Russians sought to keep immigrants coming in after 1924 as near as possible like the early settlers. They then set up the quota system, handsomely favoring with large quotas the so-called Nordics and Aryans—that is, the English, Irish and Germans—and gave small, tiny quotas to all the rest of the nations of the world.

...

As soon as the Nazis surrendered and the guns were silenced the free world awoke to face the overwhelming task of resettling over 15 million victims of Nazi and Communist terror, the liberated inmates of concentration camps and Hitler's slave laborers, the mass of humanity stamped "displaced persons." We offered hospitality and took a fair share of these victims. The 1924 act with the national origins principle had to be bypassed. ... These displaced persons involved a miscellany of nationals and races.

...

Mr. Chairman, I would like the Record to contain the legislative history of immigration.

First. The Alien Act of June 25, 1798, was the first Federal legislation. It dealt with the expulsion of aliens in the United States. This act authorized the President to deport any alien whom he deemed dangerous to the United States. ...

Second. Other than enacting legislation designed to protect the immigrant, no Federal legislation was enacted until 1875. The act of March 3, 1875, excluded criminals and prostitutes, and provided for inspection of immigrants. The act of August 3, 1882, included in the classes of inadmissible aliens, lunatics, idiots, and persons liable to become a public charge.

Third. In 1885 and 1887 Congress passed the so-called contract-labor laws which made it unlawful to import aliens into the United States under contract for the performance of labor or services of any kind, and provided for the expulsion of aliens who violated the contract-labor laws. ...

Fourth. In 1891 the inadmissible classes included persons suffering from dangerous contagious diseases, felons, persons convicted of infamous crimes, those involving moral turpitude, and polygamists.

Fifth. The act of March 3, 1903, included in the inadmissible classes epileptics, persons who had been insane within 5 years

prior to application, professional beggars, anarchists, or persons who believe in, or advocate, the overthrow by force or violence of the Government of the United States.

Sixth. The act of February 20, 1907, increased the head tax to \$4 and added to the excludable classes imbeciles, feebleminded persons, persons with physical or mental defects which may affect their ability to earn a living, persons afflicted with tuberculosis, children unaccompanied by their parents, persons who admitted the commission of a crime involving moral turpitude, and women coming to the United States for immoral purposes.

Seventh. The Immigration Act of 1907 also authorized the President to refuse admission to certain persons on the ground that their immigration was detrimental to labor conditions. ...

In 1907 and 1908, a gentleman's agreement was reached between the United States and Japan, whereby the Japanese Government would exercise control over the immigration of laborers to the United States.

Eighth. The act of May 6, 1882 was the first of the so-called Chinese Exclusion Acts. This provided for suspension of immigration of Chinese laborers for a period of 10 years. The 1904 act remained in effect until December 17, 1943, when all Chinese exclusion laws were repealed and Chinese persons were made eligible for immigration and naturalization.

Ninth. The Immigration Act of February 5, 1917, passed as a result of the growing demand for more effective restrictions on immigration, codified all previously enacted exclusion provisions and added to the inadmissible classes illiterate aliens, persons of constitutional psychopathic inferiority, men as well as women entering for immoral purposes, chronic alcoholics, stowaways, vagrants, and persons who had a previous attack of insanity. The most controversial provision of the 1917 act was the so-called literacy requirement excluding aliens over 16 years of age who were unable to read. ... The 1917 act broadened considerably the classes of aliens deportable from the United States and introduced the requirement of deportation without statute of limitation in more serious cases.

Tenth. On October 16, 1918, Congress passed a law excluding alien anarchists and others believing in or advocating the overthrow of the government. On May 10, 1920, an act was

passed calling for the deportation of alien enemies and aliens convicted of violating or conspiracy to violate various war acts.

The act of May 22, 1918, the so-called Entry and Departure Controls Act, authorized the President to control the departure from, and entry into, the United States in times of war or national emergency, of any person whose presence was deemed contrary to public safety. The act of March 2, 1921, provided that those provisions of the Entry and Departure Controls Act relating to passport and visa requirements of aliens seeking to come to the United States should continue in force until otherwise provided by law.

Eleventh. The quota law of 1921: The first quota law was enacted May 19, 1921. This limited the number of aliens entering the United States to 3 percent of foreign-born persons of that nationality who lived in the United States in 1910. Under this law approximately 350,000 aliens were permitted to enter each year as quota immigrants, mostly from Northern and Western Europe.

Twelfth. Then came the national Immigration Act of 1924, which was the first permanent Immigration Quota Act. The 1924 act, as amended, contained two quota provisions. The first one, in effect until June 30, 1929, set the annual quota of any quota nationality at 2 percent of the number of foreign-born persons of such nationality resident in continental United States in 1890. The total quota under this provision was 164,667. The second provision regulating quotas from July 1, 1929, to December 31, 1952, introduced the much-debated national origins quota system. Under it the annual quota for any country or nationality had the same relation to 150,000 as the number of inhabitants in continental United States in 1920 having that national origin had to the total number of inhabitants in continental United States in 1920. Since no quota was to be smaller than 100, the total quotas prior to January 1, 1953, amounted annually to 154,277. By various provisions of the 1924 act Congress expressed an intent not to separate families by migration, and to facilitate the reunion of separated families. To achieve this end nonquota status was accorded to the wives and children of American citizens, and preference quota status to husbands and parents of American citizens, and to wives and children of permanent resident aliens.

...

May I ask a question? Do we appreciably increase our population, as it were, by the passage of this bill? The answer is emphatically "No." The thrust of this bill is no appreciable increase in numbers. But we provide for a fair, decent, equitable distribution of the numbers that are permissible.

...

Mr. Chairman, claim has been made that the bill would bring in hordes of Africans and Asians. This is the answer to that false charge: ... With the end of discrimination due to place of birth, there will be shifts to countries other than those of northern and western Europe. ... There will not be, comparatively, many Asians or Africans entering this country.

...

... There is no danger whatsoever of an influx from the countries of Asia and Africa.

...

Mr. Chairman, the population will not be disturbed as it were, by the pending bill.³³³

Rep. Rodino supported ending "national origins" quota system

Representative Peter Wallace Rodino Jr. (D-NJ) made a statement in support of the bill on August 24, 1965. Rodino focused on the unfairness of the national origins system because it discriminated against freely allowing people into the U.S. who wanted to immigrate. However, Rodino acknowledged that a restrictive immigration policy was supported in the late 1700s by founders of the U.S., and he specifically mentioned that support goes back to "the days of John Adams."

Mr. RODINO. Mr. Chairman, I rise to support this legislation with a profound sense of pardonable pride and satisfaction. ... This is legislation I have worked for since I first entered Congress in 1949.

...

We cannot look back at our past immigration policy with any pride. It was shortsighted, discriminatory and, more over, unworkable. The core of that inflexible and inequitable policy is the national origins quota system.

...

The arguments in favor of a closed door policy have been repeated over and over again since the days of John Adams.³³⁴

Rep. Roosevelt supported ending “national origins” quota system

Representative James Roosevelt (D-CA) made a short statement in support of H.R. 2580 on February 2, 1965. Roosevelt made two interesting comments that showed his lack of understanding immigration history:

“Madam Speaker, as in the past, I am proud to join in the sponsorship of legislation to bring immigration policy in line with the inscription beneath the Statute of Liberty proclaiming to all nations, “Give me your tired, your poor, your huddled masses yearning to breathe free.”³³⁵

And,

“Madam Speaker, may I job our collective national memory for just a moment by pointing out that way backing 1787, during the Constitutional Convention, James Madison said:

“That part of America, which has encouraged them [the foreigners] has advanced more rapidly in population, agriculture, and the “art.”³³⁶

Regarding Roosevelt’s first statement, Emma Lazarus’ poem inscribed on the Statute of Liberty’s pedestal refers to White Europeans. Lazarus’ poem was published in 1883 when 98.4% of all immigrants to the U.S. were White Europeans, and up to 1883, 97% of all immigrants to the U.S. were White Europeans.³³⁷ So the inscription supports immigration by White Europeans.

Regarding Roosevelt’s second statement, , James Madison was referring to White Europeans, because close to 100% of immigrants to America (which eventually became the U.S.) were White Europeans.

³²⁸ The 1965 estimate of a world population of 6 billion in 2000 was very accurate, because 6.143 billion was the actual population. See, “World Population by Year,” Worldometer – Population, <https://www.worldometers.info/world-population/world-population-by-year/> (last viewed February 12, 2022)

³²⁹ “We Must Not Destroy the McCarran-Walter Act,” *Congressional Record* – House 89th Congress, Pt. 5, at 7194-7195 (April 6, 1965).

³³⁰ “Amending The Immigration And Nationality Act,” *Congressional Record* – House, 21773-21775, August 25, 1965. Remarks by Rep. Fisher.

³³¹ *Id.* at 21775-21776.

³³² “Amending The Immigration And Nationality Act,” *Congressional Record* – House, 21583-21584, August 24, 1965. Quote from statement by Rep. McCormack.

³³³ “Amending The Immigration And Nationality Act,” *Congressional Record* – House, 21755-21758, August 25, 1965. Remarks by Rep. Celler.

³³⁴ “Amending The Immigration And Nationality Act,” *Congressional Record* – House, 21593-21594, August 24, 1965. Quotes from statement by Rep. Rodino.

³³⁵ “Realistic Humane Immigration Policy Is Long Overdue”, *Congressional Record* –House, 1647, February 1, 1965.

³³⁶ *Id.* at 1648.

³³⁷ This data is detailed in the chapter herein, “Pct Immigration By Whites, Asians, And Others From 1820 to 1965.”

House Passed H.R. 2580 Sent To Senate

There was considerable concern by many representatives that H.R. 2580 was discriminatory because it didn't place any restriction on Western hemisphere immigration as it did against countries in the rest of the world. An amendment to H.R. 2580 to limit Western Hemisphere immigration to 115,000 was introduced, but it was defeated on August 25, 1965 by vote of 189-218.

The House then voted on H.R. 2580 as introduced by Celler. It was passed on August 25, 1965 by a vote of 318 to 95.³³⁸

³³⁸ "H.R. 2580 (89th): An Act to amend the Immigration and Nationality Act, and for other purposes," <https://www.govtrack.us/congress/bills/89/hr2580/details> (last viewed October 3, 2021)

Senate Debate About Eliminating “National Origin” And H.R. 2580

In early 1965 the Senate Subcommittee on Immigration held hearings regarding S. 500 that changed the immigration law to eliminate “national origin” as a selection basis for immigrants.

After the House passed H.R. 2580 in August 1965 it was sent to the Senate. Its consideration effectively tabled its mirror Senate bill S. 500. Senate debate on the bill began September 16, 1965.

The crux of the argument by the Senate’s supporters of H.R. 2580 was that it needed to be passed to stop the discrimination of the “national origins” quota system against non-Western European countries.

The crux of the argument by the Senate’s opponents of H.R. 2580 was that the “national origins” quota system was designed to preserve the national character and culture of America as a nation created by white Europeans.

Sen. Ervin supported retaining “national origins” quota system

On February 24 and again on March 4, 1965 Senator Sam Ervin (D-NC) made a statement regarding changes to immigration law that included elimination of “national origins” as a selection basis.³³⁹ An edited version of Ervin’s statement on March 4 that concerned his statement of February 24, published in the Congressional Record, follows:

Some Observations Concerning Occupational Hazards Of Senators, The Wisdom Of the McCarran-Walter Act, And The Proposal To Substitute The Caprice Of The Federal Administrator For The Rule Of Law In Immigration Affairs

Mr. ERVIN. Mr. President, one of the occupational hazards of a Senator is that he is sometimes charged with responsibility for words he has never spoken. This hazard is magnified many times when his official duty requires him to discuss highly controversial subjects such as existing or proposed immigration laws.

Since I know that truth cannot overtake errors of this character and repair the injury they do, I usually ignore statements

attributing to me things I have never said, and devote my energy and time to the performance of my public duties.

While I am reluctant to do so, I am constrained to depart from my ordinary practice in respect to a statement attributed to me in an article which bears the name of Andrew J. Glass, a reporter for the *New York Herald Tribune*, and which was published in the *New York Herald Tribune*, the *Washington Post*, and other newspapers on February 25, 1965, or subsequent days.

This statement was contained in an article which purported to be an objective account of the hearing conducted on the previous day by the Senate Subcommittee on Immigration and Naturalization upon the administration's bill to relax the provisions of the McCarran-Walter Act and to repeal the national origins quota system embodied in that act.

The statement in question was as follows: "North Carolina Senator SAM J. ERVIN, JR., Democrat, said white Anglo-Saxon Protestants are the people who made America great." I assert with all the emphasis possible that I never made any statement of this character during the hearing.

...

As a matter of simple truth, I did not use the word "white" or the word "Protestant" at any time in the hearing which this article purported to cover. ... My first reference has been to the fact that the McCarran-Walter Act does not bar the admission of any human being as an immigrant to the United States on the basis of his religion ...

My second reference to religion consisted of allusions to Biblical quotations, such as embodied in I Timothy 5:8, which enjoins us to provide for our own. I made these allusions to emphasize *my conviction that it is exceedingly unwise to relax our immigration laws and increase the immigrants coming to the United States to any extent at a time when 7 million Americans are on public welfare, 3.8 million Americans are seeking in vain for jobs in which to earn daily bread for themselves and their families...*

While I made no statement to the effect that "white Anglo-Saxon Protestants 'are the people who made America great,'" I could have said that they have made great contributions to the settlement and development of America. Had I done so, I would

have spoken a simple historic truth which no person can rightly deny. This is so because 12 of the 13 Colonies were originally settled in large measure by white Anglo-Saxon Protestants. The 13th Colony, Maryland, was originally settled in substantial part by Catholics...

...

It is undoubtedly true that hundreds of millions of people living in the Eastern Hemisphere would like to immigrate to the United States. The *McCarran-Walter Act* recognizes the necessity for placing restrictions upon their immigration to the United States, and undertakes to assign to each nation in the Eastern Hemisphere a specific quota of immigrants in proportion to the number of Americans whose national origin is traceable to such country.

As a consequence, the national origins quota system is based on conditions existing in the United States, and for this reason, is like a mirror reflecting the United States.

Since Americans whose national origins are traceable to England, Ireland, Scotland, France, Germany, Holland, and the Scandinavian countries constitute the most numerous parts of the population of the United States, the immigrant quotas assigned to these nations by the national origins quota system are necessarily larger than the immigrant quotas assigned by the system to other nations in the Eastern Hemisphere. This brings me to what I did say on the hearing. ...

First. Those who oppose the national origins quota system embodied in the *McCarran-Walter Act* charge that it discriminates against other nations in the Eastern Hemisphere because of the relatively larger quotas which the national origins quota system assigns to England, Ireland, Scotland, France, Germany, Holland, and the Scandinavian countries.

Second. The national origins quota system embodied in the *McCarran-Walter Act* affords a rational and uniform formula for governing the admission of immigrants to the United States for these reasons:

(a) *The Americans whose national origins are traceable to England, Ireland, Scotland, France, Germany, Holland, and the Scandinavian countries constitute the most numerous groups in our population;*

(b) *England, Ireland, Scotland, France, Germany, Holland, and the Scandinavian countries and the Americans tracing their national origins to them have made the greatest contributions to America; and*

(c) *Immigrants are more readily assimilated by the United States if their national origins bear a reasonable ratio to Americans tracing their national origins to the same countries.*

In support of my statement concerning the contributions of the enumerated countries to the making of America, I pointed out that in addition to supplying us with most of our inhabitants, some of them, namely, *the British Isles, gave us our language, our law, and much of our literature.*

What I had to say on this phase of the hearing is revealed by the following colloquy which occurred between Senator Javits, of New York, and me.

...

Senator ERVIN [responding to comments by Senator Javits]. *What I said was that the McCarran-Walter Act gives preference in quotas to nations which made the greatest contributions to America. I stand on that statement because it is true.* There are other people, from various sections of the world, that made great contributions to America but they were the ones that made the greatest.

Senator JAVITS. *If the Senator will allow, I thoroughly disagree.*

...

