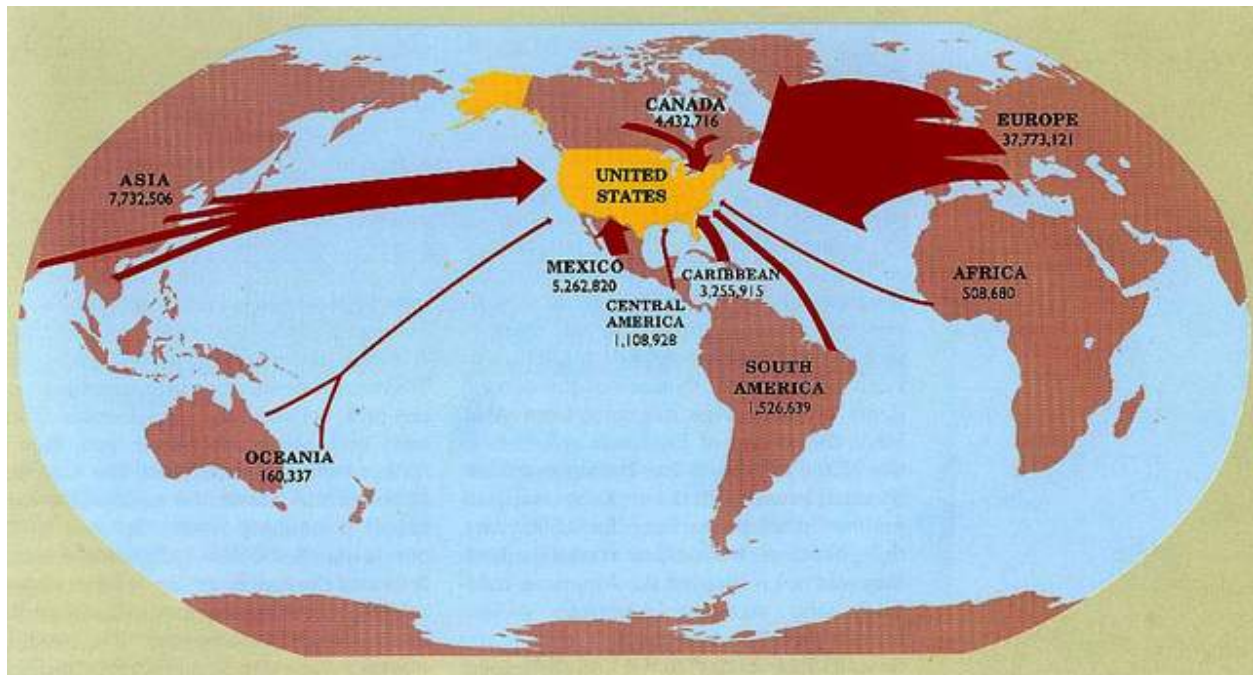


Immigration in American History, From the Colonial Era to the Google Era!

Dr. Harry Stein
City University of New York

A strategy and means to integrate immigration into a U.S. History course in middle school or high school.

Immigration is a critical issue in the competitive dialogue of ideas and proposed solutions in our government, in the news media, in family conversations, and in the classroom. Some communities are directly impacted by immigration policies and the movement and relocation of people. Every person in the United States has direct contact with immigrants through schools, employment, and travel.



The immigration thread in the curriculum of a U.S. History class address four inquiry themes:

- 1. American immigrant history has periods when the federal government encouraged and discouraged immigration. When did these periods occur and why?**
- 2. During these periods what groups came to America? Who was excluded and why?**
- 3. By what authority does our federal government and indeed all central governments cross the world, have the right to determine who may enter, stay, or be deported from a country? Are immigrants entitled to human rights as defined in the [Universal Declaration of Human Rights](#)?**
- 4. As we study American immigration history, students will also research immigration history in one or more of the following countries: Argentina, Australia, Canada, Japan, South Africa, and United Kingdom.**

The Already Crowded Curriculum

There are approximately 180 school days with roughly 700 minutes of instruction through traditional 40-minute periods or creative block scheduling models. How do we insert immigration history into an already packed school year?

1. **The Assignment Strategy:** Use class time as you currently do without any changes. Include immigration questions and research assignments on formative and summative assessments.

Example #1:

Example #2:

2. **The Final Day Strategy:** at the end of a chapter or unit, add an “Immigration Day” to discuss the threads and inquiry questions above.

Example #1:

Example #2:

Organizing Immigration Studies in a Year-Long Survey Course

There are four periods in American immigration history and there are four marking periods in a typical school year. The following are the four eras with examples of learning strategies for students.

- A. **Colonial to 1875** – The word “colonial” includes the Spanish in Florida and the southwestern part of North America as well as the migratory patterns of indigenous populations in the Americas.
- B. **1875-1924** – A period of mainly European immigration.
- C. **1924-1965** – A period of immigration exclusion.
- D. **1965-Present** - America opens to the world.

Using the four periods above, include an era in each marking period using the “Assignment Strategy” or “Final Day Strategy” models. Review the four inquiry themes on page 1 and apply them consistently and logically to each era.

