



**TOPIC: The Immigration and Nationality Act of 1965**

**GRADES: 10-12**

### **BACKGROUND ESSAY**

From the early 1800s to 1965, Asian Americans' rights to immigration and citizenship in the United States were severely limited by a series of immigration laws that focused directly on Asians. Fears about the influx of Chinese labor was one of the major factors in the 1882 Chinese Exclusion Act, which explicitly banned Chinese immigrants from entering the country and prevented current Chinese residents from becoming citizens. Later, the law was expanded to exclude all Asians and became the first legislation in the United States to limit immigration based explicitly on ethnicity.

The Emergency Quota Act of 1921 established a quota system based on nationality that overwhelmingly favored immigrants from Western Europe and barred immigrants from the vast majority of Asia and Africa. In 1943, Congress repealed all exclusion acts and provided current Asian residents a route to seek naturalization. But the stringent quota system and anti-immigration sentiment remained firmly unchanged.

The Civil Rights Movement in the 1960s, spearheaded by Dr. Martin Luther King, Jr. and the long-fought efforts of African Americans, led to the passage of the Civil Rights Act of 1964, outlawing discrimination on the basis of race, color, religion, sex, or national origin. Subsequently, immigration laws based on national origin came under serious review. The passage of the Immigration and Nationality Act of 1965 (Hart-Celler Act) completely removed the quota system, instead opting for a system that relied on "preferences" for immigrants who were highly skilled in

fields that the Department of Labor deemed understaffed or who had existing family relationships within the United States.

Legislators at the time believed that the Immigration and Nationality Act of 1965 was symbolic rather than consequential. Upon signing it, President Lyndon B. Johnson remarked, “This bill that we will sign today is not a revolutionary bill. It does not affect the lives of millions. It will not reshape the structure of our daily lives, or really add importantly to either our wealth or power.” Though the bill was signed under the guise of progressivism, many legislators, including Senator Hiram Fong of Hawaii, still had to placate xenophobic anxieties about Asian immigration and their concerns that those arriving would still remain majority European.

Ultimately, the family unification clause led to a mass influx of Asian immigrants. Ten years after the signing of the Immigration and Nationality Act of 1965, the population of Asian immigrants doubled, and by the 21st century, 80 percent of immigrants to the United States came from Asia or Latin America, effectively transforming the demographics of American society.

## **VOCABULARY**

- **Exclusion**: A term used to describe laws and policies that restricted Asian immigrants from entering the United States.
- **Movement**: A term often used to describe a major shift in cultural opinions or views, often the result of collective grassroots organizing.
- **Naturalization**: Formal legal process of making an immigrant a citizen of a country that they were not born in.
- **Xenophobia**: Fear or dislike of foreigners that often emerges when citizens of a country believe that the presence of immigrants will impose on their current rights and liberties. These beliefs are often based on fear rather than concrete legal, financial, or political threats.

## **DISCUSSION QUESTIONS**

- What events in the United States led to the creation of the Immigration and Nationality Act of 1965? What was the intent of the law?
- How did the Immigration and Nationality Act of 1965 affect Asian immigration and naturalization?
- How did the 1965 Immigration Act change the makeup of the U.S. population?
- What were some laws prior to the 1965 Immigration Act that affected Asian American immigration and naturalization in the United States? Why were these laws created?

## **ACTIVITIES**

### **Activity 1: Jigsaw Discussion on Immigration laws on Asian Americans**

Ask students to get into groups of four for a modified “jigsaw” discussion. A jigsaw discussion is a cooperative learning strategy in which students become “experts” on a single topic or text and then teach it to their peers.

First, ask students to re-create the chart below or distribute copies of it. Each student in the group should be assigned one of the following four laws that affected Asian immigration to the United States and eligibility to become naturalized citizens:

- 1882 Chinese Exclusion Act (later expanded to exclude all Asians)
- Emergency Quota Act of 1921 and the Immigration Act of 1924 (quota system)
- Chinese Exclusion Repeal Act of 1943 (allowed 105 visas from China per year)
- Immigration and Nationality Act of 1965 (preference system: family reunification and skilled workers)

Give students time to conduct independent research on their assigned law. For their law, they should fill out the law’s intent, the historical context of the law, and its resulting impact on immigration.

Once all students have sufficient time to complete their research, tell students to meet with their assigned groups. They should “teach” about their law to the rest of their group. Students should take notes in their charts so that they have information on all four pieces of legislation.

Note: In a “full” jigsaw discussion and for added peer support, teachers can have students break into “expert” groups to support their research and notetaking on their individual laws. Then, students go back to their original groups to teach their peers.

	<b>Intent of Law</b>	<b>Historical Context</b>	<b>Impact on Immigration</b>
<b>1882 Chinese Exclusion Act</b>			
<b>Emergency Quota Act of 1921 and the Immigration Act of 1924</b>			
<b>Chinese Exclusion Repeal Act of 1943</b>			

Immigration and Nationality Act of 1965			
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**Activity 2: Analyzing Arguments about Immigration**

Place students in groups of three to read and annotate one of three articles that make distinctive arguments about immigration:

- Article on Frederick Douglass’ 1867 “Composite Nation” lecture on immigration <https://longislandwins.com/columns/immigrants-civil-war/ban-chinese-proposed-frederick-douglass-spoke-3>
- President Lyndon B. Johnson's Remarks at the Signing of the Immigration Bill (1965), <http://www.lbjlibrary.org/lyndon-baines-johnson/timeline/lbj-on-immigration>
- United Nations Global Compact for Migration, <https://refugeesmigrants.un.org/migration-compact>

After they select an article and take some time to annotate, each student should jot down notes on the strategies related to immigration policy and the value of immigration to a country. Ask the students to use the following chart to format their notes:

Value of Immigration	Strategies to Implement Immigration

Finally, each student in the group should share out their notes and observations on their articles. Together, they should write a paragraph that compares and contrasts the varied views on immigration and the arguments that each article offers. They should also add, finally, which article’s arguments are most consistent with “American” values and principles.

**FURTHER INFORMATION**

- Barber, Rebekah, et al. “How the Civil Rights Movement Opened the Door to Immigrants of Color.” *Facing South*, 3 Feb. 3, 2017, [www.facingsouth.org/2017/02/how-civil-rights-movement-opened-door-immigrants-color](http://www.facingsouth.org/2017/02/how-civil-rights-movement-opened-door-immigrants-color)
- Chow, Kat. “As Chinese Exclusion Act Turns 135, Experts Point To Parallels Today.” *National Public Radio*, May 5, 2017, [www.npr.org/sections/codeswitch/2017/05/05/527091890/the-135-year-bridge-between-t-he-chinese-exclusion-act-and-a-proposed-travel-ban](http://www.npr.org/sections/codeswitch/2017/05/05/527091890/the-135-year-bridge-between-t-he-chinese-exclusion-act-and-a-proposed-travel-ban)
- Davies, Dave. “How The 1965 Immigration Act Made America A Nation Of Immigrants.” *National Public Radio*, January 16, 2019, [www.npr.org/2019/01/16/685819397/how-the-1965-immigration-act-made-america-a-nati](http://www.npr.org/2019/01/16/685819397/how-the-1965-immigration-act-made-america-a-nati)

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