

A Brief History of U. S. Immigration Law

Early European settlers arrived slowly after 1500: Spanish, French, Netherlanders, and English. They came voluntarily or as indentured servants, slaves, or convicts. Before 1776 the colonies tried to pass laws restricting English settlement of convicts.

1795: **Naturalization Act** required residents to be 2—5 years in the country to be considered citizens. Then the time was extended to 14 years. Federalist John Adams signed the **Alien Sedition Act** and others allowing the President to deport immigrants who posed a threat to the government.

1800: Under Thomas Jefferson the **Alien Sedition Act** was repealed. Residence time to become a citizen was reduced to the current 5 years. Immigrants provided cheap labor. Despite tensions, especially against Catholics, immigration policy was quite open.

1848: Mexicans living in the conquered territory that became California, Texas, Arizona, New Mexico and parts of Colorado, Utah and Nevada, could choose to become citizens.

1875: Congress passed an **exclusion law** banning prostitutes and convicts from entering the United States, ending a more open immigration policy.

1882: The first of three **Chinese Exclusion Acts** was passed, banning further Chinese immigration once they had completed the transcontinental railroad. The exclusion was repealed in 1943 as China became an ally in World War II.

1891: People with any contagious diseases or history of crime were barred from immigrating.

1903: Anarchists and subversives were barred. The Dillingham Commission reported that immigrants were undesirable and inferior to Americans.

1917: Under the Wilson administration, Congress passed the first comprehensive immigration act which included a literacy test requirement.

1924: The **National Origins Act** was passed putting a quota system on the number of immigrants who entered the United States. The law effectively stopped large flows of European immigration.

1942-1964: Because of a labor shortage, the “Bracero” program was created. Temporary workers were brought in mainly from Mexico but also Barbados, the Bahamas, Canada and Jamaica to work in agriculture, with low wages and squalid living conditions.

1965: The **Immigration and Nationality Act (Hart-Cellar Act.)** allowed immigration based on family ties or special skills. Increased immigration from Asian and Hispanic countries raised fear and racial concerns.

1980: The **Refugee Act** laid out a refugee policy separate from immigration policy. Persons fearing persecution in their home country could apply, however, approval rates were low.

1986: The **Immigration Reform and Control Act of 1986** was passed. It allowed legal status for undocumented people who had lived in the United States before 1982, and agricultural workers. All employers were to check the immigration status of their employees.

1996: The **Illegal Immigration Reform and Immigrant Responsibility Act of 1996** made deportations easier, focusing on convicted criminals. It penalized employers who hired undocumented workers. Congress's 1996 Welfare Bill blocked undocumented immigrants from receiving any public benefits and any legal immigrant from receiving food stamps. The following year some of the benefits were restored to legal permanent residents.

Post 2001: Congress quickly implemented several enforcement measures to protect our national security. In 2002 the **Enhanced Border Security and Visa Reform Act** was passed, creating new verification methods for foreign travelers' documents and stricter security checkpoints. In 2006 a bill was passed that allowed the construction of an 850 mile fence along the U. S.-Mexico border.