Mr. ERVIN. *When Congress incorporated the national origins quota system in the McCarran-Walter Act and passed that act by two-thirds majorities over a Presidential veto in 1952, its purpose was to establish a definite and uniform formula or rule of law to do four things:*

First. To limit the annual number of quota immigrants who can come to the United States;

Second. To determine the nationality of those who come so as to maintain the historic population pattern of the United States;

Third. To put all quota nations on an equal footing in respect to the law; and

Fourth. To keep the immigration problem beyond the reach of politicians and pressure groups.

The national origins quota system formula or rule does simply this and nothing more.

When it adopted this definite and uniform formula or rule of law with the view to maintaining the historic population pattern of the United States, Congress did not act upon the theory that the people of one nation are superior or inferior to those of another. It recognized the obvious and natural fact that immigrants admitted under the national origins quota system are more readily assimilated into American life and ways because of the similarity of their cultural backgrounds to those of the principal components of our population. As the *Christian Science Monitor* editorialized at the time:

It is no reflection on the many fine American citizens of all races, creeds, and national origins to recognize realistically that some nations are far closer to the United States in culture, customs, standards of living, respect for law, and experience in government.

Those who would supplant the McCarran-Walter Act by the administration bill-S. 500-make the following arguments:

First. *That S. 500 will enable the United States to acquire persons possessing skills which are needed by the United States; and*

Second. *That S. 500 will abolish the national origins quota system and substitute for it a unified system applicable to all the nations in the Eastern Hemisphere which will operate solely upon a "first come-first served" basis.*

When one analyzes the McCarran-Walter Act and S. 500, he finds there is no real difference between the capacity to obtain persons possessing needed skills under the act and the bill. Under the *McCarran-Walter Act*, a 50-percent preference is given to quota immigrants possessing skills needed urgently in the United States, and under S. 500, a 50-percent preference is given to persons possessing skills especially advantageous to "the United States." This change in phraseology is a mere exercise in semantics and creates a distinction without making a difference.

The public should not be deluded by the fact that both the act and the bill give a first preference to persons possessing skills. This is true because only a few people come into the United States as skilled persons under this preference. As a matter of fact, the

total number entering the United States as skilled persons under this preference of the McCarran-Walter Act during the last fiscal year was only 2,475. ... There is no valid reason to anticipate that any substantial increase will be made in respect to obtaining highly skilled persons from abroad because the bill will authorize the admission of persons possessing skills "especially advantageous to" the United States rather than persons possessing skills "urgently needed in" the United States.

... If the bill were enacted, it would substitute for the definite and uniform formula or rule of law embodied in the national origins quota system the arbitrary and tyrannical will of Federal administrators subject to no limitations except the limitation that no more than 10 percent of the quota immigrants could be drawn from any one of the 89 countries in the Eastern Hemisphere, and that the act would be administered on a first-come first-served basis. Those who have had experience with laws whose administration is committed to Federal agencies know that there is no substance to any first-come first-served system. This is true because the first-come are often quite different from the first-served in such cases. The first-served are always those whose public relations apparatus can raise the most ballyhoo, and whose friends and supporters can put the tightest squeeze on the politicians who control the Federal agencies.

Besides, the 10-percent limitation affords no real assurance that there will be any equity in the administration of the law on a hemisphere wide basis. This is true because the administrators of the law could assign virtually all of the quota immigrants allotted to the entire Eastern Hemisphere to 10 nations selected by them.

This is precisely what the proponents of the bill want. They wish to substitute for what they erroneously call the discriminations of the national origins quota system of the McCarran-Walter Act virtually unlimited discriminations for the countries they favor.

As Senator McCarran stated, one of the chief virtues of the national origins quota system established by the McCarran-Walter Act is the fact it places the control of quota immigration in the hands of the mathematicians rather than in the hands of the politicians. S. 500 would reverse this by casting a definite

mathematical formula or rule of law upon the scrapheap and substituting for it the virtually uncontrolled will of politicians.

In addition to these objections, S. 500 is also subject to another serious objection, that is, an efficient and equitable execution of its provisions would be an absolutely impossible administrative task.

...

I do not claim that the McCarran-Walter Act is a perfect piece of legislation, but I shall not vote to abandon the national origins quota system formula or rule it establishes until someone devises a better rule sufficiently strong and certain to insure that immigration to the United States is controlled by the rule of law and not by the caprice of men.

For these reasons, I wish to say that I favor retaining our basic immigration law in substantially its present form. If new conditions should arise requiring us to meet emergencies, Congress can pass special legislation to deal with them as it has on many occasions in the past.

Let me mention another occupational hazard of Senators; namely, the danger of having what they actually say misunderstood or misconstrued. ... My father was a man of much experience and wisdom who argued cases before North Carolina judges and juries for more than three score years. When I entered his office as his legal partner, he gave me this advice as to how one should seek to convince others of the soundness of his position: "Draw the picture of a horse and write under the picture of the horse in large letters, 'This is a picture of a horse'."

I must confess that I may have fallen short of putting this advice into practice in the hearing on February 24. I maintained the position that the McCarran-Walter Act is wise and just in that it allots definite immigration quotas to the nations on the basis of their contributions to our population and development, and that the administration bill is unwise and unjust in that it abolishes all national immigration quotas and makes no distinction in our immigration policies between those nations which have made contributions to our population and development and those nations which have made little or no contribution to them.

I undertook to illustrate this point by calling attention to two ancient lands – Ireland, which has made great contributions to our

population and development, and Abyssinia, which has made no contributions.

It now appears that I may have made an unfortunate choice of words in calling the ancient nation of Abyssinia by its modern legal and artificial name, Ethiopia, rather than by its ancient and natural name, Abyssinia.

...

... Let me assure Americans in general and North Carolinians in particular that during the Senate's consideration of the pending immigration proposals I shall do everything within my power to serve the America we love, and shall not be deterred from so doing by any misquotation, any misunderstanding, or any misconstruction of anything I may say.³⁴⁰

Sen. Byrd supported retaining “national origins” quota system

In mid-September 1965 a number of Senators made cogent arguments on the Senate floor in defense of retaining the “national origins” quota system, and opposing passage of H.R. 2580, which had been passed by the House.

Senator Robert Byrd (D-WV) made an impassioned speech on September 14, 1965 expressing his opposition to H.R. 2580 as not being in the best interests of the American people. An edited version of that speech published in the Congressional Record follows:

IMMIGRATION BILL

Mr. Byrd of West Virginia. Mr. President, one of the major issues yet to come before the Senate, before adjournment this year, is the proposed revision of the U.S. immigration laws. The subject of immigration has appeared on most of the lists of “must” legislation I have seen in recent weeks. The President has made several statements stressing its importance.

The national origins concept, which underlies the present system, was first proposed on April 11, 1924, and was based on the national origins of the Inhabitants of the United States according to the 1920 census, exclusive of, first, natives of independent countries of the Western Hemisphere, second, persons of Asian ancestry, third, descendants of African immigrants, and fourth, descendants of American aborigines. The

proposal was voted down in the House of Representatives, but it was inserted in the Senate and retained in conference. The Senate and House agreed to the conference report, and the bill, as amended, became law on May 26, 1924. The original objective of the 1924 act was to maintain the ethnic composition of the American people, on the premise that some nations are far closer to the United States in culture, customs, standards of living, respect for law, and experience in self-government. The act was denounced by some people as racially biased, statistically incorrect, and a clumsy instrument of selection based on discrimination against nations.

In 1952, the Immigration and Nationality Act was passed, this legislation being a codification of a multitude of laws governing immigration and naturalization in the United States. The immigration quotas provided therein were, in general, patterned after the national origins system, contained in the Immigration Act of 1924, in that the number of quota immigrants entering the United States during any one year was limited and a distribution of the annual quota among the various quota areas was provided. The national origins provision was the subject of debate in both Houses of the Congress. President Truman vetoed the bill but, notwithstanding his strong opposition, the President's veto was overridden by the Congress and the Immigration and Naturalization Act became law.

I have only two objections to the present system. *One is that it applies no limitation on immigration from South America and other Western Hemisphere countries and, theoretically, any number of persons could emigrate to the United States from the Western Hemisphere countries immediately.* This weakness has not had too great an impact upon our country up to the present moment, largely because South American countries have been absorbing their own population increase very well. Yet, the day is not far off, when the population explosion in Latin American countries will exert great pressures upon those people to emigrate to the United States. It will be my intention, therefore, to support a limitation on the number of immigrants from Western Hemisphere countries, but I fear that such a limitation, if it is retained in the Senate bill, may be scrapped in the subsequent conference with the House of Representatives. *My other objection*

is that under the present system, certain countries, such as Italy and Greece, for example, whose peoples do assimilate readily and easily into the American society, have been disadvantaged.

Notwithstanding the two objections I have iterated, I think the basic national origins quota system should be retained. ... The system has been castigated and vilified by those who declare that it discriminates against other nations, but, on the whole, I consider it to be a just and wise system. Relatively larger quotas, of course, are assigned to such countries as England, Scotland, Ireland, Germany, France, and Scandinavia, but this is because the basic population of our country is made up largely of stocks which originated from those countries, and the reasoning back of the present system is that additional population from those countries would be more easily and readily assimilated into the American population. Naturally, those immigrants can best be absorbed into our modern population whose backgrounds and cultures are similar. *It is indubitably clear that if the majority of Americans had sprung, not from Western, central, and southern Europe, but from central Africa or southern Asia, we would today have a vastly different country. ...*

The advocates of this legislation state that the increase in immigration brought about by its passage will be miniscule and will amount to only a few additional thousand persons annually, but I fear that the practical result will be otherwise. In my judgment, it is completely unrealistic for us to be considering legislation that is going to permanently increase our immigration to any degree whatsoever. ...

It is true also that immigrants have continued to play an important role in our Nation's development. But *that role has been and is dwindling in importance.* Most of us are descendants of immigrants, but this is no longer a nation that needs immigration as it once did. Indeed, *the problems we will face in the years ahead will be those of a surplus population rather than needed population.* In this respect we are like most other nations of the world. But, unlike other nations, *we have not yet learned how to give primary consideration to immigration as it will affect us internally, without developing a guilty conscience. We have yet to make the philosophical transition from an immigrant-seeking nation, which we were until fairly recently, to one whose*

population has developed to the capabilities of our present resources.

But why, Mr. President, should the United States be the only advanced nation in the world today to develop a guilt complex concerning its immigration policies, when it is already far more liberal than other countries in this respect, and in view of the fact that other advanced nations are selective in dealing with immigrants and without apology?

... I am also informed that Israel has a policy—as it has every right to have—based on a religion. Why should the United States, therefore, not reflect careful selectivity and be more restrictive in the formulation of its immigration policies?

Our first responsibility in matters of immigration, at a time when automation is on the rise and the population explosion is giving cause for concern, is to the people of the United States and not to the entire population of the world.

The advocates of change assure us that under the proposed legislation it will be easier for people of special skills to come into the country and help the U.S. economy. Yet, under the new legislation, there would be an increase in quotas for such countries, as Trinidad, Jamaica, Tanzania, Malawi, Yemen, and Nepal, and I would imagine that persons with special skills needed in the United States might be very hard to find in those countries. Moreover, *under existing law, skilled aliens are granted first preference status which entitles them to monopolize the first 50 percent of a country's quota. Yet, we continue to hear general platitudes about attracting skilled workers.*

A collateral question that arises is whether we really want or need to permanently attract skilled workers away from other countries. This policy seems at odds with our other efforts to help these countries improve their economic conditions. It seems to me that these countries need the services of their talented and trained people more than we do.

I think it is rather inconsistent on our part, Mr. President, to permit an increase in immigration—which is sure to be the effect of a more lenient immigration statute—at a time when we are becoming more and more aware of the population problems we are faced with in the world and in this country. These problems are bound to increase in dimension in the years ahead. *The*

continent with the highest birth rate in the world today is South America. Yet, under our present immigration laws, unlimited immigration is allowed to natives of Central and South American countries. It is time we were looking to this aspect of our immigration policy with a view to applying restrictions rather than trying to rectify discriminations against Asian and African countries that exist in our quota system. As I said earlier. I intend to support the application of a limitation on immigration from Western Hemispheric countries, but any change in our present immigration laws should be largely limited to just this aspect and should not encompass such a wholesale revision as that with which we are about to be faced.

Sooner or later, it seems to me, we are going to have to recognize the realities of this situation and to admit to ourselves that our first responsibility in matters of immigration is to the people of the United States and not to the entire population of the world. If we think that we are going to be able to alleviate the problems of expanding population of other countries of the world by permitting increased immigration into this country we have some more hard thinking to do on the subject. It would be completely unrealistic for us to attempt to do this when the current annual net increase in world population is 70 million people, or more than one-third of the present population of the United States. *The plain fact is that the United States is not hurting for population or jobseekers.* Our population is now between 190 and 200 million people, and our current birth rate is far in excess of our death rate.

The problems we face due to expanding population may not presently be as serious as those faced by other countries of the world. ... Liberalizing our immigration policies cannot help but compound such problems.

In my opinion, revising our immigration laws by removing the Asia-Pacific triangle provisions will add to the many social problems that now confront us across the Nation. What effect will all the "new seed" immigrants that will be allowed to enter under the bill have upon these social crises? I doubt that they will add stability to our population in meeting these problems.

...

Another point raised by those who would have us scrap the

national origins quota system is that a new system of selection will be devised which will be in the national interest. In other words, they would have us believe that our foreign policy will be ineffective and hampered if we retain the national origins quota system. This is pure drivel. Why have other advanced nations not felt it in the interest of their own foreign policies to let down their immigration bars? *The plain fact is that there will always be cries of rage from people who would like to get into this country and cannot. One can live more comfortably on relief in a New York tenement than under the most advantageous conditions existing in most of the areas of Asia, Africa, and Latin America.*

We are also told that the proposed new immigration legislation is needed to reunite families. But the Congress of the United States has always been sympathetic to requests for entry of separated families. As to Italians, Lebanese, and other immigrants who wish to unite with their families already here, I have personally introduced legislation many times to reunite husbands and their wives, and Parents and their children, and I shall continue to do so as the necessity arises. I believe that this system is workable and should be continued.

‘But, Mr. President, *if we scuttle the national origins quota system, we will have many years and many reasons to regret it.* I do not claim that the existing national origins quota system is perfect, but it has provided a reasonably effective means of controlling immigration, and where it has not worked, we have enacted special legislation to alleviate special problems as they have arisen.

The national interest must come first. Sentimental slogans have been all too adroitly exploited, and the time is at hand when we must resist the pressures for sharply increased immigration of persons with cultures, customs, and concepts of government altogether at variance with those of the basic American stocks. We must not throw open the gates to areas whose peoples would be undeniably more difficult for our population to assimilate and convert into patriotic Americans. The alien inflow to America from potential waiting lists of applicants from Jamaica, Trinidad, Tobago, Indonesia, India, Nigeria, and so forth, can profoundly affect the character of the American population, and, in the long run, can critically influence our concepts of government.

...

I am advised that the term "mentally retarded" will be substituted for the term "feeble-minded" in the exclusion of aliens who are feeble-minded ...

...

It is readily apparent, Mr. President, that under the proposed alteration in verbiage, we will facilitate the immigration of persons into our country who, to quote the 1962 panel, 'often become the problem members of our society, capable only of a marginal productive role.'

... It seems to me that we are making a serious mistake if we enact legislation which will result in adding to our already increasing burden of costs and care in the field of mental health, those immigrants who have histories of some form of mental illness. *We must not overlook the fact that each young immigrant afflicted with some form of mental illness or retardation is a potential parent of children who may inherit the same mental defects.*

With reference to physical health, Mr. President, anyone who has traveled very broadly throughout the world can certainly find himself, or herself, wondering whether the very vocal advocates of an open door to the promise of America truly realize what the destruction of our present national origins quota system and the elimination of the Asia-Pacific triangle provisions may involve.

...

However, the facts of our present immigration laws, and the policies under which they operate, are well known throughout the world and have for decades served as deterrents to many potential immigrants in their efforts to enter the United States.

