WHOM WE SHALL WELCOME: IMMIGRATION REFORM DURING THE GREAT SOCIETY

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ABSTRACT

This work examines the economic debate over the passage of the Immigration and Nationality Act of 1965 and the end of the bracero program. Although the United States was still experiencing the post-World War II economic boom in the 1960s, the John F. Kennedy and Lyndon B. Johnson administrations became increasingly concerned with poverty. Through the assistance of a friendly Congress, Kennedy and Johnson signed legislation designed to provide opportunities for employment for the nation’s impoverished and unemployed. As unemployment numbers dropped, geographical pockets of unemployment remained high. Yet, business needs for skilled workers persisted. Economic planners and policymakers viewed immigration as a means to meet business needs and strengthen the American economy by removing nation-based quotas and favoring occupational skills and innovation in the immigration code. However, reform detractors successfully altered the final wording of the bill away from its initial intentions, putting more emphasis on family reunification and unintentionally opening immigration increasingly to Latin America and Asia. Despite Congress’s altering of the bill and the subsequent unintended consequences, my dissertation seeks to reorient the focus of the study of this piece of legislation on what Congress initially intended. By investigating War on Poverty legislation, I argue that policymakers viewed immigration reform in the 1960s as a means to further the economic planning of this decade. By studying these intentions, I hope to shed light on the economic debate surrounding immigration reform today.
To Brixton Charles McLochlin:

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INTRODUCTION

In 2011, John Harold, a farmer from western Colorado, made the decision to stop recruiting H-2A workers\(^1\) and focus, instead, on employing local laborers who had been hit hard by the United States’ deteriorating economic climate. According to Harold, not even six hours passed before he realized that he had made a mistake. Domestic workers, he claimed, were not willing to do the work required. Kerry Mattics, another farmer, agreed. Despite his promise of a $10.50 an hour wage, local laborers were not willing to work in the fields. “They wanted that $10.50 an hour without doing very much,” Mattics said, “I know people with college degrees, working for the school system and only making 11 bucks.” According to these farmers’ experiences, local labor could not supply what they needed to meet market demands, requiring that they rely on the H-2A program to harvest their fields.\(^2\)

Although Mattics argued that local laborers were not willing to do an unskilled job for roughly the same pay as college educated workers in the field of education, and therefore concluded that domestic workers simply will not perform agricultural duties, there might be larger problems at play. Why would domestic workers want to do a difficult job, skilled or unskilled, if the pay does not meet the arduous nature of the job? And, if farmers can simply ignore the perhaps unrealistic expectations of domestic workers, then why concern themselves with recruiting a domestic workforce?

Governmental officials have dealt with these questions by attempting to regulate the labor recruitment process in American agriculture. Policies require farmers to make an effort at recruiting workers in three states before being eligible for H-2A workers. But this is often

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\(^1\) The H-2A program arose out of the McCarran-Walter Act. It provided special visas to individuals desiring to temporarily come to the United States as agricultural laborers.

merely an initial hurdle for farmers to jump simply to recruit the foreign workers that they planned on recruiting from the beginning. This is not necessarily a malevolent act. According to Dawn D. Thilmany, professor of agricultural economics at Colorado State University, the only way to prove that domestic labor is not available is to “literally have a field left unharvested.” Thus, farmers must take on a big risk if they make the decision to forgo the recruitment of foreign workers.3

This same story that played out in the 2010s resembles problems that have existed throughout the twentieth century. But in the 1960s, policymakers attempted to put an end to this conundrum through terminating the bracero program and reforming the immigration code. Combining the end of this temporary labor importation system with the passage of the (Hart-Celler) Immigration and Nationality Act (INA) of 1965, Congress moved to reform agricultural labor and to bolster all sectors of the nation’s economy. By reorienting the nation’s immigration system toward skilled laborers and depriving farmers of access to foreign migrants, Congress and the Lyndon B. Johnson administration believed that farmers would have to raise wages and better working conditions in order to attract the low-skilled domestic laborers they needed. And, by favoring skilled laborers and innovators through the new immigration reform, Congress and the administration believed that businesses would benefit and the economy would remain strong. Although this effort did not meet its intended goals, this moment in history informs us of how governmental officials viewed an important piece of legislation that has had vast consequences on America today.

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This dissertation investigates economic concerns like these by linking the passage of the INA of 1965 with the concomitant War on Poverty and the demise of the bracero program. It

3 Ibid.
focuses on the evolution of War on Poverty planning during the Lyndon B. Johnson administration, and how this connects to congressional debate over the demise of the *bracero* program and the passage of the INA of 1965. Economic planning with the War on Poverty provides us with a lens to understand the macroeconomic orthodoxy of the 1960s and how it dictated the terms of debate over these two immigration reforms. This dissertation argues that this economic planning provided a hinge upon which the immigration reform debate swayed. It is only by understanding how policymakers viewed the economic situation in the United States that we can gain an understanding of why Congress constructed the INA of 1965 the way it did.

Policymakers specifically wanted to use the immigration code to bolster employment opportunities for all Americans. Throughout the Kennedy and Johnson administrations the executive branch placed a concerted focus on poverty legislation. During the Johnson administration, Washington made an explicit effort to ameliorate the conditions of poverty throughout the United States, with a specific emphasis on providing employment opportunities. As unemployment levels dropped while pockets of unemployment remained in urban areas and in poor rural regions, the administration began to view immigration as a possible means to achieve some employment objectives. First, congressional representatives and Johnson administration officials believed that the nation required skilled workers to address structural deficiencies in the workforce. By creating an immigration policy that put additional emphasis on business’s needs for skilled labor, this would not only allow businesses to flourish, but it would open bottlenecks in the system, which were positions that needed to be filled in order for lesser skilled jobs to open. Because of the United States’ continued movement towards automation in its rural and urban industries in the 1960s, legislators felt that America’s workplace was undergoing a fundamental change. Specifically, many policymakers felt that America’s
employers needed laborers with basic training to fill job openings; that is to address problems associated with structural unemployment. By coupling the opening of bottlenecks with economic policies such as the War on Poverty’s Economic Opportunity Act of 1964, legislators hoped to not only address business needs, but also to alleviate domestic unemployment amongst low- and unskilled workers.

Next, the immigration code could contribute to business expansion by attracting innovators and consumers. Innovators, a term used widely in this period, would not only bring their genius to the United States, but perhaps provide even more of a benefit to the economy through reinvigorating the free market with new ideas and business ventures. These ideas were reminiscent of the creative destruction principles associated with the economist Joseph Schumpeter. He argued that the capitalist system continued to grow and reinvigorate itself by creating new products and industries to replace dying business operations. Although no congressman directly referenced this Austro-American economist, his emphasis on innovation seemed to permeate throughout the immigration discussion. Moreover, congressional representatives assumed that spouses and children of legal residents would provide a growing consumer base for American products without adding to unemployment rolls.4

This dissertation, thus, seeks to renew the scholarship on this landmark immigration reform in 1965 by reinvestigating the actors’ intentions for this bill. In essence, that means ignoring the unintended consequences of the bill and its post-1965 record. But this does not mean that this dissertation ignores factors pertinent to the passage of the bill—specifically civil rights and foreign policy considerations. Since the passage of the INA of 1921, the immigration code in the United States had been based on quotas established around the immigrant’s nation of

origin. In the midst of the civil rights movement in the United States, an immigration policy based on ethnic preferences was becoming increasingly anachronistic. And, indeed, the civil rights atmosphere aided the push for immigration reform in the 1960s. Some scholars have placed the INA of 1965 within a so-called holy triumvirate of Lyndon Johnson’s Great Society, along with the Civil Rights Acts of 1964 and 1965, since it ended nation-based quotas. Placing the INA of 1965 with these other two pieces of legislation assumes that the INA of 1965 is similar to civil rights legislation in addressing racial prejudice, or, for the purposes of this dissertation, that Congress designed the new legislation specifically to deal with racial discrimination in American law. But by focusing so heavily on the removal of ethnic-based discrimination and the unintended consequences of the bill associated with the family reunification preference, scholars have not fully comprehended the degree to which the intentions of this law reflected the contemporary macroeconomic orthodoxy. But, a belief in the efficacy of immigration to provide skilled workers, consumers, and innovators became the glue by which opponents and supporters of the bill were able to agree on a comprehensive immigration act. These economic assumptions led congressional representatives and the president to uncritically conclude that the Hart-Celler Act was “not a revolutionary bill.” Instead, immigration policymakers bought into a belief that the nation could withstand increasing numbers of immigrants as long as those admitted matched up with War on Poverty principles. By combining the economic frameworks of problems and solutions associated with the War on Poverty, the INA of 1965, and the termination of the bracero program, a deeper understanding emerges that these economic assumptions unquestionably affected the way that congressmen and the administration constructed their arguments for immigration reform.5

Most scholars, however, have analyzed the passage of the INA of 1965 for its civil rights objectives and its unintended consequences. This is partly because the act’s final wording provided for a 74 percent allotment for family members of U.S. citizens and/or legal residents. It also provided for non-quota exemptions (immigrants allowed to enter the U.S. above the overall quota) for spouses, parents, and unmarried children of U.S. citizens. Some scholars point out that many groups and defenders of nation-based quotas supported the family reunification preference in the bill’s final passage to maintain a semblance of the national origins quota. By focusing the bill on family reunification, reform detractors established a “backdoor” national origins quota since immigration would favor parts of the world that already had a strong presence in the United States. Therefore, many scholars have argued that the passage of this law was a great example of the unintended consequences of governmental policies. Indeed, congressional representatives seemed to overlook that removing nation-based quotas and reorienting the immigration code towards family reunification would cause immigrants to originate increasingly from Asia and Latin America.\(^6\)

There was little opposition to the passage of some form of immigration reform within this heavily Democratic Congress. Sixty-seven percent of the Senate, and 68 percent of the House consisted of Democrats in the 89\(^{th}\) Congress. Because of this supermajority, Republicans rarely make a strong appearance in the discussion. Instead, the debate centered on passing an acceptable reform for all members of the Democratic party as, mostly, Southern Democrats like Frank Chelf of Kentucky and Sam Ervin of North Carolina worked against urban, Northern Democrats to modify the final wording of the bill enough to undermine its initial intentions by

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placing a heavy emphasis on family reunification and by amending the bill to include a new quota on the Western Hemisphere. By pointing to the non-quota status of the Western Hemisphere, detractors argued that the overwhelming percentage of low- and unskilled workers in Latin America threatened to undermine the economic objectives touted by reform supporters since a seemingly unending supply of Latin American immigrants would provide competition to an already large stock of low- and unskilled American citizens. Detractors, thus, successfully placed a Western Hemisphere quota within the bill—a measure not included in the immigration laws of the 1920s. And, through the maneuvering of a Northern congressional ally to the Southern argument, Michael Feighan (D-OH), the bill’s reemphasis on family reunification also threatened to deemphasize its skilled worker and innovator principles.

Reorienting the bill towards family reunification became an acceptable compromise for all sides of the debate, however. Opponents liked this provision because it promised to maintain elements of the national origins principle. Backers of the reform found this provision acceptable since it still provided for some focus on skilled workers, and it promised to provide an expanding consumer base. And placing a total cap on Western Hemisphere immigrants aligned with supporters’ desire to favor skilled workers and innovators over low- and unskilled workers, an argument that detractors fashioned.

In order to emphasize the way that War on Poverty planning affected change in U.S. immigration policy, I have honed in specifically on economic considerations, which means I have not fully analyzed regional or racial undercurrents. Outside of the arena of congressional debate, elected officials were fighting for reelection in their districts. Despite the preponderance of Democrats within Congress and that party’s seemingly safe status in the 1960s, there were cases where Democrats needed to consider public support in their respective regions. Outside of
a few occasions, I have focused exclusively on the congressional debate and have not on how regional politics might have flavored a representatives’ or senators’ argument. And, especially in this decade of civil rights legislation, race often had an impact on economic policymaking. The War on Poverty became less popular as the focus moved towards relief for what policymakers called “the hard-core unemployed,” which often meant minorities in urban areas. And, as congressional representatives ironed out the implications of ending nation-based quotas, it became clear that race played a role in the way that detractors formed their arguments. While I admittedly provide minimal analysis of race, it played a major part in the way that some congressional representatives structured their arguments, especially the degree to which they sought to circumvent direct racial arguments with obliquely racialized ones. So, although congressional representatives often camouflaged their racial arguments, this racism was present. It is just not the focus of this dissertation.

It is also important to realize that certain interest groups did not have an immutable stance on immigration reform. Anti-communist and labor activists, to name two, clearly adopted new policies (or were less concerned) in the 1960s as labor became increasingly supportive of immigration reform and debate rarely centered on communist subversion. Instead of investigating the reasons for this change over time, this dissertation hones in specifically on the 1960s. Therefore, I do not provide analysis on why labor spokesmen changed their stance in the mid-twentieth century, or why the anti-communist fervor died down from its height in the early-1950s. And, although there were some similarities of objectives within the farming community, farmers differed from region to region. My goal in this dissertation is to provide an analysis of why some farmers aimed to keep the bracero program active, and why policymakers wanted to
see its end. Although farmers that benefit from bracero labor understandably had an interest in keeping the system active, not all farmers had this concern.

