

Immigration policies in the U.S. from 1945 to Current

by Brooklyn Pierce

Important background: The Johnson-Reed Act of 1924 established the **National Origins Quota**. This required the U.S. government to give a set number of visas that were apportioned to each nationality based on its share of the 1890 census. Visas would be given to 3% of the nation's share of the 1890 census. For example, if 100 people from Brazil lived in the U.S. in 1890, then only three visas would be given to Brazilians the following year. Certain persons, such as students, "nationals of the western hemisphere", members of specific professions, and family members were exempted from the quota. This was intended to limit immigration, and maintain a majority white demographic in the United States. Effectively, **immigration rates** dropped to nearly zero and stayed that way throughout the Great Depression.

As a result of World War II, President Franklin D. Roosevelt feared the United States would face major labor shortages. This prompted the Mexican Farm Labor Agreement to be signed with Mexico in 1942. More commonly known as the **Bracero Program**, this granted Mexican agricultural workers **temporary visas**, and the program lasted until 1964 after Congress extended it in 1949 and 1951. During those years, a total of 4.6 million contracts were created; additionally, many individuals returned to the U.S. repeatedly through different contracts. This was the largest U.S. contract labor program.

Finally, after 60 years, the Chinese Exclusion Act is repealed by the Magnuson Act in 1943. This allows Chinese nationals to become **US citizens**. Prior, they were essentially banned from immigrating to the United States.

In 1945 the US allows **foreign-born** spouses and children of citizens who served in World War II to enter the country through the War Brides Act.

The Displaced Persons Act of 1948 gave refuge to around 200,000 persons displaced by the Nazi regime. This also allowed 15,000 **displaced persons** to become **lawful permanent residents**.

The Immigration and Nationality Act of 1952 (or the McCarran-Walter Act) updates the National Origins Quota system, and states that US **Consular Officers** have to **screen** individuals before issuing a visa, and they can be denied if found inadmissible.

The 1953 Refugee Relief Act authorized 205,000 **non-quota** immigrants to enter the United States. This act intended to help people escape from communist countries; however, this only applied to specific countries, such as those in **NATO**. Kwong Hai Chew v. Colding was decided this year as well. The Supreme Court ruled that a **legal resident** could not be **deported** without proper notice, otherwise it violated the 14th Amendment's due process clause.

With this large wave of immigrants, President Dwight Eisenhower called **Operation Wetback** into effect in the 1950s. The aim of the act was to increase security on the southern borders. To do this, more personnel were stationed near the border and were required to check identification. Operation Wetback targeted Mexicans and was a complete disaster, as persons were being deported without proper notice and no way to prove their legality. This violated the 14th amendment's due process clause. Additionally, immigrants were deported back to countries on large ships and many people drowned during the trip. These events lead to the eventual end of Operation Wetback.

The 1965 Immigration and Nationality Act, or the Hart-Cellar Act, abolished the national origins quota to accept immigrants on an almost basis for the first time. Previously, only a set number of persons

could come from each country. Originally, the creators want it to be a **work recruitment** act, however in an effort to maintain the white demographic of the U.S., they changed it to a **family-unification policy**. This actually had an adverse effect, because the diversity of the country greatly expanded with an influx of immigrants from all around the world.

After the Vietnam war, President Jimmy Carter signed the 1980 Refugee Act, which raised the amount of **refugees** allowed to enter the country from 17k to 50k.

After this the Immigration Reform and Control Act of 1986 (IRCA) was the next large reform. IRCA was a mess of a policy. It targeted a list of objectives such as making it “illegal to hire or **recruit** undocumented immigrants,” as well as tightening security on our **southern border**. President Ronald Reagan had high hopes for this act, yet IRCA was improperly funded for its mass amount of goals and did not have any major effect.

The 1990 Immigration Act increased the amount of visas for **lawful immigrants**. This included **work-visas** and an increased number of immigrants who could become **naturalized citizens**.

The 1995 revision of the Cuban Adjustment Act (of 1966) is referred to as the “**Wet-Foot, Dry-Foot**” policy. In the 1980s, many left Cuba to escape Fidel Castro’s rule. Most of these people, however, did not receive asylum. This act allowed Cubans who fled to the U.S. during the **Maríel Boatlift** to apply for **residency** a year later. The Obama administration officially ended this policy on January 13th, 2017.

In 1996 the Illegal Immigration Reform and Immigrant Responsibility Act aimed to improve **border** quality and security. It also added restrictions for immigrant work guidelines.

President Bush signed the Border Security and Visa Entry Reform Act in 2002 (approximately eight months after the 9/11 attacks) and it was passed by a large majority in both houses of Congress. It defined funding for the **INS (Immigration Naturalization Service)** and required that the immigrant background databases are accessible from other governmental departments.

Passed in 2005, the REAL ID Act required use of IDs upon entering certain government buildings, and created more restrictive requirements for **political asylum**. It also limited **habeas corpus** relief for immigrants, created national requirements for driver’s licenses and made it easier to construct barriers at the US borders.

