



THE NEW AMERICANS



Immigration Policy: Past and Present

Subject: Social Studies (U.S. History, Civics) Language Arts

Overview: America's immigration policies continue to change over time. Issues that frame such policy include the immigrant's role in the labor force, rates of immigration to the US, and most recently, concerns about terrorism. The main question to consider is the fairness of these policies in terms of their consideration of immigrants and benefits to the United States.

Standards: This lesson addresses the following national content standards established at <http://www.mcrel.org/standards-benchmarks/>

Objectives

- Establish and revisit personal perspectives regarding immigration to the United States
- Discuss the history of U.S. immigration policy
- Describe key immigration policies from 1980 to the present
- Indicate the circumstances that influenced changes in existing or the establishment of new U.S. immigration policies
- Examine new immigration legislation and related pro and con arguments
- Debate current and/or proposed immigration policy from various viewpoints

Materials

- Chalkboard and chalk or chart paper and markers
- Commission Hearing Guidelines
- Print and online materials regarding historic and present U.S. immigration policy
- Timeline of U.S. Immigration Policy

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Timeline of U.S. Immigration Policy

- 1790 Naturalization rule adopted. Federal government establishes a two-year residency requirement on immigrants wishing to become U.S. citizens.
- 1819 Reporting rule adopted. Data begins to be collected on immigration into the United States. Ships' captains and others are required to keep and submit manifests of immigrants entering the United States.
- 1875 First exclusionary act. Convicts, prostitutes, and "coolies" (Chinese contract laborers) are barred from entry into the United States.
- 1882 Immigration Act passed. The federal government moves to firmly establish its authority over immigration. Chinese immigration is curtailed; ex-convicts, lunatics, idiots, and those unable to take care of themselves are excluded. In addition, a tax is levied on newly arriving immigrants.
- 1885 Contract laborers' entry barred. This new legislation reverses an earlier federal law legalizing the trade in contract labor.
- 1891 `Office of Immigration created. Established as part of the U.S. Treasury Department, this new office is later given authority over naturalization and moved to the U.S. Justice Department. (Today it is known as the Immigration and Naturalization Service.) In the same year, paupers, polygamists, the insane, and persons with contagious diseases are excluded from entry to the United States.
- 1892 Ellis Island opens. Between 1892 and 1953, more than 12 million immigrants will be processed at this one facility.
- 1903 Additional categories of persons excluded. Epileptics, professional beggars, and anarchists are now excluded.
- 1907 Exclusions further broadened. Imbeciles, the feeble-minded, tuberculars, persons with physical or mental defects, and persons under age 16 without parents are excluded.
- 1907 "Gentleman's agreement" between United States and Japan. An informal agreement curtails Japanese immigration to the United States. Also, the tax on new immigrants is increased.



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- 1917 Literacy test introduced. All immigrants 16 years of age or older must demonstrate the ability to read a forty-word passage in their native language. Also, virtually all Asian immigrants are banned from entry into the United States.
- 1921 Quota Act. An annual immigration ceiling is set at 350,000. Moreover, a new nationality quota is instituted, limiting admissions to 3 percent of each nationality group's representation in the 1910 U.S. Census. The law is designed primarily to restrict the flow of immigrants coming from eastern and southern Europe.
- 1924 National Origins Act. The Act reduces the annual immigration ceiling to 165,000. A revised quota reduces admissions to 2 percent of each nationality group's representation in the 1890 census. The U.S. Border Patrol is created.
- 1927 Immigration Ceiling Further Reduced. The annual immigration ceiling is further reduced to 150,000; the quota is revised to 2 percent of each nationality's representation in the 1920 census. This basic law remains in effect through 1965.
- 1929 National Origins Act. The annual immigration ceiling of 150,000 is made permanent, with 70 percent of admissions slated for those coming from northern and Western Europe, while the other 30 percent are reserved for those coming from Southern and Eastern Europe.
- 1948 Displaced Persons Act. Entry is allowed for 400,000 persons displaced by World War II. However, such refugees must pass a security check and have proof of employment and housing that does not threaten U.S. citizens' jobs and homes.
- 1952 McCarran-Walter Act. The Act consolidates earlier immigration laws and removes race as a basis for exclusion. In addition, the Act introduces an ideological criterion for admission: immigrants and visitors to the United States can now be denied entry on the basis of their political ideology (e.g., if they are Communists or former Nazis).
- 1965 Immigration Act is amended. Nationality quotas are abolished. However, the Act establishes an overall ceiling of 170,000 on immigration from the Eastern Hemisphere and another ceiling of 120,000 on immigration from the Western Hemisphere.



