

A NATION OF IMMIGRANTS

ARRIVAL

Immigration Act of 1965

How and in what ways is the Immigration Act of 1965 a consequence of the Civil Rights movement and the Cold War?

One lesson

**NEW YORK STATE SOCIAL STUDIES CORE CURRICULUM, GRADE 11:
UNITED STATES HISTORY AND GOVERNMENT**

<http://www.emsc.nysed.gov/ciai/socst/pub/sscore2.pdf>

Unit Seven: *World in Uncertain Times: 1950 – Present*

III. Decade of Change: 1960s

B. Johnson and the Great Society

3. Continued demands for equality

OBJECTIVES

- Students will review reasons why people immigrate to the United States
- Students will make connections between the Immigration Act of 1965 and the Civil Rights Movement
- Students will analyze statistics
- Students will use analysis of cartoons to more fully understand Americans' differences over immigration

ACTIVITIES

I. Opening activity — Statistical analysis

Students complete worksheet in pairs.

Review student findings.

II. Analysis of the Immigration Act of 1965 and its implications

Use quotes to determine why immigration laws changed.

Discuss how immigration laws changed.

III. Summary activity — Cartoon analysis

Review mixed message of immigration.

IV. Summary discussion

Discuss how immigration patterns and attitudes changed after the attacks of 9/11 and the creation of the Patriot Act.

Discuss the mixed attitudes and messages that exist today regarding immigration.

Discuss how concerns about “illegal immigrants” have introduced new issues into the immigration debate.

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BACKGROUND INFORMATION

The Immigration Act of 1965

Immigration law in the United States saw some changes between 1924 and 1965, such as the end of the total ban on Asian immigration and the admittance of refugees after World War II, but the quota system based on nationality remained essentially the same over the 40-year period. Emmanuel Celler was one of six members of Congress who had voted against the Immigration Act of 1924 and he dedicated his career to reversing the quota system which he believed was racist because it discriminated against Southern and Eastern Europeans. Celler and other liberals failed to significantly change the system in 1952 when the McCarran Walter Act was passed over President Harry Truman's veto. McCarran Walter ended bans on Asian immigration, but gave Asian countries only token quotas of 100 immigrants. In the 1950s, Senator John F. Kennedy took up the call for immigration reform and he championed reform legislation as president. Thirteen years after McCarran Walter, Celler co-sponsored legislation with Phillip Hart. The Immigration (or Hart-Celler) Act of 1965 eliminated the country quotas created in 1924, prioritized family reunification and job skills, and realigned the streams of immigration from Europe to Asia, Latin America and Africa. The Act also set quotas of 170,000 for the Eastern Hemisphere and for the first time created a quota for the Western Hemisphere of 120,000 admissions. These changes would take place in 1968.

Passed at the height of the Civil Rights movement, the Immigration Act of 1965 embodied the ideals of racial equality. For many years, the United States' Cold War role as the champion of freedom in its struggle against Communism had been undermined by racism and Jim Crow segregation at home. By the 1960s, many Americans had come to see the immigration restrictions on Asians, Africans and Southern and Eastern Europeans as a form of racism.

The Act is also an example of unintended consequences. Its supporters believed the Act would not increase overall levels of immigration, but they did not realize the effect that exempting family reunification from the hemispheric quotas would have on the overall levels of immigration. In addition, they did not expect that the new immigration would change the demographic balance of the U.S. population. From the mid 1970s onward, approximately 75% of immigrants would arrive from the developing world. Over the next 40 years, this legislation and the influx of undocumented immigrants would again make the United States into a nation of immigrants.

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Persons Obtaining Legal Permanent Resident Status by Region and Selected Country of Last Residence
(from the Office of Immigration Statistics)