The passage of the proposed legislation will remove these deterrents, and, in view of the fact that many northern European nations, under the present system, have unused quotas, *I fear that the practical results of the new legislation will be a considerably increased immigration*, in addition to the many serious concomitant problems, some of which I have discussed.

We take justifiable pride in the heritage of the American melting pot, but, unless the national origins quota system is maintained and unless limitations are placed on immigration from Western Hemispheric countries, the melting pot will no

longer melt, and eventually ours will become a conglomerate, characterless society.

I believe deeply that we owe future generations the simple service of preserving the American heritage with its traditional social and political customs, its culture, and its national characteristics. Our national immigration policy must be an immigration policy that is in the national interest, and it must aim to establish the proper relationships between immigration and employment as well as between immigration and stable government.

... It is time that we awaken ourselves to the fact that future generations have no one to look to but ourselves for the preservation of the Nation, of liberty, freedom, and opportunity, and a republican form of government. Therefore, I intend to cast my vote, when the moment comes, against the proposal to scrap the national origins quota system because the proposed legislation will permit a greater inflow of immigrants from Asian and African countries and because our own problems of chronic and persistent unemployment and underemployment, housing, job retraining needs, growing welfare caseloads, crime, and juvenile delinquency are so great that we should not be considering any liberalization of the immigration laws.

I recognize that this is a very delicate issue and that the position I have taken will not be popular with some people, particularly those who misunderstand my reasons therefore. Nonetheless, I feel it my duty to vote against the proposed legislation, in my judgment, it not being in the best interests of the United States.³⁴¹

Newspaper editorials were published in support of Senator Byrd's speech.

The Morgantown (W. Va.) *Post* published an editorial on September 18, 1965 titled "Byrd Puts It On The Line," that stated in part:

"In announcing he has decided to vote against the pending immigration bill, Senator Bob Byrd was forthright enough to confess he believes this is a time when Congress should give its first attention to the American people and their welfare. We say "forthright enough" because in the present climate of Washington

opinion entirely too much emphasis is placed upon what we can do for others instead of what we should do for ourselves.”³⁴²

The Wheeling (W.Va.) *Intelligencer* published an editorial on September 18, 1965 titled “Byrd Pulls No Punches In Parting Company With Chief On Immigration,” that stated in part:

“The purpose of the immigration law now in effect in the United States is both to limit the number of foreigners admitted for residence here and to influence the character of the immigration by favoring those peoples historically proven to be more readily assimilable by our society.

To implement this purpose annual quotas are assigned non-American countries based on the national origins of inhabitants of the United States as reflected in the census of 1920.

This principle was written into the law in 1924 and was retained in the *Immigration and Nationality Act of 1952*, a codification of various regulations then on the books dealing with separate phases of immigration control.

There now is pending in Congress a bill, originating during the Kennedy administration, which strikes at the foundation of the existing policy by scrapping the national origins quotas. It has strong administration support and appears on the list of must legislation earmarked by the President for action at this session.

In the able speech he delivered on the floor of the Senate the other day in which he announced his intention of voting against the bill because of its abandonment of the national origins principle, West Virginia’s ROBERT C. BYRD made several telling points:

That it is “completely unrealistic for us to be considering legislation that is going to permanently increase our immigration to any degree whatever.”³⁴³

The Williamson (W.Va.) *Daily News* published an editorial on September 18, 1965 titled “Byrd Warns Of Immigration Bill Perils,” that stated in part:

Once again U.S. Senator Robert C. Byrd has demonstrated a keen sense of perception with regard to potential perils posed by legislation which is being advanced for congressional approval. His latest warning comes on the impending immigration bill which Senator BYRD says “will increase the problems of the

expanding American population.”

The purpose of any immigration law is to serve the welfare of the American people, not to cater to the wishes of those in other lands who would like to come here to live. In the old laws we favored some countries over others because we believed their people to be more assimilable.³⁴⁴

The Huntington (W.Va.) *Advertiser* published an editorial on September 17, 1965 titled “Byrd Raps Immigration Bill,” that stated in part:

Senator Byrd expressed particular opposition to the pending measure because it would abolish the national origins quota system on which immigration regulations have been based since 1924 *and would swell the flow of immigrants from Asia and the newly emerging countries.*

Although the leveling tendency of the times would wipe out distinctions of quality and genius, *it is highly unlikely that the new law would increase the probability of the arrival of an Einstein, a Carl Schurz, or another great contributor to the progress of the United States or the world.* The immigration bill seems to be an extreme development in the liberal tendency that has poured more than a hundred billion dollars of American money into aid for less favored nations.³⁴⁵

The Weirton (W.Va.) *Daily Times* published an editorial on September 21, 1965, titled “Hold The Line,” that stated in part:

Certainly it is difficult to understand why we would want to encourage massive migration to the United States at the very time when our Nation is confronted with critical problems of unemployment, poverty, depressed areas, automation, integration, increasing crime, and a skyrocketing welfare bill.

...

Under the present system, it is true that relatively larger quotas are assigned to such countries as England, Scotland, Ireland, Germany, France, and Scandinavia, but this is because the basic population of our country is made up largely of stocks which originated from those countries, and the reasoning back of the present system is that additional population from those countries would be more easily and readily assimilated into the American population.

The time is here when we must begin thinking about our own national interest without being influenced by foreign nationals. We fully support the stand of Senator Byrd on this vital issue.³⁴⁶

Sen. Eastland supported retaining “national origins” quota system

Senator James Eastland (D-MS) made an impassioned speech on September 21, 1965 expressing his opposition to H.R. 580 as not being in the best interests of the American people. Eastland focused on some different issues related to the bill than Byrd. An edited version of that speech published in the Congressional Record follows:

Mr. EASTLAND. Mr. President, we again are witnessing the assault on our immigration laws by those individuals and groups who feel that they can obtain political mileage by this form of appeal to the organized minority blocs in the great urban areas of this country.

... In fact, Mr. President, the efforts in this Congress to curry the favor of the minority blocs of votes by destroying our present national origins quota system through bipartisan political efforts exceeds all efforts in the past. It is an assault which is dangerous and which could have, in fact, most serious consequences on our present form of government if not met with determined resistance. I have opposed these efforts to destroy the McCarran-Walter Act in the past and I shall oppose them now.

...

Over the course of the past several years, there have been a number of special enactments to take care of certain hardship situations which arose in the administration of the immigration laws. ... In addition, relief through special enactments was granted to a large number of Hungarian refugees and many other refugees from Communist oppression. In all these cases the result was that more immigrants were permitted to enter the United States. ... Immediately upon receipt of that bounty, the recipients sent out a cry for more. ... But we have seen that this demand is insatiable. We have also seen that when the politicians prevail and legislate in the anticipation of compensatory votes at the polls, we always find that an even greater pressure is created for the admission of more and more aliens. To continue to follow such a course of political expediency can only lead to disaster.

... It is no secret that both national political parties have "nationalities" divisions which actively direct the efforts of pursuing the votes of the hyphenated nationalities groups in our population. Those groups are concentrated in our big urban centers. Is it any wonder then that we are told that we must have immigration reforms which will favor those groups? When the politicians are so busy, how can one say there are no political motivations behind the reform movements?

*We now have before us the bill, H.R. 2580, which has been hastily passed by the other body and sent over to this body with the command that the Senate adopt it in equal haste. ... The bill, H.R. 2580, is an original bill which was reported by the Subcommittee on Immigration and Nationality of the House Committee on the Judiciary and **has not been the subject of hearings in either the House or the Senate.** ... The bill bears little resemblance to the original proposals made by the administration, which were contained in the bill, H.R. 2580, and the companion bill, S. 500, which was before the Committee on the Judiciary of the Senate. ... the testimony received in those hearings has little relationship to this new bill which is before the Senate today.*

... I feel that the Members of the Senate will readily discern the hasty manner in which the present version of an immigration bill has evolved. The divergent views represented by the proposals before the committee, in my opinion, illustrate the confusion which is present in the continuing effort to destroy the present quota system.

... I shall merely point out the general background in the committee of the bill, S. 500, which has been so easily set aside in favor of H.R. 2580.

... The bill, S. 500, did not embody a comprehensive revision of the Immigration and Nationality Act, but had as its primary purpose the abolishment of the national origins quota system and the substitution of a new system for the allocation of quota numbers. ... In addition, the bill would have substantially enlarged the nonquota classes of aliens and the number of refugees who could enter the country each year. Total immigration under this bill would, therefore, be increased substantially.

... The abandonment so hurriedly of a position that was claimed to be based on the considered opinion of some of the best minds in the immigration field as the proper approach to immigration reforms in order to embrace the hastily conceived proposals contained in S. 1932, and now embodied in S. 500, indicates to me that those in the forefront of the demands for immigration reforms by their vacillations are sure of only two things: First, they want to abolish the national origins quota system and, second, they want to admit more immigrants. Such experimentation as this will never produce good legislation.

Mr. President, the bill, H.R. 2580, has as its purpose not only an increase in the flow of immigrants into the United States, but also the alteration of the pattern of that flow. It seems to me that our national welfare and the security of this country demand that we approach this question of immigration reforms sensibly and sanely lest we, as the nation we know, perish. ... In my opinion, it would be a grave mistake if we proceeded with haste to adopt new concepts unsupported by detailed factual surveys and studies. Certainly, there are opponents of the McCarran-Walter Act but no one can say that that act was enacted in haste and in the political arena. A 5-year investigation of every aspect of the immigration question in the United States, which was both extensive and intensive, preceded the enactment of that law. ... it had as its foundation a solid basis of findings which were impartial and unbiased. ... Sound legislation has never been the result of hasty and reckless action, and I sincerely hope that each of you will ponder well the disastrous results that could flow from the precipitate course that is being urged upon us.

... it is my understanding that H.R. 2580 would make the following basic changes in the Immigration and Nationality Act, and in making such changes would substantially modify the present immigration policy of this Nation:

First. (a) The present system of national origin quotas is to be abolished on June 30, 1968, and a new selective system is established giving priorities to close relatives of citizens and alien residents, members of the arts and professions, needed skilled and unskilled workers, and refugees.

(b) In the interim 3-year period national origin quotas remain in effect ...

(c) Spouses, children, and parents of U.S. citizens are to be admitted without numerical limitation as immediate relatives.

(d) Natives of independent countries of the Western Hemisphere are to be admitted quota free as special immigrants for an additional period of 3 years. On July 1, 1968, a numerical limitation of 120,000 annually would be placed on immigrants from independent countries of the Western Hemisphere ...

...

... the message of the President of the United States which he sent to the Congress on January 13, 1965, requesting amendment of the Immigration and Nationality Act. In that statement the President said:

The principal reform called for is the elimination of the national origins quota system.

...

The fundamental longtime attitude has been to ask not where a person comes from but what are his personal qualities.

...

(a) No person shall receive any preference or priority or be discriminated against in the issuance of an immigrant visa because of his race, sex, nationality, place of birth, or place of residence, except as specifically provided in section 101 (a) (27), section 201 (b), and section 203: ...

Mr. President, in all of my experience in the Senate of the United States, I believe that language is the most unique I have ever seen in a statute. Note that it begins "No person shall receive any preference or priority or be discriminated against" and then it lists numerous instances in the act which are discriminations but which are specifically exempted from the antidiscrimination policy. ...

But, Mr. President, if one should feel that perhaps there must be a certain degree of discrimination in any law, let us look further at this particular proposal and you will be amazed at the instances of discrimination that appear throughout it. ...

First ...

Second ...

Third ...

Fourth ... On the other hand, take the case of a brother of a U.S. citizen who has an equally healthy family consisting of a wife and three or four children whom he must support after he enters the United States. In his case, if he resides outside the Western Hemisphere he is not required to obtain the certification from the Secretary of Labor but may enter upon the assurance of his citizen brother that he will not become a public charge after entry. But obviously such a man must work to support his family and he will be permitted to enter regardless of whether he will displace an American worker. Is this not only discrimination against the two alien families, but also the American worker who may remain unemployed or even lose his job?

Furthermore, it might well be discrimination against the interests of the United States because it is quite likely that the better qualified alien family would not be permitted to enter.

...

Now, Mr. President, let us take a look at the new quota formula provided in H.R. 2580. It is said that enactment of this quota scheme will remove "the 1952 act's well-known restrictive provisions against immigrants from eastern and southern Europe," but I defy anyone, from reading the Immigration and Nationality Act, to find any special restrictive provisions against immigration from those areas. Certainly, the law embodies a policy of restriction, but as we have seen, restriction has been the accepted policy of this Government for decades. The quotas of each quota area are established under a formula which is applied in identically the same fashion to all other quota areas in the world without mentioning any country by name, and yet it is said that the law restricts immigration from particular areas. The truth is that it restricts immigration from all areas, under a uniformly applied rule, and that is as close as any law can get to being nondiscriminatory.

... Quite obviously, the only quota law which could possibly treat all Nations equally is one which would provide an identical quota for each country. Such a law would not be subject to a charge of discrimination, but I doubt seriously whether it would receive any support. *The test of whether the law is fair or just, Mr. President, is not whether it discriminates, for all quota laws will, but whether the law discriminates unreasonably or unjustly. The*

national origins quota formula is applied in the same manner to all without qualification, and as long as it is so applied it is certainly not subject to a charge of unreasonable or unjust discrimination. One may disagree with the policy of the law, but I fail to see how any workable quota could provide any more uniformity of treatment of the nations of the world.

There is another interesting aspect of the system provided in H.R. 2580. In allocating visa numbers, this Nation would look first to the desires of the people of other countries to come to the United States, and visas would be allocated on a first-come, first-served basis. Under the national origins quota, we look first at the composition of the population of this country; then we say that each country shall have a quota fixed on the basis of the ratio of the number of persons in the United States in 1920 attributable by nationality to a given country to the population of the United States, ... In other words, we hold up a mirror and look at ourselves and base the quotas of those who wish to join us on what we see.

Mr. President, for the life of me, I cannot see how it can be said that it is discriminatory to base the numerical quota on factors derived from the population of this country. I do not apologize for the fact that, as an American, I feel that we should and must give due recognition to the composition of the population of this country in fixing our quotas. That is what the present quota law does and that is why I believe it to be sound and in the best interests, not only of this country, but also of the rest of the world.

...We are all familiar with the continual attempt that is being made to erode the constitutional powers of the Congress. Whenever authority is delegated to those groups charged with administration of a law, I feel it is my duty to point out the areas of possibility of abuses of such authority.

As I have pointed out before, H.R. 2580 will eliminate the national origin quotas and substitute therefore an overall numerical limitation of 170,000 visa numbers per year for areas outside the Western Hemisphere exclusive of immediate relatives. The allocation of those numbers will be made in accordance with the multitude of preferences set forth in the act. The preferences insofar as they relate to relatives are so designed that if not used

by one relative preference group, then they automatically become available to other preference groups. ...

Mr. President, there is another unusual provision in the bill which seems to leave a great deal of discretion in the hands of the administrators. The section of the bill which provides for the allocation of 6 percent of the quota numbers for conditional entries to be granted refugees contains a proviso that in lieu of the total number of conditional entries authorized, immigrant visas in a number not to exceed 50 percent may be made available to refugees in the United States.

... Under the Immigration and Nationality Act, as you all know all immigrant applicants have always received fair treatment because of the specific provisions that their applications must be processed strictly in accordance with the priority of their registration on quota waiting lists. ...In other words, a new applicant may be qualified far ahead of present applicants on the waiting lists.

Mr. President, my concern over this matter of placing too much discretion in the hands of those charged with the responsibility of administering the quota law results from my observations over the years of how the administrators frequently twist and bend the law to suit their purpose. ...³⁴⁷

...

In summary, then, it may be observed that the proposed revisions of the quota provisions of the Immigration and Nationality Act contained in the bill, H.R. 2580, constitute a complete reversal of the policy expressed in the national origins quota provisions. The Immigration and Nationality Act provides for a maximum quota with an empirical formula for the allocation of the quota numbers.

...