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- 1978 World-wide immigration ceiling introduced. A new annual immigration ceiling of 290,000 replaces the separate ceilings for the Eastern and Western Hemispheres.
- 1980 Refugee Act. A system is developed to handle refugees as a class separate from other immigrants. Under the new law, refugees are defined as those who flee a country because of persecution "on account of race, religion, nationality, or political opinion." The president, in consultation with Congress, is authorized to establish an annual ceiling on the number of refugees who may enter the United States. The president also is allowed to admit any group of refugees in an emergency. At the same time, the annual ceiling on traditional immigration is lowered to 270,000.
- 1986 Immigration Reform and Control Act. The annual immigration ceiling is raised to 540,000. Amnesty is offered to those illegal aliens able to prove continuous residence in the United States since January 1,
- 1982 Stiff sanctions are introduced for employers of illegal aliens.
- 1990 Immigration Act of 1990. The annual immigration ceiling is further raised to 700,000 for 1992, 1993, and 1994; thereafter, the ceiling will drop to 675,000 a year. Ten thousand permanent resident visas are offered to those immigrants agreeing to invest at least \$1 million in U.S. urban areas or \$500,000 in U.S. rural areas. The McCarran-Walter Act of 1952 is amended so that people can no longer be denied admittance to the United States on the basis of their beliefs, statements, or associations.
- 1996 Immigration Act. In an effort to curb illegal immigration, Congress votes to double the U.S. Border Patrol to 10,000 agents over five years and mandates the construction of fences at the most heavily trafficked areas of the U.S.-Mexico border. Congress also approves a pilot program to check the immigration status of job applicants.

Source: The Close Up Foundation: U.S. Immigration Policy
<http://www.closeup.org/immigrat.htm#overview>

Background: The Close Up Foundation's U.S. Immigration Policy site <http://www.closeup.org/immigrat.htm#overview> is a good primer on immigration policy to read before teaching this lesson. (The site also has a comprehensive resource list.)



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Procedure

1. Invite students to write down and then discuss their perceptions about immigrants in the United States (have students hold onto these thoughts for later review). Discussion questions might include: Should immigrants be allowed to come to this country? Explain. Should the number of immigrants entering be limited? Explain. Should Americans have concerns about new immigrants coming to America? If yes, what might those be? Are they familiar with any immigration laws? If yes, which and what do they legislate?

2. (*NOTE: Please review the timeline before distribution. There are areas that will require supplemental information, and thus need to be reviewed beforehand.*)

Divide students into small groups. Distribute the Timeline of U.S. Immigration Policy. Assign each group a time period to review (perhaps a decade). Instruct groups to refer to the section of the timeline that reports on their assigned years and be prepared to report on the following:

- Key policies established during that timeframe
- What the policies were addressing and why
- The policy's goal and results (*Provide this information, if necessary.*)
- What was occurring internationally and nationally during noted dates that might have influenced the policy (*Provide this information, if necessary. This might include wars, economic challenges, discrimination, etc.*)
- The actual or likely impact on immigrants and the United States

3. Have each group report back to the class. Synthesize and chart each group's findings under headings reflecting their respective time periods. After the presentations, have the class review the synthesized findings to draw conclusions about what typically frames immigration policy and the similarities and differences among the varied legislation.