Mandates and More Mandates

Legislators add units or requirements in response to current events and public initiatives. A few recent examples in 2022 are the mass shootings in Buffalo, New York, Uvalde Texas, racial injustice, anti-Asian harassment, and more. A focus on immigration enables students to integrate all of these mandates in a meaningful way that connects the lessons in our history with current situations and issues.

In America, everyone comes from somewhere and becomes an American citizen by birth or naturalization, legal resident, or undocumented alien. Using immigration history, teachers and students have a logical framework to discuss and learn about sensitive topics in a consistent and logical manner over time anchored by our four inquiry themes.

Student Learning Materials

Following are the learning materials for the four eras of immigration history. For each era there is a note-making chart, questions and research topics, and student reference materials.

At the start of the marking period distribute the materials with written instructions and deadlines. Emphasize to students that their assessments during the unit will require them to document their research and learning.

If the teacher decides to use a class or two at the end of the marking period ("**Final Day Strategy**") for immigration study, conclude the era before the start of the next marking period and historical era. Review essentials with your students. There are four eras and within each era there are three inquiry questions and research connections between the lessons of the past and current situations and issues. Students will record their information and questions on the large **Note-Making Chart** to document their work.

The final activity in the study of American immigration history is the Student Opinion Poll, taken during class.

Students are given five government policy choices. They will read each choice and in the upper right corner of the paper print the number of their favored policy option. The student's name is NOT included, just the number of the favored policy option. Ask the students to tear the number off the paper and hand it to the teacher. The teacher gives the numbers to a student who puts them in a container (cup or cap). The students then count the results and the teacher tallies them for everyone to see.

Example: Votes by Students (Tally)

Policy Option #1 (6 votes)
Policy Option #2 (3 votes)
Policy Option #3 (5 votes)
Policy Option #4 (2 votes)
Policy Option #5 (6 votes)

A discussion then follows about the student choices, Place the results on the continuum line below:

/ / / / /

LEGAL **ILLEGAL**
Visas **DACA**

Ask your students to think of additional choices to those in this activity.

The final activity is a discussion of current federal government policy. The large 11x17 flow chart is titled, "Coming to America". Give it to each student. If the 11x17 size of the paper is not available, reduce it to 8^{1/2} x 14 or 8^{1/2} x 11.

The legal ways to come to America are 1)becoming a naturalized citizen, 2)having a visa for a defined period of time, and 3)requesting asylum.

Asylum Seekers from a foreign country have a legal right to seek asylum at the border crossing. A federal officer investigates their credible fear claim and can release them to friends or advocacy organizations

before a formal and definitive hearing by a judge. Some asylum seekers do not come to America at a border crossing and come into America at an unsupervised location. If they are caught, they can claim asylum when they are arrested.

On the right side of the “Coming to America” paper are undocumented or illegal entrants. **DACA** means [“Deferred Action Childhood Arrivals”](#). DACA was an Executive Order signed by President Obama in 2012 to allow 1.8 million children living in the United States who were not born here. Approximately 800,000 illegal immigrants signed up giving them the right to work and freedom from deportation.

DAPA means [“Deferred Action on Parents of Americans”](#). There are 3 to 4 million DAPAs. They are the parents of children born in the United States but who came here illegally from other countries. They are deportable but federal policy wants them to remain in the United States. **Why?**

Overstays: It is estimated that 60% of illegal immigrants in the United States are the result of legal visa holders who did not return to their home country. Draw a line from the term VISA (on the left side of the line) to the term “Overstays”.

A final category of illegal immigrants are pregnant women who came to the United States on a visa. They are placed in temporary housing awaiting childbirth. These women pay for the pre-childbirth housing, hospital costs, and care for their child. The child is an American citizen because the child was born in the United States. These women have a case for remaining in America because they must take care of their child.

The central point in the middle of “Coming to America” identifies immigrants as a person on a legal pathway to American citizenship. The following are definitions that apply to these immigrants:

1. **Asylum** – They have been permitted to enter the United States and are waiting for a decision on the status of their application.
2. **Refugees** – They are vetted before entering the United States, a process that can take up to two years.
3. **Lottery Winners** – Countries with low migration rates can have citizens in their country enter a lottery and if their number is selected they follow the qualifications and procedures to enter America. For example, in 2021 Kenya had 2,777 citizens selected out of 400,000 who entered the lottery. [Source](#)
4. **EB-5** – The [“Employment Based-Fifth Preference”](#) is a federal policy which permits people of wealth to enter the United States if they invest a large sum of money in certain projects. A major project in New York City accepted 1,300 applicants from China who received a green card visa to work in the United States following the investment. [Source](#)
5. **MAVNI** – The [“Military Accession Vital to National Interests”](#) is an obscure policy that admits people with the ability to speak and communicate in rare or specific languages (i.e., Somali, Swahili, Pashto, and others. Spanish would not qualify) to come to the United States for four years of service. After the four years, the person is released and becomes an American citizen.

6. **Special Political Groups** – These are groups approved by the federal government to come to the United States. In the 1960s and 70s, Cubans and people from Vietnam were admitted. More recently, admission was approved for people living in Afghanistan and Ukraine. Lookup [Project Paperclip](#) (1948) to see the earliest version of a preferential government policy.