This attack against the national origins quota system is not new, for it had been subjected to constant sniping in the decades following its enactment in 1924 and the same charges of discrimination were constantly leveled at it; but yet a two-thirds majority of the Congress approved its reenactment in 1952 when Congress overrode a Presidential veto of the Immigration and Nationality Act. Why then is there this continuing attack which grows more vociferous in election years? Is it really a basic

concern of theory or is it in reality a desire for more immigration? I believe it to be the latter.

The national origins quota system allocates to each country of the world, and I emphasize each, an immigration quota of one-sixth of 1 percent of the number of our people who attribute their national origin to that country. Thus we have an invariable exact mathematical formula equally applicable to all countries of the world, with one exception and that is that no country shall be left out, but shall have at least a quota of 100 annually. It has been described as a mirror held up before the American people and as the various proportions of our national origins groups are reflected in the mirror, computations of the quotas are made in accordance with that reflection. Is this discrimination which we find unjust? I think not. Certainly it is discriminate action, but it is action which recognizes the differences among the ethnic groups in our population, and it is not the practice of discrimination in its abhorrent sense.

This formula which treats persons differently, because they are basically different, was not hastily arrived at. There was a special departmental committee which undertook the task in 1924 of determining the ethnic composition of the population of the United States. It did not complete its work until 1929 when it made its report to the President. That committee analyzed the population of the United States and through most careful research and study calculated as exactly as humanly possible how many of the members of our population at that time descended from the English, the Dutch, the Italian, the Polish, the German, the Spanish, the Irish, the Portuguese, the Greek, and so on. The formula placed in effect is the recognition by the Congress that it is in the best interests of this country to maintain as nearly as possible that basic composition. This was the purpose of the numerical limitations imposed under the national origins formula, and such numerical limitation based on an invariable formula is not unjust discrimination. ... to charge that the present formula is based on a policy of deliberate discrimination is just not based on fact.

Our immigration policy as embodied in our quota law recognizes that people are different and that nations are different

and that all have made a contribution to the growth and development of this country,

...

In formulating a permanent policy two considerations are of prime importance. The first is that the country has a right to say who shall and who shall not come in. It is not for any foreign country to determine our immigration policy. The second is that the basis for restriction must be chosen with a view not to the interest of any group or groups in this country, whether racial or religious, but rather with a view to the country's best interests as a whole. The great test is assimilability. Can the newcomers fit into the American life readily? Is their culture sufficiently akin to our own to make it possible for them easily to take their place among us? There is no question of "superior" or "inferior" races, or of "Nordics," or of prejudice, or racial egotism. Certain groups not only do not fuse easily, but consistently endeavor to keep alive their racial distinctions when they settle among us. They perpetuate the "hyphen" which is but another way of saying that they seek to create foreign blocs in our midst.

...

... This is the dilemma of those who cast these unfounded charges against a formula which is based soundly on the true proportions of the national origins groups in our population. ...

Mr. President, we hear the clamor of the immigration reformists that we must remove the national origin quotas because it offends other nations and damages our foreign relations. ... Do these critics ever attempt to explain the national origins quotas from a position of strength? Do they ever attempt to tell the truth rather than malign this law of ours which many of them are constitutionally bound to uphold and support? No, that is not the way they proceed as Americans.

... They engage in continuing campaigns of self-condemnation and unceasingly shout discrimination from the housetops. We have always honored our obligations to the rest of the world and it is time that we started defending our policy rather than apologizing for it. Our domestic strength is our concern and it must not be governed by demands from abroad. If there are claims from abroad that our immigration policy discriminates against the peoples of a particular country, it would occur to me

that that country is saying that it does not like the composition of our population and would like to see it changed.

...

Since December 24, 1952, when the McCarran-Walter Act became effective, 50 percent of all the quota numbers have been available for issuance to intending immigrants with special knowledge or skills whose services are needed in this country. ... The visas for the first preference immigrants are issued on the basis of petitions filed by the prospective employer which establish the aliens qualifications and the need for his services. This selective feature of the quota system permits those who establish the need because of the non-availability of skilled persons in this country to obtain a preference in the issuance of visas under each quota for qualified specialists or skilled workers from abroad.

...

Concurrent with all the publicity for immigration reforms to facilitate the admission of skilled workers there is the demand for reforms to permit the reunifications of families. One might get the impression that the national origins quota system results in the separation of families, but this is far from the truth. The truth is that after 50 percent of each quota is made available to the first preference skilled group the remaining 50 percent is made available to close relatives of U.S. citizens and resident aliens, plus any numbers not used by the first preference. The relatives entitled to the preferences include parents of U.S. citizens, unmarried children of U.S. citizens, and spouses and children of resident aliens. The Immigration and Nationality Act goes even further and provides that if any numbers remain after the specific preference groups have been served, 50 percent of any such numbers shall be available to the brothers, sisters, and married children of U.S. citizens. This latter group is commonly referred to as the fourth preference under the quota.

... this compassionate feature was added to the law for the first time in 1952 by the Immigration and Nationality Act. ... Since they were old and alone it was considered reasonable to include them within the concept of a "family unit" which should be maintained. Similarly, the extension of this small priority to married children of citizens seemed justified. In other words, if

any numbers were left over, these relatives of U.S. citizens should have a preference over "new seed" immigrants. ...

... This heavy demand was never contemplated and may be attributed to the act of September 22, 1959, which hastily enlarged the fourth preference group to include the spouse and children of the principal applicant. ... Congress departed from the time-honored concept of preserving the immediate family unit of the immigrant or the citizen, and extended it to include another family unit

...

It is true, Mr. President, that some of the quotas are oversubscribed and that certain relatives in those countries face a delay in obtaining visas, but to me those circumstances do not justify scrapping the quota system. In 90 of the 114 principal quota areas, there is no waiting period at all for immediate family groups. In 54 of the countries there is no waiting period for anyone. It is only when you get beyond the "immediate" family groups, such as the fourth preference applicants that any serious difficulty is encountered and, as indicated above, even then only in a few quota areas.

...

Before seriously considering any measure which would increase the number of immigrants to be added to our population, we should ask ourselves some very searching questions.

...

Mr. President, I believe this country has certainly taken its share of the oppressed and others desiring to join our community of peoples and it has done so gladly. However, no single country can solve the population ills of the world and to attempt to do so can only end in disaster.

In conclusion, Mr. President, I urge the Senate to reject the bill, H.R. 2580, and thereby maintain a sound immigration and naturalization system for our country.³⁴⁸

Sen. McClellan supported retaining “national origins” quota system

Senator John McClellan (D-AR) made an impassioned speech on September 21, 1965 expressing his opposition to H.R. 580 as not being in the best interests of the American people. An edited version of that speech published in the Congressional Record follows:

Mr. President, I am opposed to the pending immigration bill--the people of Arkansas are opposed to it--and, according to a recent national poll--the American people are opposed to it.

After several years of intensive study, the Congress enacted less than 15 years ago, the Walter-McCarran Act, which sought to define and express this Nation's immigration policy. That act was an attempt to blend national interest with the traditional American concept of the brotherhood of man. It was a reasonable act in that it attempted to build our immigration policy on the premise that we should admit to our shores those aliens who stood the best chance of becoming Americanized. The Act was based on the national origins system which has become a symbol of dread and discrimination if we are to heed the emotional cries of those who seek to change and liberalize that act by the emasculating language of the pending bill.

National origins means, quite simply, that system devised by this country following World War I whereby preferential immigration status was accorded to those countries which contributed the most to the formation of our country. In effect, the system sought to reflect the makeup of our people by allowing immigration on a fractional basis of America's population. *This is today baldly labeled as a discriminatory system and it is said that it has to go. I would ask; discriminatory to whom? And I would also ask, since when has it become discriminatory to found immigration on a reasonable and rational system designed to accomplish the desired end of immigration?*

The decade of the 1960's promises to go down in this country's history as the decade of discrimination. The erroneous connotation of the word “discrimination” has become so evil that I doubt that there is an American alive today who would want to be described as having discriminating taste whether in food or clothing. How ridiculous we have become. Each of us in our everyday life discriminates with every choice, be it with friends,

commodities, or facilities. And regardless of some of the inane laws passed by the Congress or twisted by the Supreme Court, such discrimination will persist, for it is a natural compulsion of the human mind.

If so many people are opposed to changing our immigration policy as expressed in the Walter-McCarran Act, then why the big rush to enact the new law? Well, this concerned me; too, and I reviewed again the testimony of administration witnesses before the Senate Judiciary Committee. The Secretary of State said that he has often been approached by foreign ministers who believe that the national origins principle discriminates against their countries. ...

How utterly silly it is to base our immigration policy on the complaint of a few foreign ministers who feel that our policy is discriminatory. The cry to amend the present law for the sake of the tin god of discrimination does not move me either by logic or emotion. ... The Senate Judiciary Committee did amend the bill to impose a 120,000 limitation on Western Hemisphere immigration beginning in 1968. ...

...
Mr. President, if we exclude anybody by law from immigrating to our country, to that extent we discriminate. The only way to have absolutely no discrimination in an immigration policy is to repeal all immigration law, and let them all stand equal. We might as well be honest about it. We are discriminating with this law. We shall discriminate with the next one, and the next one, until we remove every barrier.

...
No alien has a right to admittance. We grant him a privilege, and we are under no compulsion to do that, if the granting of the privilege is against or does not serve the national interest. ...

Woe betide us if we ever go down the road in an effort to wipe out all the things that our enemies might use in their propaganda programs against us, for this would result eventually in the elimination of the free enterprise system.

I do not understand the attitude of trembling in the presence of foreign potentates, kings, dictators, or any other heads of government, merely because we have a little pride in our own

country, in our achievements, in our preeminent position in world affairs. Why should we not have?

Because we have, because we have reached these attainments, are we now required by wisdom, by logic, by humanitarian causes, or any other persuasion to say, "All we have achieved is yours"? Say it to the rest of the world: Come. Partake. Enjoy the privilege.

Mr. President, with that idea I do not agree. America cannot survive as the great Nation she is today if we ever so modify and change our immigration policy so as not to protect that which we have developed, produced, and now possess.

...

Mr. President, I am sure that there is just as urgent need-more, possibly-in India for the skill of this brilliant physician than in America. Yet, the argument is made in support of the bill to siphon him off', to take him away from his native land, where he is needed most, because we would be embarrassed if someone should state that we were discriminating.

...

I believe it can be said without successful contradiction or challenge that we have the most liberal immigration policy in the world. I am not an expert in this field, but I do not know of any country which is more generous and liberal than the United States.

...

The point is that if a good image of this country is related to its immigration policy, the United States should already have the greatest image of any country on earth because of its generosity and liberal attitude toward inviting people to its shores.

...

There is not .a country on earth which will not continue to have greater respect for us because we are discriminatory in our taste and in our selection than if we were no longer to have any pride in ourselves in what we are.

... I emphasize how generous it is that during the 1952-61 period, some 14,000 immigrant physicians and surgeons and about 28,000 nurses helped alleviate the shortage of trained personnel in the critical medical field.

I do not know of any countries which have less need for skilled doctors and nurses than we have. They can do as great a service for humanity-probably greater, and with greater opportunities to serve humanity-in their own countries, where the need is greater.

...
... With these facts in mind, it is little wonder that we now find ourselves continuing to spend billions abroad in economic and technical aid, or that we are sending hordes of Peace Corps workers abroad. Do not these figures and arguments clearly indicate that this country has been siphoning away the very people needed most by the underdeveloped countries of the world which we are professing to help with our foreign aid, our economic aid, our dollars?

But then, perhaps this is bureaucracy at its best-taking away with the left hand and giving away with the right hand. We could eliminate the middle man in this process – our Government – by letting these highly trained people remain in their own countries where they could contribute much to their development, local economy, and culture.

...
Where is the demand for foreign labor in this country-except on some farms, by some fruit producers and others in the southern part of the Nation or in the western or Pacific Coast areas where fruits and citrus are grown?

... Mr. President, it seems to me that our country, now streaking toward unprecedented expenditures to combat poverty, to increase welfare programs, to provide more job retraining, to provide rent subsidies with wage subsidies lurking around the corner-has absolutely no business liberalizing its immigration laws.

Why should we bring to this country persons from other countries, when their skills and training are needed in those countries? We appropriate money and give it to other countries on the pretext that we are trying to develop underdeveloped areas. At the same time we propose to take away from those countries the very brains that are necessary, that those countries already possess, which can help those countries get out of a state of

underdevelopment and into a state of a developed economy and society. It does not make sense.

We are told that millions of Americans today are existing on poverty wages and we are spending more and more money to raise their standard of living. Why, in the face of this national problem, should we deliberately add to it? *Why should we compound the problem by letting down the floodgates and admitting thousands and thousands of additional immigrants? Do we have an obligation to the world to do this? The answer is no, and we will be unwise and imprudent to do it.*

America has--and has had for years the most liberal and compassionate immigration policy of any nation in the world. ... But I am not aware of any great rush on the part of such countries to alter their national policy simply because someone says it is discriminatory. **I think it is high time we practice more discrimination--discrimination in favor of America's self-interest. It saddens me to see that it has become completely out of vogue for an American to embrace nationalism. For some time there has been a trend in this country toward conformity, toward the norm with the resultant lowering of standards of the whole society. The immigration policy provided for in the pending bill would seek to extend that lowering of standards. ...**

...
As I stated a few moments ago, immigration is not a right, but a privilege, and it should be treated as such. If it is in our own self-interest to restrict immigration--as every great nation of the world does--then let us frankly do so without apologies, and not enact this ill-advised piece of legislation. Many proponents of this bill base their plea for support on humanitarian grounds. *I say to them that the greatest service that this Nation can perform for the world is to remain strong, economically and militarily. **The greatness of America just did not happen. This Nation achieved its greatness by dedication to the principles of self-government, to hard work and a strong sense of nationalism. And I say that liberalizing our present immigration policy will only tend to dilute rather than to augment our strength.***

...
... Yet we in the Congress are presented with an immigration bill that would admit more and more people to further sap, if not

burden, our resources. We have had an influx of immigrants at the rate of some 300,000 per year for the past decade. *It has been estimated that this bill will increase that figure by at least another 50,000 and perhaps more. Personally, I would think that another 100,000 per year would be a much more realistic figure, ...*

...

The enactment of the pending bill would encourage and invite further efforts to greater liberalization until ultimately, for all practical purposes, we shall have no immigration law.

With our millions of unemployed with our millions of poverty stricken with our housing shortage—classroom shortage-hospital and nursing requirements--and burgeoning cities--how can we hope to alleviate conditions here at home by letting down the floodgates for the streams of ever more immigrants seeking entry-legally and illegally-into this country? Have we not already reached a reasonable limit?

...

Will the addition of still more minority groups from all parts of the world lessen or contribute to the increasing racial tensions and violence we are currently witnessing on the streets of our major cities? Will our crime problems be lessened or heightened by the influx of the new hordes from the far reaches of the world? Under the national origins system, an effort was made to bring into this country those people who demonstrated the ability to assimilate readily into our culture and civilization.

...

Mr. President, I ask unanimous consent, as I conclude my remarks, to have printed at this point in the RECORD an editorial entitled "Why Do We Want To Bring More People to the United States?" published in the *North Little Rock Times* of September 16, 1965....

Why Do We Want To Bring More People To The United States?

We have been showing favoritism since 1924-admitting immigrants in proportion to the makeup of our population. For instance, since there were many more descendants of Englishmen living in this country than Italians the quota for Great Britain was set at 65,361 and for Italy, 5,666. This looked like raw prejudice when viewed in the light of the Great Society. So it had to go, even

though most other nations see nothing wrong in being arbitrary and highly selective about whom they let into their country. Australia, for example, takes no Negroes, Liberia accepts no white people, Israel will take only Jews, and Japan and Switzerland allow no immigrants at all.

... *A Brazilian off a coffee plantation can live a thousand times better on relief in Chicago or New York than he can on his country's average per capita income of \$129 a year.*

... Great Britain was not embarrassed when it reduced immigration from its own colonies in the Caribbean from 20,000 to 8,500. Plainly, the English are disturbed about unemployment and the population explosion and are trying to do something about it. Why should we be ashamed to do likewise?³⁴⁹

Sen. Ellender supported retaining “national origins” quota system

Senator Joseph Ellender (D-LA) made extended remarks on September 22, 1965 expressing his opposition to H.R. 580 as not being in the best interests of the American people. An edited version of his remarks published in the Congressional Record follows:

Mr. President, immigration and naturalization laws developed in the 18th and 19th centuries with the spread of nationalism. Since the concept of the modern nation state goes back only to the Protestant Reformation, it is understandable that laws governing the movement of -large numbers of people would come about only with the growth of this concept and the improvement of transportation facilities.