4. Point out to students that many of the issues presented in their timeline analysis are at the heart of immigration policy, which raises debates about how immigrants are viewed and treated. It is an ongoing debate, one that has heated up in light of the terrorist acts on September 11, 2001. Have students read The Close Up Foundation's Overview of U.S. Immigration Policy <http://www.closeup.org/immigrat.htm#overview>, and use the Questions to Consider to discuss, as a class, the larger issues the overview presents.



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5. Have students review current existing or pending immigration policies implemented that have raised the most controversy (provide a list or have students research). Have students note the names and purpose of the policies and on what basis they evolved. Have them work in small groups to research the pro and con arguments associated with each or one of the policies. (If only one policy, each group should have a different policy to research.)

6. Tell students they will have an opportunity to present their perspectives on immigration policy in a mock congressional commission on immigration. Poll the class to see who is for and against current policies. If the class is not equally divided, request that some students assume an opposite stance for the sake of the class activity. Assign five students the roles of Commission members. Divide the remainder of the class equally into smaller lobbyists, immigrants, and other groups/individuals students deem necessary for the activity. Again, the pro and con perspectives should be balanced among the groups.

7. Distribute the Commission Hearing Guidelines and review with the class. (*Note that some of the activities, and even the structure of the hearing, can be modified.*) Presenters may focus on a particular proposed policy and/or address current immigration policy overall, making sure to incorporate reference to recommended laws.

8. Conduct the Commission hearing. After the hearing is completed, invite students to reflect on what they have learned, and revisit their initial perceptions discussed in Step 1. What are their overall thoughts now regarding immigration policy? How do they feel it should be structured?

Extension

Students can:

- Re-purpose their pro or con immigration policy arguments as editorials or letters to Congress.
- Post their stance on immigration policy on *The New Americans* Talkback section
<http://www.pbs.org/independentlens/newamericans/talkback.html>

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Assessment

Be sure to meet continually with groups as they prepare for the hearing; this provides insight into collaboration, individual student participation, etc. Evaluation of the activity might be broken down as follows: preparation for the hearing (20%); contributions during the actual Commission hearing (40%); the final individual essay on immigration policy (40%).

Related Resources

Websites

The New Americans: Learn More | Immigration

http://www.pbs.org/independentlens/newamericans/learnmore_immigration.html

ACLU Freedom Network: Immigrants' Rights

<http://archive.aclu.org/issues/immigrant/hmir.html>

FAIR: The Federation for American Immigration Reform

<http://www.fairus.org>

Immigration Links: The U.S. Immigration and Nationality Act

<http://www.fourmilab.ch/uscode/8usc/8usc.html>

President Bush Proposes New Temporary Worker Program

<http://www.whitehouse.gov/news/releases/2004/01/20040107-3.html>

Reform the Immigration System

<http://www.whitehouse.gov/news/usbudget/blueprint/bud14.html>

Fact Sheet: Fair and Secure Immigration Reform

<http://www.whitehouse.gov/news/releases/2004/01/20040107-1.html>

Anti-Immigration Sites

<http://dmoz.org/Society/Issues/Immigration/Anti-Immigration/>

Articles Advocating Immigration and Pro Immigration Organizations

<http://www.iadvocate.com/immigration/openborders.html>

Pro-immigration links

<http://www.directory.net/Society/Issues/Immigration/Pro-Immigration/>

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**Books**

Borjas, George, *Friends or Strangers: The Impact of Immigrants on the U.S. Economy* (New York: Basic Books, 1990)

Brown, Wesley and Ling, Amy, eds., *Visions of America: Personal Narratives from the Promised Land* (New York: Persea Books, 1993)

Graham, Otis L. Jr., *Rethinking the Purposes of Immigration Policy* (Washington D.C.: The Center for Immigration Studies, 1991)

Kennedy, John F., *A Nation of Immigrants* (New York: Harper & Row, 1964)

