**The Need for Immigration Restriction (1923)**
U.S. Department of Labor

Source: U.S. Department of Labor, *Annual Report of the Commissioner-General of Immigration to the Secretary of Labor* (Washington, D.C., 1923), pp. 3-4.

Even a casual survey of congressional discussions of the immigration problem during the past quarter of a century demonstrates very clearly that while the law makers were deeply concerned with the mental, moral, and physical quality of immigrants, there developed as time went on an even greater concern as to the fundamental racial character of the constantly increasing numbers who came.

The record of alien arrivals year by year had shown a gradual falling off in the immigration of northwest European peoples, representing racial stocks which were common to America even in colonial days, and a rapid and remarkably large increase in the movement from southern and eastern European countries and Asiatic Turkey. Immigration from the last-named sources reached an annual average of about 750,000 and in some years nearly a million came, and there seems to have been a general belief in Congress that it would increase rather than diminish. At the same time no one seems to have anticipated a revival of the formerly large influx from the "old sources," as the countries of northwest Europe came to be known.

This remarkable change in the sources and racial character of our immigrants led to an almost continuous agitation of the immigration problem both in and out of Congress, and there was a steadily growing demand for restriction, particularly of the newer movement from the south and east of Europe. During the greater part of this period of agitation the so-called literacy test for aliens was the favorite weapon of the restrictionists, and its widespread popularity appears to have been based quite largely on a belief, or at least a hope, that it would reduce to some extent the stream of "new" immigration, about one-third of which was illiterate, without seriously interfering with the coming of the older type, among whom illiteracy was at a minimum.

Presidents Cleveland and Taft vetoed immigration bills because they contained a literacy test provision, and President Wilson vetoed two bills largely for the same reason. In 1917, however, Congress passed a general immigration bill which included the literacy provision over the President's veto, and, with certain exceptions, aliens who are unable to read are no longer admitted to the United States. At that time, however, the World War had already had the effect of reducing immigration from Europe to a low level, and our own entry into the conflict a few days before the law in question went into effect practically stopped it altogether. Consequently, the value of the literacy provision as a means of restricting European immigration was never fairly tested under normal conditions.

The Congress, however, seemingly realized that even the comprehensive immigration law of 1917, including the literacy test, would afford only a frail barrier against the promised rush from the war-stricken countries of Europe, and in December, 1920, the House of Representatives, with little opposition, passed a bill to suspend practically all immigration for the time being. The per centum limit plan was substituted by the Senate, however, and the substitute prevailed in Congress, but it failed to become a law at the time because President Wilson withheld executive approval. Nevertheless, favorable action was not long delayed, for at the special session called at the beginning of the present administration the measure was quickly enacted, and, with President Harding's approval, became a law on May 19, 1921. This law expired by limitation June 30, 1922, but by the act of May 11, 1922, its life was extended to June 30, 1924, and some strengthening amendments were added.

The principal provisions of the per centum limit act, or the "quota," as it is popularly known, are as follows:

The number of aliens of any nationality who may be admitted to the United States in any fiscal year shall not exceed 3 per cent of the number of persons of such nationality who were resident in the United States according to the census of 1910. Monthly quotas are limited to 20 per cent of the annual quota. For the purposes of the act, "nationality" is determined by country of birth.

The law does not apply to the following classes of aliens: Government officials; aliens in transit; aliens visiting the United States as tourists or temporarily for business or pleasure; aliens from countries immigration from which is regulated in accordance with treaties or agreement relating solely to immigration, otherwise China and Japan; aliens from the so-called Asiatic barred zone; aliens who have resided continuously for at least five years in Canada, Newfoundland, Cuba, Mexico, Central or South America, or adjacent islands; aliens under the age of 18 who are children of citizens of the United States.

Certain other classes of aliens who are counted against quotas are admissible after a quota is exhausted. The following are included in this category: Aliens returning from a temporary visit abroad; aliens who are professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, members of any recognized learned profession, or aliens employed as domestic servants.

So far as possible preference is given to the wives and certain near relatives of citizens of the United States, applicants for citizenship and honorably discharged soldiers, eligible to citizenship, who served in the United States military or naval forces at any time between April 6, 1917, and November 11, 1918.

Transportation companies are liable to a fine of $200 for each alien brought to a United States port in excess of the quota and where such fine is imposed the amount paid for passage must be returned to the rejected alien.

The quota limit law is in addition to and not in substitution for the provisions of the immigration laws.