Area of Last Residence	1930–1939		1960–1969		1980–1989		1990–1999	
TOTAL	699,375		3,213,749		6,244,379		9,775,398	
Europe	444,399	63.5%	1,133,443	35.3%	668,866	10.7%	1,348,612	13.8%
Asia	19,231	2.7%	358,605	11.2%	2,391,356	38.3%	2,859,899	29.3%
Americas	230,319	32.9%	1,674,172	52.1%	2,695,329	43.2%	5,137,743	52.6%
Africa	2,120	0.3%	23,780	0.7%	141,990	2.3%	346,416	3.5%
Oceania	3,039	0.4%	23,630	0.7%	41,432	0.7%	56,800	0.9%
Not Specified	---	---	119	0.0%	305,406	4.9%	25,928	0.3%
Selected Countries								
Germany	119,107	17.0%	209,616	6.5%	85,752	1.4%	92,207	1.5%
United Kingdom	61,813	8.8%	220,213	6.9%	153,644	2.5%	156,182	2.5%
China	5,874	0.8%	14,060	0.4%	170,897	2.7%	342,058	5.5%
India	554	0.1%	18,638	0.6%	231,649	3.7%	352,528	5.6%
Canada	162,703	23.3%	433,128	13.5%	156,313	2.5%	194,788	3.1%
Cuba	10,641	1.5%	202,030	6.3%	132,552	2.1%	159,037	2.5%
Haiti	156	0.0%	28,992	0.9%	121,406	1.9%	177,446	2.8%
Mexico	32,709	4.7%	441,814	13.7%	1,009,586	16.2%	2,757,418	44.2%

Questions to Consider

- How has the total number of immigrants entering the United States changed?
What are some conclusions you can draw from this change?

- Which areas/countries experienced the greatest increase in the number of immigrants entering the United States? What are some conclusions you can draw from this change?

- Which areas/countries experienced the greatest decrease in the number of immigrants entering the United States? What are some conclusions you can draw from this change?

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Why did the Immigration Laws Change?

“I again urge the liberalization of some of our restrictions upon immigration ... we should double the 154,000 quota immigrants ... we should make special provisions for the absorption of many thousands of persons who are refugees.” (Dwight D. Eisenhower, Public Papers of the Presidents of the United States, U.S. Government Printing Office, Washington, D.C., 1961, pp. 308–310.)

“It neither satisfies a national need nor accomplishes an international purpose. 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 the accident of birth.” (John F. Kennedy, Papers of the Presidents of the United States, U.S. Government Printing Office, Washington, D.C., 1964, pp. 594–597.)

“This system violates the basic principle of American democracy — the principle that values and rewards each man on the basis of his merit as a man. It has been un-American in the highest sense, because it has been untrue to the faith that brought thousands to these shores even before we were a country.” (Lyndon B. Johnson, Public Papers of the Presidents of the United States, U.S. Government Printing Office, Washington, D.C., 1966, pp. 1,037–1,040.)

“Just as we sought to eliminate discrimination in our land through the Civil Rights Act, today we seek by phasing out the national origins quota system to eliminate discrimination in immigration to this nation composed of the descendants of immigrants.” (Rep. Philip Burton (D-CA), Congressional Record, Aug. 25, 1965, p. 21,783.)

“Mr. Chairman, I would consider the amendments to the Immigration and Nationality Act to be as important as the landmark legislation of this Congress relating to the Civil Rights Act. The central purpose of the administration’s immigration bill is to once again undo discrimination and to revise the standards by which we choose potential Americans in order to be fairer to them and which will certainly be more beneficial to us.” (Rep. Robert Sweeney (D-OH), Congressional Record, Aug. 25, 1965, p. 21,765.)

“The time has come for us to insist that the quota system be replaced by the merit system It deprives us of able immigrants whose contributions we need ... It would increase the amount of authorized immigration by only a fraction.” (letter to The New York Times, Aug. 24, 1964, p. 26.)

When President Johnson signed the Immigration Act into law, he said: *“This bill we sign today is not a revolutionary bill. It does not affect the lives of millions. It will not restructure the shape of our daily lives.”*

The Immigration Act of 1965 gave higher preference to the relatives of American citizens and

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permanent resident aliens than to applicants with special job skills. It eliminated the quota system based on national origins. For the first time, the total number of immigrants entering from the Western Hemisphere was limited to 170,000 excluding family reunification. The preference system for visa admissions detailed in the law (modified in 1990) was as follows:

- 1) Unmarried adult sons and daughters of U.S. citizens
- 2) Spouses and children and unmarried sons and daughters of permanent resident aliens
- 3) Members of the professions and scientists and artists of exceptional ability
- 4) Married children of U.S. citizens
- 5) Brothers and sisters of U.S. citizens over the age of 21
- 6) Skilled and unskilled workers in occupations for which there is insufficient labor supply
- 7) Refugees given conditional entry or adjustment — chiefly people from Communist countries and the Middle East
- 8) Applicants not entitled to preceding preferences — i.e., everyone else

Question to Consider:

How might this legislation have caused the changes you examined in the table?

