

Chapter 1 : Milestones: " - Office of the Historian

The Immigration and Nationality Act, or INA, was created in Before the INA, a variety of statutes governed immigration law but were not organized in one location. The McCarran-Walter bill of , Public Law No. , collected and codified many existing provisions and reorganized the.

Visit Website Did you know? The recent decline in immigration coincided with the economic downturn in the U. During Congressional debates, a number of experts testified that little would effectively change under the reformed legislation, and it was seen more as a matter of principle to have a more open policy. Indeed, on signing the act into law in October , President Lyndon B. It does not affect the lives of millions! It will not reshape the structure of our daily lives or add importantly to either our wealth or our power. In place of the national-origins quota system, the act provided for preferences to be made according to categories, such as relatives of U. Though it abolished quotas per se, the system did place caps on per-country and total immigration, as well as caps on each category. As in the past, family reunification was a major goal, and the new immigration policy would increasingly allow entire families to uproot themselves from other countries and reestablish their lives in the U. Under past immigration policies, Asian immigrants had been effectively barred from entry. Other Cold War-era conflicts during the s and s saw millions of people fleeing poverty or the hardships of communist regimes in Cuba, Eastern Europe and elsewhere to seek their fortune on American shores. All told, in the three decades following passage of the Immigration and Naturalization Act of , more than 18 million legal immigrants entered the United States, more than three times the number admitted over the preceding 30 years. By the end of the 20th century, the policies put into effect by the Immigration Act of had greatly changed the face of the American population. Whereas in the s, more than half of all immigrants were Europeans and just 6 percent were Asians, by the s only 16 percent were Europeans and 31 percent were of Asian descent, while the percentages of Latino and African immigrants had also jumped significantly. Between and , the highest number of immigrants 4. Korea, the Dominican Republic, India, Cuba and Vietnam were also leading sources of immigrants, each sending between , and , over this period. Continuing Source of Debate Throughout the s and s, illegal immigration was a constant source of political debate, as immigrants continue to pour into the United States, mostly by land routes through Canada and Mexico. The Immigration Reform Act in attempted to address the issue by providing better enforcement of immigration policies and creating more possibilities to seek legal immigration. The act included two amnesty programs for unauthorized aliens, and collectively granted amnesty to more than 3 million illegal aliens. Another piece of immigration legislation, the Immigration Act, modified and expanded the act, increasing the total level of immigration to , The economic recession that hit the country in the early s was accompanied by a resurgence of anti-immigrant feeling, including among lower-income Americans competing for jobs with immigrants willing to work for lower wages. In , Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act, which addressed border enforcement and the use of social programs by immigrants. With some modifications, the policies put into place by the Immigration and Naturalization Act of are the same ones governing U. Non-citizens currently enter the United States lawfully in one of two ways, either by receiving either temporary non-immigrant admission or permanent immigrant admission. A member of the latter category is classified as a lawful permanent resident, and receives a green card granting them eligibility to work in the United States and to eventually apply for citizenship.

Chapter 2 : U.S. Immigration Since - HISTORY

U.S. immigration law is very complex, and there is much confusion as to how it works. The Immigration and Naturalization Act (INA), the body of law governing current immigration policy, provides for an annual worldwide limit of , permanent immigrants, with certain exceptions for close family members.