If there was any uniformity in the agricultural sector during the twentieth century, it was in the steady decline of small farmers at the expense of big farm operations. From 1910 to 1920 over ten million people worked in agriculture. By the time the bracero program came under increased opposition in the 1960s, the farm industry only required around 4 million laborers or farmers. Bracero workers significantly contributed to the farm population throughout the 1950s, peaking with the U.S. admitting 437,643 braceros in 1959. Considering the rise of big operations in agriculture, and the possibility of opening close to a half million jobs, the conditions were ideal for the termination of the program.7

The conditions seemed ripe for immigration reform as well since public opinion supported reforming the immigration code, most importantly to favor occupational skills. In June of 1965, the Gallup Poll conducted a survey to determine public support for the debated immigration reform, and found that 51 percent of the public favored changing the immigration code as proposed, and even a larger number (71 percent) agreed that skills should be a determining factor in who could immigrate. Moreover, 55 percent felt that familial connections should be considered. This was a telling number, especially in regards to the focus on occupational skills, since only 56 percent of the public felt that country of origin was “not very important” in determining who should immigrate. So, to some degree, a focus on the economic benefits that immigration could bring was more important to the public than fixing the ethnic

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bias in the immigration code. This dissertation hopes to explore this preference for skills and further the study on this important piece of legislation.8

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My analysis of the 1960s’ immigration reform builds on an already rich historiography of twentieth-century immigration policy. Vernon M. Briggs’ *Immigration Policy and the American Labor Force* extensively discusses the means by which immigration policy has affected that nation’s labor pool, and, therefore, the economy, but he concludes that family reunification trumped many other concerns, including labor policy. Indeed, family reunification became the centerpiece of the INA of 1965, but this dissertation argues that that only occurred because family reunification was an acceptable policy for both sides of the immigration debate. In the minds of those that supported the immigration reform’s economic principles, family reunification promised to provide benefits to the nation’s consumer pool. While, as Briggs attests, supporters of nation-based quotas hoped to implement family reunification since the pool of those requesting family reunification were largely Americans of European descent. From here, Briggs focuses on the unintended consequences of this family reunification since it inflated immigration numbers through its non-quota loopholes. Although I agree with Briggs that the record shows that the post-1965 environment did not live up to the rhetoric of the policymakers pre-1965, this obscures the intentions of the main actors.9

David Reimers’ influential book, *Still the Golden Door*, argues that since 1965, “The Third World [came] to America.” Reimers focuses on the overwhelming shift in the origins of America’s immigrants. From 1965, the United States witnesses a substantial increase in Asian and Latin American immigration, whether documented or undocumented. Reimers’ work adds

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much to the literature on post-1965 immigration, and is still widely used by immigration scholars today. However, like Briggs, Reimers only briefly engages the debate over the passage of the 1965 act and does not fully explore the way that the macroeconomic orthodoxy reflected in the War on Poverty planning that supported immigration reform.\textsuperscript{10}

In 2002, John D. Skrentny addresses the INA of 1965 in a different light. He investigates the unintended consequences of immigration reform in the 1960s, but focuses on its place in American foreign policy. His book, \textit{The Minority Rights Revolution}, engages the INA of 1965 within the realm of other civil rights reforms. Skrentny argues that since this act passed about the same time as civil rights legislation, within the U.S. and on the world stage, that scholars should place it within the worldwide movement to end discrimination. However, Skrentny believes these laws were not necessarily passed for their benevolent nature; they were passed under foreign policy considerations as the U.S. positioned itself in contrast to the Soviet Union. Although I do not contest Skrentny’s assessment, I posit that foreign policy considerations are not a main driver in the passage of the bill, and actually became one of the most compromised objectives when Congress passed the bill.\textsuperscript{11}

Mae Ngai revisits 1960s immigration policy in her 2004 monograph \textit{Impossible Subjects}. Ngai’s work deals with the entirety of the nation-based quota era, but she writes at length about the passage of the 1965 immigration act, focusing on how the act addressed issues of citizenship and law. She argues that the INA of 1965 broke down restriction in immigration policy (nation origins) but continued to create “impossible subjects,” that is immigrants who were by design left outside of the margin of the law. However, economic arguments are rarely present in Ngai’s monograph, not that she is unaware of the preponderance of economic debate. In fact, she


\textsuperscript{11} Skrentny, \textit{The Minority Rights Revolution}. 
claims in her 2006 chapter in *Americanism: New Perspectives on the History of an Ideal* that “geopolitical and economic dimensions of American nationalism ... have not been adequately appreciated in the historical scholarship on Hart-Celler ... [t]he significance of the economic preferences was plain enough to observers in 1965.” Although I would not term congressional action as “economic nationalism” in the passage of the INA of 1965, I do believe that investigating the War on Poverty and the *bracero* program in the 1960s opens new ways to look at this act’s passage.¹²

Otis Graham argues that policymakers in the 1960s were wrapped up in civil rights sentiment, blinding them to an understanding of the long-term harm that the 1965 law presented. A consequence of this was that Congress did not foresee how family reunification would open the floodgates into the United States, allowing immigrants to compete directly with unskilled workers in the United States. He cites leading economists like George Borjas who claim that unskilled immigrants reduce wages and hours of domestic unskilled workers, redistribute wealth from the poor to the rich, and widen the economic divide in the United States. Although Graham’s assessment on the long-term negative impact of “unrestricted” immigration in the United States is compelling, it obscures the initial intentions of policymakers since he does not adequately investigate how legislators viewed economic concerns at the time of the act’s passage.¹³

Dueling with Otis Graham, both in a 2004 monograph and in a book he coauthors with Graham, Roger Daniels puts a different spin on the “unintended consequences” of the 1965 legislation. He points to increasing immigration numbers dating back to post-World War II. In

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¹³ Otis Graham, *Unguarded Gates*. 
his estimate, the INA of 1965 did not open the floodgates to immigration in the way that Graham argued. Instead, it was merely a signpost along the path to immigration expansion. He agrees with Graham that Congress did not fully understand the magnitude of the legislation, taking the position that the multiculturalism introduced by the act only helped the United States in an increasingly global economy. In essence, the purpose of increasing the number of skilled workers admitted into the United States by the 1965 act has brought many well-educated individuals from the so-called Asian-Pacific Triangle. This dissertation seeks to build on Daniel’s assessment and augment his interpretation by digging deeper into the way that legislators designed 1960s immigration reform to match the economic components of the Great Society and, thus, the War on Poverty.¹⁴

Two doctoral dissertations investigate the passage of the INA of 1965 in much more detail than the previously mentioned monographs: Stephen Wagner’s “The Lingering Death of the National Origins Quota System,” and Betty Koed’s “The Politics of Immigration Reform.” The first of these dissertations, Wagner’s 1986 project does not fully analyze the reasons for the passage of the landmark bill. He states, “I have sought primarily to demonstrate how immigration policy was made; I have felt bound to be somewhat hesitant about explaining why the various debates and maneuvers developed as they did” (emphasis original). He nonetheless concurs with most scholars that Congress was unaware of the long-term ramifications that occurred from this legislation. Koed, in 1999, argues along with Wagner that this act was “a textbook case of the unintended consequences of a policy decision.” Although there is a basis for her argument that Congress did not consider the effects of increasing numbers of unskilled and undocumented immigrants coming into the United States, a closer analysis shows how the

macroeconomic orthodoxy of the 1960s provided for this oversight. As my dissertation contends, presidential commissions and economic advisors developed strong arguments that convinced Congress of the benefits of an immigration policy structured around skilled workers and family reunification. However, reform detractors altered the bill enough before its final passage to undermine this objective.15

To understand these developments, this dissertation is comprised of five chapters beginning chronologically in the post-World War II era and ending with the bill’s passage. Chapter one investigates the immigration debate of the early 1950s. The 82nd Congress (1951-1953) instituted policies that remained in the books just long enough for the 88th (1963-1965) and 89th (1965-1967) Congress to overturn. First, the 82nd Congress codified the bracero program, creating Public Law 78. Then, it passed the INA of 1952. The debates and presidential commissions that surrounded these two pieces of legislation created a precedent for the 1960s even if the laws established in the 1950s were counter to the ideas of many that wanted to liberalize the immigration code. Detractors of the 1950s immigration legislation set in motion the belief in the possibility of the further “industrialization” of America’s farms. By cutting off the supply of foreign workers into America’s farms, analysts argued that farmers would have to raise wages and working conditions, and invest in further automation, in order to attract domestic workers. Although this might reduce the volume needed to work in the fields, some labor could not be mechanized. And with the increasing number of youth entering the workforce from the baby-boom generation, the Secretary of Labor hoped to employ the nation’s youth to do some of this labor. This, in turn, would provide benefits to local communities by creating a greater tax

base, and increasing consumer demand. Also, in defiance of the passage of the 1952 immigration act, President Truman commissioned a study of immigration that concluded that a more open immigration code would bring economic benefits to the through innovation. Although the 1950s were a setback for immigration reformers, an economic argument emerged that would provide reformers with ammunition to attack the existing code in the 1960s.

The dissertation turns, in chapter two, to explore the economic policies and agencies that Congress and the administration erected in the 1960s. President Johnson’s War on Poverty program for poor relief manifested itself in many different ways, but some of its structures directly attacked the nation’s unemployment numbers through employment reeducation. Although automation was changing the workplace and displacing some workers, Congress believed that basic work education could repurpose workers for new positions. As unemployment numbers dropped nationally but remained high in certain geographical pockets, it became clear to many governmental officials that the economy needed skilled labor and a mobile workforce to address structural employment problems. This set an economic framework for immigration reform to follow as the administration and Congress began to view immigration reform as a possible avenue to provide businesses with needed skilled workers and consumers.

The demise of the *bracero* program brings to fruition the arguments set forth in the 1950s. Through the stewardship of the Secretary of Labor Willard Wirtz, Congress backed a plan to remove the nation’s farms from access to cheap labor and push the agricultural system to provide competitive wages, better working conditions, and capital investment, in order to attract domestic workers. Wirtz argued that this would reduce unemployment numbers and establish new low skilled employment opportunities for the nation’s burgeoning workforce as the baby boom generation came of age. Although industrializing the farm industry did not promise to
create many jobs for domestic workers, it could, perhaps, reduce the poor wages, working conditions, and necessity for migration.

Chapter four describes the opening salvos of the immigration reform debate in the 1960s. Although the initial concern lied with the discontinuation of the national origins quota system, the discussion over the economic consequences of immigration reform became the major topic for debate. Supporters of immigration reform laid out the argument that the immigration code needed to be based on a new form of discrimination, a positive discrimination in favor of skilled labor and familial connections. This new discrimination was firmly rooted in the administration’s economic policies associated with the War on Poverty and the termination of the bracero program.

Having established an economic basis for the bill, legislators turned their attention toward the question of the Western Hemisphere. By using the economic arguments of the bill’s supporters against the reform effort, detractors argued that cutting off non-quota immigration to a part of the world that they deemed was largely unskilled, Latin America, would strengthen the bill. The administration and its supporters in Congress charged that establishing new restrictions towards Latin America would create problems in the nation’s foreign policy objectives. But reform detractors successfully placed a new quota on the Western Hemisphere as the bill’s supporters in Congress and the administration acquiesced to this change despite its possible damage to foreign policy objectives. Reform detractors also successfully reoriented the bill to favor family reunification. Focusing the bill on family reunification was seen by some as a “backdoor” national-origins quota since immigration would favor those parts of the world which already had a strong presence in the United States (although the bill had the opposite effect in practice). Supporters of the economic merits were satisfied with family reunification since this
promised to bolster the consumer market and favor skilled workers, although in the end
economic, as well as foreign policy and national-origins, were compromised.

The INA of 1965, thus, failed to be written as supporters initially intended, and detractors
failed to see how their adjustments to the bill would not have the intended effect they had hoped,
i.e. maintaining a preference for European immigrants. Therefore, this bill deserves to be
considered a great example of the unintended consequences of reform. But, focusing solely on
its unintended consequences, and coupling that with civil rights legislation, can cause problems
in understanding two reforms that still have an impact on America. As the story of John Harold
and Kerry Mattics at the beginning of this introduction shows, farmers still rely on foreign
workers. This means that wages are kept artificially low and working conditions are not
improved to a level that might attract domestic workers. And, with the emphasis on family
reunification, the immigration code does not focus as firmly on skilled workers and innovators as
this bill was intended. By reevaluating the initial purpose of the termination of the *bracero*
program and the passage of the INA of 1965, not only do we gain further insight on the way that
Congress discussed these particular pieces of legislation in the 1960s, we also gain insight on
possible solutions to the immigration reform discussed in Congress today.
CHAPTER I. INDUSTRIALIZING THE FIELDS

The Immigration and Nationality Act of 1952 arose out of nearly a decade of displaced person cases brought before the U.S. Congress in the aftermath of World War II. These cases resulted in a Displaced Persons Act in 1948. Although President Harry Truman decried the Displaced Persons Act as anti-Semitic for allowing the admission of 205,000 immigrants while placing restrictions that greatly affected the eligibility of potential Jewish immigrants, he signed the bill into law. But Senator Pat McCarran (D-NV), chairman of the Senate Judiciary Committee, and Representative Francis Walter (D-PA), chairman of the House Immigration Committee, endeavored to reconstruct immigration policy into an omnibus law that addressed issues of displaced persons and protected the United States from communist intrusion. Considering Walter’s joint appointment with the House Committee on Un-American Activities and McCarran’s chairmanship of the Senate Internal Security Subcommittee, it is not surprising that Cold War concerns influenced the way they constructed the INA of 1952. Other Senators like Hubert Humphrey (D-MN) and Herbert Lehman (D-WY) denounced Walter and McCarran’s unwillingness to alter the immigration law’s basis on the national-origins quota. Instead, they called for larger quotas for Asian immigrants and the means to pool unused quotas to provide increased access for potential immigrants outside of favored European areas.¹

Economics also played an important role in Congressional debate over immigration reform in the early-1950s. As the United States continued a path towards an agricultural system largely dependent on migrant farm laborers, questions surfaced regarding the *bracero* program and its role in hindering American unskilled workers from finding employment. In 1950, the discussion over the continuation of this program did not result in an end to foreign contract agricultural labor, but it did establish an economic discourse regarding farm labor that fell in line

¹ Wagner, *The Lingering Death*, 31-41.
with the contemporary focus on consumerism. Truman established a Presidential Commission on Migratory Labor that concluded that the only means to fix the problems associated with poor working conditions and wages in agriculture was to mechanize farming and bring it up to the standards of urban industrialization, therefore creating permanent residents and workers with a living wage that workers could use to contribute more fully to the nation’s tax base and consumer society.

This focus on the industrialization of agriculture carried over to the debate on the Immigration Act of 1952 and established an economic understanding that not only affected that legislation but resounded in the discussion on immigration matters in the 1960s. Although some governmental officials agreed with the plan to focus on continued industrialization of the agricultural system, the codification of the bracero program and the passage of the INA of 1952 belied their decision. This chapter, thus, shows a burgeoning discourse over the future of the American economy and the role that immigrants would play in that economy. To understand these developments, this chapter begins with an analysis of the codification of the bracero program into law in 1951.

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The bracero program arose during the Second World War. As working-aged men enlisted or were drafted into the military, the United States and Mexico came to an agreement to use Mexican labor on U.S. farms and railroads. Many within the United States had long considered contract labor immoral, but with the Second World War, the conditions were suitable for breaking with the past. In the initial labor negotiations between Mexico and the United States, the Mexican government had a strong voice. Mexico even moved to ensure that Texas
farmers could not contract Mexican workers since many considered that state a hotbed for discrimination.²

The end of the war did not end the program, however. The agricultural component of the program continued under the war agreement through 1947. And, from 1948-1951, the recruitment of agricultural workers from Mexico had its basis in Section 2 of the 1917 immigration law. This system relegated the recruitment of Mexican workers to the individual farmer.

The recruitment process was becoming untenable in the minds of many laborers and farmers, however. Laborers were beholden to the whims of the farmer and farmers complained about the convoluted nature of the system. One farmer in 1949, from Somerton, Arizona, lamented that the agreement between Mexico and the United States put undue burden on farmers. He argued, “If the worker is contracted south of the border, we must pay his expenses up to the border and if he does not pass the physical test we must pay the expenses back to his home or to the point of recruiting.” He continued to point out other problems associated with the agreement, including the ability of the Mexican consul to terminate contracts thus saddling losses on the farmer, and threatening the possibility of farmers paying litigation fees. He concluded, “it appears the Mexican Consul has too much authority and from ou[r] past experience we anticipate unreasonable demands upon us.” The *bracero* question, thus, reemerged in 1950 as the system

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needed to either be removed or reoriented to address farmers’ demands. And this discussion arose at a tenuous time for the farm industry.\(^3\)

United States agriculture witnessed a continuing move away from a system of small farmers to an increasingly bigger corporate structure. In the process, small farmers were displaced from their plots and forced into the wage system. As dramatized in such works of fiction as the *Grapes of Wrath*, the move away from a small farmer or sharecropper system was a rough transition for those at the bottom of the American farming system. Small farmers and sharecroppers either had to make the transition to other ways of making money in agriculture or move to the cities for industrial work. As explained by the Food, Tobacco, Agricultural, and Allied Workers (FTA), “many thousands of small farmers, after they are forced off the land, [had] to turn to agricultural labor as their sole means of support, thus constantly adding to the ranks of the exploited field workers.”\(^4\) Although the FTA approached this process as an advocate for the farm worker, their point is important. The Presidential Commission on Migratory Labor characterized these wage-earning migrants as laborers that “neither belong to the land nor does the land belong to them.” Migratory workers were relegated to a precarious state.\(^5\)

As the debate over reforming the *bracero* program intensified, President Truman commissioned an investigation of migratory labor in 1950—“The Presidential Commission on Migratory Labor.” The commission members, led by Maurice T. Van Hecke, consisted of


\(^{4}\) This topic is covered with some detail in Cohen’s *Braceros*.

lawyers and policy experts whom the president ordered to investigate a range of problems in the migrant worker experience. This included “social, economic, health, and educational conditions,” the role of the local and federal governments in legislating migrant work, and problems connected both legal and illegal immigration. The commission traveled from Southern California to Florida attempting to come up with as uniform a picture of American agriculture as they could in this diverse geographical and cultural area. In the end, the commission reported a need to end farmer access to *bracero* workers, and promote the industrialization of agriculture. But, this conclusion came about despite the concerns from the nation’s farmers regarding the unique working conditions of agriculture.⁶

Demand for farm work waxed and waned with harvest times, forcing wage-earning farm workers to migrate. Executive manager of the Farm Bureau Federation, C.B. Ray, made the point that the migratory patterns of farm workers were entrenched in the U.S. labor system. He argued that these migrations followed “a definite pattern,” and claimed that that pattern was “no less constant or predictable than the flight of migratory birds.” Indeed, according to Ray, migrant labor was an established part of farming in the United States and needed to be upheld to continue the high levels of production that existed in the nation.⁷

Farm worker advocates did not praise the “entrenched” migrant system as strongly as the farming community, and argued that the benefits of the system were tilted towards large farm corporations. The FTA explained that this transition resulted in “a highly commercialized operation, in which enormous profits are made by a relatively small handful of big concerns, with large capital often supplied by big banking chains such as the Bank of America in the west.”