Predictions — As you read the predictions made below, consider:

What were some reasons for the lack of concern about the passing of the Immigration Act of 1965? Why were so many of them wrong?

“With the end of discrimination due to place of birth, there will be shifts in countries other than those of northern and western Europe. Immigrants from Asia and Africa will have to compete and qualify in order to get in, quantitatively and qualitatively, which; itself will hold the numbers down. There will not be, comparatively, many Asians or Africans entering this country. ...Since the people of Africa and Asia have very few relatives here, comparatively few could immigrate from those countries because they have no family ties in the U.S.”

(Rep. Emanuel Celler (D-NY), Congressional Record, Aug. 25, 1965, p. 21,812.)

“The bill will not flood our cities with immigrants. It will not upset the ethnic mix of our society. It will not relax the standards of admission. It will not cause American workers to lose their jobs.” (Sen. Edward Kennedy U.S. Senate, Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, Washington, D.C., Feb. 10, 1965. pp. 1–3.)

“This bill is not designed to increase or accelerate the numbers of newcomers permitted to come to America. Indeed, this measure provides for an increase of only a small fraction in permissible immigration.” (Attorney General Nicholas Katzenbach, U.S. Senate, Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, Washington, D.C., Feb. 10, 1965, p. 8.)

“The present estimate, based upon the best information we can get, is that there might be, say, 8,000 immigrants from India in the next five years ... I don't think we have a particular picture of a world situation where everybody is just straining to move to the United States ... There is not a general move toward the United States.” (Secretary of State Dean Rusk, U.S. Senate, Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, Washington D.C., Feb. 10, 1965, p. 65.)

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“I am aware that this bill is more concerned with the equality of immigrants than with their numbers. It is obvious in any event that the great days of immigration have long since run their course. World population trends have changed, and changing economic and social conditions at home and abroad dictate a changing migratory pattern.” (Rep. Sidney Yates (D-IL), Congressional Record, August 25, 1965, p. 21,793.)

“Contrary to the opinions of some of the misinformed, this legislation does not open the floodgates.” (Sen. Claiborne Pell (D-RI), Congressional Record, Sept. 20, 1965, p. 24,480.)

“The most important change, in fact, was in direction, shuffling the preference categories to give first consideration to relatives of American citizens instead of to especially skilled persons. This had more emotional appeal and, perhaps more to the point, insured that the new immigration pattern would not stray radically from the old one.” (The Washington Post, Oct. 4, 1965, p. 16.)

“. . . the number of immigrants next year will increase threefold and in subsequent years will increase even more . . . shall we, instead, look at this situation realistically and begin solving our own unemployment problems before we start tackling the world’s?” (Republican Vice Presidential candidate Rep. William Miller of New York, a letter to The New York Times, Sept. 8, 1964, p. 14.)

“What I object to is imposing no limitation insofar as areas of the earth are concerned, but saying that we are throwing the doors open and equally inviting people from the Orient, from the islands of the Pacific, from the subcontinent of Asia, from the Near East, from all of Africa, all of Europe, and all of the Western Hemisphere on exactly the same basis. I am inviting attention to the fact that this is a complete and radical departure from what has always heretofore been regarded as sound principles of immigration.” (Sen. Spessard Holland (D-FL), Congressional Record, Sept. 22, 1965, p. 24,779.)

“In light of our 5 percent unemployment rate, our worries over the so called population explosion, and our menacingly mounting welfare costs, are we prepared to embrace so great a horde of the world’s unfortunates? At the very least, the hidden mathematics of the bill should be made clear to the public so that they may tell their Congressmen how they feel about providing jobs, schools, homes, security against want, citizen education, and a brotherly welcome . . . for an indeterminately enormous number of aliens from underprivileged lands.”

...Whatever may be our benevolent intent toward many people, [the bill] fails to give due consideration to the economic needs, the cultural traditions, and the public sentiment of the citizens of the United States.” (Myra C. Hacker, Vice President of the New Jersey Coalition, U.S. Senate, Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, Washington, D.C., Feb. 10, 1965. pp. 681–687.)

