

MILESTONES IN UNITED STATES IMMIGRATION POLICY

1790 Naturalization Act allows only “free white persons” to become American citizens.

1868 The Burlingame Treaty stated that “the United States of America and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantages of free migration and emigration of their citizens and subjects respectively from one country to the other for the purposes of curiosity, of trade or of permanent residence...” By this treaty China legalized emigration of its citizens (forbidden until then by the Chinese government) and the United States formally approved of (some would say encouraged) immigration of Chinese to the United States.

1875 The Immigration Act of March 3 established federal regulations on immigration for the first time in American history. It was passed in response to President Grant’s request to act against the importation of aliens without their free and voluntary consent (specifically aimed at the coolie trade) and women for the purpose of prostitution. Since many Chinese women were assumed (incorrectly) to be prostitutes unless they could prove otherwise, this prevented most Chinese women from immigrating to the United States.

1882 Chinese Exclusion Act prohibited the immigration of Chinese laborers for ten years. All Chinese immigrants residing in the U.S. were required to obtain a certificate that verified that they had entered the U.S. before the act went into effect.

Note: The 1882 Chinese Exclusion Act and its extensions set a precedent by which the United States government banned entire ethnic groups from entering the country. The concept of basing immigration policy on race and ethnicity would remain a part of United States immigration policy for more than 80 years until the quota system was finally abolished in 1965.

1892 The Chinese Exclusion Act was renewed for another ten years. In addition, it provided for the arrest and deportation of Chinese who had been living in the United States prior to the enactment of Exclusion but who failed to apply for a certificate of residence within one year of the passage of the 1882 Act.

1904 Congress made the Chinese Exclusion Act permanent.

1907 Japanese laborers were barred (informally through Roosevelt's "Gentlemen's Agreement") from entering the U.S.

1917 Congress passed the most comprehensive immigration policy to date. It listed more than thirty excluded classes, most of them having to do with individual characteristics, such as persons with epilepsy, anarchists, idiots, criminals, etc. Only one excluded class pertained to a geographic location. The Asiatic Barred Zone was defined by latitude and longitude and encompassed all of South and East Asia, India, Afghanistan, and the Pacific Islands. All Asians were thus excluded from the United States, with an exception for Japanese and Filipinos. Another section of the Act required a literacy test of all immigrants over age 16 (intended to restrict immigration from Eastern and Southern Europe).

1921 The first "Quota Law" was passed, restricting the number of immigrants from each country to 3% of its population represented in the 1910 U.S. census. (This law was designed to greatly reduce the overall number of immigrants and to favor northern Europeans over immigrants from Southern and Eastern Europe).

1924 Asian Exclusion Act banned entry of all aliens ineligible for citizenship. This closed the opening for Japanese immigrants who had been excepted from the Asiatic Barred Zone in the 1917 Act. The Supreme Court had ruled in 1922 that the Japanese, like the Chinese, were non-white and therefore ineligible for citizenship.

The 1921 "Quota Law" was revised to limit immigration to 2% of the 1890 population (designed to favor northern Europeans even more heavily).

1943 The Chinese Exclusion Act was repealed for military, political, and economic reasons; China was now our ally in the war against Japan. The Repeal Act allowed naturalization for the Chinese in America and established an annual immigration quota of 105 Chinese.

1947 The amended "War Brides Act" allowed Chinese wives of Chinese American veterans to immigrate to the United States on a non-quota basis, helping to balance the gender numbers in what had come to be known as the "bachelor society."

- 1952** Racist language was removed from naturalization policy so all immigrants could apply for citizenship regardless of race.

The McCarran-Walter Immigration Act of 1952 reorganized existing immigration laws but retained the quota system with especially tight restriction on Asian immigrants. The “Asiatic Pacific triangle” sections defined a region encompassing all of Asia and the Pacific islands and allowed only one hundred immigrants per year from each of the twenty nations covered by the region. A preference system was established which gave 50% of the spots in each quota to immigrants whose skills were in demand in the United States.

- 1965** A “watershed year” in immigration policy. The quota system based on national origins was abolished. The new emphasis was on facilitating family reunification. The Asiatic Pacific Triangle proviso of the 1952 Act was eliminated, finally making Asian immigrants equal to other immigrants in immigration law. A numerical ceiling of 290,000 immigrants per year was established, with a cap of 20,000 per nation of origin. Spouses, unmarried minor children, and parents of U.S. citizens were given non-quota status. Other immigrants were subject to quotas based on a preference system determined by familial relationships (for example, unmarried adult children of U.S. citizens could constitute up to 20% of the 290,000 persons).
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- 1990** Modified the 1965 immigration bill, raising the ceiling figure for the total number of immigrants to be accepted from each country or region and put more emphasis on occupational skills.
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- 1992** New categories were added to favor immigration of those who are able to invest in the U.S. economy and create jobs in America. A “diversity category” was added to increase immigration from “original source” countries like England and Germany.
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