During the “Bush-era”, President Bush created the **Muslim Registry** in 2002, as part of the National Security Entry-Exit Registration Systems program (NSEERS). This act was part of the “war on terrorism”. It aimed to increase safety in the U.S. through more frequent and efficient screenings of immigrants. It targeted people from Muslim-majority countries. This caught no terrorists. Obama’s administration suspended aspects of NSEERS in 2011, then in 2016 an executive order altogether ended the program (including the registry).

However, President Trump used an executive order to enact an **immigration-ban** for seven countries with large muslim populations. This includes 218 million people from Iran, Iraq, Syria, Sudan, Libya, Yemen, and Somalia (Trump referred to them as “countries of concern”). For the next 90 days nationals of these countries may not enter the United States, and no refugees will be admitted in the next 120 days. This order also calls for a review of the **Visa Interview Waiver Program**, which allows 38 allied countries to renew **travel authorizations** without an in-person interview. Trump’s **entry-ban** for seven muslim-majority countries strongly echoes the discrimination against the religion. The ninth circuit court of appeals have again allowed the entry of citizens from the seven countries.

A chronological list of the acts, the president (at the time) and their parties:

Year of act	Name	President	Party
1924	Johnson-Reed Act	Warren G. Harding	Republican
1942	Mexican Farm Labor Agreement	Franklin D. Roosevelt	Democrat
1943	Magnuson Act	Franklin D. Roosevelt	Democrat
1945	War Brides Act	Harry S. Truman	Democrat
1948	Displaced Persons Act	Harry S. Truman	Democrat
1952	Immigration and Nationality Act	Harry S. Truman	Democrat
1953	Refugee Relief Act	Dwight D. Eisenhower	Republican
1954	Operation Wetback	Dwight D. Eisenhower	Republican
1965	Immigration and Nationality Act	Lyndon B. Johnson	Democrat
1980	Refugee Act	James “Jimmy” E. Carter	Democrat
1986	Immigration Reform and Control Act	Ronald W. Reagan	Republican
1990	Immigration Act	George H. W. Bush	Republican
1995	Cuban Adjustment Act	William “Bill” J. Clinton	Democrat
1996	Illegal Immigration Reform and Immigrant Responsibility Act	William “Bill” J. Clinton	Democrat
2002	Border Security and Visa Entry Reform Act	George W. Bush	Republican
2002	National Security Entry-Exit Registration Systems Program	George W. Bush	Republican
2005	REAL ID Act	George W. Bush	Republican
2017	Immigration Ban	Donald J. Trump	Republican

Some extra vocab:

Asylum	A place that provides protection to people escaping from unstable countries (e.g. wartorn or seeking political asylum)
Citizenship	the position or status of being a citizen of a particular country. Section one of the Fourteenth Amendment contains the 'citizenship clause' which defines national citizenship in the US. "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."
Consular Officer	Consular officers are often the face of the U.S. government overseas. They are the ones interviewing visa applicants, dealing with prospective adoptive parents, helping U.S. citizens who have had their passports stolen or gotten in a scrape with the law.
Cultural Mosaic	A cultural mosaic is a description of a nation that considers the different races, ethnicities and otherness of its citizens essential to its existence. The mosaic is often contrasted with the melting pot, which requires all of those differences to meld together in assimilation.
Displaced	to remove from the usual or proper place; specifically : to expel or forced to flee from home or homeland
Entry-Ban	Bars people from entering the country. Examples include the Chinese Exclusion Act of 1882 and the brief ban enacted by Donald Trump prohibiting seven muslim-majority countries. (Lesser known example would be the Anarchist Exclusion Act of 1903 or the Immigration Act of 1907.)
Habeas Corpus	a writ requiring a person under arrest to be brought before a judge or into court, especially to secure the person's release unless lawful grounds are shown for their detention.
Immigrant	Person who enters a new country, often with intentions to stay.
Immigration Naturalization Service	Agency in US Department of Justice regarding legal and illegal immigration, active from 1933 to 2003.

National Origins Quota	Allowed a proportional amount of immigrants to enter the U.S. based on the census and their nationality.
Nativist	The policy of favoring native inhabitants as opposed to immigrants
Push-pull Theory	The reasons that people migrate would be due to push and pull factors. Push and Pull factors are forces that can either induce people to move to a new location or oblige them to leave old residences; they can be economic, political, cultural, and environmentally based.
Recruitment and Family-Unification	Businesses can call upon non U.S. citizens for temporary work and give them visas. Family-unification allows the family of a legal U.S. resident to enter the country.
Reform	Used in political discussion regarding changes to current immigration policy.
Refugee	one that flees; especially : a person who flees to a foreign country or power to escape danger or persecution
Residency	The act of living in a country. Legal or illegal.
Screening/Background Checks	A background check is the process of looking up and compiling criminal records, commercial records, and financial records of an individual or an organization. In terms of immigration, this is to ensure the applicant is not a threat to himself, others or national security.
Travel Authorizations	Determines if you are admissible into the country or not. The electronic system for travel authorization (ESTA) is used to determine eligibility of visitors under the visa program.
Undocumented	a foreign-born person who cannot currently be in the U.S. legally.
Visa	an endorsement made on a passport by the proper authorities denoting that it has been examined and that the bearer may proceed