

Immigration and Nationality Act 50th Anniversary Series: National Origin Quotas to Skills & Family Based Immigration

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Political Theater: President Johnson and the Bully Pulpit

Fifty years ago, President Lyndon B. Johnson gave Representative Michael Feighan (D-OH) his famous "Johnson Treatment"—using his intimidating physicality to persuade—on Air Force One. Feighan, Chairman of the House Immigration Subcommittee, had allied with conservatives on Johnson's immigration reform bill, refusing to hold any hearings. President Johnson's persuasion worked, with one key change—Feighan insisted on prioritizing immigrants who already had relatives in the United States, as a family unification preference would preserve America's "European character."

Family Unification Replaces Quotas

By 2013, family unification provisions accounted for approximately 65% of all US immigrant visas granted, largely benefiting immigrants from parts of the world that Feighan and his allies considered much less desirable. Feighan's plan had backfired, leading to the anti-immigration rhetoric filling many GOP platforms today.

The 1965 Immigration and Naturalization Act (INA) transformed the demographic diversity of the US population, eliminating the discriminating quota system of the past while also leading to some unintended consequences. Under the old system, legal permanent residence and admission to the US depended greatly upon an immigrant's nation of birth. Of the allocated immigrant slots, 70% went to natives of three countries—the United Kingdom, Ireland, and Germany—and mostly went unused, whereas other countries had long waiting lists for the small number of visas available.

Many viewed these quotas to unfairly favor Western Europeans, maintaining a system that **President John F. Kennedy described** as having "no basis in logic or reason." Both President Eisenhower and Truman agreed, as President Truman wrote, "In no other realm of our national life are we so hampered and stultified by the dead hand of the past, as we are in this field of immigration." President Johnson was the one to finally change this system, signing the bill at the foot of the Statue of Liberty. **He downplayed the law's significance** at the signing ceremony, stating, "This bill that we will sign today is not a revolutionary bill. It does not affect the lives of millions."

Skills and Family Unification as Immigration Principles

Over the next decade, the lives of 59 million people would change as they made their way to the United States. The INA eliminated national origins quotas and established an immigration system focused on an individual's skills or family relationships to U.S. citizens or permanent residents. Placing the emphasis on individual merit and treating all countries equally reflected the civil-rights focused political dialogue of the time. With several exceptions, the law banned discrimination based on "race, sex, nationality, place of birth, or place of residence" when issuing visas. The exception came with annual hemisphere caps, as the INA established an annual cap of 170,000 visas for immigrants from the Eastern Hemisphere, with no country allowed more than 20,000 visas. For the Western Hemisphere, the INA established the first immigrant cap for its countries, with an annual limit of 120,000 visas. Parents, spouses, and minor children of U.S. citizens were exempt from these caps.

Demographic Shift and the US Population Today

Contrary to President Johnson's words, the new system is widely credited with changing the demographics of the U.S. population to reflect what we see today. The Western Hemisphere felt the impact of its first immigration limitation, as the European and Canadian share of legal immigrants fell from 70% in the 1950s to 24% in the 1970s. New permanent resident ("LPR") demographics shifted away from Europe towards Asia and Latin America. The share of new LPRs whose last country of residence was in Asia, rose from approximately 5.5% in the 1950s to 38% in the 1980s. Feighan and his conservative allies did not recognize that the motivation of Europeans to move to the US was decreasing, while immigrants from Asia, Africa, and other non-European countries were increasingly aspiring to come to the New World. Today, immigrants account for nearly 14% of the US total population, with 88% coming from non-European countries—the very opposite of immigrant origins in 1960.

The Debate Continues: Election 2016

Such high immigrant numbers only ignite the debate over immigration in 2016, particularly as GOP presidential hopefuls fill their platforms with anti-"amnesty" rhetoric and the need to secure the border. Republican candidate Donald Trump continues to receive great media attention for his anti-immigration comments, boasting a platform that promotes "immigration moderation" and building a wall between the U.S. and Mexico. Former Florida governor and Republican candidate Jeb Bush comes to a different conclusion than Mr. Trump, advocating for a "conservative immigration reform agenda" that secures the border and creates a path to earned legal status for undocumented immigrants. While Senator Marco Rubio, another GOP candidate, co-wrote a comprehensive immigration reform package just two years ago, the Florida lawmaker has since shifted his stance. **Just a few days after President Obama celebrated the 50th anniversary** of the INA, **Senator Rubio said** policymakers shouldn't even discuss a pathway to citizenship until 2027.

Fifty years after President Johnson signed the INA into law, President Obama celebrated how "the Republicans and Democrats who came together to pass the INA were driven by a desire to expand opportunity for all, and to live up to our heritage as a nation of immigrants." While the Act produced some unintended consequences, it was these unintentional effects that matched American rhetoric with practice. By un-doing the discriminatory system of the past, America honored its deeper heritage—a heritage of opportunity, built by the first immigrants to our nation.

Parnia Zahedi assisted with this post.

Authors