Morrison, Joan and Zabusky, Charlotte Fox, *American Mosaic: The Immigrant in the Words of Those Who Lived It* (Pittsburgh: University of Pittsburgh Press, 1993)

Schlesinger, Arthur M. Jr., *The Disuniting of America* (New York: W.W. Norton, 1991)

Correlation to National Standards

Mid-continent Research for Education and Learning (McREL)

- Understands massive immigration after 1870 and how new social patterns, conflicts, and ideas of national unity developed amid growing cultural diversity.
- Understands how immigration affected American society in the antebellum period (e.g., the connection between industrialization and immigration, how immigration intensified ethnic and cultural conflict and complicated the forging of a national identity).
- Understands the background and experiences of immigrants of the late 19th century (e.g., how the immigrants differed from those of the early 19th century in numbers, motives, origins, ethnicity, religion and language; how Catholic and Jewish immigrants responded to discrimination; attitudes toward immigrants).
- Understands challenges immigrants faced in society in the late 19th century (e.g., experiences of new immigrants from 1870 to 1900, reasons for hostility toward the new immigrants, restrictive measures against immigrants, the tension between American ideals and reality).
- Understands the spread of Progressive ideas and the successes of the Progressive movement (e.g., how intellectuals, religious leaders, and writers alerted the public to the problems of urban industrial society; Progressive social reforms in education, conservation, and the "Americanization" of immigrants).



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- Understands the various social conflicts that took place in the early 1920s (e.g., how the restriction of European immigration affected Mexican American immigration).
- Understands changes in the workplace and the economy in contemporary America (e.g., the effects of a sharp increase in labor force participation of women and new immigrants; the shift of the labor force from manufacturing to service industries).
- Understands demographic shifts and the influences on recent immigration patterns (e.g., the flow from cities to suburbs, reasons for internal migrations from the “Rustbelt” to the “Sunbelt” and its impact on politics, implications of the shifting age structure of the population).
- Understands various influences on American culture (e.g., the desegregation of education and its role in the creation of private white academies; the influence of the media on contemporary American culture; how ethnic art, food, music, and clothing are incorporated into mainstream culture and society).

Civics

- Understands the formation and implementation of public policy.
- Knows how diversity encourages cultural creativity.
- Knows a variety of forms of diversity in American society (e.g., regional, linguistic, socioeconomic).

Language Arts

- Uses a variety of resource materials to gather information for research topics (e.g., magazines, newspapers, dictionaries, schedules, journals, phone directories, globes, atlases, almanacs).
- Organizes information and ideas from multiple sources in systematic ways (e.g., time lines, outlines, notes, graphic representations).



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Commission Hearing Guidelines

Members of the Commission

The commission has been drawn from both Houses of Congress. Membership on the Commission was allocated to represent different regions of the country and varying points of view. Border state members will have especially strong views about the cost of immigration for government.

You might use props for dramatic effect—costumes, official signs with member names, political party, and state, a draped table, etc.

Presentations

Presenters each have five minutes to make their case. Present your argument regarding immigration policy. Presenters may focus on a particular proposed policy and/or address current immigration policy overall, making sure to incorporate reference to recommended laws. Provide logical and clear reasons. Presentations should be as “slick” as possible with charts, posters, PowerPoint slides, etc. Remember that presentations before the commission must be well documented and supported. Presenters should “act the part” of the people who would support or oppose the ideas they are presenting.

Rebuttals

After the first round of presentations, groups may respond to each other’s positions, taking no more than two minutes. Remember that you are trying to impress upon the Commission certain ideas and actions.

To be prepared with good rebuttals, take careful notes during the presentations so that you have answers for any issues brought forward that persuade to a policy other than yours. Respond to each of the arguments that call your group’s position into question. You might create a two-column chart to record arguments for and against specific policies.

Commission Conference

After the arguments have been presented, the Commissioners need to confer privately. Discuss the arguments among yourselves, but remember to represent the positions that a member of your political party or state would hold. Decide upon policies that represent the best course of action, incorporating the most persuasive arguments offered by presenters.