

Handout 2: Immigration 1965 to Present

- **Immigration and Nationality Act of 1965** The last major change in U.S. immigration policy occurred with the passage of the Immigration and Nationality Act of 1965.
 - This law abolished the quotas based on national origins. Instead, a series of preferences were established to determine who would gain entry. The most important preference was given to relatives of U.S. citizens and permanent resident aliens. Preferences were also given to professionals, scientists, artists, and workers in short supply.
 - The 1965 law kept an overall quota on total immigration for Eastern Hemisphere countries, originally set at 170,000, and no more than 20,000 individuals were allowed to immigrate to the United States from any single country. This law was designed to treat all countries equally. Asian countries were treated the same as any other country, so the virtual prohibition on immigration from Asia disappeared.
 - For the first time the law also limited the number of immigrants from Western Hemisphere countries, with the original overall quota set at 120,000. It is important to note that neither quota was binding because immediate relatives of U.S. citizens, such as spouses, parents, and minor children, were exempt from the quota.
 - In addition, the United States admitted large numbers of refugees at different times from Vietnam, Cuba, and other countries. Finally, many individuals entered the United States on student visas, enrolled in colleges and universities, and eventually got companies to sponsor them for a work visa.
 - Though features of the 1965 law have been modified since it was enacted, this law still serves as the basis for U.S. immigration policy today.
- **Refugee Act of 1980** This was a system 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 war, natural disasters or persecution “on account of race, religion, nationality, or political opinion.”

- **The Immigration Reform and Control Act of 1986** This law allowed immigrants who had entered the U.S. before 1982 to apply for legal status but required them to pay fines, fees, and back taxes. It also gives the same rights to immigrants who had worked in agricultural jobs for 90 days before 1982.
- **The Immigration Act of 1990** This law set an annual ceiling of 700,000 immigrants for 3 years and 675,000 immigrants after that (beginning in 1993).
- **The Immigration Act of 1996** This law broadened the definition of crimes so that immigrants could be deported for a wider range of crimes. The act also increased the number of Border Patrol Agents.
- **The REAL ID Act of 2005** This act required states to verify a person's immigration status or their citizenship before issuing licenses. It also has more restrictions on refugees requesting asylum.
- **Congress, 2009; 2011; 2013.** Congress has made several attempts to pass a comprehensive immigration reform bill but those attempts have failed to pass both houses. Primarily bills have been centered on what to do with immigrants illegally entering and living in the U.S.
- **November 20, 2014** President Obama used an executive order to delay the deportation of 5 million illegal immigrants. Under the new policy, people who are parents of U.S. citizens or legal residents will not be deported and can be authorized to work here legally if they have been in the US for more than five years and pass a background check. The action also allowed people under the age of 31 who were brought to the US as children to apply for a 2 year allowance and work permits.
- **February 2015** Twenty-six states challenged the executive order. A federal judge issued a preliminary injunction that blocks the provisions of the executive order while the states can pursue a lawsuit to shut down this program.

Sources:

American Immigration Council (2014). How the United States Immigration System Works: A Fact Sheet. Retrieved from: <http://www.immigrationpolicy.org/just-facts/how-united-states-immigration-system-works-fact-sheet>.

Cohn, R.L. (n.d.). Immigration policy and nativism. Immigration to the United States. Retrieved from <https://eh.net/encyclopedia/immigration-to-the-united-states/> Reprinted for educational purposes only.

*PBS. (2015). Immigration policy: Past and present. The New Americans. Retrieved from http://www.pbs.org/independentlens/newamericans/foreducators_lesson_plan_03.html
Reprinted for educational purposes only.*