7. **Temporary Political Status** – This applies to people suffering from natural disasters. Recent examples are victims of earthquakes living in Haiti and Nicaragua.

Americans are very divided over immigration policy. There is currently no consensus for compromise or reform in the Congress. Politicians use immigration policy as a platform to get votes for election and re-election. This will likely continue.

Immigration History Era #1 (Colonial to 1875)

Notemaking Chart
Using Your Learning Reference Complete this Chart

Question #1: Did Laws Exclude or Include Migrants?

Question #2: Who Came from Where?
Where Did They Go?
Did They Contribute to America or Have an Impact?

Question #3: Did the Migrants have Authority to Come Under the U.S. Constitution?

Look Ups (Research the following and apply the information to immigration)

Naturalization Act (1790)

Know Nothing Party (1854)

Dred Scott Decision (1857)

Chinese Railroad Workers (circa 1850)

Add Image of Word Wheel

The Economic Powers of Congress
Powers Granted to Congress
Article 1, Section 8 - Powers of Congress

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

1. To borrow money on the credit of the United States;
2. To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;
3. **To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;**
4. To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;
5. To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;
6. To establish Post Offices and Post Roads;
7. To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;
8. To constitute Tribunals inferior to the supreme Court;
9. To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;
10. To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;
11. To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;
12. To provide and maintain a Navy;
13. To make Rules for the Government and Regulation of the land and naval Forces;
14. To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;
15. To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;
16. To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; And
17. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section 9 Powers Denied Congress

1. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.
2. The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.
3. No Bill of Attainder or ex post facto Law shall be passed.

A. Estimated Immigration, 1607-1819

Primary source: "Estimated Immigration into the Thirteen Colonies and the United States . . . 1607-1819" table.

Background information: Until the mid-1660s, white indentured servants met the labor needs of Virginia and Maryland plantations. Then, in the mid-1660s, the supply of white servants fell, and their price rose sharply.

To the Nearest 100 Immigrants

Years	Slaves	Convicts and Prisoners	Indentured Servants	Free
1607-1699	33,200	2,300	96,600	66,300
1700-1775	278,400	52,200	103,600	151,600
1776-1809	114,600	1,000	18,300	253,900
1810-1819	7,000	0	5,300	134,300
Total Immigration 1607-1819	433,200	55,500	223,800	606,700

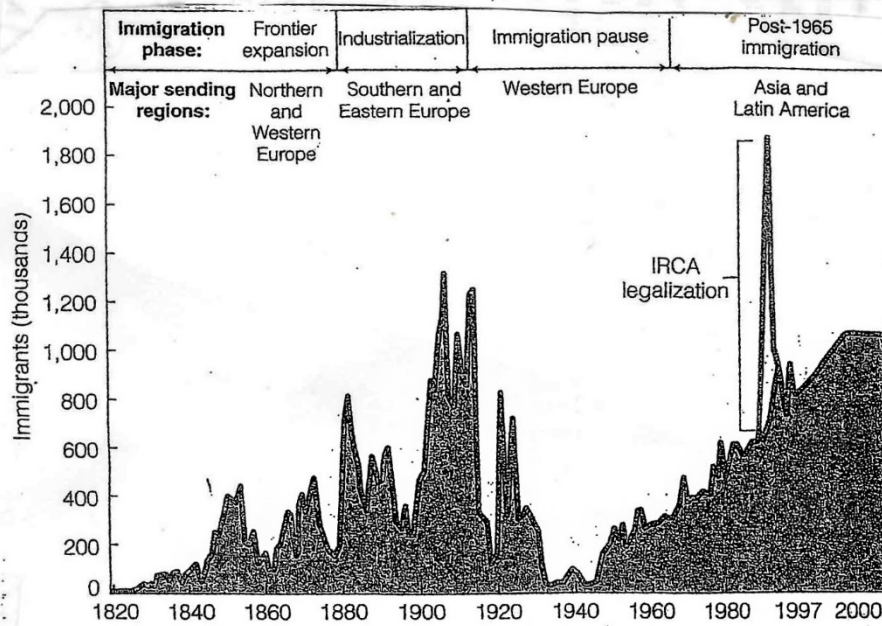
Table 1: Estimated Immigration into the Thirteen Colonies and the United States by Legal Status and Condition of Servitude, 1607-1819.

1."

Table 1
Estimated Immigration into the Thirteen Colonies and the United States
by Legal Status and Condition of Servitude, 1607-1819
(to the Nearest 100 Immigrants)

	Slaves	Convicts and Prisoners ^a	Indentured Servants	Free	Total
Before the American Revolution					
1607-1699	33,200	2,300	96,600	66,300	198,400
1700-1775	278,400	52,200	103,600	151,600	585,800
During and after the American Revolution					
1776-1809	114,600	1,000	18,300	253,900	387,800
1810-1819	7,000	0	5,300	134,300	146,600
Total Immigration, 1607-1819	433,200	55,500	223,800	606,700	1,318,600

Immigration: 1820-2000



Note: IRCA refers to the amnesty provisions of the Immigration Reform and Control Act of 1986, under which 2.7 million unauthorized foreign residents were transferred to legal immigrant status.

Source: INS, 1997, 1999; *Statistical Abstract*, 2005.

