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**Past Immigration Laws – More Info**

**Chinese Exclusion Act, 1882** –

In the spring of 1882, the Chinese Exclusion Act was passed by Congress and signed by President Chester A. Arthur. This act provided an absolute 10-year moratorium on Chinese labor immigration. For the first time, Federal law proscribed entry of an ethnic working group on the premise that it endangered the good order of certain localities.

The Chinese Exclusion Act required the few nonlaborers who sought entry to obtain certification from the Chinese government that they were qualified to immigrate. But this group found it increasingly difficult to prove that they were not laborers because the 1882 act defined excludables as “skilled and unskilled laborers and Chinese employed in mining.” Thus very few Chinese could enter the country under the 1882 law.

The 1882 exclusion act also placed new requirements on Chinese who had already entered the country. If they left the United States, they had to obtain certifications to re-enter. Congress, moreover, refused State and Federal courts the right to grant citizenship to Chinese resident aliens, although these courts could still deport them.

When the exclusion act expired in 1892, Congress extended it for 10 years in the form of the Geary Act. This extension, made permanent in 1902, added restrictions by requiring each Chinese resident to register and obtain a certificate of residence. Without a certificate, she or he faced deportation.

The Geary Act regulated Chinese immigration until the 1920s. With increased postwar immigration, Congress adopted new means for regulation: quotas and requirements pertaining to national origin. By this time, anti-Chinese agitation had quieted. In 1943 Congress repealed all the exclusion acts, leaving a yearly limit of 105 Chinese and gave foreign-born Chinese the right to seek naturalization. The so-called national origin system, with various modifications, lasted until Congress passed the Immigration Act of 1965. Effective July 1, 1968, a limit of 170,000 immigrants from outside the Western Hemisphere could enter the United States, with a maximum of 20,000 from any one country. Skill and the need for political asylum determined admission. The Immigration Act of 1990 provided the most comprehensive change in legal immigration since 1965. The act established a “flexible” worldwide cap on family-based, employment-based, and diversity immigrant visas. The act further provides that visas for any single foreign state in these categories may not exceed 7 percent of the total available.

**The Anarchist Exclusion Act, 1903 –**

The Immigration Act of 1903 expanded the federal government’s power to regulate immigration. In this piece of legislation, Congress codified immigration law and refined the existing classes of inadmissible immigrants. Of even greater significance to the history of immigration was the act’s creation of two new inadmissible classes: The first covered immigrants involved in prostitution, and the second dealt with anarchists.

Much of the Immigration Act of 1903 dealt with preexisting immigration law. In this new act, Congress codified immigration law and increased the tax on immigrants entering the United States, excluding Canadians and Mexicans. The law refined the federal regulation of poor immigrants by amending the contract labor and public charge provisions; it also extended the time limit on deporting aliens in most inadmissible classes from one to three years. In addition, Congress added prostitutes and those associated with prostitution, as well as anarchists, to the list of excludable or inadmissible classes of immigrants.

None of the immigration laws passed between 1875 and 1902 explicitly provided for the deportation of prostitutes. The Page Law, passed in 1875, only made the importation of prostitutes a felony and, in practice, provided for tougher screening of Chinese women in Hong Kong. Before 1903, the federal government did deport a small number of Chinese women suspected of prostitution, but it deported them as manual laborers in violation of the Chinese exclusion laws rather than as prostitutes. Under the Immigration Act of 1903, however, Congress empowered the Bureau of Immigration to exclude people involved in prostitution and to deport prostitutes as well as procurers of prostitutes, if they were immigrants too.

The Immigration Act of 1903 made immigrants excludable on political grounds for the first time by adding anarchists to the list of inadmissible classes. Responding to public fears about anarchists, which were heightened by the assassination of President William McKinley in 1901, Congress included a provision in the law that made anarchists or those who advocated violence against government excludable and deportable. John Turner, a Britishborn labor activist and self-proclaimed anarchist who was in the United States organizing workers, was one of the first people affected by the antianarchist provision of the Immigration Act of 1903. He challenged the constitutionality of the new anarchist provision in the U.S. courts. The U.S. Supreme Court upheld the anarchist provisions in the 1904 case Turner v. Williams. Congress would later refine and expand the anarchist provision, which immigration authorities used in the Palmer raids following World War I and against communists during the Cold War.

**Japanese Internment, 1942 –**

Between 1861 and 1940, approximately 275,000 Japanese immigrated to Hawaii and the mainland United States, the majority arriving between 1898 and 1924, when quotas were adopted that ended Asian immigration. Many worked in Hawaiian sugarcane fields as contract laborers. After their contracts expired, a small number remained and opened up shops. Other Japanese immigrants settled on the West Coast of mainland United States, cultivating marginal farmlands and fruit orchards, fishing, and operating small businesses. Their efforts yielded impressive results. Japanese Americans controlled less than 4 percent of California’s farmland in 1940, but they produced more than 10 percent of the total value of the state’s farm resources.

As was the case with other immigrant groups, Japanese Americans settled in ethnic neighborhoods and established their own schools, houses of worship, and economic and cultural institutions. Ethnic concentration was further increased by real estate agents who would not sell properties to Japanese Americans outside of existing Japanese enclaves and by a 1913 act passed by the California Assembly restricting land ownership to those eligible to be citizens. In 1922 the U.S. Supreme Court, in *Ozawa v. United States*, upheld the government’s right to deny U.S. citizenship to Japanese immigrants.

Envy over economic success combined with distrust over cultural separateness and long-standing anti-Asian racism turned into disaster when the Empire of Japan attacked Pearl Harbor on December 7, 1941. Lobbyists from western states, many representing competing economic interests or nativist groups, pressured Congress and the President to remove persons of Japanese descent from the west coast, both foreign born (*issei* – meaning “first generation” of Japanese in the U.S.) and American citizens (*nisei* – the second generation of Japanese in America, U.S. citizens by birthright.) During Congressional committee hearings, Department of Justice representatives raised constitutional and ethical objections to the proposal, so the U.S. Army carried out the task instead. The West Coast was divided into military zones, and on February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066 authorizing exclusion. Congress then implemented the order on March 21, 1942, by passing Public Law 503.

After encouraging voluntary evacuation of the areas, the Western Defense Command began involuntary removal and detention of West Coast residents of Japanese ancestry. In the next 6 months, approximately 122,000 men, women, and children were moved to assembly centers. They were then evacuated to and confined in isolated, fenced, and guarded relocation centers, known as internment camps. The 10 relocation sites were in remote areas in 6 western states and Arkansas: Heart Mountain in Wyoming, Tule Lake and Manzanar in California, Topaz in Utah, Poston and Gila River in Arizona, Granada in Colorado, Minidoka in Idaho, and Jerome and Rowher in Arkansas.

Nearly 70,000 of the evacuees were American citizens. The government made no charges against them, nor could they appeal their incarceration. All lost personal liberties; most lost homes and property as well. Although several Japanese Americans challenged the government’s actions in court cases, the Supreme Court upheld their legality. *Nisei* were nevertheless encouraged to serve in the armed forces, and some were also drafted. Altogether, more than 30,000 Japanese Americans served with distinction during World War II in segregated units.