

Naturalization Act of 1790

The original **United States naturalization law of March 26, 1790** (1 Stat 103-104) provided the first rules to be followed by the United States in the granting of national citizenship. At that time and by that law naturalization was limited to aliens who were "free white persons" and thus left out indentured servants, slaves, most women, as well as immigrants from the Pacific (such as Asians), all of whom were considered dependents and thus incapable of casting an independent vote.

The 1790 Act also limited naturalization to persons of "good moral character"; the law required a set period of residence in the United States prior to naturalization, specifically two years in the country and one year in the state of residence when applying for citizenship. When those requirements were met, an immigrant could file a Petition for Naturalization with "any common law court of record" having jurisdiction over his residence asking to be naturalized. Once convinced of the applicant's good moral character, the court would administer an oath of allegiance to support the Constitution of the United States. The clerk of court was to make a record of these proceedings, and "thereupon such person shall be considered as a citizen of the United States."

Naturalization Act of 1795

The **United States Naturalization Act of January 29, 1795** (1 Stat 414) repealed and replaced the Naturalization Act of 1790.

The 1795 Act differed from the 1790 Act in two areas: The period of required residence increased from two to five years in the United States and from one to two years in the state of residence. One change introduced by the 1795 Act was the Declaration of Intention requirement, or "first papers", which created a two-step naturalization process.

Immigrants intending to naturalize had to go to their local court and declare their intention at least three years prior to their formal application. In the declaration, the immigrant would also indicate his understanding that upon naturalization, he would take an oath not only of allegiance to the United States but also of renunciation of his former sovereign. In addition to the declaration of intention and oath of renunciation, the 1795 Act required all naturalized persons to be "attached to the principles of the Constitution of the United States" and be "well disposed to the good order and happiness of the same."

Naturalization Act of 1798

The **Naturalization Act** passed by Congress on June 18, 1798, increased the amount of time necessary for immigrants to become naturalized citizens in the United States from 5 to 14 years.

Although it was passed under the guise of protecting national security, most historians conclude it was really intended to decrease the number of voters that disagreed with the Federalist political party. At the time, most immigrants (namely Irish and French) supported the Democratic-Republicans, who disagreed with the Federalists. This act was repealed in 1802. No new amendments were made until 1862.

A number of changes were made to the previous naturalization law:

ACT	Naturalization	Naturalization
NOTICE TIME	13 years	5 years
RESIDENCE PERIOD	5 years	14 years

The "NOTICE TIME" refers to how long immigrants had to wait after declaring their intent to become a citizen. The "RESIDENCE PERIOD" refers to how long they had to live in the United States before they could become a citizen.

The Naturalization Act is considered one of the Alien and Sedition Acts passed contemporaneously in 1798.

Like the Naturalization Act of 1790, 1795, this act also restricted citizenship to "free white persons".

Chinese Exclusion Act

The Chinese Exclusion Act of 1882 was the first significant law restricting immigration into the United States. Those on the West Coast were especially prone to attribute declining wages and economic ills on the despised Chinese workers. Although the Chinese composed only .002 percent of the nation's population, Congress passed the exclusion act to placate worker demands and assuage prevalent concerns about maintaining white "racial purity."

The statute of 1882 suspended Chinese immigration for ten years and declared the Chinese as ineligible for naturalization. Chinese workers already in the country challenged the constitutionality of the discriminatory acts, but their efforts failed. The act was renewed in 1892 for another ten years, and in 1902 Chinese immigration was made permanently illegal. The legislation proved very effective, and the Chinese population in the United States sharply declined.

American experience with Chinese exclusion spurred later movements for immigration restriction against other "undesirable" groups such as Middle Easterners, Hindu and East Indians, and the Japanese. The Chinese themselves remained ineligible for citizenship until 1943.

Geary Act

The **Geary Act** was a United States law passed in 1892 written by California Congressman Thomas J. Geary. It extended the Chinese Exclusion Act of 1882 by adding onerous new requirements.

The law required all Chinese residents of the United States to carry a resident permit, a sort of internal passport. Failure to carry the permit at all times was punishable by deportation or a year at hard labor. In addition, Chinese were not allowed to bear witness in court, and could not receive bail in *habeas corpus* proceedings.

The Geary Act was challenged in the courts and affirmed by the U.S. Supreme Court in 1893.

Gentlemen's Agreement

The Gentlemen's Agreement between the United States and Japan in 1907-1908 represented an effort by President Theodore Roosevelt to calm growing tension between the two countries over the immigration of Japanese workers. A treaty with Japan in 1894 had assured free immigration, but as the number of Japanese workers in California increased, they were met with growing hostility. In August 1900, Japan agreed to deny passports to laborers seeking to enter the United States; this, however, did not stop the many workers who obtained passports to Canada, Mexico, or Hawaii and then moved on to the United States. Racial antagonism intensified, fed by inflammatory articles in the press. On May 7, 1905, a Japanese and Korean Exclusion League was organized, and on October 11, 1906, the San Francisco school board arranged for all Asian children to be placed in a segregated school.