Immigration History Era #2 (1875 to 1924)

Notemaking Chart

Using Your Learning Reference Complete this Chart

Question #1: View the Cartoon, *Judge*.

P - Who are the People

O - What Objects do You See?

A - What Actions are Happening?

I - What idea is in the Cartoon?

Question #2: Use the charts above in Era #1 (Estimated Immigration and Immigration: 1820-2000)

Who Came from Where?

Where Did They Go?

Did They Contribute to America or Have an Impact?

Question #3: Did the Migrants have Authority to Come Under the U.S. Constitution?

Look Ups (Research the following and apply the information to immigration)

Chinese Exclusion Act (1882)

Dillingham Commission (1911)

Madison Hughes ()

Third Supreme Court Decision ()

Ozawa Decision (1922)

Jones Sharoth Act (1917)

Ellis Island, Castle Garden (circa, 1900)

Judge

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Musée des Arts et Métiers, Paris/akg-immagno



Unguarded Gates

Thomas Bailey Aldrich (1892)

Wide open and unguarded stand our gates,
And through them presses a wild motley throng—
Men from the Volga and the Tartar steppes,
Featureless figures of the Hoang-Ho,
Malayan, Scythian, Teuton, Kelt, and Slav,
Flying the Old World's poverty and scorn;
These bringing with them unknown gods and rites,—
Those, tiger passions, here to stretch their claws.
In street and alley what strange tongues are loud,
Accents of menace alien to our air,
Voices that once the Tower of Babel knew!

O Liberty, white Goddess! is it well
To leave the gates unguarded? On thy breast
Fold Sorrow's children, soothe the hurts of fate,
Lift the down-trodden, but with hand of steel
Stay those who to thy sacred portals come
To waste the gifts of freedom. Have a care
Lest from thy brow the clustered stars be torn
And trampled in the dust. For so of old
The thronging Goth and Vandal trampled Rome,
And where the temples of the Cæsars stood
The lean wolf unmolested made her lair.

The New Colossus

Emma Lazarus

"You are Welcome"

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
Glows 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!"

Immigration History Era #3 (1924 to 1965)

Notemaking Chart

Using Your Learning Reference Complete this Chart

Question #1: Discuss the Johnson Reed Law of 1924

JOHNSON-REED ACT, 1925-1927

Northwest Europe and Scandinavia		Eastern and Southern Europe		Other Countries	
Country	Quota	Country	Quota	Country	Quota
Germany	51,227	Poland	5,982	Africa (other than Egypt)	1,100
Great Britain and Northern Ireland	34,007	Italy	3,845	Armenia	124
Irish Free State (Ireland)	28,567	Czechoslovakia	3,073	Australia	121
Sweden	9,561	Russia	2,248	Palestine	100
Norway	6,453	Yugoslavia	671	Syria	100
Denmark	3,954	Romania	603	Turkey	100
Finland	2,789	Portugal	503	New Zealand and Pacific Islands	100
Netherlands	2,081	Hungary	473	All others	1,900
Austria	1,648	Lithuania	344		
Belgium	785	Latvia	142		
Ireland	512	Spain	131		
Free City of Danzig	471	Estonia	124		
Iceland	228	Albania	100		
Luxembourg	100	Bulgaria	100		
	100	Greece	100		
Total (number)	142,483	Total (number)	18,439	Total (number)	3,745
Total (%)	86.5%	Total (%)	11.2%	Total (%)	2.3%

Question #2: 1935 Letter (the letter reflects bigotry, xenophobia, and ethnic racism.) Define each term.

1935 Bigotry Letter to FDR Aide

[Mr. Harry Hopkins
Washington, D.C.]
[Dear Mr. Hopkins:]

Will you please investigate the various relief agencies in many cities of the United States. The cities where there are a large foreign and jewish population. No wonder the cities are now on the verge of bankruptcy because we are feeding a lot of ignorant foreigners by giving them relief. And, they are turning against us every day. I would suggest to deport all foreigners and jews who are not citizens over the United States back to any land where they choose to go and who will admit them. As America is now over crowded with too much immigration and it can not feed even its own citizens without feeding the citizens of other foreign nations. I have found out after careful investigation that we are feeding many foreigners who send out their wives to work and who have money in the bank. While the men drink wine and play cards in saloons and cafes. I have spoken to one Italian whom I met. And I ask him what he was doing for a living. He said me drinka da dago red wine and play cards and send the wife out to work. Isn't a very good thing for us to support them. No wonder the taxpayers are grumbling about taxes. Most of them are a race of black hands murders boot leggers bomb throwers. While most of the sheeney jews as they are called are a race of dishonest people who get rich by swindling, faking and cheating the poor people. Besides the jews are responsible by ruining others in business by the great amount of chising done. And selling even below the cost prices, in order to get all the others business. The foreigners and jews spend as little as they can to help this country. And, they live as cheap as they can. And, work as cheap as they can, and save all the money they can. And when they have enough they go back to their country. Why don't we deport them under the section of the United States Immigration Laws which relates to paupers and those who become a public charge. The Communist Party is composed mostly by foreigners and jews. The jews are the leaders of the movement and urge the downfall of this government. . . .