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⁶ *President’s Commission on Migratory Labor*, 1, 177-185.
⁷ C.B. Ray to the President’s Commission on Migratory Labor, July 13-14, 1950: 1, Subject File, The Problem of Migratory Labor Collection, Truman Papers, Truman Library; For more information on the historical interconnection between the United States and Mexico along the border area, see the second chapter of Cockeroff, *Outlaws in the Promised Land*. 
This was particularly disturbing for the union since it meant increased profits for agribusiness while workers were denied “the product their labor creates.”

Concern over increasing profits from large, commercialized farms led to the most important problem in the struggle over this growing class of farm workers: wages. Low wages in times of relative prosperity were indicative of larger problems according to farm worker advocates. The FTA argued, “The fact that conditions of migratory workers are worsening in the midst of unprecedented employment in the U.S. and in the wake of a war boom is proof that they are due to exploitation, and not to so-called ‘natural causes’ or any other fancied explanation.” Indeed in 1950, the unemployment rate dropped from 6.5 percent to 4.3 percent by the end of the year. But the small pool of unemployed workers in the United States did not drive up wages in agriculture. Rather, contract laborers and undocumented workers from Mexico maintained a large worker pool, and, therefore, prevented rising wage rates in the face of a dearth of labor.

As U.S. Southwestern farmers requested bracero labor, their argument in favor of this labor predictably contradicted the viewpoint presented by the workers’ union. One farmer, and President of the New Mexico Farm and Livestock Bureau, Delmar Roberts argued, “While reports indicate that unemployment in the United States has run up into the millions of workers, practically none of the listed unemployed will hoe or pick cotton.” Although unemployment rates were dropping, this farmer argued that there were multitudes of domestic workers available to work in the fields, but they were unwilling to engage in the sort of “stoop” labor required for agricultural work. As a result, Roberts felt Mexican workers were required to fill in the void.

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8 FTA, “Statement to President’s Commission”: 1, 2.
10 FTA, “Statement to President’s Commission”: 2.
11 Stoop labor is exactly what it sounds like, work that requires one to be stooped over for long periods. Agricultural workers were/are required to bend over to pick and hoe in the fields.
Roberts’ argument did two things. One, it justified the low wages that farmer workers received since it pointed to what that farmer argued were large numbers of unemployed workers, even though this argument may not have been accurate. Two, it spoke to the belief that American workers were unwilling to engage in the type of work necessary to maintain the flow of food goods into the market, and that Mexican workers were willing, an old argument that justified foreign labor in agriculture well before a formalized *bracero* program. In fact, this went beyond the dichotomy of foreign versus citizen, as Mexican Americans were historically restricted to farm labor in Texas and in other areas in the Southwest. To this farmer, and many others, it was unquestionably necessary to continue the World War II *bracero* program.¹³

The method that Roberts used to justify the importation of foreign labor was not unique at the time. Many growers went to great lengths to characterize Mexicans as innately superior for farm work. In contrast, many growers pointed to U.S. citizens as too educated and unwilling to engage in stoop labor. Other farmers agreed. George Pickering, manager of the Yuma Producers Cooperative Association, echoed this sentiment, “Due to the extreme heat in our area, very few domestic workers are attracted and we feel sure that imported Mexican agricultural workers will be needed in this area for several years.” He agreed with Roberts that domestic workers were simply unwilling to engage in the type of labor needed for the industry. He gave further endorsement of Mexican workers by stating, “These [imported Mexican] workers are

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very dependable and a grower with a perishable crop must have a stable supply of capable workers.”

Texas farmer C. H. DeVaney further stated the case for Mexican contract labor. “In Texas,” he shared, “we find the supply of available seasonal workers growing smaller each year.” DeVaney’s solution to the problem of shrinking numbers of workers was to “favor a simple crossing card for alien farm laborers with border recruitment.” Being in a state that borders Mexico, a crossing card for easy migration between nations made sense to many Texas growers. And just like other farmers, he did not argue that domestic workers were not plentiful, but that they simply would not do the type of arduous work inherent in farm labor. He stated, “Each year fewer and fewer American citizens are willing and able to do the stoop labor that is required in many of our crops.” He continued with perhaps a bit of exaggeration that, “The alien workers we have been using are especially fitted for this work and like to do it.”

In addition to the growing demands from the farmer population for contract labor, and arguments from worker advocates that contract labor only depressed wages, there also existed a steady flow of undocumented entrants into the United States causing further competition for farm labor jobs. The National Representative for the National Farm Labor Union, William Becker, argued, “The largest single cause of lost earnings to California’s farm workers has been the ‘wetback.’” Governor Warren has estimated that there were 44,000 in the State. This means that 44,000 domestic workers lost part or all of the job opportunities which should have been

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16 The reader should take words like this in context. For example, the Presidential Report on Migratory Labor mentions that the “term wetback is widely accepted and is used without derision; hence for convenience it is used here” (69).
their’s.” He felt that undocumented workers not only filled these 44,000 jobs, but they also lowered wages for all workers in the area.\textsuperscript{17}

The Food, Tobacco, Agricultural and Allied Workers Union of America took their complaints against “illegal” farm workers a step further claiming that not only do they drive down wages, but that federal organizations were complicit in the process. The FTA argued, “Illegal entrants can be used to drive down wages. If they balk, they can be (and are) hustled out of the country by the U.S. Immigration Service. Imported workers who cannot speak English are easily tricked and intimidated into accepting wages lower even than those they were promised when recruited.” The FTA’s main concern lied with the way that the federal government, in their view, aided the farmer. In its statement to the President’s Commission, the FTA stated, “U.S. government authorities, notably the U.S. Immigration Service, put themselves completely at the service of the growers in hounding and bullying non-citizen workers. For years they have conducted savage deportation drives against leaders and rank and file members of our union, in open collaboration with employers.”\textsuperscript{18}

From the viewpoint of farm worker advocates, the major concern with “illegal” entrants into the U.S. labor system was their abuse by farmers (with the assistance of the federal government) and the depression of wages. In essence, this was little different than the viewpoint that farm worker advocates had of contract labor. Those that argued for the ending of the \textit{bracero} program and the curtailment of illegal farm labor felt that preventing this so-called intrusion would not only bring the prevailing wage up, but that there were enough domestic laborers to fulfill farmer demands. There was a simple solution for these advocates, ending the

\textsuperscript{17} William Becker, “To the Committee to Survey the Agricultural Labor Resources of the San Joaquin Valley,” Bakersfield, California, August 1, 1950: 3, Subject File, Record Group 220, The Problem of Migratory Labor Collection, Truman Papers, Truman Library.

\textsuperscript{18} FTA, “Statement to Commission”: 4.
introduction of illegal and contract labor would force farmers to better working conditions, 
increase wages, resulting in an increased desire on the part of domestic laborers to work in the 
fields.

Farmers held a different point of view. Regarding the issue of the federal government 
intervening on their behalf, farmer Delmar Roberts argued that the INS actually harassed New 
Mexico farms looking for undocumented workers. He stated, “farmers in New Mexico do not 
like the system now being used by the Immigration and Naturalization Service under which 
Immigration officers overrun our farms indiscrimnately (sic), and fly their planes at housetop 
level over our farms and homes looking for illegal Mexican workers.” He argued that although 
the hiring of undocumented labor was illegal, it was “not democratic” for the INS to perform 
these tactics. From Roberts’ story, the federal government intervened on the side of domestic 
workers, preventing “illegal” labor that in his mind had no detriment on U.S. wages.19

Roberts and other farmers also argued that neither undocumented labor nor contract labor 
depressed worker income. Roberts argued, “the importation of Mexican National labor does not 
have an economic effect on local labor, since there is no local labor to supply our needs. The 
United States Employment Service … at no time has … been able to furnish us with sufficient 
local labor.” From Roberts’, and many other farmers’, viewpoint the problem did not revolve 
around forcing higher wages and improved conditions, but in an unwilling domestic workforce. 
If domestic workers were not willing to work in the conditions that were inevitable in the field, 
as Roberts seemed to believe, then there was no alternative but importing workers that caused no 
“economic effect on local labor.”20

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20 Ibid., 4.
Other farmers and migrant labor analysts agreed with Roberts that the major problem with the American agricultural system was that there was no steady supply of domestic workers willing to work on the farms. John Sholl of the Migrant Labor Bureau in New Jersey argued, “While an increasing number of unemployed factory and industrial workers have turned to farm jobs, there are not enough of them who are fitted for long, hard toil in the fields, or are acceptable to the farmers or who are willing to leave their city homes and hopes or being reemployed there, to fill all the farm needs.”

Farmers and others had a strong case in stating that domestic workers were not willing to work in the fields under the conditions provided. Even the Department of Labor conceded that imported workers might be necessary. It recommended to the commission that “Foreign nationals under contract [should be] employed only under conditions equal to those enjoyed by domestics.” And the Department of Agriculture argued, “orders from farmers or grower associations for foreign workers should be made contingent upon first affording the Employment Service a reasonable opportunity to recruit domestic labor under the terms of employment to be offered foreign workers imported under international agreement.” These governmental departments were willing to accept that perhaps foreign nationals filled an important hole in the United States’ labor structure since farmers claimed they consistently could not find domestic labor for these positions. But many observers began to question the overwhelming reliance on foreign labor.


22 “agenda for the meeting to be held on November 6th and 7th between the President’s Commission on Migratory Labor and Government Agencies”: 5, Subject File, Record Group 220, The Problem of Migratory Labor Collection, Truman Papers, Truman Library.
Some farm worker advocates were keenly aware of the economic problems that arose from a labor force made up largely of foreign workers, and structured their arguments accordingly. The Mexican American National Association (MANA) made this point lucidly. In its report to the Commission, the organization stated:

Locally, we have our Businessmen, Citizens, and Residents, all Taxpayers and wage earners. Both sides contribute to maintain our Schools, our Government, and our American way of living. We all depend on each other. The workingmen, depends on his standard wages he earns. Such earnings are distributed among the businessmen, among our Government, among our schools, Hospitals; maintain highways, recreation grounds and everything which makes our life what it is around the clock. When our workers are displaced by Migratory Labor, the living scale and social life is destroyed in general. Profits and revenues among our businessmen and Government, decreases creating a terrible burden on some of the businessmen and the workers which get to carry the load of financing our Government’s expenses.

MANA put their argument in clear, economic terms that it felt would resound with the Commission. If wages went to Mexican nationals, then that money would return to Mexico and not benefit the local economy and public facilities.23

Farm worker advocate William Becker echoed this sentiment. He stated, “It is easy to see that the prohibition of the employment of wetbacks would in itself substantially increase the earnings of farm workers. The value of this increase to the community in the form of increased purchasing power in California and the decrease[d] relief load is easy to measure if anyone will collect the few basic statistics.” He took the argument a step further and stated that not only would keeping the money local be beneficial, but so would increasing farm worker wages.24

Contributors to the commission were not in overall agreement on the solution to what many saw as a problem in farm labor, but they all realized that farming required laborers and large enough amounts of domestic workers were either not available or not willing to work in the

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fields. Farmers dismissed out of hand any chance of increasing wages. But many farm worker advocates and government officials saw an opportunity to industrialize the farm labor system and bring agriculture up to the standards of urban industrial labor.

In order to better the working conditions of farm workers and decrease the need for migration, some argued for increased mechanization in the fields. William Becker stated, “It should be realized that one of the results of increased mechanization of the harvest will be to cut down on the peak demands for labor, and hence on the need for much labor from outside of the area.” This was one way, according to Becker, to minimize the need for migratory labor and create a stable labor force in the area. The Department of Agriculture agreed with this argument and called for the “acceleration of research on mechanizing those farm operations which now depend largely on hand labor and give rise to seasonal peaks that require labor in excess of the local supply.” Mechanization reduced the arduous nature of agricultural work according to some worker advocates, but they argued that the government needed to do more.25

The commission looked at the advancements made within industrial labor for an example on how to bring agricultural work up to the standards of American workers. According to the FTA, the problem rested with the government not including farm workers in the laws designed to protect industrial workers. They argued, “Agricultural workers are treated as class B citizens. They are deliberately excluded from almost every law that has been passed to protect workers, no matter how meager that protection might be.” The FTA was referring to laws within the National Labor Relations Act, but, also, the Taft-Hartley Act. These acts, along with many others, “depriv[ed] agricultural workers of all security protections that now cover industrial

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25 Becker, 2; “Agenda for the meeting between governmental agencies:” 4.
workers. For this reason agricultural workers are excluded from Social Security laws, unemployment compensation, wage hour regulation, and the like.”

Industry experienced vast changes throughout the early-twentieth century, but labor received its biggest boost with changes to the post-war economy. A concerted shift away from war goods and towards consumer goods provided industry with a relatively smooth transition that kept industry booming. As unions used the benefits of pro-labor legislation during the New Deal years, union member wages also rose, providing customers for consumer products industries produced. As some historians have pointed out, many economists believed this shift resulted in a growing supply of wealth that glossed over disparities in incomes between the upper and lower classes.

Although industrial unions gave up on other demands (i.e. workplace autonomy) for the sake of increased wages, business was not willing to sit back and accept that workers receive even that much. Industrial organizations like the National Association of Manufacturers fought hard for legislative changes to curb the power of industrial unions. And in 1947, they received one such boon with the Taft-Hartley Act. This amendment to the National Labor Relations Act put restraints on labor by banning the secondary boycott, mass picketing, and financial campaign contributions. But perhaps the most damning part of this amendment was the prohibition of the closed shop.

