



## Legislation from 1941-1960

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## Legislation from 1941-1960

### **1 Nationality Act of October 14, 1940 (Effective January 13, 1941 as 54 Statutes-at-Large 1137)**

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Codified and revised the naturalization, citizenship, and expatriation laws to strengthen the national defense. The naturalization and nationality regulations were rewritten and the forms used in naturalization proceedings were revised.

### **2 Public Safety Act of June 20, 1941 (55 Statutes-at-Large 252)**

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Directed a consular officer to refuse a visa to any alien seeking to enter the United States for the purpose of engaging in activities which would endanger the safety of the United States.

### **3 Act of June 21, 1941 (55 Statutes-at-Large 252)**

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Extended the Act of May 22, 1918—gave the President power, during a time of national emergency or war, to prevent departure from or entry into the United States.

### **4 Act of December 8, 1942 (56 Statutes-at-Large 1044)**

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Amended the Immigration Act of 1917, altering the reporting procedure in suspension of deportation cases to require the Attorney General to report such suspensions to Congress on the first and fifteenth of each month that Congress is in session.

### **5 Act of April 29, 1943 (57 Statutes-at-Large 70)**

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Provided for the importation of temporary agricultural laborers to the United States from North, South, and Central America to aid agriculture during World War II. This program was later extended through 1947, then served as the legal basis of the Mexican “Bracero Program,” which lasted through 1964.

### **6 Act of December 17, 1943 (57 Statutes-at-Large 600)**

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Amended the Alien Registration Act of 1940, adding to the classes eligible for naturalization Chinese persons or persons of Chinese descent. A quota of 105 per year was established (effectively repealing the Chinese Exclusion laws—see the Act of May 6, 1882).

### **7 Act of February 14, 1944 (58 Statutes-at-Large 11)**

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Provided for the importation of temporary workers from countries in the Western Hemisphere pursuant to agreements with such countries for employment in industries and services essential to the war efforts. Agreements were subsequently made with British Honduras, Jamaica, Barbados, and the British West Indies.

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**8 War Brides Act of December 28, 1945 (59 Statutes-at-Large 659)**

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Waived visa requirements and provisions of immigration law excluding physical and mental defectives when they concerned members of the American armed forces who, during World War II, had married nationals of foreign countries.

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**9 G.I. Fiancees Act of June 29, 1946 (60 Statutes-at-Large 339)**

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Facilitated the admission to the United States of fiance(e)s of members of the American armed forces.

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**10 Act of July 2, 1946 (60 Statutes-at-Large 416)**

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Amended the Immigration Act of 1917, granting the privilege of admission to the United States as quota immigrants and eligibility for naturalization races indigenous to India and persons of Filipino descent.

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**11 Act of August 9, 1946 (60 Statutes-at-Large 975)**

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Gave nonquota status to Chinese wives of American citizens.

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**12 Act of June 28, 1947 (61 Statutes-at-Large 190)**

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Extended by six months the Attorney General's authority to admit alien fiance(e)s of veterans as temporary visitors pending marriage.

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**13 Act of May 25, 1948 (62 Statutes-at-Large 268)**

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Amended the Act of October 16, 1918, providing for the expulsion and exclusion of anarchists and similar classes, and gave the Attorney General similar powers to exclude as the Secretary of State had through the refusal of immigration visas.

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**14 Displaced Persons Act of June 25, 1948 (62 Statutes-at-Large 1009)**

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First expression of U.S. policy for admitting persons fleeing persecution. Permitted the admission of up to 205,000 displaced persons during the two-year period beginning July 1, 1948 (chargeable against future year's quotas). Aimed at reducing the problem created by the presence in Germany, Austria, and Italy of more than one million displaced persons.

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**15 Act of July 1, 1948 (62 Statutes-at-Large 1206)**

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Amended the Immigration Act of 1917. Provisions:

- a. Made available suspension of deportation to aliens even though they were ineligible for naturalization by reason of race.
- b. Set condition for suspension of deportation that an alien shall have proved good moral character for the preceding five years, and that the Attorney General finds that deportation would result in

serious economic detriment to a citizen or legal resident and closely related alien, or the alien has resided continuously in the United States for seven years or more.