Look Ups (Research the following and apply the information to immigration)

Wang Kim Ark Court Ruling (1898)

Voyage of the *St. Louis* ship (1938)

Chinese Citizen Act (1943)

Project PaperClip (1945-1961)

Operation Wetback (1954)

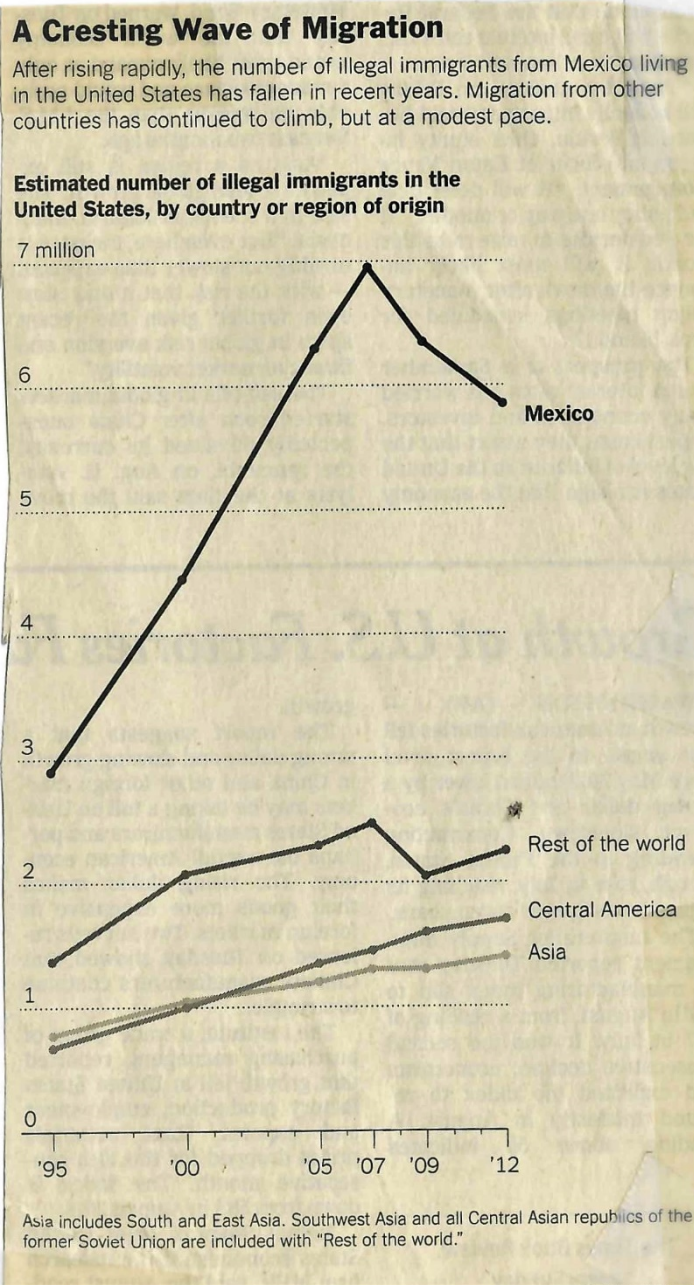
Immigration History Era #4 (1965 to Present)

Notemaking Chart

Using Your Learning Reference Complete this Chart

Question #1: Immigration Exclusion/Inclusion What did the 1965 Act do?

ERA #4 REFERENCES



Question #2: The 1965 Act. Who Came?

Immigration Act of 1965

When President Johnson signed the 1965 Immigration Act in a ceremony at the foot of the Statue of Liberty, he stated, "This bill that we sign today is not a revolutionary bill. It does not affect the lives of millions. It will not reshape the structure of our daily lives, or really affect our wealth and power." Johnson believed that the act was important in an era of struggle over the role of race in American society because it "remedied a very deep and painful flaw in the fabric of American justice" by ending national-origins quotas that had excluded "Polynesians, orientals, and Negroes" (as Hawaii's senator Hiram Fong pointed out in 1963). Nevertheless, the president and his advisers saw it as primarily symbolic. They were wrong. This relatively obscure act may have had greater long-term impact on Americans' lives than any other piece of Great Society legislation.

The 1965 Immigration Act ended blatant discrimination against potential immigrants from Asia, Africa, and various Third World nations by substituting Eastern and Western Hemispheric "caps" for national quotas and establishing a policy of family reunification that allowed immediate relatives of U.S. citizens to immigrate to the United States regardless of numerical ceilings on immigration. The architects of the Immigration Act did not expect

world events decreed otherwise. Political instability, including wars in southeast Asia and civil conflict in Latin America and Africa, along with rapidly growing population in many of the world's poorer nations, created a large pool of potential immigrants who were drawn by the continuing prosperity of the United States. Immigration rates skyrocketed.

By the 1990s, immigration accounted for almost 60 percent of America's population growth. By 2000, more Americans were foreign-born than at any time since the 1930s—and their numbers continued to grow. No longer were most immigrants from western Europe. The majorities came from Mexico, the Philippines, Vietnam, China, the Dominican Republic, Korea, India, the former USSR, Jamaica, and Iran.