Just like other pieces of labor legislation, however, the Taft-Hartley Act ignored farm labor. Legislators rarely included farm workers in labor legislation. Race played a major role in

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26 FTA, “Statement to Commission”: 1, 3.
28 A closed shop is one that requires union membership in order to be employed at a particular job site. George M. Harrison, “over NBC nation-wide broadcast,” in Dennis Merrill, ed., Documentary History of the Truman Presidency, Vol 9: The Debate over Labor Policy (University Publications of America, 1996), 103-104.
farm worker exclusion to labor legislation since African Americans, Mexican Americans, and Mexicans made up the farm workforce in the South and Southwest. Later in the twentieth century, farm labor issues seemed to fall further under the jurisdiction of immigration concerns with the bracero program and attempts to curb undocumented entry. Americans largely saw farm work as separate from industrial work because of its supposed tradition of being a family operated industry, despite the increasingly proletarianized nature of the work.29 But farm worker advocates that voiced their opinion during the President’s Commission argued that farm workers should receive the so-called benefits of industrial labor.

The immediate fix, to many farm workers advocates, was to increase wages. William Becker’s National Farm Labor Union pointed out the problems with farm workers and wages. Becker argued, “Since the harvest of our crops is dependent on farm workers, who must be available when needed, we believe these considerations are logically and morally due the farm worker. He cannot count on steday (sic), well paid work.” Instead, the farm worker had to wait for work to become available. He argued that although the farm worker was “one of America’s most essential workers,” he or she had the “subsidy of sweat shop wages.” He therefore asked for “a minimum wage for agricultural work so that, when the worker has a chance to work, he is not, in some cases, expected to do this for less than the National minimum for other work which is .75¢ per hour.”30

The Arizona State Federation of Labor and the Congress of Industrial Organizations (CIO), in a joint statement to the commission, argued along the same lines as Becker. They stated, “If federal legislation protected the agricultural worker, we would not see the desire on

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29 For a discussion on the ways that agricultural work was changing in the early twentieth century see Cohen, *Braceros*, 35-42. Cohen points to the changing nature of farmwork, specifically in the Imperial Valley in California, and the way that family activity in farms decreased with more work being allocated to migrant based labor.

30 William Becker, “To the Commission”: 5, 8.
the part of the few to seek foreign workers.” It was their argument that bringing the agricultural worker up to the minimum wage level would alleviate many of the problems in the agricultural workforce. The CIO based its concern on the health of the entire American workforce. They stated, “It would not be too hard to break just strikes and to weaken the labor organization’s collective bargaining position in general by presenting an overflood of workers willing to work at almost any rate and under any conditions.” The Arizona State Federation of Labor and CIO argued for bringing agricultural workers into the fold of the American labor force through increased wages, perhaps to protect those industries in which they were most concerned.31

The Department of Agriculture agreed that the government needed to enact some minimum wage standards to increase the supply of domestic work in agriculture. The DOA stated, “Ways should be found of adapting minimum wage legislation so that these benefits may be extended to migratory and other farm wage workers, particularly on large commercial farms.” The DOA’s major caveat was that the burden should be placed on those farms that could afford higher wages, notably larger commercial farms. This was a measure of protecting small farmers from expenditures they could not absorb. But the process of bringing farm laborers under the same protection afforded industrial workers also required collective bargaining rights.32

The Department of Labor took the lead in recommending extending legislative protection to bring agricultural worker rights to the level of industrial workers. In a statement to the Commission, it argued, “Freedom of association and organization should be available to agricultural workers on the same basis as to industrial workers in our laws. Machinery for the development of harmonious relations or for settling disputes has proved valuable in industry and

32 “Agenda for the meeting between governmental agencies”: 4.
should be fully available to agricultural employers and employees.” To the DOL, the biggest step in finding a domestic workforce willing to engage in agricultural labor was allowing those workers the rights guaranteed industrial workers.33

Robert Jones, a staff member on the Commission, agreed with the recommendations of the DOL. He opined that negotiations with Mexico over farm labor would not be necessary if the government extended collective bargaining rights to those workers. He stated,

It has been openly stated, on the other hand, that most of the clauses of the International Agreements and the Individual Work Contracts would not have been needed if agricultural workers in the United States had possessed the same protection as industrial labor. As a matter of fact, if present labor legislation were extended to agriculture, most of the matters discussed when the Agreement with Mexico is negotiated would undoubtedly be unnecessary.

The report provided by those appointed to the Presidential Commission reflected and expanded on Jones’ conclusion.34

The Commission’s analysis of the data it received throughout its tour of the United States pointed to that one solution, the industrialization of farm labor. Other historians have looked at this commission and have viewed it as in-line with urban Democratic views of the labor question.35 They have emphasized ways that the commission was concerned with numerous issues including bettering conditions for foreign and domestic workers alike. But trying to encompass all of the views of the commission tends to gloss over the major argument presented. Namely, the commission argued that the, “[e]mployment of foreign workers is really not the issue. The point is that our Government has an obligation to make certain that these foreign

33 Ibid., 4.
workers do not reduce still lower the wages of domestic farm workers and the incomes of family-farm operators.” Although the commission report does deal with problems in sanitation, housing, and education, it devotes the vast majority of its analysis to laying out a blueprint in reforming the basic economic principles of the American agricultural work system.36

The first step in altering the agricultural labor system, according to the commission, was to curtail the need for laborers to migrate. The commission argued that migrants were “children of misfortune … rejects of those sectors of agriculture and of other industries undergoing change.” The commission further condemned the use of foreign laborers to supplement this already treacherous occupation. The commission stated, “We depend on misfortune to build up our force of migratory workers and when the supply is low because there is not enough misfortune at home, we rely on misfortune abroad to replenish this supply.” The commission connected the lack of basic political rights to migratory labor stating, “Established residence is the primary qualification for exercising the right to vote. By the very nature of their occupation, migratory workers find it difficult to qualify.” The commission felt that in order to get to the bottom of improving the debased condition of agricultural labor, migrancy in general needed to be curtailed.37

The commission emphasized the need to assist migratory workers in becoming full members of their communities. It endorsed some conclusions by a Special Farm Labor Committee which historically had been a mouthpiece for the farm employer. This committee argued adequate wages and housing “are not sufficient of themselves in creating the successful placement of a satisfied worker.” Rather the worker also needed to be “brought into the full life of the community.” The commission responded to this by asking for increased days of work per

36 President’s Commission on Migratory Labor, 24.
37 President’s Commission, 3-4.
year for the domestic labor force in agriculture. It further emphasized that these increased hours not only could be supplemented by mechanization, but that mechanization would provide for managing those months when labor demands grew, such as harvest.\textsuperscript{38}

The importance that the commission placed on mechanization cannot be overemphasized. By increasing mechanization in the fields, demands for cheap labor would go down and provide for increased, sufficient profits for farmers. This did not mean that the commission desired to eliminate farm labor. Instead, the commission viewed mechanization as a means to industrialize the farm labor force, make job conditions more bearable, improve wages, and increase the likelihood that domestic laborers would desire employment in agriculture. The commission quoted the Department of Agriculture in this assessment, “The big supply of power and machines now on farms means not only that less time is needed for farm work but also that farmers are better equipped than ever before for an emergency.”\textsuperscript{39} This was good for domestic labor according to the commission because “more workers are needed who are experienced in the use of machinery…We cannot import workers of this type for temporary employment. They will have to be developed from within our domestic labor supply.”\textsuperscript{40}

Mechanization of America’s farms was not science fiction to members of the commission. In sugar beet production, mechanization in California jumped from 30 percent in 1945 to up to 90 percent in 1950. Prospects for mechanization in Michigan were also high. The commission estimated that mechanization would reach 95 percent for sugar beets in that state. But cotton production was a different story. Cotton was dependent on migratory labor more than any other crop, but California saw improvements in mechanization in the cotton fields. The

\textsuperscript{38} Ibid., 33-35.
\textsuperscript{39} Emergency, for the purpose of this commission report, referred to times of war. This topic is discussed in more detail in the rest of the chapter. 
\textsuperscript{40} President’s Commission, 10, 32.
commission held reports that 35 percent of the cotton production would be mechanized in 1950. This belief was not unprecedented. The federal government was active through the USDA and other institutions in mechanizing the cotton industry. There was also a “public-private” organization called the Cotton Mechanization Project that was active at this time in finding a “chemomechanical” solution to cotton harvesting. By 1972, the entire process of cotton harvesting was mechanized.41

Low wage rates associated with migratory labor impaired the move towards mechanization. The commission argued, “With wage rates for cotton picking at present levels, there is little incentive to turn to machines because costs of hand picking and machine picking are too nearly equal.” Many farmers (with the help of media outlets) turned this argument on its head, however, and claimed that workers’ pushing for unionization kept growers from taking the financial risk of purchasing farming machinery. There were also problems in the Yazoo-Mississippi Delta with mechanization because of “wet weather, high humidity, rank growth of the cotton plant, and weeds.” Nonetheless, the commission pointed to estimates that 90 percent of larger cotton farms would be mechanized in the not too distant future, a trend that had been developing throughout the twentieth century. To the commission, continued mechanization would eliminate much of the mercurial needs for labor in American agriculture. Thus with mechanization, the need for imported labor dropped.42

A reduction in imported contract labor was a major aspect of the commission’s report since this labor was not being used as “emergency” labor as it was considered during World War II and with the onset of the Korean conflict. The commission used 1945 as an example. Farms employed 92,700 foreign workers in 1945, which was roughly equal to the number of prisoners

42 President's Commission, 15; Cohen, Braceros, 62-63.
of war used in agriculture. Labor importation further did not match “emergency” needs for labor since the U.S. contracted more foreign workers from 1946-1949 than during World War II. By increasing mechanization and “efficiently utilizing labor resources,” American agriculture could overcome the problems associated with labor shortages brought about by war. For the commission, the issue was increasing the efficiency of the usage of domestic workers instead of importing more contract workers from Mexico and other parts of the Western Hemisphere (Jamaica, the Bahamas, etc.).

Contract labor also added more problems and bureaucratic red tape than was necessary to fill labor needs in American agriculture. The farmer who was benefiting from this cheap, relatively submissive labor even lamented the bureaucratic nature of the contract system. As mentioned, Texas farmers called for crossing cards for Mexican workers to increase the efficiency for workers to cross the border back and forth. The bureaucracy also made it difficult for laborers to improve their working condition if farmers did not meet basic requirements. This system led to increased desertion rates among contract laborers because complaints had to go through “several government agencies in general and none in particular.” This “encourag[ed] desertion in place of making a complaint because every complaint [had] the potential of being lost or ignored.”

Imported contract labor also opened the door for “rewarding” undocumented immigration since immigration agencies often “dried out” undocumented immigrant Mexicans instead of deporting them. The process of drying out undocumented workers involved apprehension by

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43 Ibid., 30; The commission actually recommended the “importation” of Hawaiian and Puerto Rican workers since they were domestic labor.
44 I use the word “submissive” here since contract laborers did not have the full flexibility of domestic laborers to organize. Contract laborers were dependent on the Mexican government to address their grievances. Also, domestic workers could protest conditions without the threat of deportation.
45 President’s Commission, 45.
immigration officials, transport back to Mexico, certification as a contract laborer, and then placement within a United States farm. The commission felt that this process rewarded illicit immigration practices. It reported, “If this process is continued, the wetbacks will almost certainly be encouraged to enter illegally in the hope of being legalized later on.” And the presence of undocumented and contract labor within the United States never gave America’s market a chance to adjust farm worker wages to a level that would attract domestic workers, an outcome agribusiness was happy to foster.46

A major point that the commission’s report hinged on was the deleterious effects imported and “illegal” labor had on wages and working conditions within the United States. To the commission, this was the key to the farmer’s complaints about domestic workers being unwilling to perform “stoop” labor in the fields. The commission argued, “When industrial employers were denied the immigrant workers they demanded, they were compelled, among other things, to develop working conditions and job standards compatible with the expectations of American workers.” It argued that agriculture needed to adapt to the labor market the way that urban industry did. This was the base of the commission’s argument. For that reason, the importation of contract labor needed to be curtailed.47

Ending the bracero program only solved part of the problem. Undocumented immigration also needed to be stopped. The commission did not call for a change in laws, however. It was a matter of enforcement. This is an important point because the commission never assumed that continued documented immigration would have negative effects on the agricultural industry. One way to ensure that farms were not using undocumented labor was to bring agricultural worksites up to the standards of industry. The report states, “Perhaps it is time

46 President’s Commission, 53; For further information on the “drying out” process see Kitty Calavita, Inside the State.
47 Ibid., 22.
we modernize our concept of the farm employing several workers, recognizing it … as not a personal castle but rather a place of employment affected with a public interest and on which inspections may be made in the enforcement of law.” One thing that the commission encountered was complaints, like Delmar Roberts’, from growers about immigration officials checking farms. Access to work sites only solved part of the problem, however. The commission also called for the criminalization of hiring undocumented workers.48

As discussed, eliminating farmer access to foreign workers would force farmers to adjust to the shrinking labor supply and offer higher wages and better conditions, akin to basic “free market” functions.49 Instead of this system, farm labor operated under a “labor contractor system” that opened the door for abuse. Labor contractors placed workers within farm jobs, but sometimes also required a portion of the farm workers’ pay. The system created extra channels to ensure cheap labor for farmers at the expense of an exploited, foreign underclass.50

To remedy the many ills of the system, the commission called for two basic changes: the termination of continued use of undocumented foreign workers and the aforementioned industrialization of the agricultural workforce. Simply put, the commission argued that farm workers needed to receive the same makeover witnessed in industry post-WWII. Part of that change was the increased number of farm employer organizations and farm worker unions.

Farm employer organizations offered much in the eyes of the commission. First, they provided a mechanism for finding employment that alleviated the need for labor contractors. And the commission argued that this role was to the benefit of farm employers and laborers alike. The report introduces four organizations that were instrumental in recruiting farm labor,

48 Ibid., 87.
49 I use the term “free market” in quotes here since one must consider how national borders restrict the free movement of labor.
50 Ibid., 91-92.
providing jobs for workers that did not include the predatory aspects of independent labor contracting. Second, farm employer organizations increased the length and stability of working positions. This was possible because “peak labor needs of different farms, crops, and areas occur at somewhat different times, thus enabling the same workers to meet several peak needs.”

The commission also called for farm employers to receive the same “benefits” offered to industrial workers under the Labor Management Relations Act of 1947 (Taft-Hartley). Although chances of achieving such reforms were minimal, the commission reported in favor of allowing workers to collectively bargain, and, thus, providing benefits to both workers and employers. Workers would then receive the benefit of “a voice in determining wages and conditions of employment.” Employers, on the other hand, received a “more orderly management of labor” with worker organizations. This would include an improved channel of communication between employee and employer, a mechanism for the transmission of ideas for improvement from employees, an opportunity for leadership among the workers, and a means to meet employee demands that might be impossible without organization.

The president echoed this belief in the beneficial role of labor unionization. He argued, “In the case of labor, free collective bargaining must be protected and encouraged. Collective bargaining is not only a fundamental economic freedom for labor. It is also a strengthening and stabilizing influence for our whole economy.” Indeed, collective bargaining, rhetorically and through practice (as seen with Truman’s veto of the Taft-Hartley Act), had the backing of the presidency. Although he showed his willingness to support the American worker, he felt that it had benefits beyond strengthening the working class.