For more information, please see the full notice. The quota provided immigration visas to two percent of the total number of people of each nationality in the United States as of the national census. It completely excluded immigrants from Asia. Congress enacted the first widely restrictive immigration law. The uncertainty generated over national security during World War I made it possible for Congress to pass this legislation, and it included several important provisions that paved the way for the Act. The Act implemented a literacy test that required immigrants over 16 years old to demonstrate basic reading comprehension in any language. It also increased the tax paid by new immigrants upon arrival and allowed immigration officials to exercise more discretion in making decisions over whom to exclude. The Philippines was a U. China was not included in the Barred Zone, but the Chinese were already denied immigration visas under the Chinese Exclusion Act. Immigration Quotas The literacy test alone was not enough to prevent most potential immigrants from entering, so members of Congress sought a new way to restrict immigration in the s. Dillingham introduced a measure to create immigration quotas, which he set at three percent of the total population of the foreign-born of each nationality in the United States as recorded in the census. This put the total number of visas available each year to new immigrants at , It did not, however, establish quotas of any kind for residents of the Western Hemisphere. President Wilson opposed the restrictive act, preferring a more liberal immigration policy, so he used the pocket veto to prevent its passage. In early , the newly inaugurated President Warren Harding called Congress back to a special session to pass the law. In , the act was renewed for another two years. Dillingham When the congressional debate over immigration began in , the quota system was so well-established that no one questioned whether to maintain it, but rather discussed how to adjust it. Though there were advocates for raising quotas and allowing more people to enter, the champions of restriction triumphed. They created a plan that lowered the existing quota from three to two percent of the foreign-born population. They also pushed back the year on which quota calculations were based from to . Another change to the quota altered the basis of the quota calculations. The quota had been based on the number of people born outside of the United States, or the number of immigrants in the United States. The new law traced the origins of the whole of the U. The new quota calculations included large numbers of people of British descent whose families had long resided in the United States. As a result, the percentage of visas available to individuals from the British Isles and Western Europe increased, but newer immigration from other areas like Southern and Eastern Europe was limited. The Immigration Act also included a provision excluding from entry any alien who by virtue of race or nationality was ineligible for citizenship. Existing nationality laws dating from and excluded people of Asian lineage from naturalizing. As a result, the Act meant that even Asians not previously prevented from immigrating “ the Japanese in particular ” would no longer be admitted to the United States. The Japanese government protested, but the law remained, resulting in an increase in existing tensions between the two nations. Despite the increased tensions, it appeared that the U. Congress had decided that preserving the racial composition of the country was more important than promoting good ties with Japan. The restrictive principles of the Act could have resulted in strained relations with some European countries as well, but these potential problems did not appear for several reasons. When these crises had passed, emergency provisions for the resettlement of displaced persons in and helped the United States avoid conflict over its new immigration laws. In all of its parts, the most basic purpose of the Immigration Act was to preserve the ideal of U. Congress revised the Act in

Chapter 3 : NPR Choice page

The law required a literacy test for immigrants and barred Asiatic laborers, except for those from countries with special treaties or.

History of immigration to the United States Immigrants on ocean steamer passing the Statue of Liberty, New York City, American immigration history can be viewed in four epochs: Each period brought distinct national groups, races and ethnicities to the United States. During the 17th century, approximately , English people migrated to Colonial America. From to between , immigrated. Only 45, English supposedly immigrated in the period to on Butler, *Becoming America, The Revolution before , , p.* Over half of all European immigrants to Colonial America during the 17th and 18th centuries arrived as indentured servants. The midth century saw an influx mainly from northern Europe from the same major ethnic groups as for the Colonial Period but with large numbers of Catholic Irish and Scandinavians added to the mix; the late 19th and early 20th-century immigrants were mainly from Southern and Eastern Europe, but there were also several million immigrants from Canada; post most came from Latin America and Asia. Historians estimate that fewer than 1 million immigrants moved to the United States from Europe between and After , immigration gradually increased. From to , over 30 million Europeans migrated to the United States. In the late s, immigration from other Asian countries , especially to the West Coast, became more common. The peak year of European immigration was in , when 1., persons entered the country. The Act was aimed at further restricting immigrants from Southern and Eastern Europe, particularly Jews, Italians, and Slavs, who had begun to enter the country in large numbers beginning in the s, and consolidated the prohibition of Asian immigration. The welfare system was practically non-existent before the s and the economic pressures on the poor were giving rise to child labor. Immigration patterns of the s were affected by the Great Depression. In the final prosperous year, , there were , immigrants recorded, [25] but in , only 23, moved to the U. Under the proposed bill, the present level of immigration remains substantially the same. Secondly, the ethnic mix of this country will not be upset. Contrary to the charges in some quarters, [the bill] will not inundate America with immigrants from any one country or area, or the most populated and deprived nations of Africa and Asia. In the final analysis, the ethnic pattern of immigration under the proposed measure is not expected to change as sharply as the critics seem to think. By equalizing immigration policies, the act resulted in new immigration from non-European nations, which changed the ethnic make-up of the United States. In November , California voters passed Proposition amending the state constitution, denying state financial aid to illegal immigrants. The federal courts voided this change, ruling that it violated the federal constitution. Commission on Immigration Reform recommended reducing legal immigration from about , people per year to approximately , They have proved to be the most restless, the most adventurous, the most innovative, the most industrious of people. In , President George W. Bush discussed an accord with Mexican President Vincente Fox. Possible accord was derailed by the September 11 attacks. From to , the US Congress discussed various ways of controlling immigration. The Senate and House were unable to reach an agreement. The per-country limit [7] applies the same maximum on the number of visas to all countries regardless of their population and has therefore had the effect of significantly restricting immigration of persons born in populous nations such as Mexico, China, India, and the Philippinesâ€”the leading countries of origin for legally admitted immigrants to the United States in ; [41] nevertheless, China, India, and Mexico were the leading countries of origin for immigrants overall to the United States in , regardless of legal status, according to a U. Through much of the country and Congress was immersed in a debate about these proposals. President Donald Trump signed an executive order temporarily suspending entry to the United States by nationals of certain Muslim-majority countries. It was replaced by another executive order in March and by a presidential proclamation in September , with various changes to the list of countries and exemptions.