More than two-thirds of the new immigrants settled in six states—New York, California, Florida, New Jersey, Illinois, and Texas—but many found their way to parts of America that had previously been much more homogeneous. By the late twentieth century, Spanish-language signs appeared in South Carolina, and Hmong farmers from the mountains of southeast Asia offered their produce at the farmers' market in Missoula, Montana. The legacy of the 1965 Immigration Act was unintended but profound: the people and the nation are today much different than otherwise would have been.

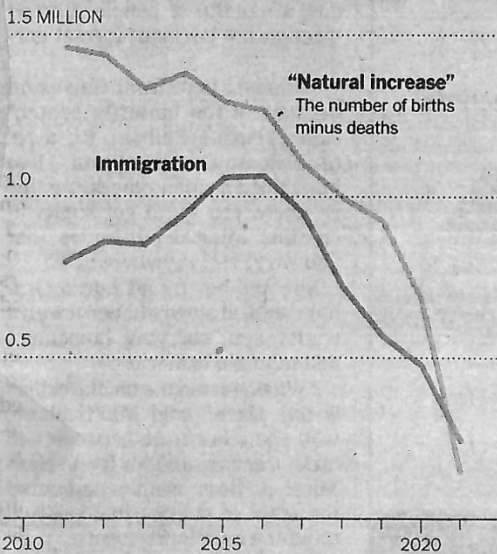
Even at Reduced Levels, Immigration Is Still Critical to U.S. Population Growth

Question #3: Why does the United States Need Immigrants?

Even at Reduced Levels, Immigration Is Still Critical to U.S. Population Growth

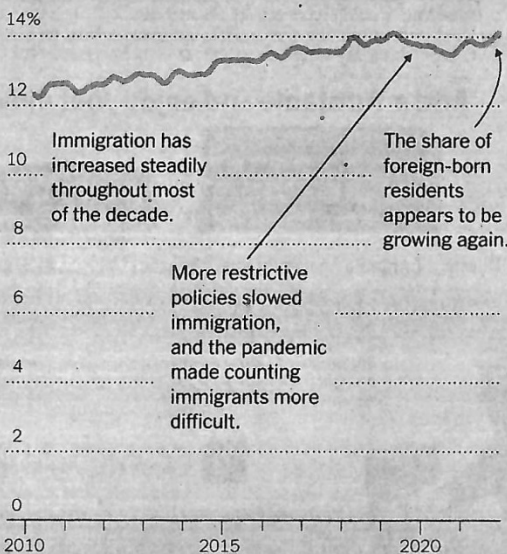
As other paths to growth stall, immigration is a rising share of the population, especially among older age groups.

Annual change in population by category



Source: U.S. Census Bureau, Population Estimates Program

Immigrant share of the U.S. population



Sources: IPUMS; U.S. Census Bureau, Current Population Survey

Look Ups (Research the following and apply the information to immigration)

Pylar v. Doe (1982)

Temporary Protective Status (1900)

Visa Lottery (1986)

Marinel Boat Life (1980)

DACA (2012)

U.S. Immigration and the Law: A Chronology

1789 (ratified): US Constitution. Article I, section 8 gives Congress the power to “establish an uniform Rule of Naturalization.” Article I, section 9 says that prior to 1808 Congress may not prohibit the “Migration or Importation of such Persons as any of the States now existing shall think proper to admit”—implying that Congress can control immigration policy and the importation of slaves starting in 1808. Section 9 also guarantees habeas corpus, the right to challenge a person’s imprisonment; nothing in the text limits this right to citizens.

1790: Naturalization Act of 1790. Establishes that “any Alien being a free white person, who shall have resided within the limits and under the jurisdiction of the United States for the term of two years, may be admitted to become a citizen” if “he is a person of good character.”

1791 (ratified): First 10 amendments to the Constitution (“Bill of Rights”). Guarantee basic rights of freedom of religion and of speech, the right to protest, the right to freedom from unreasonable searches, and the right to due process, including the right to remain silent. Nothing in the text limits these rights to citizens; several rights are specifically guaranteed to “the people” or a “person.”

1795: Naturalization Act of 1795. Increases the residency requirement to five years and requires renunciation of “allegiance and fidelity” to any other country.

1807: Act to Prohibit the Importation of Slaves. Congress’s first use of its authority to regulate immigration and the importation of persons. Bans importing “any negro, mulatto or person of colour, with intent to hold, sell, or dispose of...as a slave, or to be held in service or labour” as of January 1, 1808.

1848: Treaty of Guadalupe Hidalgo. Gives US control over Texas, California, and the southwestern states; allows the more than 100,000 people living there who identify as Mexicans the option of choosing US citizenship (Article 9); the more than 200,000 Native Americans in the territory are described as members of “savage tribes...under the exclusive control of the government of the United States” (Article 11).

1868 (ratified): 14th Amendment. Establishes that “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.” No state is allowed to “deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

1870: Naturalization Act of 1870. Extends naturalization law to cover “aliens of African nativity and persons of African descent”; Asians and other people of color are not mentioned and so remain excluded from naturalization under the 1790 and 1795 laws.

1875: Immigration Act of 1875. The first immigration law to bar certain groups of people from entering the US. It prohibits the importation of Chinese laborers without their consent and the importation “of women for the purposes of prostitution.” The unstated purpose was to prevent single Chinese women from immigrating and marrying Chinese men already in the US, since their US-born children would have been citizens under the 14th amendment.