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52 Ibid., 114-118. Quote on 117.
Labor organization, according to the commission, also provided a benefit to American society in general. Since industrial unions were gaining more power during the World War II boom, industrial workers became more affluent and achieved greater purchasing power. The commission argued that farmers needed to be brought up to the wage levels of industrial employees. This could be achieved through many of the recommendations that the commission had laid out (union organization and the curtailment of foreign labor), but to transition to this the commission also asked for the enactment of minimum wage standards that other workers already received.54

Creating minimum wage standards for farm workers proved a difficult challenge. Migratory farm workers were often paid piece rates for work provided, whereas nonmigratory families were paid an hourly minimum wage. Regardless, the prevailing wage was decided by farm employers in meetings, often called wage conferences. Farm laborers had little say in the wages being offered, and with the importation of foreign workers, they could not benefit from increasing wages due to shrinking labor supplies or organization. The commission called for the enactment of “minimum wage legislation to cover farm laborers, including migratory laborers,” seeing this as a stopgap measure during the transition to the industrialization of the farm labor force.55

In the midst of the presidential commission’s discussion and report over migratory labor, the Senate passed the Ellender Bill. This was the Senate version that combined with the Congressional Poage Bill. These combined eventually became Public Law 78 in 1951, signed by Truman to extend the bracero program for two more years. This became the formal name for the bracero program throughout the 1950s and into the 1960s, since Congress continued to renew

54 Presidential Commission on Migratory Labor, 133-135.
55 Ibid., 128-135. Quote on 134.
Public Law 78 every two years until 1964. But Public Law 78 was contradictory to many of the findings of the commission. It did not make illegal the employment of undocumented workers, nor did it provide a workable mechanism for ensuring a minimum wage or wages fully open to the adjustments of the market.56

Labor organizations were outraged with the proposed bill, with the American Federation of Labor asking Truman to, “veto the Mexican labor importation bill passed by Congress on June 30th.” The president of the AFL, William Green, continued, “It certainly goes far afield from the findings and recommendations of your Commission on Migratory Labor. This legislation discriminates against American workers employed in large scale agriculture and provides no means of setting standards of wages or working conditions for our own citizens.”57

The AFL was concerned that it discriminated against domestic workers, but they were also concerned with the spillover into their territory of organized workers. Green states, “We object strongly to the provision permitting the employment of imported Mexican nationals in the food processing plants of the United States. The majority of such workers are now organized into our unions and have established excellent wage scales and working conditions in the industry.” The AFL was concerned that not only would Public Law 78 be detrimental to the workers’ stance in agriculture, but it would have an impact on already industrialized areas. The concern was one of “labor standards,” and maintaining a decent standard of living for workers.58

The Congress of Industrial Workers concurred with the AFL’s sentiments. CIO president Philip Murray argued, “The bill broadens the definition of agricultural labor to include many factory-type operations off the farm, such as canning and freezing. This definition is in conflict

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58 Ibid., 1.
alike with existing legislation, with job realities, and with the argument of the bill’s proponents that Mexicans must be made available because Americans will not perform ‘stoop labor.’” Not only was Murray concerned with jobs that required working in the fields, he pointed out that the legislation went beyond “stoop labor.” Murray argued alongside the commission that the importation of foreign labor only obstructed the industry’s ability to adjust to labor demands to increase wages and industrialize agricultural operations. Murray continued, “The bill, by holding out the possibility for a large supply of cheap labor in processing factories and on the farms, will encourage backward-looking employers to continue substandard wages and other conditions which are far below the American standard of living.” He concluded that it was this backwardness that prevented farms from achieving the labor they desired, not from reluctance on the part of American workers to engage in “stoop labor.” Considering the codification of the bracero law came at the same time that the CIO was pushing its Operation Dixie campaign to unionize the South, it is no wonder that the AFL and the CIO did not want a potential source of foreign, temporary labor to impede their progress.59

The National Farm Labor Union and the Brotherhood of Maintenance of Way Employes echoed much of the sentiment laid out by the AFL and CIO. They both argued that the Poage-Ellender Bill ignored the presidential commission. The NFLU claimed that the Bill did not adequately deal with undocumented immigration. The Bill allowed for Mexicans “illegally” in the United States for five or more years to be allowed to remain. In addition, it did nothing to address the demand side of the undocumented flow. The NFLU’s report states, “The provisions adopted in the Senate to penalize employers of wetbacks was stricken from the measures finally adopted, and the substitute permitting the employment of illegal aliens from Mexico, who have

been in the United States five years, is meaningless and encourages violations of our immigration laws.” Without question, organizations on the side of labor denounced the Poage-Ellender Bill and applauded the President’s Commission.60

Growers, predictably, condemned the Presidential Commission’s report and argued in favor of the Poage-Ellender Bill, citing a possible loss in crops for ignoring their pleas. The Associated Growers of Brownsville argued, “We have all our finances plus borrowed monies invested and there is no other labor available to harvest this crop.” President F. Rusteberg Jr. contended further that “to comply with other government regulations we must have this crop harvested and the stalks plowed under within forty five days. Your immediate action by signing this bill is necessary.” Growers threatened that crops would die in the fields if a continued flow of cheap, foreign labor did not continue.61

Other grower associations chimed in on the side of the Poage-Ellender Bill. The Calavo Growers of California “urge[d the President] to consent to the passage of the Poage-Ellender bill.” The American Farm Bureau Federation, “recommend[ed Truman’s] approval of [the proposed] farm labor bill to provide orderly procedure for meeting critical farm labor needs.” And the California Fruit Growers Exchange, along with making overtures to preferring domestic, local labor, congratulated the Truman administration on its willingness to sign the Poage-Ellender Bill. But to lump all growers into one category would be erroneous.62

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James G. Patton of the National Farmers Union argued that the bill favored large farms at the expense of smaller, family run operations. He stated, “The effect of this legislation will be to subsidize large scale commercial and corporate agricultural enterprises.” Thus, “creating unfair competition to family farms.” He denounced the large farms as “depend[ing] greatly upon the exploitation of migratory labor.” He asked Truman to veto the bill.63

Despite the mixed response, the president signed what became Public Law 78. The debate over the industrialization of the agricultural sector was temporarily lost, but these arguments flavored the debate over the INA of 1952 and provided an economic basis for immigration policy. As policymakers moved forward with immigration reform the rising belief that the farm industry could achieve an overhaul to provide low- and unskilled workers with an outlet for employment based on mechanization and job training led to a new understanding of immigration reform. In the McCarran-Walter Act, and later in the Hart-Celler Act, policymakers focused on skilled immigration for higher skilled jobs and job training, and on cutting off unskilled immigration to provide for employment opportunities for out-of-work Americans. Throughout the discussion on immigration in 1952, questions of unskilled labor and the agricultural sector continued to emerge.

**The Immigration and Nationality Act of 1952**

On June 27, 1952, the McCarran-Walter Bill became the Immigration and Nationality Act of 1952. It passed both houses of Congress with not only enough votes to be sent for the president’s signature, but enough votes to override a threatened presidential veto of the bill.

After Truman vetoed it, the bill became law as 57 Senators and 278 Representatives voted to override the veto. In fact, the man that would oversee the end of the national origins quota system as president, Lyndon Johnson, voted in favor of the McCarran-Walter Bill as a Senator.\footnote{“Provisions of Immigration Law,” \textit{New York Times}, June 28, 1952, 10.}

The act sanctioned a multitude of changes to the nation’s immigration laws. It “updated” the basis for the national origins quota to 1920, from 1880, thus slightly opening the immigration code to Southern and Eastern Europeans. It removed racial barriers on the so-called “Pacific-Asian Triangle,” providing that area with a quota of 2,000. It allowed current Asian immigrants access to citizenship. But, it also provided what Walter and McCarran were most concerned with, a mechanism to remove those individuals described as “dangerous to national security.” The new law also enacted a system that gave priority to immigrants with skills most desired in the United States to assist the nation’s economy.\footnote{Ibid.}

In 1952, immigration reform consciously focused on two main points: liberalizing the nation’s stance on Asian immigration, and stiffening the nation’s laws on potential subversives. McCarren and Walter were not as concerned with economic considerations since they both assumed that the Secretary of Labor had the means to control the flow of skilled and unskilled workers into the United States. The 1951 codification of the \textit{bracero} program had given arbitration powers to the Department of Labor and shown the government’s commitment to agribusiness by providing that industry with cheap labor. Thus, the flow of unskilled labor to one of the nation’s major industries was already established. And since the DOL had the ability to block certain skilled workers from entering the United States if it felt that market was saturated, these congressmen assumed that the economic question was mostly settled. Therefore, the debate did not center on economics, but rather foreign policy.
Economic concerns were expressed in both Senator Pat McCarran’s and Congressman Francis Walter’s version of the INA of 1952, however. Both elected officials devoted attention in their bills to the question of the economy and protection to domestic workers. McCarran fell in line with those within Congress that extended the use of the *bracero* program to meet the needs of unskilled and skilled agricultural laborers. He mentioned the need to include agricultural skilled workers within his committee’s fifty percent quota dedicated to skilled workers, responding to a belief that an industrialized agricultural industry would require more skilled workers. He even included a special provision for temporary workers to accommodate the *bracero* program.\(^{66}\)

Francis Walter’s Committee on the Judiciary also discussed the impact the immigration bill had on wage earners. The committee deflected any argument that new immigrants would displace domestic workers. They placed the burden on the shoulders of the Secretary of Labor, giving him the power to exclude skilled or unskilled workers that may intrude on domestic workers while including workers for areas that needed labor. The committee concluded, “It is the opinion of the committee that this provision will adequately provide for the protection of American labor against an influx of aliens entering the United States for the purpose of performing skilled or unskilled labor where the economy of individual localities is not capable of absorbing them at the time they desire to enter this country.” Francis Walter and that committee argued in step with individuals that called for an influx in labor for job positions that employers were incapable of providing wages to the level that the domestic population would perform the

duty or did not have the skills required. In essence, Walters and McCarran believed that business in the United States would benefit from all laborers.\textsuperscript{67}

The State Department argued that the current domestic population was sufficient to meet labor needs and therefore any discussion on labor was not necessary. Communicating to President Truman, they argued to downplay employment concerns. Critiquing a presidential address to Congress, the State Department asked Truman to “stress instead [of a need for foreign workers] the fact that persons admitted into the U.S. under a modest special program could be readily absorbed.” The belief was that the American economy could readily take in incoming immigrants and therefore immigration policymakers could focus on other issues, namely Cold War concerns.\textsuperscript{68}

Although legislators did not discuss the economy as much as other issues, there were still instances where the economic question seeped through. Francis Walter showed his stance on employment and economic concerns in his report on immigration reform. He pointed out that the \textit{bracero} program was the article on which employment issues were centered. Specifically, immigration policy had to be altered to remove clauses banning contract labor. He argued that despite this exclusion the Secretary of Labor has the power to disallow immigration if “there are sufficient available workers in the locality of the aliens’ destination who are able, willing, and qualified to perform such skilled or unskilled labor and that the employment of such aliens will adversely affect the wages and working conditions of workers in the United States similarly employed.” To those in favor of the McCarran-Walter Bill, placing power in the hands of a

\textsuperscript{67} Francis Walter, et. al., “Revising the Laws Relating to Immigration, Naturalization, and Nationality,” Ibid., 157.

\textsuperscript{68} “Comments of Department of State on Draft Presidential Message to Congress Calling for a Special New Immigration Program and Aids to Iron Curtain Refugees,” Ibid., 206.
government official to be the arbiter for labor needs was sufficient to protecting domestic laborers.69

Truman made sure to voice his opinion regarding economic and labor issues in a speech to Congress in 1952. Focusing on the farm labor question, Truman argued that the bracero program was not a sufficient long-term solution to the so-called dearth of domestic farm laborers. Instead, he felt that immigration reform should not continue to import temporary workers, but permanent agricultural laborers that could transform the nation’s agricultural industry in the same vein as what the nation experienced years before with urban industry. He stated, “A rich pool of surplus farmers and farm workers exists in the areas of over-population in Western Europe. Among the expellees in Western Germany there are many agricultural families with no opportunity for employment on the land.” He continued that similar situations exist in the Netherlands and Italy. Truman operated under the assumption that past immigration successes could be revisited with future immigration, and to the benefit of the agricultural sector. He argued, “Past immigration has helped to build our tremendous industrial power. Today our growing economy can make effective use of additional manpower in various areas and lines of work.”70

The Department of Agriculture agreed with Truman that an increase in agricultural workers could benefit the agricultural sector. The Secretary of Agriculture Charles F. Brannan carried the torch of farmers and agribusiness representatives by calling for immigrants that would work for “wages prevailing” in particular farmers’ communities. It seemed that the Department of Agriculture was calling specifically for cheap laborers for farmers because the Secretary stated, “If proper care is exercised in the selection and placement of those to be

70 Truman to Congress, March 12, 1952, Ibid., 234, 235.
admitted, there is reason to believe that an important contribution can be made to our agricultural economy.” The Secretary called for carefully admitting the right type of worker, but made no mention to mechanization to improve working conditions. Indeed, the Department of Agriculture was working to provide farmers with cheap workers, not skilled, specialized workers, although it attempted to deny it. The Secretary continued that although some may argue that immigration was used to depress wages, he “believe[s] that the provisions of this Bill, properly administered, will depress neither wages nor working and living conditions in American agriculture.”

Whereas McCarran, Walter, and their supporters downplayed the importance of immigration reform on the nation’s economy, the bill’s detractors based their opposition heavily upon economic considerations. This was displayed in a counter bill to the McCarran-Walter offer, the Humphrey-Lehman Bill. Opponents of the McCarran-Walter Bill were not against the immigration of skilled or unskilled laborers. Nonetheless, they attacked the McCarran-Walter legislation as too dismissive of the important benefits that immigration reform could have on the nation’s economic development.

In a joint statement, advocates of the Humphrey-Lehman Bill developed a concerted focus on skilled labor and an expanding economy. The point of the bill was to, “admit aliens in numbers which we could easily absorb and actually require for our expanding economy.” Advocates of the Humphrey-Lehman bill put economic concerns first in their argument. After a quick statement defending the bill against those that would argue it was not tough enough against possible subversives, the joint statement sponsors argued, “This Bill would recruit aliens of special skills and capabilities, in agriculture, in industry, in the professions and the arts. The

abilities and energies of these people would represent a vital contribution to our national economy and welfare.”

The CIO agreed that the McCarran-Walter Bill was insufficient to meet the demand for labor and could be used to the detriment of labor unionization. The CIO was also concerned with increasing powers in the hands of the executive to deport or denaturalize immigrants. Nathan Cowan, Director of the CIO Legislative Department, argued, “An administration hostile to labor could easily use these vastly expanded powers to punish or intimidate labor union members or labor union leaders of foreign birth even though they are naturalized citizens.” The CIO did not object to a quota for the Asian-Pacific Triangle, but they were concerned that McCarran was using this incentive to pass other, oppressive measures.

Truman was aware of this problem when the bill that passed through Congress and landed on his desk. But his major concern was the continued use of a national origins quota system that discriminated against Asian and other “non-white” nationalities. He decried its bases on 1920 census numbers and argued, “In no other realm of our national life are we so hampered and stultified by the dead hand of the past as we are in this field of immigration.” But, he nonetheless found limited options in combating the bill.