With the discovery of the Western Hemisphere and the improvement in transportation, the emigration of large populations became a matter of state policy for the first time.

...

Nationalism is a feeling on the part of a citizen that his country is a living entity which will continue on after his death and that it is his duty to protect its existence and work for its continuation in the same form that he has known it. Nationalism engenders a spirit of unity among a people and a homogeneous population is one of its earmarks.

...The vast gulf of cultural, racial and economic differences tends to further drive nations apart, especially in this day of rapid

transportation and communication.

... The problems did not become acute nor was it a matter of great concern, until the middle 1800's, when this Nation began to industrialize, and at the same time, large numbers of South Europeans began to come here.

As long as we had free lands and the population remained culturally and racially the same, there was little need for immigration laws. When that situation began to change in the early 20th century, it became necessary for the United States to protect itself by the enactment of restrictive legislation on immigration.

...

... It was the purpose and intention of Congress in 1924 to maintain and continue the racial, ethnic and cultural traditions of the United States by admitting immigrants in proportion to their American counterparts. *It was the intention of Congress that the United States should continue to be a Christian nation, populated primarily by those nationalities which compose Western Europe today.*

It is now proposed that we change this system of immigration in favor of a "first come, first served" basis. It has been said that we are a nation of immigrants.

... The great mass of American people consider themselves only American, and this is true whether their name is "Jones" or "Janowsky."

...

I submit, and history will bear me out, that the United States, from its earliest beginnings, at no time encouraged the indiscriminate migration of foreigners to our shores.

...

The Alien Act of 1798 empowered the President to deport any alien whom he considered dangerous to the Government. Although no immigration laws governing immigration of aliens to the United States were passed until 1875, no one advocated the opening of the floodgates to unrestricted immigration from Asia, Africa, Latin America or other areas of the world with populations dissimilar from our own.

...

With rapid industrialization following the War Between the

States and the beginning of the emergence of the United States as a great power, it is not at all surprising that Congress wished to protect the citizens of this country by being more selective in those whom it permitted to immigrate here...*There is a strange attitude in this country today on the part of some people who feel that this land and its material wealth do not rightfully belong to the citizens of this country, but in effect belong to the world's population at large.*

American citizens have been taxed untold billions of dollars to support foreign governments and foreign peoples. Now we are being asked to surrender the country itself to the world's hordes who are just waiting for the immigration barriers to be lowered. ... *Bad as it is today, I dread that time which will come in the near future, if this bill is passed, when aliens will dominate the political process in this country.*

Literacy is no longer a prerequisite to voting in this country, particularly in the South, and it has been strongly urged that a knowledge of the English language is not necessary. Those who wish to denounce me as a bigot may do so, but I for one want this Nation to remain Christian and civilized in the Western European and American sense of the word.

...

The famine in the Canton region of China is said to be responsible for the huge Chinese immigration in the latter half of the 19th century. Who knows what future famine may occur in northern Brazil, in India, or in Asia, which may cause similar mass migration to this country if the national origins system is abandoned.

... I believe it is almost a certainty that most of the immigrants who have come to this country in the last 20 or 30 years have settled in the large urban areas of the Nation, particularly the east and west coasts.

I am reminded of Thomas Jefferson's partiality for an agrarian system, when he wrote to James Madison in 1787. He said: "When we get piled upon one another in large cities as in Europe, we shall become corrupt as in Europe, and go to eating one another as they do there."

... The attempt to diffuse and assimilate the Hungarian refugees of 1956 failed miserably, By and large they returned to

the big cities.

...

In 1943, the Chinese Exclusion Act was repealed.

In 1945, the War Brides Act was passed to permit special entry of wives of Armed Forces personnel.

The following year Congress permitted Filipinos and persons belonging to races native to India the privilege of admission to the United States.

The Displaced Persons Act of 1948 permitted the immigration of 205,000 displaced persons over a period of 2 years.

...

In 1952, Congress enacted the Immigration and Nationality Act, which is better known as the McCarran-Walter Act. This law repealed all existing immigration and nationality laws and revised and codified all legislation dealing with immigration

Under this act, the total immigration quotas remained substantially the same as in previous acts; however, the first 50 percent--first preference---of the quota was reserved to certain highly skilled or educated persons whose immigration would be of advantage to the United States. ...

... In 1953, the Refugee Relief Act authorized 209,000 persons to enter the United States as nonquota immigrants.

Further changes were made in 1957; and in 1958, Congress made it possible for the Hungarian refugees to come to the United States ... in 1962 Congress enacted the Migration and Refugee Assistance Act and provided for assistance to refugees in the appropriation of funds to assist those who came from the Western Hemisphere countries.

This was specially designed to assist the Cuban refugees fleeing Communist persecution on that island. ...

...

I believe that the record will bear out the fact that few countries have been as generous as the United States in accepting the displaced and the homeless peoples of the world.

I cannot understand those who attack our basic law simply because it attempts to continue the cultural heritage, political and social traditions of this Nation.

...

The truth of the matter is, as I have pointed out earlier, that

new immigrants to this country move into the huge urban areas primarily on the east and west coasts and add further to the population explosion problem with which we and the rest of the world are faced. There are no new frontiers in the United States where pioneers can settle and establish homes for themselves and their children.

...

I am personally in favor of halting all immigration for 5 years in order that the problem may be thoroughly studied, with a view to determining the effects of immigration upon the labor market, the success or failure of assimilation of these foreign groups coming into the country, and the effects upon our urban areas. It should always be remembered that immigration is a privilege to be conferred upon foreign persons by the Congress of the United States. No one has a right to become a citizen of this country, and the people of the United States are under no obligation either moral or legal to admit anyone who wishes to enter. ...

This is a mature country with a complicated social structure requiring citizens with great technical skills who can not only support themselves but who can make worthwhile contributions to the Nation.

I have read with great interest the statements of those who oppose our present immigration policy. They are, as I said before, those persons who apparently feel that the natural resources of this Nation do not belong to its citizens exclusively. They seem to be racked with guilt feelings over the fact that Americans are, by and large, much better off materially and spiritually than most of the world's population. [at 24772-24773]

...

Mr. Rusk seems to feel it is discrimination on our part because we do not let untold numbers of Orientals come into this country.

...

According to the administration's new immigration proposals, the national origins quota system would be phased out over a 5-year period.

...

I do not see how any reasonable or responsible foreigner could gain the impression from our Declaration of Independence

or from any of our other statements of principle that there is a legal or moral right for the world's population to move into our country. ... I cannot see how anyone of reasonable intelligence can really blame the American people for wishing to maintain their cultural, ethnic, and political traditions in their historic context. ...

In considering the charge that American immigration policy discriminates, it is only necessary to examine the policies of other nations to readily establish that they all show a strong preference for people culturally and racially similar to their own. ... The laws of other countries are usually vague and the particular immigration official is guided only by considerations of labor supply, the health and character of the immigrant and the ability to become readily assimilated into the native population. It is this wide discretion which other nations use to maintain an unofficial national origins system.

Persons of foreign races are always most difficult to assimilate and, therefore, constitute a moral basis for the Minister of Labor to exclude them.

I cannot see my way clear to supporting the pending measure, and I shall vote against it.³⁵⁰

Sen. Holland supported retaining “national origins” quota system

Senator Spessard Holland (D-FL) made an impassioned speech on September 21, 1965 expressing his opposition to H.R. 580 as not being in the best interests of the American people. An edited version of that speech published in the Congressional Record follows:

When it comes to the charge of discrimination, is that not mostly confined to some of our own liberals? I have not noticed that there is any under-subscription of quota allowances for the people of other nations who wish to come to America other than those which are already heavily represented in this country. ...

...

Not many days ago, I had the privilege of reading a long article on immigration policy in Australia, which is vastly more restrictive than ours. Australia picks not only the countries from which it is willing to invite migrants, but also picks the individuals in those countries. The article mentioned that

oversubscription in Australia was very great, that they had almost an indefinite right of selection between numerous individuals and numerous families. Does that indicate that there is any world disapproval of a people who wish to protect their own civilization and to bring to themselves, for their benefit, those whom they believe will be attuned to what their country is trying to do?

...

I merely wish the RECORD to show that in the case of Australia, whose policy is restrictive and highly selective, they are being overwhelmed with applications to come in from good people who wish to emigrate to Australia and settle there and claim a part of the future of that relatively new continent as pioneers and settlers.

*I am completely out of accord, however, with the theory that we must change our policy merely to suit someone else. ... We have the right to be as restrictive as we feel our own interests require...*³⁵¹

Holland made the following statements in response to Senator Kennedy's arguments on behalf of the immigration bill:

I have received what amounts to almost a flood of mail from the people of my State opposing the enactment of this bill.

...

First, I have many letters stating that it is understood that under this bill, according to the best estimate, the number of immigrants to our Nation will be increased by something like 60,000 to 70,000 per year over the current volume of immigration.

...

The second question that has been raised is this: Under the present condition of continuous unemployment, which apparently is disturbing industry, labor, and Government, and all of us in this Nation, why is it deemed desirable to bring in a substantially increased number of immigrants each year?

...

The Senator from Massachusetts [Edward Kennedy] does not believe that the admission of 60,000 more immigrants a year will increase the unemployment problem. Is that correct?

...

...The third question which seems to disturb an undue number

of my people, as reflected in the correspondence which I have received, is that they note that the immediate members of a family joining a former immigrant to the United States are not included in the quota. I believe that applies to the spouses and children, and the father and the mother, and may even go further: but certainly a sizable number of the immediate family are not included in the quota.

...

We have received numerous complaints from Canadian residents—many of them are citizens now—with reference to what they say would be the first restrictions ever to be imposed upon immigration from Canada, other than restrictions of health, character, and those classifications. Why were the Canadians restricted in the pending measure? ...³⁵²

The following exchange took place between Holland and Sen. Edward Kennedy:

Mr. Holland. The last question which has been posed by a good many people is, *Why for the first time, are the emerging nations of Africa to be placed on the same basis as are our mother countries, Britain, Germany, the Scandinavian nations, France, the Mediterranean nations, and the other nations from which most Americans have come?*

Mr. KENNEDY of Massachusetts. *They are sovereign nations. They are recognized by the United States.* There does not appear to be any reason why we should not do so.

Mr. HOLLAND. The Senator feels that we have not learned anything at all about the difficulties which have arisen from the racial admixtures in our country, and, to the contrary, we are going to open the immigration doors equally to the African nations in the same way that we opened the immigration doors to the Western European nations.

Mr. KENNEDY of Massachusetts. *...If the question of the Senator is whether we are including the countries of Africa on the same basis as other nations, I am happy to state that the countries of Africa are so included.* The individuals from African nations who apply for admission to the United States will be considered in exactly the same way as individuals coming from Great Britain, France, Ireland, the Scandinavian countries, or any other nation.

Mr. HOLLAND. *If I may interpret that statement, the African nations would be placed on exactly an equal status with the nations of Western Europe.*

Mr. KENNEDY of Massachusetts. *The Senator has stated that accurately.*

...

Mr. HOLLAND. ... *I fully agree that the last answer in particular demonstrates a situation which I do not believe is in accord with the experience which we are having in this country and which, to the contrary, runs in the face of the most unpleasant domestic experience which we have ever had, at least within my lifetime, in the United States.*

...

Mr. KENNEDY of Massachusetts. ... I believe that one of the most laudable aspects of the entire bill is the elimination of the racist factor. *We have eliminated the Asia-Pacific triangle which was based solely on the basis of origin.* ...

This is the very basic root of this legislation. I am delighted to be asked that question by the Senator from Florida. It is my interpretation, and I believe the interpretation of the majority of the members of the committee, and those who have read the proposed legislation, that the provisions of this bill eliminate all references to race considerations. ...

*As many Senators have pointed out, this is a historic occasion. The bill we will pass today will be considered, in the light of history, as one of the most important accomplishments of this Congress.*³⁵³

Senator Holland stated in concluding his remarks:

... I want the RECORD to show that the many people from my State who have complained to me about this matter are correctly informed. As I understand it now, all nations on earth, including our mother nations of Western Europe, including the emerging nations of Africa, including the subcontinent, including the oriental nations, including Latin America, and including Canada, are placed on exactly the same basis because they are nations, and their people would be on exactly the same basis in hoping to come into our country as immigrants to join our own population.

...

I do not believe that what we are being asked to do has been brought out in the RECORD heretofore. We are being asked to forget about origin, to forget about the percentage of people who are now here -as our nationals and who are being assimilated in the bloodstream of America, to forget about the racial difficulties through which we have passed, not only during the recent clash between the people of the white and the black races, but also during World War II in the other field, as between the white race and the yellow race. We are being asked to forget about any question of that kind. Certainly I shall not find fault with anybody who has come to that conclusion. I do not question the good conscience of anybody who has come to that conclusion. However, insofar as the Senator from Florida is concerned, I believe that we have the complete right as a nation to safeguard ourselves and our own traditions and our own people.

So far as the Senator from Florida is concerned, he will never vote for a bill which would place all the nations on earth and the people from all those nations on exactly an equal status as to admission to citizenship in our country.

...

They did not come as immigrants; let us put it that way. They were generally brought in on ships that were based in England, which . brought in slaves to the Southland or elsewhere; and, of course, there was no -way to check that situation. I have no fault to find with them. I am only stating what is the fact, that those good people have no nationality now, no race to look to, and no home country to look to except the United States, whereas. the distinguished Senator from New York has a mother country to which he can look,-as I think every Senator present has.

...

Our Negro citizens are American citizens. ... But he knows what the fact is. They cannot tell where they came from, and they are not interested in going back anywhere, to a home State or a mother country, as my distinguished friend from New York, of course, takes pride in going back to a particular area of Ireland.

...

The Senator from Florida is stating what is a fact, namely, that the bill, as it is now disclosed on the floor, assumes to open the door to immigration to this country equally wide to people

from all the countries of the world, making no distinction between them, except on the basis of communism. ... Except for that, the Oriental, the African, the Malayan, and various other people from all parts of the earth are to be equally accepted for immigration into this country and for admission to citizenship.

All I am calling attention to is that many people in my State of Florida do not agree with that principle, and they have objected to it.

...

... I am grateful to my distinguished friends for making clear exactly what the bill means, exactly what Senators are asked to vote for, exactly how we are going to open the gates to all the people, disregarding the fact that our background is largely European and that we have gone so very far in the development of ourselves and of our resources, in giving gifts to others, and in helping all the races of the earth. Whereas many of the other people have not been able to show anything comparable to that.

A nation that does not give some attention to the protection of its own rights, to the protection of its own citizens, is a very unwise nation.

...

We shall regret it if we take this step, which is different from anything we have ever done before.³⁵⁴

Sen. Robertson supported retaining “national origins” quota system

Senator Absalom Robertson (D-VA) made a statement on September 22, 1965 expressing his opposition to H.R. 580 as not being in the best interests of the American people. An edited version of his statement published in the Congressional Record follows:

I shall vote against the inevitable because I still believe in two principles. First, we were wise in adopting the original plan to have people of a like kind come in that could be absorbed. Second, insofar as concerns our 3 or 4 percent unemployed, I have no confidence whatever in the so-called screening process; that we will only get the cream and the skilled. The cream and the skilled stay at home. They have no reason to leave and are not coming to a new country. We will not get that type. I regret to say that we will be in a minority, but I feel I am honored to represent a State

where I believe the majority of the residents share my viewpoint.