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Immigration Overview In the United States, the area of "Immigration Law" refers to the laws and enforcements dealing with immigration into the United States and the deportation of individuals from the United States. Immigration law is primarily dealt with at the federal level although, some states have passed laws to enforce existing federal immigration laws. As such, this entry deals exclusively with federal immigration law. Federal immigration law determines whether a person is an alien which is the term used by the Internal Revenue Service, the rights, duties, and obligations associated with being an alien in the United States, and how aliens gain residence or citizenship within the United States. It also provides the means by which certain aliens can become legally naturalized citizens with full rights of citizenship. The INA continues to influence the field of American immigration law. Different categories of aliens include resident and nonresident, immigrant and nonimmigrant, and documented and undocumented "illegal". The terms "documented" and "undocumented" refer to whether an arriving alien has the proper records and identification for admission into the U. Having the proper records and identification typically requires the alien to possess a valid, unexpired passport and either a visa, border crossing identification card, permanent resident card, or a reentry permit. The INA expressly refuses stowaway aliens entry into the U. The IRCA toughened criminal sanctions for employers who hired illegal aliens, denied illegal aliens federally funded welfare benefits, and legitimized some aliens through an amnesty program. The Immigration Marriage Fraud Amendments sought to limit the practice of marrying to obtain citizenship. The Immigration Act of thoroughly revamped the INA by equalizing the allocation of visas across foreign nations, eliminating archaic rules, and encouraging worldwide immigration. Applicants at either designated ports or otherwise must submit to an inspection by U. The Department of Homeland Security DHS is the federal agency designed to foster increased intelligence sharing and dialogue between agencies responsible for responding to domestic emergencies, such as natural disasters and domestic terrorism. Within the Department, three different agencies - U. Immigration and Customs Enforcement ICE - all handle separate duties related to the enforcement of immigration laws. Currently, CBP handles the border patrol duties, USCIS handles naturalization, asylum, and permanent residence functions, and the ICE handles deportation, intelligence, and various investigatory functions. The government primarily issues nonimmigrant visas to tourists and temporary business visitors. The government divides nonimmigrant visas into eighteen different types. Only a few categories of nonimmigrant visas allow their holders to work in the United States. Immigrant visas, however, permit their holders to stay in the United States permanently to eventually apply for citizenship. Aliens with immigrant visas can also work in the United States. Congress limits the quantity of immigrant visas. However this limit is sometimes referred to as the "permeable cap," because it is often exceeded due to a number of exceptions. Many immigrant visas remain subject to per-country caps. Under the Refugee Act, the term "refugee" refers to aliens with a fear of persecution upon returning to their homelands, stemming from their religion, race, nationality, membership in certain social groups, or political opinions. The United States, however, denies refugee status to any alien who actively persecuted individuals of a certain race, political opinion, religion, nationality, or members of a certain social group. As a matter of public policy, the government also typically refuses refugee applicants previously convicted of murderer. For refugees who have "firmly resettled" in another country, the United States will deny a request for refugee admission. The government considers refugees "firmly resettled" if the refugees have received an offer of citizenship, permanent residency, or some other permanent status from a foreign country. The Refugee Act of specifically leaves out temporary refuge as a form of refugee status that the U. To qualify for refugee status under the persecution provision, the refugee applicant must prove actual fear. A proof of actual fear requires meeting both a subjective and an objective test. The subjective test requires that the refugee actually have an honest and genuine fear of being persecuted for some immutable trait, such as religion, race, and nationality. Seekers of asylum must show a fear that

membership in a social or political group has caused past persecution or has caused a well-founded fear that persecution will occur upon returning. Deportation refers to the official removal of an alien from the United States. If the government determines that a particular alien gained entry into the country through the use of a falsified document or otherwise fraudulent means, the government may deport. Other common grounds for deportation include the following: If the government brings a proceeding for deportation because of fraud or falsification, the government bears the burden of proving by clear and convincing evidence that alleged falsification or fraud occurred and that the falsification or fraud proved material to the granting of admission to the alien. Upon such a proof, the government has established a rebuttable presumption that the alien gained admission through material falsification or fraud. To rebut the presumption, the alien must demonstrate by a preponderance of the evidence that admission would have been granted even without the falsification or fraud. Through deferred action, a non U. Recipients of deferred action grants, however, cannot claim lawful status during that time, but they are considered lawfully present in the U. In other words, they are not accruing unlawful presence, which could later render them inadmissible to the U. DHS grants deferred action on a case-by-case basis. The program aimed to grant deferred action to those under 31 as of June 15, , who entered the U. The policy rationale was to prevent deportation of young adults and children, who grew up as Americans yet did not voluntarily enter the U. However, there have been numerous legal challenges in response, and as such, this is an issue that is continually evolving.