David D. Lloyd, Truman’s Administrative Assistant, argued that the best means of action against the bill would be to add amendments to the bill with the threat of extensive debate on each until the Congressional session ended, but realized that was a course of action the president could not take. The president could not suggest to Congress to propose any amendments because, “It would be a mistake to suggest that the President’s proposals should be made an

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amendment to the McCarran bill. If such a proposal were adopted, the President would be faced with a very embarrassing situation. He would not be able to veto the McCarran bill without vetoing his own program.” He could not hope to supplant the McCarran bill with the Humphrey-Lehman bill because that “would probably be defeated because the Senators will not thoroughly understand either bill and the McCarran bill has Committee approval.” In the end, Truman was left with hoping his veto would be enough to defeat passage of the bill.75

At the conclusion of Truman’s address to Congress regarding his veto of the bill, he suggested the creation of a bipartisan commission to construct an alternative immigration policy that was more in “line with our national ideals and our foreign policy.” Although Congress overturned Truman’s veto, the president still created a commission. Lawyer Philip B. Perlman led this commission, which produced a report titled Whom We Shall Welcome in 1953. Some scholars and McCarran-Walter advocates have described this commission as being created for the sole purpose of disavowing the passage of the 1952 INA. Although the commission unquestionably attacked the McCarran-Walter legislation, the ideas presented in the report connected with the results of the Presidential Commission of Migratory Labor and informed the immigration debate of the 1960s.76

The presidential commission on immigration discussed the importance of immigration policy in regards to foreign policy during the Cold War, but its primary concern (as evidenced in the first “major area” it discusses) was the national economy. The commission viewed immigration as part of a thriving and growing economy. It argued that immigrants brought skills, if not money, with them to the United States. An adult immigrant coming to the U.S.
benefited the nation with a skilled worker without the detriment of raising that individual to adulthood. The commission reports that it took $10,000 to raise an American to adulthood, but the immigrant adult did not cost the nation that money. Instead, it brought “between $30,000 and $80,000, depending on his potential earning power.” Considering that, the commission felt the United States only stood to gain from immigration.77 In addition to the economic advancement to the United States, the immigrant also brought innovation. The commission states, “Many of our leading musicians, actors, motion-picture producers, and others in the arts are foreign-born. Law, medicine, education, literature, research, organized labor, and journalism are only a few other of the innumerable fields benefited by outstanding immigrants (sic).”78

The commission notably embraced the benefits of organized labor in its report. The commission sought out the opinions of union leaders in regards to immigration policy. William Green, AFL President, argued “We do not believe that the admission of as small a number as 400,000 over a period of 4 years [in addition to the quota’s 154,000 annually] will seriously affect our employment or unemployment problem.” Philip Murray, CIO President, stated, “I do not think it is the true friends of labor who will argue that our economy cannot stand the addition of less than one-tenth of one percent of the number of our population annually for four years without creating unemployment.” Labor representatives were integral to the argument for decreased immigration restrictions.79

In addition to being on the side of civil rights advocates by ending national origin quotas, it also supported the cause of America’s workers, basing its argument squarely on economic data. It pointed out that areas with higher levels of immigration actually had higher incomes relative to the rest of the nation. Although some economists in the twenty-first century would

77 Whom We Shall Welcome, 24.
78 Ibid., 24-25.
79 Ibid., 43.
point to the deleterious effects that immigrants play in eroding the middle class\textsuperscript{80}, the statistics based on this data were somewhat convincing.\textsuperscript{81}

\textbf{IMMIGRATION AND INCOME}

\begin{itemize}
    \item A NORTHEAST: Percent Foreign Born 13.1, Per Capita Income $1690
    \item B WEST: Percent Foreign Born 7.6, Per Capita Income $1620
    \item C No. CENTRAL: Percent Foreign Born 6.1, Per Capita Income $1540
    \item D SOUTHEAST: Percent Foreign Born 1.8, Per Capita Income $1140
    \item E So. CENTRAL: Percent Foreign Born 1.5, Per Capita Income $1030
\end{itemize}

\textit{Source: U.S. Department of Commerce}


\textsuperscript{81} Figure 1 found on \textit{Whom We Shall Welcome}, 27.
The commission also argued that immigration restrictions were largely unnecessary since immigrants come to the United States in times of economic prosperity, but not during depression.\(^\text{82}\)

The commission rounded out its economic argument for immigration with its plea that the United States was a growing nation that had not seen its end for the need for immigration. It stated that the United States can take an increase in immigration because the nation “will continue to have a dynamic, expanding, and flexible economy needing more people.” It continued, “There is every indication that we have not reached, nor are we likely in the foreseeable future to reach, the point at which new immigration will no longer contribute to our further growth, strength, and prosperity.” Considering its first point of contention for increased immigration was an expanding economy, there was an underlying economic concern with immigration reform in 1952.\(^\text{83}\)

\(^{82}\) Figure 2 found on Ibid., 28.
\(^{83}\) Ibid., xiii.
The report was not void of discussion on the nation’s migrant labor question. The commission discussed agriculture by stating that the U.S. could absorb foreign immigrants into the farming community, but needed to do it with mechanization in mind. In other words, the U.S. needed to import semi-skilled immigrants. On first look it seemed that this commission was taking the side of agribusiness. It called for increased immigration because of labor shortages. But by putting an emphasis on mechanization, it was hoping to force the hand of farmers to industrialize their work force. Although the migratory labor commission called for the curtailment of undocumented entry, there was still wiggle room to allow the importation of immigrants into the agricultural community by selecting which potential entrants were most beneficial to the mechanization process.\(^{84}\)

Immigration policy critics felt that the focus of the nation needed to change from industrial labor to agricultural labor. Whereas the popular image of immigration in the past was bringing immigrants from Europe over to work in urban areas, the focus, in the 1950s, had switched to agriculture. If agricultural leaders called for open immigration from areas that are more likely to support agricultural needs, then those are the areas that needed to be targeted. In addition to this, the commission was not considering the desire of many farmers to rid themselves of workers when the peak season ended.\(^{85}\)

The commission conceded that migratory workers from Latin America were major concerns in immigration policy. The report stated, “One of the most troublesome problems arising out of the administration of the immigration laws concerns the hundreds of thousands of ‘wetbacks’ who illegally cross the border from Mexico each year.” However, it did not study that issue in detail because the commission leaders were satisfied with the conclusions of the

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\(^{84}\) Ibid., 32-34.
\(^{85}\) Ibid.
migratory labor report. Both of these presidential commissions pointed to the growing belief structure that would grow out of the 1950s and reach fruition in the 1960s.  

The reports, along with other debates in immigration policy, pointed out the degree that economic concerns impacted immigration policy considerations. The focus was on doing for agriculture what immigration had done for industry and urban areas earlier in the nineteenth and early twentieth centuries. With the acceptance of labor unionization in the post-World War II era and the possibility of increased consumerism through more permanent residents, many did not feel agricultural transition seemed far-fetched. Although advocates of the commission reports saw the enactment of long-term *bracero* program legislation and the passage of the INA of 1952 as defeats, their ideals germinated and influenced legislation in the mid-1960s. However, the executive branch continued to push for immigration reform throughout the 1950s and into the early-1960s. Throughout the Eisenhower Administration, the president advocated for new immigration legislation to overturn what he considered a backwards system developed by the INA of 1952. Senator John F. Kennedy (D-MA) was a major advocate for immigration reform. He published a book on the subject and submitted articles to major newspapers to show his support for an open immigration law. But immigration policy was not overhauled until the mid-1960s under the Johnson administration, and this retooling was part-and-parcel of that administration’s focus on its War on Poverty. This dissertation, thus, moves to discuss the War on Poverty and the Johnson administration’s focus on skilled labor and structural unemployment.  

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86 Ibid., 257.
CHAPTER II.  FROM JOBS PROGRAMS TO POVERTY PROGRAMS

Understanding immigration reform in the 1960s first requires a look into the employment initiatives of the Kennedy and Johnson administrations. One sees the connection between the two governmental initiatives (immigration reform and employment policy) in their focus on providing for business sector labor demands and in their belief that providing as many individuals as possible with a wage not only benefited workers, but also the economy. This underlying assumption about the economy was the foundation for how the employment parts of the War on Poverty were written.

The War on Poverty was a program initiated by the Johnson Administration to address the causes and minimize the effects of poverty in the United States. To address immediate poverty problems, the administration pushed forward medical insurance for the elderly and community projects focused on aiding depressed areas through the Area Redevelopment bill. But the Johnson administration hoped to curtail the deeper-rooted causes of poverty through increasing federal assistance to schools, an increase in the minimum wage, civil rights legislation, and creating an employment policy built around job training. To partly meet the deep-rooted poverty causes, the Johnson administration inherited a program already set in motion from the previous year—the 1962 Manpower Development and Training Act (MDTA).\(^1\)

Congress, during the Kennedy administration, passed the MDTA into law to fill openings in the private sector. The act’s purpose was to provide training to recently unemployed members of society that did not have the appropriate skills for job openings in the nation’s industrial or agricultural sectors. Through job training, members of society who otherwise may have lived in poverty received an opportunity to earn a wage. Initially concerned with automation reports, the

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Kennedy administration created this program to assist lower-skilled workers with a means to obtain new skills that provided an opportunity to adjust to new areas of employment.\(^2\)

To further bolster this job training agenda, the Johnson administration and Congress added the Economic Opportunity Act (EOA) in 1964. The EOA was a multifaceted act that addressed concerns ranging from worker training to community action programs. Scholars argue that this act was not well understood before it was passed. The scope was large and, in a sense, Congress designed it to implement a wide-range of programs in the hopes of mitigating poverty and reducing unemployment numbers. But a central tenet of the bill was to address the presumed changing economy and resulting structural unemployment through education, to provide America’s youth with skills that would assist them in transitioning into jobs, and to give them a head start as they entered the changing job force.\(^3\)

But these employment policies embodied a much deeper focus through an attempt to break a so-called “culture of poverty.” This phrase, used by many sociologists at the time, represented an argument that certain normative traits amongst those living in poverty perpetuated this impoverished state. Because of this fairly well accepted belief, the employment policies of the War on Poverty were adapted to provide individuals with basic work competencies to ready them for the work environment. The hope was to break this culture of poverty and bring all members of society into the nation’s prosperity. As the MDTA and EOA focused its attention on impoverished youth, this program became even more important in order to give the nation’s large youth population with a head start.\(^4\)

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\(^3\) Matusow, 125-126.

The MDTA and the EOA represented the employment policies associated with Johnson’s War on Poverty, both based upon providing the nation’s workers with opportunity. The Presidential administration was confident that the private sector could absorb the increasing worker supply as long as these workers were provided with the opportunity to compete for private sector jobs. Vice President Hubert Humphrey described this as providing for the nation’s “free agents.” He stated, "The concept of free agency—that is freedom, within limits, to make those essential choices which will shape ones own life—has been basic to the American philosophy.” Governmental officials designed the employment policy to give the nation’s “free agents” an opportunity at a wage. It was ultimately the individual’s responsibility to make the best of their opportunity. So, in practice, this process was to provide individuals with the tools needed for employment.5

Other factors also flavored the way that the War on Poverty’s employment programs were structured. Since the 1940s, governmental officials and some business leaders increasingly adapted production to meet consumer demands. And many individuals, including the presidential administration, began to embrace Keynesian demand models. Also, scholars have pointed out that since the 1960s the United States experienced an unprecedented era of “wage compression,” between higher-skilled and lower-skilled workers. Although lower-skilled workers were in high demand, the supply of higher-skilled individuals remained relatively high.6 These coinciding changes in the labor supply and demand resulted in reduced wages for the higher-skilled and increasing wages for the lower-skilled, reducing the usual gap in the wage structure. Although this compression lessened some by the 1960s, wage compression still

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6 It is also important to point out that lower-skilled workers experienced increasing wages as well because of the successes of labor activism after World War II.
existed. Therefore, since the business sector demanded lower-skilled jobs, a focus on providing unskilled, impoverished citizens with skills or work competency training appeared to be a practical solution.\(^7\)

This chapter focuses on this moment in American employment policy history. It argues that a combination of a focus on “free agency” to address the causes of unemployment, an underlying faith in the positive effects of an increasing consumer pool, the experience of wage compression, and using job training as a means to meet multiple business sectors job demands influenced the passage of the INA of 1965 and the termination of the \textit{bracero} program.

As this chapter shows, governmental officials believed in the efficacy of providing workers with opportunity, i.e. work competency training, to meet business sector demands for workers. But when national unemployment numbers dropped in 1965 despite high unemployment in urban centers and in poor predominately white areas (like Appalachia), the administration changed gears within the War on Poverty. Although there were pockets of high unemployment, businesses still called for more labor. Therefore, the administration’s focus on providing employment opportunities to the nation’s impoverished and unemployed lost favor. Instead, addressing poverty in the nation’s urban centers largely fell to other programs within the War on Poverty.

Addressing holes in the business sector thusly had to require alternative measures since providing work opportunity did not properly address poverty and local unemployment issues. This led the INA of 1965 to more likely pass since the government separated national unemployment numbers from providing the business sector with a workforce. Although the nation witnessed decreasing national unemployment numbers, but high unemployment numbers

in certain areas in the nation, many governmental officials realized that job training alone was not sufficient to meet the needs of all unemployed, nor was it sufficient to meet business sector demands. While other options, such as relocation, proved to be infeasible, increased labor mobility appeared to be a promising alternative. Since the business sector still required a growing workforce, and the MDTA and EOA were not effectively providing it with workers, immigration reform became an option for providing the business sector while other War on Poverty initiatives were pursued to meet the needs of the hardcore unemployed.

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The War on Poverty arose out of a speech delivered by presidential candidate John F. Kennedy on August 16, 1960 at Hyde Park, New York. Works such as Michael Harrington’s *The Other America* convinced Kennedy and other governmental officials that even though the United States’ economy was performing well in global terms, it could not ignore the millions of Americans who lived in poverty. Other works also appeared that described the poverty-like conditions of the United States. Harry Caudill’s *Night Comes to the Cumberlands* and Edgar May’s *The Wasted Americans*, also alerted the nation to the poor. The Kennedy administration hoped it could address these inequities through a series of policies that not only relieved the nation’s poor, but provided them with opportunity to lift themselves out of poverty. Kennedy stated, “The opening battle…against suffering and deprivation had been won in the 1930s; but the war against poverty and degradation was not yet over.” Evoking the legacy of the New Deal, Kennedy hoped to push the battle against poverty.8

As scholars have pointed out, it was not just Harrington's book, and other queries into poverty in America, that created a poverty program. Rather, actual movements within the United

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States galvanized the American people to consider the nation's economic condition. In 1963, members of the March on Washington implored the national government to consider the larger impact that poverty played in the United States. Black leaders explained that the nation's minorities shared a greater burden of the nation's poverty. In fact the Office of Economic Opportunity (OEO), an agency created by the EOA to oversee the implementation of the administration’s labor objectives, stated that “of the poor, 44% were non-white and nearly one-half of all non-whites lived in poverty.” But although the burden unduly fell on the nation’s minorities, economists and sociologists pointed out that twenty percent of the nation’s citizens lived below the poverty line, white or non-white.9

Economists and social commentators continued to point out that while the nation was experiencing unprecedented prosperity, a substantial proportion of the population was not experiencing the benefits of the nation’s booming economy. Leon Keyserling, Gunnar Myrdal, and Michael Harrington pointed out that nearly 30 million people lived below the poverty line. UAW President Walter Reuther argued, “poverty in America is more destructive of human values … they [the impoverished] are denied a sense of belonging and the sense of participating as useful members of our society.” It seemed that the public’s attention was drawn to the nation’s poor.10

Kennedy moved quickly to create programs to address poverty. He called for a national youth service program to mimic in the domestic setting what the Peace Corps was doing

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9 Matusow, 91-92; OEO, 18, 23.
10 The Office of Economic Opportunity, 2-13 (Reuther quote, 5); John Kenneth Galbraith argued that the poverty line should be placed at $1,000, but other economists increased that amount, raising the number of impoverished. Allen Matusow points out that a floating poverty line that always encompassed the bottom fifth of society made it impossible to bring everyone above a moving poverty line. See: Matusow, The Unraveling of America, 219.
internationally. Although this bill failed to make it through Congress, the spirit of providing opportunity for the nation’s disadvantage germinated within the nation.\textsuperscript{11}