Therefore, I am not misrepresenting the State when I say I shall vote against the bill.³⁵⁵

Sen. Saltonstall supported ending “national origins” quota system

Senator Leverett Saltonstall (R-MA) made a speech on September 20, 1965 expressing his support to H.R. 580 with a Senate amendment limiting Western Hemisphere immigration. Saltonstall was the senior senator from Massachusetts, and Edward Kennedy was the junior senator. Saltonstall made it clear at the end of his speech that the goal of ending the “national origins” quota system was to open the “Golden Door” for all nationalities to immigrate to the U.S., without consideration for its demographic make-up, culture, and language had European roots. An edited version of that speech published in the Congressional Record follows:

Mr. President, I wish to speak briefly on the unfinished business pending before the Senate with relation to amending the Immigration and Nationality Act of 1952. *I am very happy that my colleague, the junior Senator from Massachusetts [Mr. KENNEDY], is in charge of this bill.....*

By once and for all eliminating the arbitrary and discriminatory national origins formula for selecting immigrants to come to the United States, we have finally come firmly to grips with the most serious deficiency of the McCarran-Walter Act. ...

The bill makes the following changes in our current immigration law:

...It abolishes the "national origins" formula for distributing quota numbers among the countries of the world, and substitutes new selection system on a first-come, first-qualified basis...

...It establishes a new set of preferences giving highest priority to close family members of U.S. citizens and resident aliens ...

...It extends nonquota status to parents of U.S. citizens, such citizens being 21 years of age or older.

...It abolishes the Asia-Pacific triangle provision which discriminates against persons of oriental ancestry.

...

The effect of the present quota allocation formula has been to discriminate against certain nationality groups, particularly those from eastern and southern European and Asian countries. ...

...

The adjusted preference system of this bill places primary emphasis on family reuniting. Parents of U.S. citizens, such citizens being at least 21 years of age, are to be nonquota. Most of those affected by this change are elderly people who wish to spend their remaining years with their children.

Spouses and children of resident aliens will also be given a higher preference than they previously had. ...

...

Western Hemisphere Provision

Madam President, in passing this legislation, we are attempting to eliminate the discriminatory features of our immigration laws. We are adopting a general principle governing immigration which imposes a ceiling of 170,000 total visas to be distributed among people all over the world who wish to immigrate to the United States, without any reference to the applicant's place of birth. However, the bill as passed by the House places the natives of the 24 Western Hemisphere countries in a favored position vis-à-vis the natives of the countries of the rest of the world. To permit these people to enjoy nonquota or "special" status as contemplated in the House version of the bill is, in fact, contradictory to our announced goal of removing special preferences for the natives of any quota area, and is inconsistent with the new quota allocation formula which imposes a maximum ceiling on immigration for all the countries of the world.

...

Our neighbors know that the action that we are taking here is designed to equalize opportunity to people of all nations to come here should they meet the general qualifications imposed.

...

Surely the limitation of 120,000 set on Western Hemisphere immigration as opposed to only 170,000 for the rest of the world is realistic and not restrictive. The time to take such a step is now, and I hope that this amendment will be retained by the Senate, and retained in conference with the House.

...

In an era when other countries seem to be moving in the direction of a more rather than a less restrictive immigration policy, our action in liberalizing our law has special meaning. *We are making clear to the rest of the world that we intend to eliminate all vestiges of discrimination against any nationality group from our immigration law* ... Failure to act will, in the long run, result in a weakening of our position as the leader of the free nations of the world, and in a decline of our domestic, economic, and social well-being.

Passage of this bill will give renewed meaning to the famous words of Emma Lazarus on the base of the Statue of Liberty. *The "Golden Door" will at last be open.*

I note the presence of my junior colleague [*Mr. KENNEDY of Massachusetts*] *in the Senate. I congratulate him upon fathering this measure*, which I believe is of so much value to all of us in this country.³⁵⁶

Sen. Douglas supported ending "national origins" quota system

Senator Paul H. Douglas (D-IL) made a statement in support of S. 500 on February 2, 1965. His statement tacitly revealed that increasing immigration from Greece and Italy was one of the intentions of the proposed new immigration law that would end the "national origins" quota system for selecting immigrants. Excerpts from Douglas' statement published in the Congressional Record follows:

Support Of The Immigration Bill – S. 500

Mr. DOUGLAS ...

For years, there have been introduced bills which would somewhat liberalize the McCarran-Walter Immigration and Nationality Act; but they have never made any progress. ... Immigration is a field in which change is genuinely feared by a great many people. But change, as it is written into Senate bill 500, is not at all alarming, once it is understood.

...

... We do not want people to come here from any country if they will go on relief or if they might endanger our national security. ...

Over two-thirds of our total annual quota is allotted to only three national groups: those from Great Britain, Ireland, and Germany. ... Other countries with very small quotas, such as Greece and Italy, have lengthy waiting lists of eligible people. ...

...

... But careful precautions are written into the bill, in order to prevent any reverse discrimination against our good friends and allies in Europe.

The change that is proposed is not one of appreciably increasing the quantity of authorized immigration, but, rather, is one of changing the methods and principles by which it will be regulated. We shall not have coming to our shores significantly more aliens than those who now come. The total yearly quota will be increased by only 7,000 – from 158,000 to 165,000. ...

Since 1957, Congress has responded to the need for revision of the McCarran Act by passing five laws which have admitted certain refugees and skilled persons. Under these laws, 141,598 eligible persons have entered the country outside of the quota, since 1957. ...

...

As a supplement to my remarks, I request unanimous consent to have printed in the RECORD a pertinent editorial from the January 15 issue of the Wall Street Journal.

Untangling Immigration

The current system of choosing among applicants by allotting national quotas is not, contrary to inferences by the President and others, simply a manifestation of xenophobia with no basis in logic. To a certain extent, it is true that immigrants will assimilate better if they come from a culture similar to our own.

That is hardly the only relevant criterion, however, and the quota system undeniably leads to a number of anomalies. It turns away qualified applicants from some countries while quotas from others go unused. ...

A sensible alternative seems to be to put the emphasis on skills and relationships with U.S. citizens ...

It may be unfortunate that the proposals would reduce preferences for some countries with close ties to the United States. ...

The President's recommendations apparently would not, despite the claims of some opponents, open our shores to hordes of new immigrants. The plan would increase the total quota from some 158,000 to 165,000 a year, hardly a huge number for a country of this size.³⁵⁷

Sen. Fong supported ending "national origins" quota system

Senator Hiram Fong (R-HI) responded, during U.S. Senate hearings about S. 500 on February 10, 1965, to concerns by critics that ending the national origins quota system would result in a huge influx of Asians who would change the cultural norm of the United States. Fong pooh-pooed that concern in stating:

"Asians represent six-tenths of 1 percent of the population of the United States... with respect to Japan, we estimate that there will be a total for the first 5 years of some 5,391... the people from that part of the world will never reach 1 percent of the population... Our cultural pattern will never be changed as far as America is concerned."³⁵⁸

Sen. Edward Kennedy supported ending "national origins" quota system

Senator Edward Kennedy (D-MA) made a statement on September 17, 1965 expressing his support for H.R. 2580. He was the chairman of the subcommittee that conducted the hearing on S. 500, the Senate's companion bill to H.R. 2580. Edward Kennedy was the younger brother of Senator Robert Kennedy (D-NY), and deceased President John F. Kennedy. An edited version of Edward Kennedy's statement published in the Congressional Record follows:

Mr. KENNEDY of Massachusetts. Mr. President, the bill we are considering today accomplishes major reforms in our immigration policy. This bill is not concerned with increasing immigration to this country, nor will it lower any of the high standards we apply in selection of immigrants. The basic change it makes is the elimination of the national origins quota system ...

For 41 years, the immigration policy of our country has been crippled by this system. ...We have discriminated in favor of

some people over others, contrary to our basic principles as a nation, simply on the basis of birth.

...

The national origins system has even failed in the purpose for which it was intended: to keep the ethnic balance of our country forever as it was in 1920. In 1920, 79 percent of our white population was of northern and western European origin. During the first 30 years of the national origins system, only 39 percent of our total immigration came from such areas. Since 1952, some 3.5 million persons have been admitted to this country as immigrants. Two-thirds of them came outside the national origins quota.

...

The new policy in the bill before us was developed under the administration of President Kennedy by experts both in Congress and the executive branch. Extensive hearings were held, both last year and this, in the Senate and the House. ...

The current bill phases out the national origins system over a 3-year period. Beginning July 1, 1968, our immigration policy will be based on the concept of "first come, first served." We no longer will ask a man where he was born. ...

... Parents, spouses, and children of U.S. citizens will be considered as "immediate relatives" and, as such, will be under no numerical limitation at all. ...

...

The preferences under this bill reflect our strong humanitarian belief in family unity as well as personal merit.

...

Mr. President, in addition to eliminating the national origins system, this bill makes other reforms in our immigration policy that support the principles of merit and of "first come, first served." I am especially gratified that we are wiping out the Asia-Pacific triangle. Established by the McCarran-Walter Act of 1952, this geographic triangle is used to identify those nations of the East to which a specially discriminatory rule applies. Any person, regardless of his place of birth, whose ancestry can be traced to a nation or nations within the triangle is chargeable to the quota of that nation, or to a general triangle quota of 100. The elimination of this crude device means that finally, after almost 100 years,

Asian peoples are no longer discriminated against in the immigration laws of our country.

...

As defined in this bill, refugees are those persons displaced from Communist-dominated countries or areas, or from any country in the defined area of the Middle East because of persecution, or fear of persecution, on account of race, religion, or political opinion. They must be currently settled in countries other than their homelands.

The bill also will make quota numbers available to refugees displaced by natural calamities, as defined by the President. *This provision is designed to assure the world that we will remain a haven for the displaced.* ...

...

The final major change brought about by this legislation affects the nations of the Western Hemisphere. The bill will modify the current nonquota status of these nations by placing a ceiling of 120,000 on the entire hemisphere, exclusive of parents, spouses, and children. This ceiling, effective July 1, 1968, will place no numerical limit on any one country, however, nor will it incorporate the preference system in force for the rest of the world.

...

Finally, alien crewmen who entered illegally will no longer be treated differently than other illegal entrants when seeking an adjustment of status.

This is the bill before the Senate.' ...

There have been, however, certain questions raised in the course of our hearings that indicated certain fears or concerns in the minds of some interested people. I would like to set them straight. **First was the fear that this legislation would result in a significant increase in overall immigration.** ...

There will be some increase in total immigration to the United States—about 50,000 to 60,000 per year. This results from changing the law from an individual country quota system to a worldwide system. ... Thus we will admit an estimated total of 355,000. This is but a 60,000 increase in total immigration over our average total for the last decade.

... *The percentage increase that immigration will represent is infinitesimally small. **This legislation opens no “floodgate.”** ...*

***Another fear is that immigrants from nations other than those in northern Europe will not assimilate into our society.** ...*

The fact is, Mr. President, that *the people who comprise the new immigration—the type which this bill would give preference to—are relatively well educated and well to do.* They are familiar with American ways. They share our ideals. Our merchandise, our styles, our patterns of living are an integral part of their own countries. Many of them learn English as a second language in their schools. In an age of global television and the universality of American culture, their assimilation, in a real sense, begins before they come here.

Finally, the fear is raised that under this bill immigrants will be taking jobs away from Americans at a time we find it difficult to lower our unemployment rate below 4 percent. ...

***The fact is that most immigrants do not enter the labor market at all—they are consumers and create demands for additional labor.** Since 1947, only 47 percent of our total immigration entered the labor force, while 53 percent became consumers only, providing a net increase in the demand for goods and services....*

...

In effect then, immigration benefits our economy and labor force, as long as it is selective and controlled. This bill will allow greater selectivity and greater control.

Mr. President, what we are about to consider is the fruit of the efforts of many people over many years:

...

After 40 years we have returned to first principles. Immigration, more than anything else, has supplied America with the human strength that is the core of its greatness. Let us keep the strength renewing.³⁵⁹

A summary of Edward Kennedy's response to critics of the immigration bill were his comments:

“First, our cities will not be flooded with a million immigrants annually. Under the proposed bill, the present level of immigration remains substantially the same...

Secondly, the ethnic mix of this country will not be upset... Contrary to the charges in some quarters, [the bill] will not inundate America with immigrants from any one country or area, or the most populated and deprived nations of Africa and Asia...³⁶⁰

Sen. Robert Kennedy supported ending “national origins” quota system and no limit on Western Hemisphere immigration

Senator Robert Kennedy (D-NY) made a statement on September 20, 1965 expressing his support for H.R. 2580, but he was opposed to a Senate amendment limiting Western Hemisphere immigration. He was the older brother of Senator Edward Kennedy (D-MA), who was in charge of the bill in the Senate. An edited version of Kennedy’s statement published in the Congressional Record follows:

Mr. KENNEDY of New York. Mr. President, it gives me great pleasure to voice today my support of the immigration bill, H.R. 2580. The central principle of this bill the repeal of the national origins system-was first incorporated in a bill drafted in the Department of Justice while I was Attorney General.

...

There is one provision of this bill, however, that is in my judgment a serious mistake. The bill would put a ceiling on immigration from the Western Hemisphere, roughly equivalent to the present rate.

...

This provision would impose a statutory limit on immigration from Latin America and Canada for the first time in our history.

...

Placing a statutory limit on immigration in the Western Hemisphere, is, moreover, without any affirmative benefit.

...

In our relationship with Latin America in particular, we are engaged in great experiment to see whether the societies which are rich and free can help those who are less free and poor, and to live in a world society in peace and harmony. It is not in our interest to turn away from this experiment.

...

This is the central problem of immigration today ...It has not recognized that one people is not intrinsically superior or inferior

to another people. *It has not recognized that individuals have rights irrespective of their citizenship.* It has not recognized that the relevant community is not merely the nation but all men of good will. It has not recognized that no human institution can cease to change and grow without dying.

I should like to mention also that President Kennedy was interested in this matter before either of us, when he was in the House of Representatives, when he was a Senator, and finally when he became the President of the United States in 1961.

President Kennedy wrote a book entitled, "A Nation of Immigrants." The work on that book was not completed in November 1963. The work on that book continued after November of 1963 under my general supervision, together with Mr. Mike Feldman at the White House. We contributed ideas to the book, as did my brother, the junior Senator from Massachusetts.

The book traces the immigration progress here in the United States and also the role that President Kennedy played in that progress and how he felt about the matter.

Mr. President, I ask unanimous consent that this book, which is relatively small, be printed at this point in the RECORD.

There being no objection, the book was ordered to be printed in the RECORD, as follows:

[Book was published in the Record]

...

I should also like to express my appreciation for the role played in this legislation by Attorney General Katzenbach, Assistant Attorney General Norbert Schlei, Mr. Leon Ulman, and Mr. Robert Saloschin, all of the Department of Justice; by Commissioner Raymond Farrell, Mr. James Hennessy, and Mrs. Helen Eckerson of the Immigration and Naturalization Service; by Secretary of State Rusk and Mr. Abba Schwartz of the Department of State; and by Mr. Adam Walinsky, formerly of the Department of Justice.³⁶¹

³³⁹ "Some Observations Concerning Occupational Hazards of Senators, The Wisdom of the McCarran-Walter Act, and the Proposal to Substitute the Caprice of the Federal Administrator

For The Rule of Law In Immigration Affairs,” *Congressional Record* –Senate, 4143-4146, March 4, 1965. Remarks by Senator Sam Ervin.

³⁴⁰ *Id.*

³⁴¹ “Immigration Bill,” *Congressional Record* –Senate, 23793-23796, September 14, 1965. Remarks by Senator Robert Byrd.

³⁴² *Congressional Record* –Senate, 24543, September 21, 1965.

³⁴³ *Id.* at 24542.

³⁴⁴ *Id.* at 24543.

³⁴⁵ *Id.* at 24542-43.

³⁴⁶ “The Immigration Bill” *Congressional Record* –Senate, 24744-45, September 22, 1965. Remarks by Senator Byrd, and *Hold The Line* editorial.

³⁴⁷ *Congressional Record* –Senate, 24544-24549, September 21, 1965.

³⁴⁸ *Id.* at 24551-24554.

³⁴⁹ *Id.* at 24554-24557.

³⁵⁰ *Id.* at 24769-24774.

³⁵¹ *Id.* at 24555.

³⁵² *Id.* at 24774-75.

³⁵³ *Id.* at 24776.