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Immigration law placed a high value on family reunification. This excerpt shows how the law's definition of family did not match the needs of family and how the definition of family was manipulated to foster immigration. To what extent do you believe the actions of the Dominguez family were justified? Does the desire to bring more family members to the United States justify the use of false marriages and the assumption of another's personal identity? What are the long-term implications of these actions?

THE CAST OF THE DOMINGUEZ FAMILY

The year 1962 marked the beginning of the migration of the Dominguez family The family consisted of a father (Papa) 54 years old, a mother (Mama) 45 years old six females [Emilia, Rosa, Maria, Teresa, Virginia, and Luz] and ... two males (Raul and Pedro). When this story] begins, the family has one connection in the U.S. A sister of Papa ...had married an American and taken up residence in Florida twenty years before.

Four events during the years 1962 and 1965 disrupted the stability of the family. . . . Maria's husband was killed in an accident. . . .Emilia was shot by her family in a family tragedy....Rosa's husband died of natural causes. [and] . . . Teresa's husband was shot by police during a demonstration. [As a result of these events, the family began a chain migration to the U.S.]

Maria immigrated to the U.S. legally to do domestic work in [the] household of her aunt. In the U.S., Maria met a man . . . Jorge . . . and they planned to marry. However, Jorge was a permanent resident and Maria asked him to do her the "favor" of marrying her sister so that she could come to the U.S. Jorge went to the Dominican Republic and married Rosa. Rosa then came to the U.S. as the wife of Jorge, necessarily leaving her two children in the care of their grandparents until such time as she became a permanent resident and could "ask" for her children.

At the same time that Jorge was doing this for Maria, he asked Maria to do him the "favor" of marrying his brother so that he could enter the U.S. This "marriage for favor" . . . was also carried out.

In 1967, Papa had a heart attack. Raul, the oldest son . . . applied for a tourist visa to go to the U.S. to visit his paternal aunt to ask for help for his father. He went to Florida, received help, and delivered the money back to his father in the Dominican Republic. Meanwhile, a letter had arrived from Rosa suggesting that he take advantage of his touring visa to make a visit to New York to see how life was there. With three days left on his visa, he arrived in New York overstayed his visa and became an "illegal alien".

Approximately eight months later, Raul married "for love". . . a Dominican woman who was a permanent resident in the U.S. While this should have made it possible for him to legitimize his status, it did not. He believed that her family suspected that he married

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her only . . . to obtain permanent resident status. He, therefore, refused to permit her to “ask” for him in order to avert these suspicions. After their first child was born, his wife applies for him without his knowledge. When the papers arrived he tore them up. Five years, two children, and three applications later, he accepted his visa to the U.S. as husband of his permanent resident wife.

When Rosa . . . received her permanent resident visa, she then asked for her parents and her children. Her children arrived about a year later.

In 1971, Papa and Mama arrived with resident visas. As guardian of his family, Papa was determined to bring other members of the family to the U.S. The first was the youngest child of Teresa. Teresa was so distraught at the time of her husband’s death; she neglected to register the birth of her baby. The grandparents, therefore, claimed him as their natural child at the time of their own immigration and subsequently asked for and secured his resident visa.

The next orphaned granddaughter, Margarita, was the next to come to New York in 1974. She was then 20, married and pregnant. She came for a visit with no intention to stay and returned to the Dominican Republic. However, she “was taken by surprise” by the birth of her child. This chance birth of an American-born citizen gave Papa the opportunity to implement another strategy. Virginia had given birth to a child of the same sex as Margarita’s. Virginia’s infant was said to be choleric, with diarrhea, vomiting and anemia. Papa believed this child could get well in the U.S. with better medical care. He went to the Dominican Republic, borrowed the papers of Margarita’s baby, and brought Virginia’s infant to this country on those papers.

The last of the Dominguez immediate family to come to the U.S. was Luz. Luz’s husband came to the U.S. and became an illegal alien. He wrote to Luz asking her to divorce him so he could make a marriage for business¹ and become a legal resident, divorce, remarry her and eventually apply for her. Luz reluctantly agreed. The marriage for business was made with a family friend at the reduced rate of \$700.00, instead of the usual \$1000.00.

A year after the geographical separation of Santiago and Luz, Papa, impatient with the long processes involved in marriage for business saved the \$1200.00 necessary to “buy” a passport. These “purchased passports” . . . are actually rented passports with a tourist visa, which are used for a single one-way trip and then returned to the “seller” for the use by another customer. Luz came to the U.S. with a “purchased passport”.

