

Immigration Law of 1965



Four Presidents and Four Decades

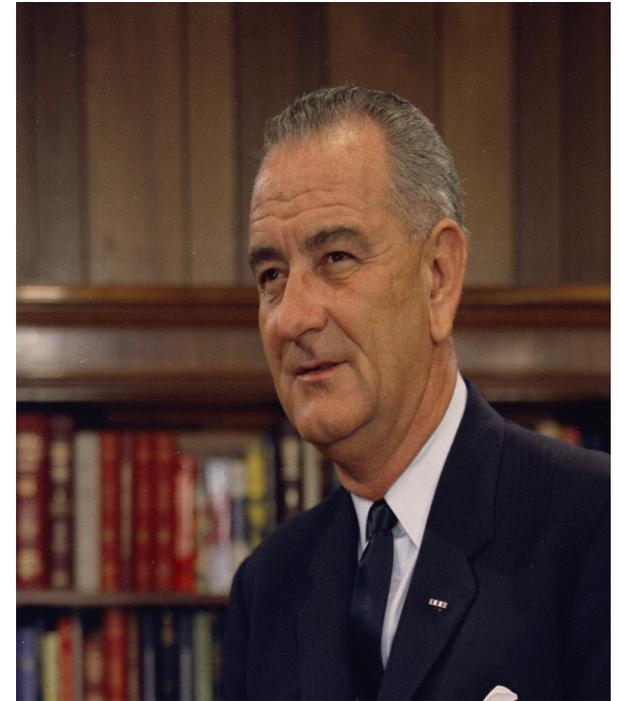
**The Immigration Law of 1965
traveled a path that took 40 years
and was led by 4 presidents.**



Harry Truman
1945-1953



John F. Kennedy
1961-1963



Lyndon B. Johnson
1963-1969



Dwight Eisenhower
1953-1961



Harry S. Truman

July 27, 1948

Congressional Special Session

Truman asked Congress to pass immigration reform.

- Urged Congress to pass measures to protect and extend civil rights of citizenship and human liberty.
- Considered it important to foreign relations and moral leadership



Truman Vetoed Immigration Bill June 25, 1952

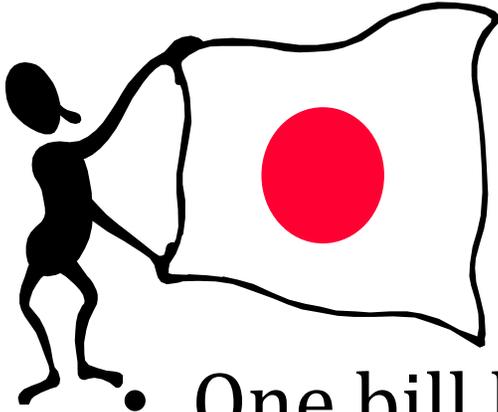


- thought **quota system was archaic** – enacted in 1929
- number allowed annually was 150,000. In 1920 it was 1/7 of 1% of the total population. In 1952 that was 1/15 of 1%
- quotas admitted immigrants in direct proportion to those who were already here: English and Irish. People from southern and eastern Europe were limited.



- Refugees and people exiled from communist oppression were limited: Poland, Baltic countries, and Rumania had very small immigration quotas.
- If unchanged, U.S. would need emergency legislation to admit refugees from Communism and victims of overcrowding in Europe.





- One bill had been enacted relating to the rights of Americans of Japanese decent.
- Asians were given a quota but restricted. If of 50% Asian decent but born in another country, the quota would be charged to Asian country

Truman's feelings about the proposed law:

It violates the political doctrine of the Declaration of Independence "all men are created equal"



"It denies humanitarian creed inscribed on the Statue of Liberty "Give me your tired, your poor, your huddled masses yearning to breathe free"

More reasons for Truman's Veto



He considered it a step backward.



Objected to retroactive deportation, more rigorous admission standards and easier expulsion.



Rights of native born 1st generation citizens would be limited.



All citizens returning from abroad would be subjected to invasions of privacy.



It fostered distrust for citizens and aliens “at a time when we need unity at home.”



It restricted or eliminated judicial review of unlawful administrative action

- Reasons immigrants could be deported:
 - *If found guilty of a crime in their country. It gave credit to the judgments of communist secret police.*



– *Drug addiction*

– *Misrepresentation of background information*

Deportation could be left to the discretion of immigration or consular officials.

It gave too much power to immigration officials.
Allowed them to determine whether a crime had been committed.



Truman's Proposals

1. Joint Congressional Committee on Immigration and Nationality Policy

- power to:
 - hold hearings
 - subpoena witnesses, books and documents
 - unusual power over Executive Branch

2. Bi-partisan commission composed of private and public citizens

- Members appointed: 4 from President, 4 from President of Senate and 4 from Speaker of House.
- **to report findings in a year.**

3. Legislation to remove racial barriers against Asians

- **Temporary emergency legislation to authorize the admission of 300,00 additional immigrants over 3 year period**

Joint Committee on Immigration and Nationality

Chairman Senator Arthur Watkins argued that the law should be observed for several years before being revised.

Revisions slowed to a crawl.

January 1, 1953

Perlman Commission



Advised that the McCarran-Walter Act should be
“reconsidered and revised.”



January, 26 1953

Bill introduced to admit 328,000 non quota immigrants from
Europe over 3 years

President Dwight D. Eisenhower

February 2, 1953



Asked Congress to review the immigration legislation and its unjust discrimination and quotas.

Lyndon B. Johnson



January 1963

The Road to Final Passage

He saw the need for reform.

He wanted legislators to:

- consider special skills of the immigrant for first preference status
- consider relationship to U.S. residents

1965 proposed immigration legislation

– Eliminated the quota system

- Replaced it with preferential admissions system
- preference given to skilled workers who would be an advantage to our country
- 2nd preference would go to relatives of citizens

Gradual transitions over five years

- 🇺🇸 No country would get more than 10% of yearly quota
- 🇺🇸 President would reserve the right to use up to 30% of quota for emergency.
- 🇺🇸 unused numbers could be used where needed



🇺🇸 provide non quota status for newly-independent countries

🇺🇸 non quota status to parents of citizens

🇺🇸 4th quota status to parents of resident aliens



🇺🇸 eliminate requirement of employment prior to immigration

🇺🇸 preference to skilled workers who can fill a specific need

🇺🇸 eliminate epilepsy as a ground of exclusion

🇺🇸 grant admission to persons with mental health problems who have relatives to care for them



Immigration Law of 1965 passed

- Signed into law on October 3, 1965 at Liberty Island.
- It took 40 years and 4 presidents to get it passed.



Success of the law was attributed to:

- New chairman
- Democrats outnumbered Republicans 2 to 1 in Congress
- Strong support from Johnson to ease U.S. relations with nations discriminated against under the former law, of the House Judiciary Immigration Subcommittee.
- The willingness of the Administration and other groups to compromise on the over-all quota, family reunification and other provisions which helped neutralize opposition.
- Acceptance of 120,000 limit for Western Hemisphere immigrants.
- The fear of “invasion” by “undesirable” immigrant groups was not as great.