Japan was prepared to limit immigration to the United States, but was deeply wounded by San Francisco's discriminatory law aimed specifically at its people. President Roosevelt, wishing to preserve good relations with Japan as a counter to Russian expansion in the Far East, intervened. While the American ambassador reassured the Japanese government, Roosevelt summoned the San Francisco mayor and school board to the White House in February 1907 and persuaded them to rescind the segregation order, promising that the federal government would itself address the question of immigration. On February 24, the Gentlemen's Agreement with Japan was concluded in the form of a Japanese note agreeing to deny passports to laborers intending to enter the United States and recognizing the U.S. right to exclude Japanese immigrants holding passports originally issued for other countries. This was followed by the formal withdrawal of the San Francisco school board order on March 13, 1907. A final Japanese note dated February 18, 1908, made the Gentlemen's Agreement fully effective. The agreement was superseded by the exclusionary Immigration Act of 1924.

Immigration Act of 1917

On February 5, 1917, Congress forcibly passed the Asiatic Barred Zone Act with overwhelming majority, overriding President Woodrow Wilson's December 14, 1916 veto. The legislation prevented immigration to the U.S. from mostly Asian countries, including the region of British India. An intentional loophole was provided to exempt white persons from these barred zones from falling under the same stipulation.

Emergency Quota Act

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In the United States, the **Emergency Quota Act** of May 19, 1921 limited the annual number of immigrants who could be admitted from any country to 3% of the number of persons from that country living in the United States in 1910, according to Census figures. This totalled about 357,802 immigrants. Of that number just over half was allocated for northern and western Europeans, and the remainder for eastern and southern Europeans, a 75% reduction from prior years. Professionals were allowed in despite their origins. The act was passed in a time of swelling isolationism following World War I.

Immigration Act of 1924

The United States **Immigration Act of 1924**, also known as the **National Origins Act**, **Johnson-Reed Act**, or the **Immigration Quota Act of 1924**, limited the number of immigrants who could be admitted from any country to 2% of the number of people from that country who were already living in the United States in 1890 according to the census of 1890. This law severely restricted immigration by establishing a system of national quotas that blatantly discriminated against immigrants from southern and eastern Europe and virtually excluded Asians. The policy stayed in effect until the 1960s. It superseded the 1921 Emergency Quota Act. The law was aimed at reducing the influx of Southern and Eastern Europeans who had begun to enter the country in large numbers beginning in the 1890s, as well as East Asians and Asian Indians, who were prohibited from immigrating entirely. It set no limits on immigration from Latin America.

It passed with strong congressional support (only 6 dissenting votes in the Senate). Some of its strongest supporters were influenced by Madison Grant and his 1916 book, *The Passing of the Great Race*. Grant was a eugenicist and advocate of the racial hygiene theory. His data, which is now considered by the vast majority of scientists to be flawed, purported to show the superiority of the founding Northern European races.

Floor debates

On the house floor the most common argument made by those favoring the legislation, and the one reflected in the majority report, is the argument that in the interests of fairness to all ethnic groups, the quotas should reflect the relative ethnic composition of the entire country. Restrictionists noted that the census of 1890 was chosen because the percentages of the foreign born of different ethnic groups in that year approximated the general ethnic composition of the entire country in 1920. Senator Reed of Pennsylvania and Representative Rogers of Massachusetts proposed to achieve the same result by directly basing the quotas on the national origins of all people in the country as of the 1920 census, and this was eventually incorporated into the law. Representative Rogers argued that 'Gentlemen, you can not dissent from this principle because it is fair. It does not discriminate for anybody and it does not discriminate against anybody' (Cong. Rec. April 8, 1924; p. 5847). In the words of the House Majority Report:

- "The use of the 1890 census is...an effort to preserve as nearly as possible, the racial status quo of the United States. It is hoped to guarantee as best we can at this late date, racial homogeneity in the United States. The use of a later census would discriminate against those who founded the Nation and perpetuated its institutions."

Senator Reed noted:

- "The purpose, I think, of most of us in changing the quota basis is to cease from discriminating against the native born here and against the group of our citizens who come from northern and western Europe. I think the present system discriminates in favor of southeastern Europe." (Cong. Rec., April. 16, 1924; p. 6457) (i.e., because 46% of the quotas under the 1921 act went to Eastern and Southern Europe when they constituted less than 12% of the population).