¹ “Marriage for business” means a marriage solely for the purpose of gaining legal immigrant status. In this case Luz’s husband would pay to marry a legal resident. Upon gaining legal residency, she would terminate the “marriage for business” and “remarry” her real husband who would then be able to become a legal resident.

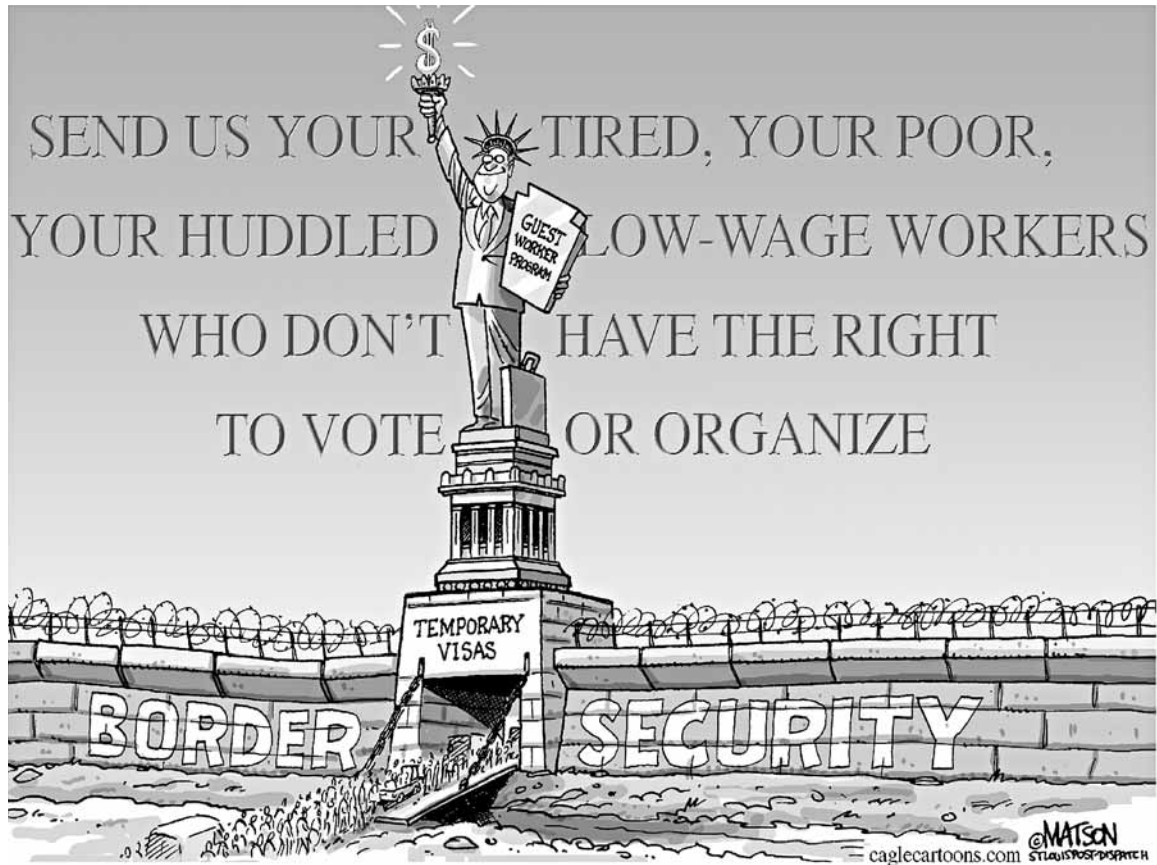
Source: “International Migration Review,” Vol. 13, No. 2, Special Issue: International Migration in Latin America. (Summer, 1979), pp. 264–283.