³⁵⁴ *Id.* at 24777-78.

³⁵⁵ *Id.* at 24780-81.

³⁵⁶ *Congressional Record* –Senate, 24441-24443, September 20, 1965.

³⁵⁷ “Support Of The Immigration Bill – S. 500”, *Congressional Record* –Senate, 1808-1809, February 2, 1965.

³⁵⁸ U.S. Senate, Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, Washington, D.C., Feb. 10, 1965, pp.71, 119.

³⁵⁹ *Congressional Record* –Senate, 24225-29, September 17, 1965.

³⁶⁰ Bill Ong Hing (2012), *Defining America: Through Immigration Policy*, Temple University Press, p.95.

³⁶¹ *Congressional Record* –Senate, 24482-24483, 24485, 24498, September 20, 1965.

Senate Amendment Added Limiting Western Hemisphere Immigration

Senator Jack Miller (R-IA) on September 22, 1965 proposed an amendment to H.R. 580 that limited immigration to 120,000 per year from the Western Hemisphere. In support of his amendment he stated in part:

Mr. President, my amendment would not affect the application of the bill to the increased immigration prior to June 30, 1968.

I believe we ought to focus our attention on what will happen after that. What will happen on July 1, 1968? My amendment is concerned with what will happen after that date.

The question should be, How many immigrants are coming into the United States, and how many will be coming into the United States?

My amendment has ... only to do with the total number of immigrants that will be coming into the United States starting on July 1, 1968.

...

There is no intention of reducing the number of immigrants in any one year below ... 120,000 from Latin America.³⁶²

To get the support necessary to pass the bill in the Senate, Senators Edward Kennedy and Robert Kennedy and others behind it agreed to the 120,000 figure for Western Hemisphere immigrants, plus their immediate family members (sons, daughters, brothers, sisters, and parents of U.S. citizens) who weren't included in the 120,000 total.

³⁶² *Congressional Record*—Senate, 24745, September 21, 1965.

Senate Passed H.R. 2580 By 76 to 18 votes

On September 22, 1965 the Senate voted on H.R. 2580 with the amendment restricting Western Hemisphere immigration. There had been several days of debate on the bill beginning September 16. The Congressional Record states:

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered; and the clerk will call the roll.³⁶³

The result was announced—yeas 76, nays 18, as follows:

[No. 266 Leg.]

YEAS—76

Alken	Hart	Morton
Allott	Hartke	Moss
Bartlett	Hickenlooper	Mundt
Bass	Hruska	Murphy
Bayh	Inouye	Muskie
Bible	Jackson	Nelson
Boggs	Javits	Neuberger
Brewster	Jordan, Idaho	Pastore
Burdick	Kennedy, Mass.	Pearson
Cannon	Kennedy, N.Y.	Pell
Carlson	Kuchel	Prouty
Case	Lausche	Proxmire
Church	Long, Mo.	Randolph
Clark	Long, La.	Ribicoff
Curtis	Magnuson	Saltonstall
Dirksen	Mansfield	Smathers
Dodd	McCarthy	Smith
Dominick	McGee	Symington
Douglas	McGovern	Tydings
Ervin	McIntyre	Williams, N.J.
Fannin	McNamara	Williams, Del.
Fong	Metcalf	Yarborough
Fulbright	Mondale	Young, N. Dak.
Gore	Monroney	Young, Ohio
Gruening	Montoya	
Harris	Morse	

NAYS—18

Byrd, Va.	Hayden	Russell, S.C.
Byrd, W. Va.	Hill	Russell, Ga.
Cooper	Holland	Sparkman
Cotton	Jordan, N.C.	Stennis
Eastland	McClellan	Talmadge
Elliender	Robertson	Thurmond

NOT VOTING—6

Anderson	Miller	Simpson
Bennett	Scott	Tower

So the bill (H.R. 2580) was passed.

H.R. 2580 passed by a 76 to 18 vote, with 6 senators not voting. Fifty-two Democrats and 24 Republicans voted yea, while 15 Democrats and 3 Republicans voted nay. One Democrat and 5 Republicans did not vote. The 3 Republicans voting nay were Strom Thurmond (R-SC), John Cooper (R-KY), and Norris Cotton (R-NH).

House Agreed To H.R. 2580 With Senate Amendment

By a vote of 320 yeas to 70 nays, on September 30, 1965 the House agreed to the Conference Report on H.R. 1580 that incorporated the Senate amendment limiting Western Hemisphere immigration to 120,000 per year, plus immediate relatives.³⁶⁴

Two-hundred-two Democrats and 118 Republicans voted yea, while 60 Democrats and 10 Republicans voted nay. Thirty Democrats and 11 Republicans did not vote. Seven of the 10 Republicans voting nay were from Southern states, and they were joined by James Utt (R-CA), Harold Gross (R-IA), and Charles Goodell (R-NY).³⁶⁵

³⁶³ *Id.* at 24782-83.

³⁶⁴ “H.R. 2580 (89th): An Act to amend the Immigration and Nationality Act, and for other purposes,” September 22, 2021, <https://www.govtrack.us/congress/bills/89/hr2580/details> (last viewed October 3, 2021)

³⁶⁵ “To Agree To The Conference Report On H.R. 2580, The Immigration And Nationality Act.,” September 30, 1965, <https://www.govtrack.us/congress/votes/89-1965/h177> (last viewed Oct. 30, 2021)

President Johnson Signed H.R. 2580 Into Law

The House of Representatives passed their version of H.R. 2580 on August 25, 1965 by a vote of 318-95. It was sent to the Senate, which passed the bill on September 22, 1965 by a vote of 76-18 –after an amendment was added limiting immigration from western hemisphere countries. On September 30, 1965, by a vote of 320-70, the House of Representatives voted to accept the bill with the Senate amendment. President Lyndon Johnson signed the bill into law on October 3, 1965.³⁶⁶

Critics of H.R. 2580 said it would result in the change of America's demographic as a predominantly European country as it had been since settlers began arriving at Jamestown in 1607. Proponents of the bill pooh-poohed the critics claim as unfounded, and when he signed the Act into law on October 3, 1965 at the base of the Statue of Liberty, President Lyndon Johnson stated the act "is not a revolutionary bill. It does not affect the lives of millions....It will not reshape the structure of our daily lives or add importantly to either our wealth or our power."³⁶⁷ The new law had a three-year phase in period from 1966 to 1968.



President Lyndon B. Johnson signs the *Immigration and Nationality Act* as Vice President Hubert Humphrey, Lady Bird Johnson, Muriel Humphrey, Sen. Edward (Ted) Kennedy, Sen. Robert F. Kennedy, and others look on. (LBJ Library photo by Yoichi Okamoto) (Public domain photo)

³⁶⁶ Full text of the bill as enacted is at: “H.R. 2580 (89th): An Act to amend the Immigration and Nationality Act, and for other purposes,”
<https://www.govtrack.us/congress/bills/89/hr2580> (last viewed October 3, 2021)

³⁶⁷ U.S. Immigration Since 1965, history.com,
<https://www.history.com/topics/immigration/us-immigration-since-1965> (last viewed November 4, 2018).

Immigration Act of 1986

In November 1986 President Ronald Reagan signed into law the *Immigration Reform and Control Act of 1986* (aka the *Simpson-Mazzoli Act* or the *Reagan Amnesty*). Introduced by Senator Alan Simpson (R-WY) in May 1985, the act had four major provisions: required employers to attest to their employees' immigration status; introduced civil and criminal penalties to employers who knowingly hired or recruited illegal aliens; illegal alien farm workers who could validate at least ninety days of employment qualified for lawful permanent residency; and, provided amnesty to illegal aliens who entered the United States before January 1, 1982 and: provided documentation proving their continuous residence in the U.S. since 1982; admitted their guilt of being in the country illegally; and, payment of the penalty of a fine and all back taxes due.³⁶⁸ The law went into effect in May 1987, and within two years 3.1 million illegal aliens (mostly from Mexico) applied to be a legal resident.³⁶⁹

It was discovered after the act took effect that its amnesty provision back-fired because it not only did not stem the flow of illegal aliens into the country, but it made illegal immigration worse by encouraging the relatives of persons who applied for amnesty to enter the country illegally.³⁷⁰

³⁶⁸ Immigration Reform and Control Act of 1986, USCIS.gov, <https://www.uscis.gov/tools/glossary/immigration-reform-and-control-act-1986-irca> (Signed into law by President Ronald Reagan on Nov. 6, 1986.) (last viewed October 13, 2018)

To be eligible for amnesty an illegal alien was required to prove they were not guilty of crimes, that they were in the country before January 1, 1982, and that they possessed at least a minimal knowledge about U.S. history, government, and the English language.

³⁶⁹ Roberto Suro, "1986 Amnesty Law Is Seen As Failing To Slow Alien Tide," *New York Times*, June 18, 1986, <https://www.nytimes.com/1989/06/18/us/1986-amnesty-law-is-seen-as-failing-to-slow-alien-tide.html> (last viewed October 31, 2018)

³⁷⁰ *Id.*

Immigration Act of 1988

In 1988 the *Immigration Act of 1988* amended the *Immigration and Nationality Act* to establish a three-year two-tiered immigration annual entry level of 590,000 with adjustments made up of 440,000 “family connection” immigrants and 150,000 “independent” (employment-related) immigrants.³⁷¹

In addition, the 1988 act required “the Attorney General, in consultation with the Secretaries of Labor, State, Health and Human Services, Housing and Urban Development, and the Administrator of the Environmental Protection Agency, to report annually, beginning in FY 1993, to the President and to the appropriate congressional committees on the social, economic, and environmental impacts of immigration. Directs such committees to hold related hearings every three fiscal years, beginning in FY 1993. Requires the President, at three-year intervals beginning in March of FY 1992, to submit to the Congress a determination to maintain or change such immigration levels.”³⁷² The act contained a number of lesser provisions.

The act was a failure at reducing legal immigration, which increased by more than 50% after it was enacted: In the 1980s 6.244 million people legally immigrated to the U.S., while in the 1990s 9.775 million people immigrated.

³⁷¹ S. 2104 (100th): *Immigration Act of 1988*, <https://www.govtrack.us/congress/bills/100/s2104> (last viewed November 13, 2021)

³⁷² *Id.*

Whites Will Be Minority Population In U.S. Before 2030

Changes in U.S. immigration policy first initiated during WWII have had the effect of reducing the White population from almost 90% to less than 50% by 2029 at the latest. That is about fifteen years sooner than a census bureau estimate, because the number of illegal aliens in the U.S. is significantly under-estimated according to a comprehensive study by MIT and Yale University.³⁷³ The study determined there are at least 10 million more illegal aliens in the U.S. than is generally reported, and there could be more than 30 million.

After they cease being a majority, Whites will steadily become an ever smaller minority of the population. The following chart shows that it can be expected that around 2045 Whites will be surpassed by Hispanics to become the second largest minority population in the U.S. Although specific long range estimates are subject to unforeseen factors, it can be expected that by the mid-2060s Whites will be less than 25% of the U.S. population, while Hispanics will become an absolute majority.

Although it may be difficult to comprehend, the demographic collapse of Whites in the U.S. is so severe that it is projected Asians and Blacks will outnumber Whites by the latter part of the 21st century in the U.S. Or at least in the geographic area now know as the U.S. It isn't known if the country will not experience serious upheaval in the next 50 to 60 years due to problems associated with the demographic changes.

These are irreversible trends because Whites are already a minority of the next generation. Whites became a minority of K-12 school children in 2014, and are 45% of students. In the western U.S. they are less than 1/3 of school children – with 21% of White K-12 students in California, and 26% in Texas.³⁷⁴ Due to some changed conditions the actual years when Whites will be surpassed in population by Hispanics, Asians, and Blacks could be a few years different than shown in the following chart of U.S. population projections in five year increments from 2020 to 2090:

Year	White	Hispanic	Black	Asian	Other
2020	55.6%	24.2%	11.7%	5.5%	3.0%
2025	52.3%	27.1%	11.6%	6.0%	3.1%
2030	48.9%	30.0%	11.4%	6.4%	3.3%
2035	45.5%	32.9%	11.3%	6.9%	3.4%
2040	42.2%	35.8%	11.1%	7.3%	3.6%
2045	38.8%	38.7%	11.0%	7.8%	3.7%
2050	35.4%	41.6%	10.8%	8.3%	3.9%
2055	32.0%	44.5%	10.7%	8.7%	4.0%
2060	28.7%	47.4%	10.5%	9.2%	4.2%
2065	25.3%	50.3%	10.4%	9.6%	4.3%
2070	21.9%	53.3%	10.2%	10.1%	4.5%
2075	18.6%	56.2%	10.1%	10.6%	4.6%
2080	15.2%	59.1%	9.9%	11.0%	4.8%
2085	11.8%	62.0%	9.8%	11.5%	4.9%
2090	8.5%	64.9%	9.6%	12.0%	5.0%
Year	White	Hispanic	Black	Asian	Other

The wall Donald Trump promised to build during his 2016 campaign – even if he had actually built it – would have been 50 years too late. The die for the demographic displacement of Whites was cast with passage of the 1965 immigration act. That act dramatically accelerated the demographic shift that was subtly underway due to less restrictive non-White immigration to the U.S. that began during WWII.

³⁷³ See, Mohammad M. Fazel-Zarandi, Jonathan S. Feinstein, Edward H. Kaplan. “The number of undocumented immigrants in the United States: Estimates based on demographic modeling with data from 1990 to 2016,” Plos One (Plos.org), Sept. 21, 2018. Online at, <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0201193> (last viewed Feb. 5, 2022)

³⁷⁴ Table 203.50. Enrollment and percentage distribution of enrollment in public elementary and secondary schools, by race/ethnicity and region: Selected years, fall 1995 through fall 2023, National Center for Education Statistics, https://nces.ed.gov/programs/digest/d13/tables/dt13_203.50.asp (last viewed Feb. 5, 2022)

Conclusion

The history of settlement in colonial America that began in 1607 clearly shows the overwhelming majority of settlers who chose to move to the “New World” and start a new life were White Europeans, and they continued to overwhelmingly comprise immigrants to the United States after it was created in 1789. Whites of European birth or descent were the people who undertook the creation of “America,” and then the founding and development of the United States.³⁷⁵

Those are indisputable unvarnished historical facts.

Whites were in such a dominant position at the time the U.S. was created, that the first naturalization law enacted in 1790 specifically limited U.S. naturalized citizenship to “any alien, being a free white person” who had been a U.S. resident for two years.³⁷⁶ No person of another race could be a U.S. citizen. And U.S. citizens were 99.9% members of a Christian religion.

Whites of European birth or ancestry created what became known as American culture. A notable aspect of that culture was the absence of a rigid caste system: a person could rise as far as their talents took them irrespective of their starting point in life. That culture of meritocracy enabled enormous innovation and economic development.

It is difficult for people today to conceive of the way the U.S. used to be. Ninety-seven percent (97%) of all immigrants to the U.S. were White in the 19th century when the U.S. experienced explosive economic growth. Up to the beginning of WWII, 94% of all immigrants in U.S. history were White. Until passage of the *Immigration and Nationality Act of 1965*, more than 90% of all immigrants to the U.S. were White – and the country as a whole was more than 85% White.

Emma Lazarus’ 1883 poem on the Statute of Liberty’s pedestal was written about immigration by *Whites* to the U.S., who not only constituted 97% of all U.S. immigration up to 1883 – but in 1883 Whites were 98.4% of immigrants. Yet that poem’s line – “Give me your tired, your poor, Your huddled masses yearning to breathe free – was disingenuously often cited in 1965 during the debate in the U.S. House of Representatives and Senate to support the then-proposed immigration bill that would eliminate the “national origins” quota system that favored White Europeans. To this day Lazarus’ poem about White immigration continues to be misleadingly cited by proponents of “open door” immigration to the U.S.

The *Immigration and Nationality Act of 1965* was literally a repudiation of American history, and what had distinguished it from other countries: Its economic greatness and cultural development that was the envy of the world had directly resulted from the U.S. being an amalgamation of Whites from many different European countries who assimilated to become Americans.