1882: Chinese Exclusion Act of 1882. Excludes all Chinese laborers from immigrating to the United States for 10 years. It is renewed in 1892 for another 10 years, and in 1902 it is renewed without a time limit.

1882: Immigration Act of 1882. Imposes a 50 cents tax on foreigners entering at US ports and denies entry to “convicts (except those convicted of political offences), lunatics, idiots and persons likely to become public charges.”

1889: Supreme Court decision in *Chae Chan Ping v. US* (“Chinese Exclusion Case”). The ruling establishes that Congress can restrict immigration or deport immigrants because of a nation’s “duty” to “preserve its independence and give security against foreign aggression and encroachment” by a foreign nation, “whether from the foreign nation acting in its national character or from vast hordes of its people crowding in upon us.”

1907: Expatriation Act of 1907. For the first time defines the citizenship of women married to foreigners. Women assume the citizenship of their husbands, and a woman with US citizenship forfeits it if she marries a foreigner, unless he becomes naturalized. Repealed by the Married Women’s Act of 1922 (“Cable Act”).

1913: California’s Alien Land Law prohibits “aliens ineligible to citizenship” from owning property in the state. This law was aimed principally at Asians.

1917: Immigration Act of 1917 (“Asiatic Barred Zone Act”). Denies entry to immigrants from the “Asiatic Barred Zone”—much of eastern Asia and the Pacific Islands. It also sets a literacy requirement for immigrants over 16 and a head tax for entry into the country; it bars entry by “idiots,” “feeble-minded persons,” “epileptics,” “insane persons,” alcoholics, “professional beggars,” all persons “mentally or physically defective,” polygamists, and anarchists.

1917: Jones-Shafroth Act of 1917 (“Jones Act”). Extends US citizenship to all citizens of Puerto Rico.

1921: Emergency Quota Act of 1921. Limits immigration to a total of about 350,000 a year, with no more from each country than three percent of the number of immigrants from that country living in the US in 1910. This is intended to freeze immigration from Eastern or Southern Europe at the 1910 level.

1922: Supreme Court decision in *Ozawa v. United States*. Upholds government’s power to deny naturalization to an Asian immigrant under the 1790 and 1795 laws.

1924: Immigration Act of 1924 (“National Origins Act,” “Johnson-Reed Act”). Limits immigration to a total of about 165,000 a year through 1928, with no more from each country than two percent of the number of immigrants from that country living in the US in 1890. Prohibits most immigration of people who are “ineligible to citizenship”—principally Asians. There is no limit on immigration from the Western Hemisphere, although legal immigration is restricted by entry requirements, such as head taxes and literacy requirements.

1924: The Border Patrol is established. The government recruits 450 people, mostly chosen from a list of applicants for jobs as federal railway postal clerks, to patrol the 1,950-mile border.

1929: National Origins Formula. As provided for in the 1924 law, this establishes a permanent quota system. It reduces the number of immigrants to 150,000, and sets quotas based on the ratio of national origin of all US residents as of 1920. This tightens the limits on immigration from Eastern and Southern Europe even more than the 1924 law, since in 1920 US residents of Northern European origin greatly outnumbered those of Eastern or Southern European origin.

1934: Tydings-McDuffe Act. Grants the Philippines independence from the US on July 4, 1946, but ends the extension of US nationality to Filipinos and severely restricts Filipino immigration to the US.

1940: The Alien Registration Act of 1940 (“Smith Act”). Requires the registration and fingerprinting of all aliens in the US over the age of 14; bans “subversive acts” such as advocating the overthrow of the US government.

1943: Chinese Exclusion Repeal Act of 1943 (“Magnuson Act”). Extends naturalization law to cover Chinese immigrants and ends their exclusion, but limits entry to 105 Chinese a year.

1948: Displaced Persons Act of 1948. Allows the entry of about 200,000 refugees from Europe without regard to the quota system.

1952: The Immigration and Nationality Act of 1952 (INA, “McCarran-Walter Act”). This is the first comprehensive law covering immigration and naturalization; it ends all racial restrictions on naturalization but maintains the quota system from 1924 and increases the government’s power to exclude or deport immigrants suspected of Communist sympathies.

1954: Supreme Court decision in *Galvan v. Press*. Upholds power of Congress to deport immigrants because of past membership, however brief, in the Communist Party.

1965: Immigration and Nationality Act Amendments of 1965 (“Hart-Celler Act”). End all quotas based on national origin; replace them with a system of preferences, some based on family relations to US residents, some on labor qualifications. Includes the first formal restrictions on immigration from the Western Hemisphere. Total immigration is limited to 170,000 year for the Eastern Hemisphere; a 120,000 annual limit is set for the Americas, to start in 1968.

1966: Cuban Adjustment Act. Allows Cuban immigrants to apply for permanent resident status after two years in the US, even if they entered illegally. (The two-year wait was reduced to one year in 1980.)

1980: Refugee Act of 1980. Distinguishes refugees (people who apply for refugee status from another country and come to the US if they are accepted) from asylum seekers (people who enter the US and then apply for asylum). Allows acceptance of about 90,000 refugees and 5,000 asylum seekers.