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“Guest Worker Statue of Liberty,” by RJ Matson, *The St. Louis Post Dispatch*, March 28, 2006

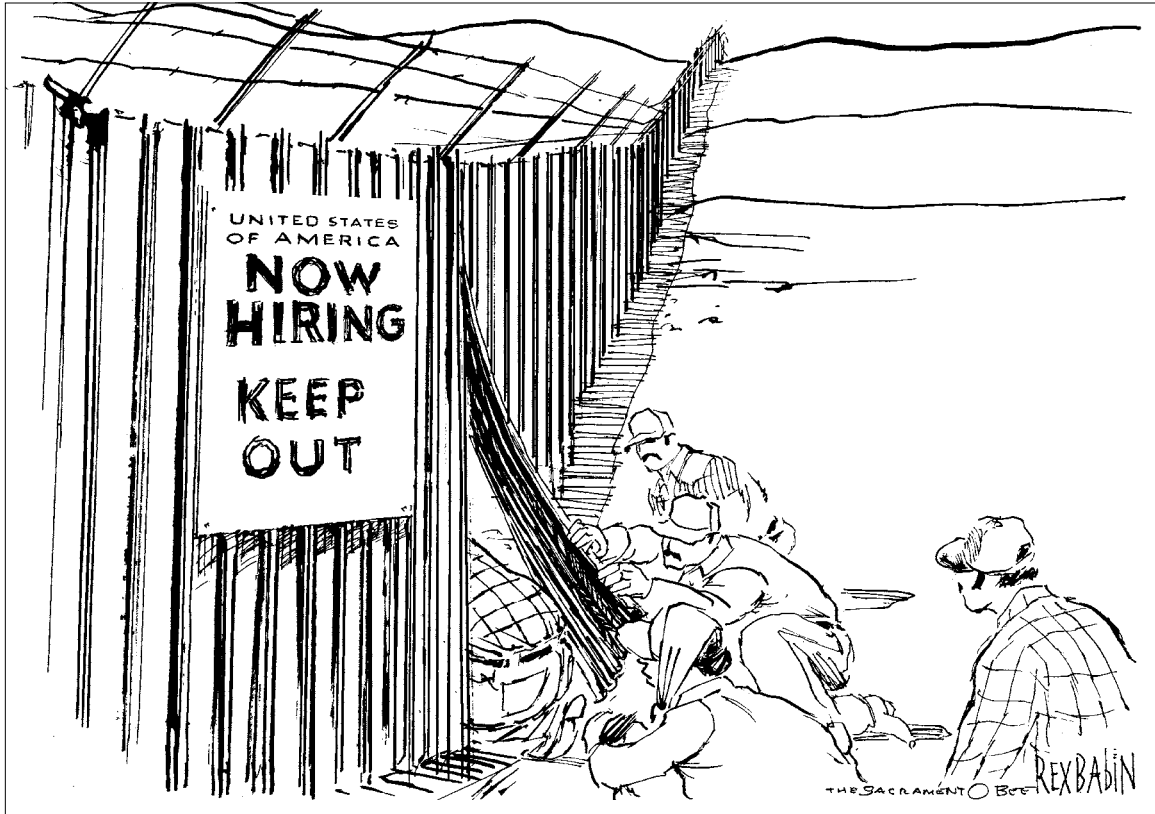


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“Now Hiring, Keep Out,” by Rex Babin, *The Sacramento Bee*, 2006



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DISCOVERING HISTORY IN TODAY'S NEW YORK TIMES

1. Congressional representative and local legislators have voiced opinions on current immigration issues such as the anticipated and unintended consequences of border security. Collect three New York Times articles or letters to the editor expressing positions on border patrols, border security, documented and undocumented immigrants, and related issues such as family reunification and plans to return undocumented immigrants to their native countries. Write an essay in the style of the Op-Ed page of the Times including facts you have learned about immigration as it pertains to the “border” states in particular and the entire country in general, especially in regard to the economics and humanitarian issues of immigration. Learn more at: <http://www.nytimes.com/2007/08/19/us/19patrol.html>. There are many additional sites that would be beneficial to understanding the challenges.

2. Create a cartoon (or describe what a cartoon might emphasize) concerning border security and current immigration issues. Make a list of articles in The New York Times that present these immigration issues and, from this list, generalize which states would be most affected by a decision to curtail or encourage immigration. You may include consequences of increased or reduced immigration on states that do not have borders with other countries.

3. From a current issue of The New York Times, select a letter to the editor on the subject of immigration. Compare and contrast this modern-day letter with comments from Vice Presidential candidate Rep. William Miller of New York in a letter to The New York Times of September 8, 1964. From The New York Times archives, letters to the editor are available via a Web search. As an example:

<http://www.nytimes.com/2005/08/17/opinion/117brooks.html>