Enactment of the 1965 immigration act didn't arise in a vacuum. The groundwork was laid by the ideological change in American political and economic leaders marked by the influx of non-immigrant quota refugees from Europe due to Nazism and WWII, and the radical multi-cultural ideology advocated in the 1948 United Nations' *Universal Declaration of Human Rights* (prohibiting discrimination based on "race, colour, sex, language, religion ... national or social origin ... birth or other status."). President Kennedy's murder in November 1963 gave the movement to discard more than 170 years of U.S. immigration policy the final traction it needed to be successful. A "Win One For The Gipper" mentality is evident from the debate by supporters of changing the law that favored immigration from White European countries: they invoked Kennedy's memory and his support for eliminating a White race centric immigration policy.

The arguments against the proposed immigration bill were prescient in asserting its purpose was not just to reduce the number of Whites immigrants to the U.S., but to dramatically increase the total number of legal immigrants to upwards of one million per year. Representative Ovie Fisher (D-TX) made a statement on April 6, 1965 in support of retaining the "national origins" quota system:

"The real purpose is to increase the number of people who can be admitted to this country each year. We might as well be frank about it. ... Estimates of the total increase run as high as 1 million a year."³⁷⁷

The 1965 act has been as successful as its most ardent supporters could have hoped. Rep. Fisher was dead on with his estimate that passage of the act would result in legal immigration of "as high as 1 million a year." While an average of 806,000 people entered the U.S. as legal immigrants from 1966 to 2019 – in the 30+ years since 1990 the average has been 1.02 million yearly.³⁷⁸

Since the 1965 act took effect in 1966, legal immigration has been 86% non-White – 35.8 million people.³⁷⁹ Due to non-White immigration and higher birthrates for non-Whites, the U.S.' 85% White majority

population in 1965 is projected to be reduced to minority status by 2029 at the latest. It is projected that by 2045 Hispanics will surpass Whites as the largest minority race in the U.S., and by the mid-2060s Whites will be less than 25% of the population, while Hispanics will be an absolute majority (over 50%). This demographic shift is irreversible: Whites are currently only 45% of grade K-12 students – and that percentage is steadily declining.

It can be expected the White majority in the U.S. would have prevailed for many centuries, if not for thousands of years if there had been no change to the U.S. national quota immigration system in 1965 – other than placing the same limitations on immigration from all North and South American countries that applied to other non-White countries.

After all, the White majority had remained unchanged for the 115 years from 1850 (85.4%) to 1965 (85%).

The *Immigration and Nationality Act of 1965* has been described as “a vast social experiment” that changed the course of U.S. history by creating the policy to shift the U.S. from being a large majority White country, into being a minority White country.³⁸⁰ The act succeeded in doing that beyond the wildest dreams of its supporters who wanted to transform the country: The U.S. will become a White minority country in less than the lifetime of a person born several decades before it was enacted in 1965.

The world knows the American civilization was created by Whites. That fact is enshrined in American movies and documentaries seen around the world beginning more than 100 years ago. Arthur John Hubbard wrote in *The Fate of Empires* (1913), “... in the long run, no ability, no strategy, and no armament can save the castle with an insufficient garrison, then we see that the continuous existence of any civilization that is founded upon interest is a flat impossibility.”³⁸¹ With Whites as a rapidly decreasing percentage of America, it can be expected that at some point in the foreseeable future there will be “an insufficient garrison” to preserve aspects of American culture that still exist, from the onslaught of those who want to destroy it.

Years of domestic and international political pressure and private influence pedaling was behind adoption in 1965 of the immigration bill that has undermined the stable demographic structure that created America and its culture of ideological and economic freedom, meritocracy, and prosperity. Prescient politicians warned there would be far reaching negative consequences from enactment of the Immigration

Act of 1965 it law. Their warnings were offhandedly dismissed as unfounded, but time has shown they understated the danger of fundamentally changing America's immigration law to be a quasi-open door policy: the 1965 act has proven to be what can accurately be described as a suicide pact by its supporters to demographically obliterate America as a land of White primacy.

Yet passage of a new immigration act wasn't a foregone conclusion while President Kennedy was alive. The three previous presidents had supported, but been unsuccessful in eliminating the "national origins" immigration quota system. In July 1963 Kennedy urged Congress to pass legislation eliminating the national origins quota system that he considered discriminatory because it favored immigration from Northern and Western European countries.³⁸² Kennedy supported an act similar to the one that was passed in 1965, but while he was alive it didn't move toward passage in the U.S. Congress and the Senate. It was only after Kennedy was murdered in November 1963 that changing the immigration bill gained significant political traction. That political momentum completely disregarded the public's overwhelming support for retaining the "national origins" immigration system.

President Lyndon Johnson kicked off his advocacy for elimination of the national origins quota system in his January 1964 State of the Union address.

The campaign to garner the support of Congressional and Senate majorities to support eliminating the national origins system and creating a quasi-open door immigration policy was built around making President Kennedy a martyr for immigration reform. Kennedy's 1958 booklet, *A Nation Of Immigrants*, that promoted a quasi-open door immigration policy was revised and expanded under the supervision of his brother, then U. S. Attorney General Robert Kennedy, with contributions by his younger brother Edward Kennedy.

Johnson again advocated for elimination of the national origins quota system in his January 4, 1965 State of the Union address.³⁸³

Nine days later, on January 13, Representative Emanuel Celler (D-NY) introduced H.R. 2580 in the House of Representatives to amend the 1952 *Immigration and Nationality Act*, including elimination of the national origins quota system. Two days later, on January 15, Senator Philip Hart (D-MI) introduced a companion bill, S. 500, that likewise amended the 1952 *Immigration and Nationality Act* to eliminate the national origins quota system.

Senator Edward Kennedy (D-MA) was selected as chairman of the subcommittee that conducted the hearing on S. 500.

Hearings were held in the Senate and the House. A bone of contention between the bills passed by the Senate and House was whether or not to limit legal immigration from Western Hemisphere countries. However, an agreement was reached limiting it to 120,000 legal immigrants per year, plus non-visa immigrants (Aliens with “special skills” and relatives of U.S. citizens and legal residents).

The compromise *Hart-Cellar Act* was approved by Congress on September 30, 1965, and signed three days later by President Johnson in a ceremony at the Statute of Liberty. Ironically, the photo of Johnson signing the act that is on the cover of this book, shows more than 30 White people around him.

A historical “what-if” question is would an immigration bill eliminating the national origins quota system been passed, and if so, when, if Kennedy had not been assassinated in November 1963.

There is no reason to think Kennedy would have been successful in getting a substantive change to immigration law passed while in office, even if he had been elected to a second term that would have run through January 1969. Kennedy had made no headway in his first three years in office to change the immigration law. It was only the campaign centered around his death that provided the leverage necessary to rally political support to abandon the status quo and get the 1965 act passed and enacted into law. Bear in mind that even with the leverage of Kennedy’s death, the immigration law wasn’t changed for almost two years after he died.

If Kennedy had not been successful, there is no reason to think it is likely the “national origins” quota system would have been repealed under Nixon – who was preoccupied with the Vietnam War, normalizing relations with China, Watergate, etc. – or his successor Gerald Ford. The next chance would have been Jimmy Carter, who took office in January 1977. But Carter was a weak president who had little support and few accomplishments.

Ironically, elimination of the “national origins” quota system might have had a chance under Ronald Reagan who supported the *Immigration Reform and Control Act of 1986*. That law allowed a large number of illegal alien farm workers to apply for lawful permanent residency, and it also provided amnesty to illegal aliens who entered the United States before January 1, 1982 and met certain conditions.³⁸⁴ The law went into effect in May 1987, and within two years 3.1 million illegal aliens

(mostly from Mexico) applied to be a legal resident.³⁸⁵

With the change in what was societally acceptable, and the change of laws in all other Western countries that had limited immigration by non-Europeans, if “national origins” hadn’t been eliminated under Reagan, then all things being equal, it can expect to have occurred under President George H.W. Bush or Bill Clinton.

The “all things being equal” caveat mentioned above concerns the “what if” scenario that the United Nations had not been created. Without the U.N. neither the 1948 Declaration of Human Rights would have been produced, nor the statements and declarations from 1950 to 1978 related to racial prejudice. The Declaration of Human Rights and the subsequent U.N. documents provided invaluable international moral authority to the political and ideological forces that wanted to destroy the U.S.’ “national origin” immigration quota system, as well as change the immigration laws in other Western countries that restricted immigration by non-Europeans, i.e., Whites. It can be said with certainty the scenarios above concerning that if President Kennedy had not been murdered in 1963 the “national origins” system could possibly have survived into the 1990s, are immeasurably strengthened if the U.N. had not been created in 1948. It is theoretically possible the national origins system would still be in effect today if the U.N. had not been created – even with Kennedy’s murder.

It can reasonably be deduced that without Kennedy’s murder and creation of the U.N. the catastrophic societal consequences of the demographic replacement of Whites caused by the 1965 immigration act would have been forestalled at least for decades, if not much longer – even centuries.

What if scenarios are great for talk at gatherings or an intellectual exercise. Reality is enactment of the 1965 immigration bill and elimination of the “national origins” quota system contributed to the destruction of the almost 400 year old norms of America as a society founded, created, and built by White Europeans and the ancestors of White Europeans.

Cynics might say what American culture and norms? While it is difficult to quantify because defining culture can be a bit nebulous, the following are some of the things that symbolize the America that developed from White primacy, and which is disintegrating:

- English as the *de facto* common and only official language.
- High trust society of safe towns and cities where a person could leave their car and home doors unlocked, children could play

outside unattended, and women home alone regularly allowed door-to-door salesmen who were strangers to enter their home to try and sell a vacuum cleaner, encyclopedia, etc.

- Marriage before having children.
- Nuclear family of the two parent household of a mother and a father for children to live in.
- Fathers as the child disciplinarian.
- Public disciplining of a child by his or her mother or father.
- Divorce only for extreme and irreconcilable reasons.
- A person or family not spending more than could be afforded.
- Grading of children in school based on merit and achievement.
- Disciplining of children by school officials for unruly or disrespectful behavior regardless of any other consideration.
 - Schools that focused on teaching the 3-Rs of reading, writing and arithmetic.
 - Hiring of a person based on merit and achievement (Zero government mandated or protected reverse discrimination, i.e., affirmative action based on race, sex, or other factors.)
 - Stock car racing.
 - Professional wrestling.
 - County and state fairs.
 - Country-Western music.
 - Rock and roll.
 - Weekend garage sales.

The traditions of the above cultural norms of America's society that developed from its European White roots and primacy, and many more, are demonized and under assault to one degree or another nationally or in individual states.

With the inexorable dissolution of America's common English language, common European White ethnicity, and common culture, at what point will the United States cease to be a *viable* nation? It is at this time not a *unified* nation, but a fractured "tower of babel" comprised of groups of people with profoundly incompatible ideologies, and large numbers of people from four radically different races in addition to many people from other races and cultures. This has resulted in the creation of parallel societies throughout the country, states, and within cities. This situation was inevitable because assimilation of immigrants to become Americans and their integration into a cohesive society was jettisoned as a national policy with adoption of the 1965 immigration bill.

In 1965 changing the foundation of American immigration law was overwhelming opposed by the American people. The consequence of that politically forced revolution is American's common language, common ethnicity, and common culture created over a period of more than 400 years is being systematically destroyed before our eyes.

The structures and achievements considered to symbolize America around the world were created or initiated by 1965 (or 1968 when the immigration law took full effect): the Empire State Building, the Golden Gate Bridge, the Interstate Highway System, Hoover Dam, the Los Angeles aqueduct system, the Space Needle, Mount Rushmore, manned space flight (The first American manned space flight was in 1962, and the Apollo moon project was initiated in 1961 with the first space flight in 1968.), etc.

The 1965 immigration act was nothing less than a national suicide pact approved by Whites who at the time controlled the levers of power in the U.S.: Politics, education, media, and entertainment was overwhelmingly dominated by Whites. It was those people who politically supported and voted for enactment of the 1965 immigration act that was predestined to destroy America as a White hegemonic country. Those politicians not only acted against the interests of American society, but against the desire of the American people.

The ongoing destabilization of America caused by the demographic deterioration of White primacy, and the resulting cultural discombobulation in the U.S., has profound implications not just for America, but the rest of the world. The U.S. is a nuclear power that flexes its military might with over 800 foreign military bases.

The future of people both inside and outside the U.S. is seriously affected by the ongoing destabilization of America caused by the demographic and cultural changes in the U.S.

Erosion of America's White primacy is appearing to lead the U.S. toward becoming a much larger version of South Africa's slide from a first-world nation to a third-world nation of societal chaos, infrastructure deterioration, and lawlessness.³⁸⁶

³⁷⁵ That isn't to say other races didn't make contributions. Blacks for example, were brought to the British colonies to perform human labor which black slaves did up until slavery was abolished in 1865, and then beyond. Up to the present day made blacks have not made significant creative contributions to the development of America. The same can be said for Hispanics, except they were

never slaves, and significant immigration by Hispanics to the U.S. didn't occur until after passage of the 1965 Immigration Act. Chinese were brought to the U.S. as laborers for the transcontinental railroad, and many of those that stayed opened small businesses, that until relatively recently largely catered to other Chinese. Just as with Hispanics, significant Asian immigration to the U.S. (including Chinese) didn't begin to occur until after passage of the 1965 Immigration Act.

³⁷⁶ Naturalization Act of 1790, http://encyclopedia.densho.org/Naturalization_Act_of_1790/ (last viewed October, 8, 2018)

³⁷⁷ "We Must Not Destroy the McCarran-Walter Act," *Congressional Record* – House 89th Congress, Pt. 5, at 7194-7195 (April 6, 1965).

³⁷⁸ Sherrer, Hans. *Bullseye*. TJI Publishing (Lacey, WA) (2021), at 148, 150.

³⁷⁹ *Id.* at 150.

³⁸⁰ Otis L. Graham, Jr. "A Vast Social Experiment: The Immigration Act of 1965". NPG-106, Oct. 2005. *NPG Forum*.

³⁸¹ *The Fate of Empires: Being an Inquiry into the Stability of Civilisation*, Arthur John Hubbard (Longmans, Green and Co., London, 1913, at 64.

³⁸² Congressional Record – 89th Congress, Vol. III, Pt. 18 – Sept. 14, 1965 to Sept. 23, 1965 (Pgs 23627 to 25022), at p. 24496 (Sept. 20, 1965.)

³⁸³ President Lyndon Baines Johnson, Annual Message to the Congress on the State of the Union, January 4, 1965, Sec. II, *lbjlibrary.net*, <http://www.lbjlibrary.net/collections/selected-speeches/1965/01-04-1965.html> (last viewed October 9, 2021)

³⁸⁴ Immigration Reform and Control Act of 1986, USCIS.gov, <https://www.uscis.gov/tools/glossary/immigration-reform-and-control-act-1986-irca> (Signed into law by President Ronald Reagan on Nov. 6, 1986.) (last viewed October 13, 2018)

To be eligible for amnesty an illegal alien was required to prove they were not guilty of crimes, that they were in the country before January 1, 1982, and that they possessed at least a minimal knowledge about U.S. history, government, and the English language.

³⁸⁵ Roberto Suro, "1986 Amnesty Law Is Seen As Failing To Slow Alien Tide," *New York Times*, June 18, 1986, <https://www.nytimes.com/1989/06/18/us/1986-amnesty-law-is-seen-as-failing-to-slow-alien-tide.html> (last viewed October 31, 2018)

³⁸⁶ As this was being written I heard a press conference held by Sweden's Prime Minister Magdalena Andersson who stated that because of Sweden's failure to assimilate Middle Eastern and African immigrants into Swedish culture, "Segregation has been allowed to go so far that we have parallel societies in Sweden. We live in the same country but in completely different realities. We will have to reassess our previous truths and make tough decisions." See, "Sweden's failed integration creates 'parallel societies', says PM after riots," Fontoura News, April 28, 2022 <https://www.fontoura.com/english/2022/04/28/swedens-failed-integration-creates-parallel-societies-says-pm-after-riots/> (last viewed April 30, 2022)