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## **16 Central Intelligence Agency Act of June 20, 1949 (63 Statutes-at-Large 208)**

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Authorized the admission of a limited number of aliens in the interest of national security. Provided that whenever the Director of the Central Intelligence Agency, the Attorney General, and the Commissioner of Immigration determine that the entry of a particular alien into the United States for permanent residence is in the national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family may be given entry into the United States for permanent residence without regard to their admissibility under any laws and regulations or to their failure to comply with such laws and regulations pertaining to admissibility. The number was not to exceed 100 persons per year.

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## **17 Agricultural Act of October 31, 1949 (63 Statutes-at-Large 1051)**

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Facilitated the entry of seasonal farm workers to meet labor shortages in the United States. Further extension of the Mexican Bracero Program.

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## **18 Act of June 16, 1950 (64 Statutes-at-Large 219)**

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Amended the Displaced Persons Act of 1948. Provisions:

- a. Extended the act to June 30, 1951 and its application to war orphans and German expellees and refugees to July 1, 1952.
- b. Increased the total of persons who could be admitted under the act to 415,744.

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## **19 Act of June 30, 1950 (64 Statutes-at-Large 306)**

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Provided relief to the sheepherding industry by authorizing that, during a one-year period, 250 special quota immigration visas be issued to skilled sheepherders chargeable to oversubscribed quotas.

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## **20 Act of August 19, 1950 (64 Statutes-at-Large 464)**

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Made spouses and minor children of members of the American armed forces, regardless of the alien's race, eligible for immigration and nonquota status if marriage occurred before March 19, 1952.

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## **21 Internal Security Act of September 22, 1950 (64 Statutes-at-Large 987)**

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Amended various immigration laws with a view toward strengthening security screening in cases of aliens in the United States or applying for entry.

Provisions:

- a. Present and former membership in the Communist party or any other totalitarian party or its affiliates was specifically made a ground for inadmissibility.

- b. Aliens in the United States who, at the time of their entry or by reason of subsequent actions, would have been inadmissible under the provisions of the Internal Security Act, were made deportable regardless of the length of their residence in the United States.
- c. The discretion of the Attorney General in admitting otherwise inadmissible aliens temporarily, and in some instances permanently, was curtailed or eliminated.
- d. The Attorney General was given authority to exclude and deport without a hearing an alien whose admission would be prejudicial to the public interest if the Attorney General's finding was based on confidential information the disclosure of which would have been prejudicial to the public interest of the United States.
- e. The Attorney General was given authority to supervise deportable aliens pending their deportation and also was given greater latitude in selecting the country of deportation. However, deportation of an alien was prohibited to any country in which the alien would be subject to physical persecution.
- f. Any alien deportable as a subversive criminal, or member of the immoral classes who willfully failed to depart from the United States within six months after the issuance of the deportation order was made liable to criminal prosecution and could be imprisoned for up to ten years.
- g. Every alien residing in the United States subject to alien registration was required to notify the Commissioner of Immigration and Naturalization of his address within ten days of each January 1st in which he resided in the United States.

## **22 Act of March 28, 1951 (65 Statutes-at-Large 28)**

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Provisions:

- a. Gave the Attorney General authority to amend the record of certain aliens who were admitted only temporarily because of affiliations other than Communist.
- b. Interpreted the Act of October 16, 1918 regarding exclusion and expulsion of aliens to include only voluntary membership or affiliation with a Communist organization and to exclude cases where the person in question was under sixteen years of age, or where it was for the purpose of obtaining employment, food rations, or other necessities.

## **23 Act of July 12, 1951 (65 Statutes-at-Large 119)**

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Amended the Agricultural Act of 1949, serving as the basic framework under which the Mexican Bracero Program operated until 1962. Provided that:

- a. The U.S. government establish and operate reception centers at or near the Mexican border; provide transportation, subsistence, and medical care from the Mexican recruiting centers to the U.S. reception centers; and guarantee performance by employers in matters relating to transportation and wages, including all forms of remuneration.
- b. U.S. employers pay the prevailing wages in the area; guarantee the workers employment for three-fourths of the contract period; and provide workers with free housing and adequate meals at a reasonable cost.

## **24 Act of March 20, 1952 (66 Statutes-at-Large 26)**

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Provisions:

- a. Amended the Immigration Act of 1917, making it a felony to bring in or willfully induce an alien unlawfully to enter or reside in the United States. However, the usual and normal practices incident to employment were not deemed to constitute harboring.
- b. Defined further the powers of the Border Patrol, giving officers of the Immigration and Naturalization Service authority to have access to private lands, but not dwellings, within 25 miles

of an external boundary for the purpose of patrolling the border to prevent the illegal entry of aliens.