Chapter 5 : Immigration to the United States - Wikipedia

*Immigration and the Law: Race, Citizenship, and Social Control [Sofía Espinoza Álvarez, Martín Guevara Urbina] on blog.quintoapp.com *FREE* shipping on qualifying offers. >In the era of globalization, shifting political landscapes, and transnational criminal organizations.*

Amends naturalization requirements to extend eligibility to individuals of African nativity or descent. Any Chinese immigrant who resided in the U. The Geary Act extended this law for an additional 10 years and required that Chinese nationals obtain identification papers. Permitted the deportation of any unauthorized immigrants or those who could be excluded from migration based on previous legislation. Made it a federal misdemeanor to bring unauthorized immigrants into the country or aid someone who is entering the U. Established a federal Bureau of Immigration. It is the first U. Required immigrants over the age of 16 to demonstrate basic reading ability in any language. Immigration from Asian countries continued to be barred. Nationality quotas did not apply to countries in the Western Hemisphere, government officials or temporary visitors. Under this law, total annual immigration was capped at , Border Patrol as a federal law enforcement agency to combat illegal immigration and smuggling along the borders between inspection stations. As a result, the law favored migration from northern and western European countries with longer histories of migration to the U. Immigration from Asian countries continued to be barred, and the law added a formal restriction on Japanese immigration. Denied entry to the U. Required employers to pay a wage equal to that paid to U. In effect until In contrast to other quotas, which are based on country of citizenship, the quota for Chinese was based on ancestry. Chinese residents were also eligible to naturalize. As a result, most spots were for immigrants from the United Kingdom, Ireland and Germany. Under this law, political activities, ideology and mental health, among other criteria, served as a basis for exclusion and deportation. This law also created quota preferences for skilled immigrants and family reunification. Immigrants from the Western Hemisphere were exempt from the preference system until No visa cap was placed on the number of immediate family members of U. The Eastern Hemisphere was granted , of the total visas each year with a 20, cap per country. Beginning in , the Western Hemisphere was given , visas annually with no specific country limits. This act extended the refugee delineation to include those fleeing Cambodia and Vietnam and designated funds for the relocation and resettlement of refugees. In , it was amended to include Laotian refugees. This mostly affected Mexico at the time since it was the only Western Hemisphere country that substantially exceeded 20, visas annually. In , an amendment to the law established a worldwide limit of , visas annually. This removed the prior Eastern and Western hemisphere caps. Removes refugees from the immigration preference system, expanding the annual admission for refugees. The removal of refugees from the immigration preference system reduced the annual visa allocation to , Subsequent executive action and legislation for refugees included deportation relief and admission based on region or nationality. Examples include the George H. Creates the H-2A visa for temporary, seasonal agricultural workers. Imposes sanctions on employers who knowingly hire unauthorized workers and increases border enforcement. In , the Reagan administration decided that minor children of parents who were legalized under the law should be protected from deportation. In , the George H. Bush administration decided that all spouses and unmarried children of people who were legalized under the law could apply for permission to remain in the country and receive work permits. This policy was formalized in the Immigration Act of It also creates H-1B visas for highly skilled temporary workers and H-2B for seasonal, non-agricultural workers and revises the grounds for exclusion and deportation, particularly those based on political and ideological grounds. Establishes or revises measures for worksite enforcement, to remove criminal and other deportable aliens and to tighten admissions eligibility requirements. Expands restrictions laid out in the Personal Responsibility and Work Opportunity Reconciliation Act on access to means-tested public assistance programs for new legal permanent residents and unauthorized immigrants. This executive action is on hold as a state challenge works its way through the courts. Click to see additional references In addition to the following references, legislation text was used to develop the timeline.

Chapter 6 : Immigration | Wex Legal Dictionary / Encyclopedia | LII / Legal Information Institute

A number of major laws and court decisions relating to immigration procedures and enforcement have been enacted for the United States.

Chapter 7 : How U.S. immigration laws and rules have changed through history | Pew Research Center

The United States began regulating immigration soon after it won independence from Great Britain, and the laws since enacted have reflected the politics and migrant flows of the times. Early legislation tended to impose limits that favored Europeans, but a sweeping law opened doors to.

Chapter 8 : List of United States immigration laws - Wikipedia

The law required immigrants to live in the United States for two years and their respective state of residence for one year prior to applying for citizenship.