Economic and political considerations constricted how Kennedy could endorse poverty legislation. Concerned with his inaugural day address stressing personal sacrifice, he was uncommitted to such Keynesian tactics as tax cuts. His initial reaction was to balance the budget. But through nudging from his economic advisers, the president moved towards deficit spending and tax cuts as a means to stimulate the economy, and, therefore, job growth. Although he instituted some job creation programs, the primary focus of Kennedy’s jobs program settled on tax cuts along with domestic programs to mitigate some of the immediate concerns of poverty in America. What resulted was not a concerted effort at direct governmental action in job creation, but an approach of tax cuts and job training that Kennedy’s economic advisors felt was enough to reduce unemployment, and therefore poverty.\textsuperscript{12}

After Kennedy’s assassination, Johnson took on the mantle of the War on Poverty and evoked Kennedy’s legacy to enact more legislative reform. While the newly anointed president was being briefed on Kennedy’s poverty strategy, Johnson reportedly stated, “That’s my kind of program … I want to move full speed ahead.” Given Johnson’s history of rural electrification, spearheading a subcommittee to study unemployment while in the Senate, and pushing other poverty-based programs as a congressman, it seemed that he had a natural attraction to such reform.\textsuperscript{13}

Johnson felt that the only way to address the nation’s unemployment level was to change the way that the nation’s people viewed work and success. He agreed with his Council of

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  \item \textsuperscript{11} The Office of Economic Opportunity, 13.
  \item \textsuperscript{12} Russell, \textit{Economics, Bureaucracy, and Race}, 18-25.
  \item \textsuperscript{13} The Office of Economic Opportunity, 19; For information on Johnson’s congressional career see Paul K. Conkin, \textit{Big Daddy from the Pedernales: Lyndon Baines Johnson} (Boston: Twayne Publishers, 1986); Weir, 70.
Economic Advisors “that the War on Poverty ‘must be based on a change in national attitude.’” The Council further stated, “It is time … to allow Government to assume its responsibility for action and leadership in promoting the general welfare.” The president and his economists argued that the nation’s employment structure was changing and the government had to take the lead in assuring that the nation’s workers had the training and “attitude” to meet these changing times. 14

Looking back on its position in the 1960s, an administrative history written by the OEO further described what was at stake in adapting to this changing economy, by discussing the War on Poverty in foreign policy terms. The OEO pointed out, “In the Sixties, Americans had to face the disturbing paradox--poverty in the midst of plenty. This fact, inconsistent with the nation’s espoused moral ideals of equality, was alien to the nation’s self-image that denied the possibility of widespread poverty.” Because of this “disturbing paradox” of “poverty in the midst of plenty,” the presence of any unemployment in the United States became an area of concern. In an annual manpower report to the White House, the Department of Labor (DOL) pointed out that, “4.2 million Americans seeking work were unemployed….5.7 percent of our labor force, an unemployment rate over two times that of most industrialized countries.” The Johnson administration considered this unemployment level an embarrassment for the nation. The Department of Health, Education, and Welfare (HEW) echoed the administration’s sentiment. In its third annual report, the department argued, “However prosperous our Nation is on the whole, our affluent society, nevertheless, has cracks big enough to let millions of individuals fall through … these people stand in danger of being condemned to be permanent onlookers at the

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14 The Office of Economic Opportunity, 20.
Because of this growing concern over poverty, any perceived threat to worsening unemployment or poverty numbers became a concern.15

As the presidential administration, and many members of society, focused on poverty in the United States, an increasing alarm over automation also contributed to the nation’s concerns regarding unemployment and poverty. Automation proved to be a short-lived scare, but the growing concern over a presumed changing economic structure shaped the way that employment programs were designed.

Although automation was not new to the nation’s workplace, it nonetheless created real problems in the 1960s. In 1963, “the Brotherhood of Railway Clerks against the Southern Pacific Railroad,” workers were upset that 4,500 jobs were eliminated within four years due to automated functions in the workforce. That same year, “the International Typographical Union had struck four dailies, and five others had closed in a demonstration of management solidarity,” against increasing layoffs due to automation. After a walkout of Shell workers, the oil refinery its workers abandoned was able to remain running with only “1,200 nonunion supervisors, engineers and technicians.” Companies in Texas and North Carolina were forcing those 60 and older to retire and were not replacing them in the mid-1960s. In 1963, one commentator argued, “With only a few exceptions labor and management have found it hard to deal with the problem of automation across the bargaining table. But now with high-level joblessness an apparently permanent characteristic of the American economy negotiations are likely to become even more

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complicated and critical.” Many stories such as these appeared in newspapers and created a national concern.\textsuperscript{16}

Automation concerns received more attention because of increasing unemployment. Unemployment numbers were relatively high in the early-1960s. In May of 1961, unemployment numbers peaked at 7.1 percent. And although numbers began to drop from that point, 1964 started with an unemployment rate at 5.6 percent. This was a number that the Johnson administration still felt was too high. Johnson asked the Department of Labor to prepare a report on the employment situation in the United States. The Department of Labor stated, “Every day, machines replace 5,500 men and women.” The DOL understood that the majority of those that were displaced were able to find a new job, albeit at the expense of seniority, vacation time, and retirement benefits. The DOL argued, “we have got to take care of human costs of automation.” The DOL continued, “There can’t be any human hostages to material progress.”\textsuperscript{17}

Because automation was nothing new in the American workplace, the Department of Labor understood, even if the general public did not, that the real concern was not automation, but providing a transition for workers that were displaced into new employment. President Johnson echoed the DOL’s sentiment. He argued, “Automation can be the ally of our prosperity.” Using statistics that showed that the United States had created 4 million jobs since 1961, he argued, “We’ve put on more new people than the populations of more than half the countries of the world.” In reference to automation, he stated, “Automation … is not the enemy of the nation—the enemies are ignorance, indifference and inertia.” Johnson’s belief, and least


in the way he expressed it rhetorically, was that automation could be adapted to continue the nation’s economic climb and would not harm unemployment over the long-term. In fact, he argued, “Technological change is a prime mover of our economic growth—but it can lead to painful job displacement.” He made sure to explain how it did not dramatically change the workforce, “No matter how mechanized it becomes, our economy is still an organization of people—working with tools.” Nonetheless, unemployment numbers and automation increasingly alarmed many social commentators and individuals within the United States.\(^{18}\)

This, perhaps unfounded, fear of automation highlights how the government wrote its employment policies. Looking back on the program in the late-1960s, the Department of Labor described the original MDTA as, “clearly applied to the recent unemployed or to those whose jobs were threatened by changing technology.” However, it eventually became clear that this was not what was needed from an employment policy. The DOL stated, “The realization that automation and technological change do not necessarily mean long-term displacement for the worker who already possesses a reserve of basic skills brought changes in the nature of program offerings to serve a much larger segment of the population.” What resulted was an employment policy focused on providing skills to the nation’s youth.\(^{19}\)

The concern over automation, thus, molded the way that governmental officials designed its employment policies. While back in 1962, the Kennedy administration felt that automation created enough problems to warrant a program to assist the unemployed into new positions, by Johnson’s administration the Department of Labor, and other governmental officials, began to realize that automation did not hurt unemployment numbers. Therefore, the administration


\(^{19}\) Department of Labor, Administrative Histories – Department of Labor – Volume II, Part I – Box 1, 1969, LBJ Library, 117.
adapted its employment policies to address larger segments of the population, including the youth. What resulted was a job training program that pulled its basis from the MDTA, but was more attuned to Johnson’s War on Poverty. In other words, it was an employment policy that purposefully targeted the most impoverished individuals, providing them with basic work competencies and skills that matched business sector demands, i.e. opportunity at a wage.

This focus on providing the most impoverished with employment opportunity appeared properly attuned to this era. As early as the 1940s, the United States began to experience a moment when the wages received for lower-skilled workers was more comparable to those received by higher-skilled workers. This lessening wage gap resulted from a higher demand for lower-skilled workers and a lesser demand for higher-skilled workers. Although the wage compression did falter a little in the 1960s, the wage gap was still relatively minimal showing that there was still an unusually high demand for lower-skilled workers.20

Also, one must also consider the dearth of low-skilled immigration since the passage of the immigration reforms in 1924. In the 1920s, immigration dipped from a high of 8,795,000 from 1901-1910 to 4,107,000 in the 1920s. That number dropped precipitously during the Great Depression, with only 528,000 in the 1930s. Immigration slowly increased to 2,515,000 in the 1950s, but three decades of low immigration had seemingly contributed to a lessened pool of lower-skilled workers.21

This moment of low immigration and wage compression helped fuel the government’s faith in the positive effects of consumerism. Increasing wages into the hands of the nation’s working class proved beneficial to the nation’s economy. And this fact was not lost on previous administrations. In the 1940s, Congress deliberated on a full employment bill. After World War

20 Goldin and Margo.
II, the United States experienced a period of economic prosperity centered on consumerism. A shifting emphasis towards increased consumer-based goods led to increased wages for workers, who could in turn use those wages to purchase the goods produced and keep the economy moving. Although this system was not beneficial to all members of society, it seemed to prevent a new economic downturn. In fact, it seemingly pushed the nation into an extended period of prosperity. A growing faith in the benefits of consumerism led to a push for full employment. 

Brought before Congress, the Senate voted on a Full Employment bill in 1945. Governmental officials hoped that full employment would provide the largest possible domestic pool of consumers. This large consumer pool would give business a ready market for its goods, ensuring a stable economy. But full employment proved to be an elusive goal. And critics of this objective fought attempts by the government to create jobs, ending attempts from liberals to directly create jobs to reduce the nation’s unemployment numbers. Although this bill was passed in 1946 as the Employment Act, it did not create mechanisms to give the federal government the power to ensure employment. Instead, it created the Council of Economic Advisers that could influence economic policy by directing the president. It gave the executive branch the power to monitor the economy, but limited its control.

Because of the failure of attempts at full employment in the 1940s, the Johnson administration understood the political pitfalls associated with attempting such an agenda. So by the 1960s, Johnson conducted his employment agenda, not by creating governmental jobs, but by relying on the private sector. The government positioned itself merely as an agent to provide all

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Americans with the training and opportunities to find employment. Not only would this provide workers with opportunities for employment but it would also be resilient towards changes in the economy. Therefore, an emphasis on providing opportunity to the nation’s “free agent” citizens became the basis of Johnson’s employment policy.

An employment policy focused on the lowest members of society also seemed to agree with this era of wage compression. Although higher-skilled workers were competing for a relatively lower number of jobs, high wages in the lower-skilled workforce pointed to a need for more workers in lower-skilled positions. Therefore, the administration and Congress’ employment policies, geared toward the most impoverished individuals, appeared to be properly suited for business interests. Not only would Johnson have a poverty program, but he also had a program geared towards providing workers for business sector demands and reducing wages in lower-skilled positions.24

But such an overt focus on poverty by President Johnson appeared to provide his political adversaries with a reason to oppose him during the 1964 presidential campaign. Barry Goldwater, Johnson’s Republican rival, argued, “that most people who have no skill, have had no education for the same reason—low intelligence or low ambition.” He continued to argue that people earn advancement in American society through “merit and not by fiat.”25

Whereas Goldwater viewed Johnson’s employment policies within the War on Poverty in negative terms, his criticisms point to the degree that the War on Poverty had pushed for providing those without skill or education, i.e. the most impoverished, towards filling in holes in the business sector. The OEO articulated the War on Poverty programs in these terms. It stated, “The War on Poverty is not a struggle simply to support people, to make them dependent on the

24 Goldin and Margo.
25 The Office of Economic Opportunity, 44.
generosity of others. It is a struggle to give people a chance. It is an effort to allow them to
develop and use their capacities, as we have been allowed to develop and use ours, so that they
can share as others share in the promise of the nation.” Although the OEO’s comments can be
seen as somewhat idealistic, there was an attempt from within governmental institutions to
address the so-called culture of poverty.26

The Johnson administration, armed with a faith in consumerism, but buffeted by an
increasing alarm over poverty, an environment disenchanted by New Deal programs, and
experiencing an era of wage compression, decided on an employment program that focused on
providing work competencies to the most impoverished Americans. By erecting a structure to
provide the impoverished with job skills, it would give individuals an opportunity to escape
poverty, while not directly creating jobs. It also promised to create more consumers and,
therefore, boost production. Considering this moment of wage compression, government
officials also believed that lower-skilled jobs could absorb an increase in the worker pool.

President Johnson was not shy in presenting the employment arm of the War on Poverty
in these multifaceted terms. Johnson argued that his administration designed the EOA simply to
give everyone in the U.S. an opportunity for success. Further differentiating his program from
many individuals’ perceptions of the New Deal he stated, “Today for the first time in all the
history of the human race, a great nation is able to make and is willing to make a commitment to
eradicate poverty among its people . . . . For the purpose of the Economic Act of 1964 is to offer
the opportunity, not an opiate”. He designed his argument to address his critics who felt that the
sixties was not the same environment as the Great Depression. His employment policy, rather,
was an attempt to maximize employment and create the largest possible consumer base. Long-
term sustainable jobs could not come from the government, according to Johnson, but from the

26 Ibid., iii.
private sector. Therefore, the government implemented its system based on providing work competencies to its unemployed and youth as the best employment policy.27

According to the OEO the purpose of the War on Poverty was on “steady and rapid economic growth.” To achieve this growth, the governmental push was, “to meet the changing labor demand through education, training and retraining.” By providing those in poverty with work competencies, the president and his administration felt that the entire economy would benefit. He argued, “Our fight against poverty will be an investment in the most valuable of our resources—the skills and strength of our people. And in the future, as in the past, this investment will return its cost many fold to our entire economy.” Here one gets a glimpse at Johnson’s belief that skills benefited not just the unemployed, but also the entire economy. If workers had a steady income, then consumer sales would increase and boost production. Indeed, it seemed that the president was very hopeful of the efficacy of the skills training agenda.28

The Department of Labor fell in line with the president’s rhetoric. It argued, “more manpower, with skills not always possessed by displaced workers or by new entrants into the labor force, is required by other industries. In 1963 four-fifths of the new increase in jobs were in service, trade, and State and local government activities.” Although unskilled occupations were declining, there was still a ready market for lower-skilled positions. The DOL continued, “Occupationally, unskilled jobs are declining in importance. Demand is expanding most in professional and technical, clerical, and service occupations. Requirements for education and training for employment are increasing steadily.” The department felt that the unemployed needed to be given the tools to match the nation’s private sector jobs. The government could address this by targeting a few major areas of concern. The DOL pointed to three areas of

27 The Office of Economic Opportunity, 52.
28 Ibid., 34-35, 38.
emphasis, “(a) education at all levels, (b) training in occupational skills for youth, the employed, and the unemployed, and (c) rehabilitation and other development aid for those handicapped by physical, mental, cultural, or other disadvantages.”

The existence of vocational training in the American education system muddled the uniqueness of this era of job training. Essentially, the MDTA and the EOA attempted to take the concept of vocational training and make it more responsive to business sector needs. Since vocational training on the state level had been in effect since 1917 in the United States, attempting to reform the system and make it a national program proved difficult. What resulted was a federal attempt to reduce the role of state-based vocational programs, and emphasize the importance of the national based job-training program. Therefore, the 1960’s employment program was a national program designed to meet immediate business sector needs.