## **25 Act of April 9, 1952 (66 Statutes-at-Large 50)**

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Added the issuance of 500 immigration visas to shepherders.

## **26 Immigration and Nationality Act of June 27, 1952 (INA) (66 Statutes-at-Large 163)**

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Brought into one comprehensive statute the multiple laws which, before its enactment, governed immigration and naturalization in the United States. In general, perpetuated the immigration policies from earlier statutes with the following significant modifications:

- a. Made all races eligible for naturalization, thus eliminating race as a bar to immigration.
- b. Eliminated discrimination between sexes with respect to immigration.
- c. Revised the national origins quota system of the Immigration Act of 1924 by changing the national origins quota formula: set the annual quota for an area at one-sixth of one percent of the number of inhabitants in the continental United States in 1920 whose ancestry or national origin was attributable to that area. All countries were allowed a minimum quota of 100, with a ceiling of 2,000 on most natives of countries in the Asia-Pacific triangle, which broadly encompassed the Asian countries.
- d. Introduced a system of selected immigration by giving a quota preference to skilled aliens whose services are urgently needed in the United States and to relatives of U.S. citizens and aliens.
- e. Placed a limit on the use of the governing country's quota by natives of colonies and dependent areas.
- f. Provided an "escape clause" permitting the immigration of certain former voluntary members of proscribed organizations.
- g. Broadened the grounds for exclusion and deportation of aliens.
- h. Provided procedures for the adjustment of status of nonimmigrant aliens to that of permanent resident aliens.
- i. Modified and added significantly to the existing classes of nonimmigrant admission.
- j. Afforded greater procedural safeguards to aliens subject to deportation.
- k. Introduced the alien address report system whereby all aliens in the United States (including most temporary visitors) were required annually to report their current address to the INS.
- l. Established a central index of all aliens in the United States for use by security and enforcement agencies.
- m. Repealed the ban on contract labor (see Act of March 30, 1868) but added other qualitative exclusions.

## **27 Act of September 3, 1954 (68 Statutes-at-Large 1145)**

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Provisions:

- a. Made special nonquota immigrant visas available to certain skilled shepherders for a period of up to one year.
- b. Exempted from inadmissibility to the United States aliens who had committed no more than one petty offense.

**28 Act of September 3, 1954 (68 Statutes-at-Large 1146)**

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Provided for the expatriation of persons convicted of engaging in a conspiracy to overthrow or levy war against the U.S. government.

**29 Act of July 24, 1957 (71 Statutes-at-Large 311)**

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Permitted enlistment of aliens into the regular Army.

**30 Act of August 30, 1957 (71 Statutes-at-Large 518)**

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Exempted aliens who were survivors of certain deceased members of the U.S. armed forces from provisions of the Social Security Act which prohibited the payment of benefits to aliens outside the United States.

**31 Refugee-Escapée Act of September 11, 1957 (71 Statutes-at-Large 639)**

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Provisions:

- a. Addressed the problem of quota oversubscription by removing the “mortgaging” of immigrant quotas imposed under the Displaced Persons Act of 1948 and other subsequent acts.
- b. Provided for the granting of nonquota status to aliens qualifying under the first three preference groups on whose behalf petitions had been filed by a specified date.
- c. Facilitated the admission into the United States of stepchildren, illegitimate children, and adopted children.
- d. Conferred first preference status on spouse and children of first preference immigrants if following to join the immigrant.
- e. Set an age limit of fourteen for the adoption of orphans to qualify for nonquota status and further defined which orphans were eligible under the act.
- f. Gave the Attorney General authority to admit certain aliens formerly excludable from the United States.

**32 Act of July 25, 1958 (72 Statutes-at-Large 419)**

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Granted admission for permanent residence to Hungarian parolees of at least two years’ residence in the United States, on condition that the alien was admissible at time of entry and still admissible.

**33 Act of August 21, 1958 (72 Statutes-at-Large 699)**

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Authorized the Attorney General to adjust nonimmigrant aliens from temporary to permanent resident status subject to visa availability.

**34 Act of September 22, 1959 (73 Statutes-at-Large 644)**

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Facilitated the entry of fiance(e)s and relatives of alien residents and citizens of the United States by reclassifying certain categories of relatives into preference portions of the immigration quotas. This was designed to assist in reuniting families both on a permanent basis, through the amendments to the Immigration and Nationality Act of 1952, and through temporary programs.