1982: Supreme Court decision in *Plyler v. Doe*. Strikes down a Texas law denying public funding for the education of undocumented immigrants. Decision is based on the “equal protection of the laws” requirement of the 14th Amendment; notes that undocumented children are not responsible for their immigration status.

1986: Immigration Reform and Control Act of 1986 (IRCA). Allows undocumented immigrants who had been in the US before 1982 to apply for legal residence; same provisions for people who had worked 90 days in agriculture in the year ending May 1, 1986; establishes penalties for employers who hire undocumented immigrants and requires employers to obtain proof of work eligibility from all new hires; establishes “diversity visas” for countries with low immigration levels (also known as the “visa lottery”) for 1987 and 1988.

1990: Immigration Act of 1990. Modifies numbers of immigrants admitted (worldwide and by country); modifies asylum requirements and family preference requirements; makes the visa lottery permanent; creates a new visa category for millionaire investors.

1994: “Proposition 187.” California voters approve a state referendum mandating laws against the use of false immigration documents and cutting off state funding for all “public social services,” “publicly funded health care,” and public education (including elementary and secondary education) for undocumented immigrants. Teachers and health workers would be required to turn in students and parents suspected of being undocumented. Federal courts struck down parts—notably those affecting education, which violated the 1982 *Plyler v. Doe* decision, and health care.

1996: Antiterrorism and Effective Death Penalty Act (AEDPA). Allows exclusion or deportation of foreigners supporting organizations that the president designates as terrorist.

1996: Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). Cuts filing deadline for asylum cases to one year; allows immigration officers to deny entry to asylum applicants; drastically increases the number of crimes for which a legal resident can be deported; requires detention for immigrants convicted of certain crimes; requires expansion of the Border Patrol.

1996: Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). Drastically reduces public assistance for lawful permanent residents who entered the US after August 1996, including food stamps, Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF) and Medicaid; bars federal welfare funding for undocumented immigrants.

1997: Nicaraguan Adjustment and Central American Relief Act (NACARA). Allows Nicaraguans and Cubans to apply for permanent residence; gives some out-of-status Guatemalans, Salvadorans and former Soviet bloc nationals a chance to seek suspension of deportation.

1998: Haitian Refugee Immigration Fairness Act (HRIFA). Allows nearly 50,000 Haitians to seek permanent residence under a process similar to that granted to Cubans and Nicaraguans under NACARA.

1999: Supreme Court decision in *ADC v. Reno* (“LA Eight”). Rules that immigrants can be deported based on their political affiliations and don’t have the right to challenge such selective targeting in federal court.

2001: Supreme Court decision in *Zadvydas v. Davis*. Holds that immigrants cannot be detained indefinitely if they are deemed deportable but have no country to return to; rules that detention in these cases generally should not exceed six months. This decision overturns the 1953 *Shaughnessy v. US ex Rel. Mezei* decisions.

2005: Supreme Court decision in consolidated cases of *Clark v. Martinez* and *Benitez v. Rozos*. Extends *Zadvydas* to “inadmissible” detainees; the plaintiffs are Cubans who came to the US in the 1980 Mariel boatlift.

2005: REAL ID Act of 2005. Increases restrictions on political asylum, sharply reduces habeas corpus relief for immigrants, increases immigration enforcement, alters judicial review, imposes federal restrictions on the issuance of state driver’s licenses.

2006: Secure Fence Act of 2006. Authorizes the construction of 700 miles of fencing along the US-Mexico border.

2008 William Wilberforce Trafficking Victims Protection Reauthorization Act. Strengthens provisions of the Battered Immigrant Women Protection Act of 2000. Codifies into law some of the *Flores v. Reno* settlement rules for the protection of unaccounted minors.

2010 DHS Appropriations Act for FY 2010. Requires immigration authorities to “maintain a level of not less than 33,400 detention beds.” This is the first time Congress has set a quota for the number of detention beds; the number rises to 34,000 in 2015.

2010 Supreme Court ruling in *Padilla v. Kentucky*. Allows some immigrants who plead guilty to a criminal offense to challenge the resulting removal order if their attorney failed to properly inform them that their pleas would result in deportation.

2012 Deferred Action for Childhood Arrivals (DACA). President Obama issues an executive order allowing undocumented people under age thirty-one who came here before their sixteenth birthdays to apply to a two-year renewable work permit and a reprieve from deportation. To qualify, applicants must be in or have completed school or military service, and must have no significant criminal record. Some 1.2 million young people are estimated to be eligible for the program.

2014 Deferred Action for Parental Accountability (DAPA). President Obama proposes a three-year deferment and work permit for many undocumented parents with children who are U.S. citizens or lawful permanent residents. DAPA and a proposed DCA expansion are blocked by a deadlocked Supreme Court in 2016.

World Political Map 2022



Match the lines on the World Map with the pattern of immigration. Write the statement below on the appropriate line.

Green Arrow - _____

Black Arrow - _____

Red Arrow - _____

Yellow Arrow with Dashes - _____

Purple Arrow - _____

Immigration Patterns:

From Spain

Involuntary Migration

From Central America

Unrestricted or Free Migration

Puerto Rico