Nonetheless, programs like this point out how the government focused on basic job competencies to meet private sector demands as an antithesis to direct job creating policies popularly associated with the New Deal. It shows a private sector in need of labor and looking to unskilled domestic workers to fill that void. Its youth programs were not different in that regard. Economists and governmental officials realized that a large influx of young workers from the baby boom generation was approaching employment age in the early 1960s, many of whom grew up in poverty. The DOL argued, “Youth unemployment must not be allowed to grow unchecked. The rapid surge of new young workers and their rising unemployment rates require immediately additional means to develop and employ many who will not be aided by other available programs.” But no new course of action was offered. According to the department, the nation’s commitment to job training was sufficient to meet the growing supply

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29 Annual Manpower Report, March 9, 1964, LBJ Library, WHCF LA Box 6, LA 3/9/64 – 4/30/64, xii-xiv.
30 Weir, 79.
of labor in the country. The DOL stated, “The programs contained in President Kennedy’s proposed Youth Employment Act can help meet this urgent need, and I urge the Congress to act favorably on those programs.” In fact, the main difference between MDTA emphasis on reeducating those that had lost a job and those that were just coming in to the workforce was an extra focus on basic skills for the nation’s youth. The DOL expressed this by stating, “Elementary and secondary education improvement is particularly vital. No youth should reach working age without at least a sound basic education with which to build employable skills.” Indeed, it seemed that the DOL was concerned with the readiness of the nation’s youth to meet changing economic trends. But the course to meet this challenge remained in basic job competency skills.31

To address these basic problems of impoverished youth, the government ensured that EOA legislation provided all youth with a chance to receive the job skills necessary for the nation’s job market. Title I-B of the act focused on providing youth with a means to find employment. Johnson’s administration saw the implementation of a Job Corps program designed to give youth the vocational training needed in the economy. It also created a work-training program designed to give economically disadvantaged youth a chance to contribute to their locale, hopefully instilling work ethics. Participating youth could use these skills to obtain employment, and reduce the nation’s unemployment record. But the program was also described as a means to give underprivileged students a chance to return to school. Regardless of its supposed success, one sees in this program an attempt by the government to bring the impoverished into the job market.32

31 Annual Manpower Report, March 9, 1964, LBJ Library, WHCF LA Box 6, LA 3/9/64 – 4/30/64, xvii.
32 Letter from Jack Howard to Watson Bilger, October 22, 1964, Philip Hart Papers, Box 141 – War on Poverty.
Because of the government’s focus on providing job training to those most at risk of impoverishment, without actively creating jobs, the result was an increasing pool of lower-skilled workers. This was a low friction employment policy that not only was meant to avoid criticism for being reminiscent of the New Deal, but also to bolster the nation’s capitalist model in the midst of the Cold War. What resulted was a pro-business employment policy that helped add lower-skilled workers to the labor pool. Although the government packaged this as a positive plan to create more consumers and reduce tax dependents, as well as assisting in the War on Poverty, it had the added benefit of providing business with increasing supply of lower-skilled workers that, in this era of wage compression, helped lower wages in lower-skilled positions.

The MDTA and EOA were very popular, with government officials claiming that it was a huge success. In its first six years of existence, the government poured $1.5 billion into the program, and it effectively retrained 600,000 workers. Senator Philip Hart (D-MI) argued that one only needed to look at unemployment numbers to understand the positive affect that the program had on the nation. Pointing to Detroit, he stated that its unemployment had dipped down to 3.9 percent. Graduates of the program also experienced higher wages after training.33

Notwithstanding negative reaction from some political sectors in the United States, the government felt that the job-training program was already showing its benefits to the nation’s unemployment concerns. The DOL pointed to the low unemployment rates among college graduates. And as a counterpoint it used statistics from New York that showed that while there were 50,000 to 54,000 job openings within the city, there were 77,000 high school dropouts in the city that do not have the skills to fill the jobs. Governmental officials continued to believe

33 Matusow, 104; WJBK Radio, “Editorial,” August 19, 1964, Bentley Historical Library, Philip Hart Papers, Box 141-War on Poverty.
that this job-training program that provided work competencies for Americans was the best way to reduce unemployment. Arthur M. Okun, of the Council of Economic Advisors, further elucidated on the benefits of this system by pointing out gains in labor. Okun stated, “In the weak peak year of 1960, the unemployment rate for manufacturing workers was 6.2%; last year it was down to 4.0%.” Whether the government’s program was working or not, the numbers seemed to reify its approach.34

Despite dropping national unemployment numbers, pockets of unemployment still existed. Part of this revelation came in 1965 when the president began receiving reports stating that the nation was experiencing both unemployment and labor shortages. He was perplexed by this concept, stating, “It doesn’t make sense to have even 4% unemployment and manpower shortages at the same time, or to see costs and prices go up because jobs go begging while we are paying out $180 million every month in unemployment insurance benefits.” This news frightened Johnson that his opponents would begin to question his employment policies, since these reports would only fuel adversarial politicians to point out that the nation’s poor and unemployed were reduced to that state because of their own “low intelligence or low ambition,” as Johnson’s political rival Barry Goldwater stated.35

What became the central concern for addressing the nation’s business sector needs was labor mobility, leading some governmental officials to consider labor relocation. One official from Mississippi, as early as 1963, called for the implementation of a relocation program. Pointing to the problems brought about by mechanization, he argued, “I recommend that the government establish a Resettlement Commission so that colored and white persons unemployed

because of the changes in the economy, particularly in the southern states, can go to states more advanced industrially and economically.” Lee C. White, Assistant Special Counsel to the President, responded to the concerned individual that the MDTA already provided allowances for those that desired to resettle, but the poverty program gave “high priority to education and training as the most direct means to economic well being by enabling workers to build their earning power to full capacity.”

Johnson pointed to the Great Lakes regions as an example of an area that was experiencing labor shortages. He stated, “In the Great Lakes region, there is already a tight supply of both skilled and unskilled labor.” He continued, “There are shortages of machinists for the metal working industry throughout the country, and shortages of building trades craftsmen in many areas . . . . The new education programs could be stunted for a lack of teachers, and the Medicare program thwarted for a lack of medical and nursing personnel.” But while manpower shortages were being reported throughout parts of the nation, other parts were still experiencing high unemployment. Johnson exclaimed, “We are determined to do whatever is necessary to keep the economy expanding and avoid inflationary bottlenecks.”

In order to address the manpower shortages, Johnson called upon many agencies to focus their approach. He asked the Commissioner of Labor Statistics to report on the labor shortages. He established an office of Assistant Secretary of Labor for Manpower. He reiterated to the Secretary of Labor the administration’s commitment to on-the-job training. He called for the Advisory Committee on Labor-Management Policy and the National Commission on Automation, Technology and Economic Progress to the President’s Manpower and Labor-

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36 Letter from Fred Ross to Lee White, December 27, 1963, LBJ Library, WHCF LA Box 10, LA GE 2/1/64 – 2/27/64; Letter from White to Ross, February 7, 1964, LBJ Library, WHCF LA Box 10, LA GE 2/1/64 – 2/27/64.
Management Policy Committee to provide recommendations. Johnson’s first emphasized the efficacy of moving “the unemployed and underemployed from places where jobs are scarce to places where workers are scarce.” Or, he asked, “How do we move the jobs to the unemployed?” Clearly, the president felt that some mechanism needed to be in place to ensure that all potential workers were either in the correct place for employment or given the opportunity to relocate to that area.38

Johnson also asked for more of the same policy. He argued, “the fastest and cheapest answer to poverty is to get the people who are poor into the jobs that are available.” To do this he called for “training and adjustment programs which will fit as many people as possible into the jobs that need doing.” Clearly the president felt that giving workers appropriate work competencies would fit them into the jobs that businesses needed. But the much more difficult answer to the problem was relocation. Because of the inherent problems associated with relocation, immigration reform became a much more viable alternative.39

The job-training program shows a moment in time where the U.S. government attempted to adapt to changing economic conditions and still work towards an ambitious goal that provided millions of Americans with a job. Scholars debate whether the administration’s belief in the private sector to create enough jobs was shortsighted, but the fact that the U.S. government believed that work competency training was an integral policy to provide every American with an opportunity to make money and escape poverty is telling. It showed a faith in the private sector to provide employment, and avoided connection to the New Deal. And considering the

38 Ibid., 8.
lowering employment numbers, it may have also opened up lower-skilled positions by creating a larger pool of workers, effectively lowering wages.40

The fact that the unemployment percentage steadily dropped down to 4 percent by the end of 1965, and there were pockets of unemployment and underemployment, points to an economy ripe for immigration reform. As unemployment numbers were dropping nationally, it became clear to the U.S. government that the problem with the nation’s poverty would not be negatively affected by increasing population numbers. Jobs were still available for lower-skilled positions as well as higher-skilled positions. The national employment rate was not indicative of every part of the nation, as stated by the DOL, “Unemployment in the city slums is so much worse than it is in the country as a whole that the national rate of unemployment becomes irrelevant. To consider unemployment in terms of 3.7 or 4 percent means simply to disregard the slums. The facts are that more than a third of slum residents are unable to earn a living, and between ten and twenty percent of those who ought to be working aren’t working at all.” Although pockets of unemployment existed, simply providing job opportunities could not alter this so-called culture of poverty. The DOL continued, “Unemployment in these areas is primarily a story of inferior education, no skills, police and garnishment records, discrimination, fatherless children, dope addiction and hopelessness. The problem is less one of inadequate opportunity than one of inability, under existing conditions, to use opportunity.” Therefore, the connection between unemployment and business sector needs was effectively cut.

The War on Poverty, thus, moved to address mostly minority problems within the urban slums. By 1966 the majority of individuals receiving War on Poverty assistance were non-white. And, blacks enrolled in MDTA programs steadily increased from 21.4 percent in 1963 to 45.4

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percent by 1968. Poverty problems seemed to become so wrapped into minority issues that Johnson declared at an address at Howard University that a new program in the War on Poverty would “move beyond opportunity to achievement.” In other words, the War on Poverty seemingly was to abandon its focus on providing job opportunities to those in poverty and towards providing immediate relief. Indeed, the War on Poverty began to move towards an initiative of providing relief for the nation’s minorities.41

The popular connection between the War on Poverty and racial concerns became so widespread that Johnson’s advisers eventually asked him to minimize the usage of the phrases “Great Society” and “War on Poverty.” By 1968, only 17 percent of whites felt that the War on Poverty was doing a good job, in comparison to 38 percent of blacks. This shift in emphasis within the War on Poverty showed that national employment concerns became less of an issue, and providing relief for minorities in urban slums became the major emphasis.42

Scholars of the War on Poverty point out this distinction between national unemployment numbers and local unemployment as a crucial point in the transformation of the War on Poverty. When governmental officials began to view urban unemployment as a malady that required something other than job opportunity to treat, the job policies of the War on Poverty began to take a back seat. Instead, as Margaret Weir points out, as the program moved away from economic and job policies and towards cultural and behavioral issues, it became clear that the War on Poverty was shifting into a “black program” geared toward providing assistance to African-American urbanites. This transformation effectively divorced unemployment rates from War on Poverty initiatives.43

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41 Weir, 84-89.
42 Ibid.
43 Ibid., 83-84.
This transformation held consequences for immigration reform. As high urban unemployment became perceived as a behavioral and cultural problem, the thought of using the domestic unemployed to fill open business sector demands fell out of favor. Therefore, poverty in the city slums needed to be addressed through other War on Poverty programs, and the government could look to other avenues to meet business sector labor demands, in the short term, since holes in the job sector still existed. As the national unemployment rate continued to drop in 1965, the chances of an immigration reform bill that essentially placed no limits on family reunification became much more likely to pass. It also had the extended benefit of providing America’s businesses with a mobile workforce geared towards meeting business demands. An immigration law that placed an emphasis on skilled workers that could fill business sector needs and a family reunification provision that only helped to increase the consumer pool with individuals tied to gainfully employed U.S. workers or low-skilled workers that could help inflate the constricted worker pool was something that governmental officials felt was economically viable.44

This belief influenced the way that the DOL and many members of Congress discussed the passage of the INA of 1965. Whereas, in 1963, when the discussion rested on ending the bracero program, the national unemployment level was still relatively high and many governmental officials felt that ending this program of contract workers would open a job sector to impoverished unemployed workers and the youth. But as the unemployment numbers dropped, and pockets of unemployment still existed, concerns over immigration and unemployment subsided, leaving alternative ideas regarding the role that immigrants could play in the U.S. economy.

A few years earlier, in 1963, the government was not as certain about its economic forecast. While governmental officials and the public were concerned about the deleterious effects of automation on unemployment numbers, the steady march of mechanization in the agricultural sector provided impetus to the termination of the *bracero* program. Whereas automation was seen as creating negative effects for the domestic industrial workers, automation in agriculture was seen as an opportunity to make agricultural work more appealing to native-born potential employees. And as concerns over constricted low-skilled numbers arose, automation in the agricultural sector was not seen as a problem. This dissertation turns to discuss the termination of the *bracero* program and the belief that the agricultural sector could be transformed to absorb some domestic youth unemployment and assist those that were displaced in other sectors.
CHAPTER III. PERMANENT WORKERS, PERMANENT RESIDENTS

The *bracero* program survived throughout the 1950s, but came under increasing scrutiny in the 1960s. Many scholars argue that the civil rights environment made the continuation of a program that imported foreign workers to perform arduous labor for meager wages outmoded. Indeed, this increased social awareness played a part in the discussion. Secretary of State Willard Wirtz made this point clear by stating, “It is much more than coincidence that Congress terminated Public Law 78 … just at the time when the Nation was writing the dictates of decency into the Civil Rights Act and declaring war on poverty and ignorance in this country.” But, as shown in this chapter, it is that second part of Wirtz’s statement regarding the War on Poverty that provided the greatest impetus.¹

Congress’ concern over relatively high unemployment numbers combined with the Department of Labor’s push to filter some of the nation’s unskilled unemployed and youth into the farming sector, creating the environment for the termination of the *bracero* program. The DOL had two distinct objectives for post-*bracero* agriculture. First, Secretary Wirtz hoped to reduce unemployment numbers partly by funneling unemployed workers into the nation’s agricultural sector. This included programs to assist the increasing numbers of youth entering the workforce. Next, in order to better the working conditions of farm labor, increase the need for skills, and improve wages, the Secretary also wanted to tap into the mechanization process already underway in agriculture. By removing farmer access to cheap, temporary labor, farmers would be forced to invest in capital improvements like mechanization and then staff their farms with domestic workers that would be more willing to work in an improved work environment.

¹ Willard Wirtz, December 19, 1964, LBJ Library, WHCF LA Box 18, LA 5 Migratory Labor - Seasonal Labor 10/1/64 - 12/25/64.
This chapter argues that the ideas set forth during the time of the Truman administration through the Presidential Commission on Migratory Labor (Chapter 1) fit the New Frontier/Great Society environment during the Kennedy and Johnson administrations. Once Congress refused to renew the bracero program after the final extension in 1963, the DOL’s planning could be realized. Eventually, concerns over national unemployment levels lessened into 1965, altering the War on Poverty agenda (as discussed in Chapter 2). The demise of the bracero program shows the administration’s and Congress’ attempt to remove temporary laborers from the U.S. and focus on permanent residents who could fully contribute to the tax system and the consumer society.

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Throughout the 1950s, the bracero program continued under Public Law 78. Congress allowed the law to expire, in 1964, after renewing it for one final time in 1963, with the expectation that the extension would be the final prolongation of the contract labor provision. Thus, providing farmers with an opportunity to transition towards other means of labor.²

During the 1950s, the program continued to flourish because of interagency jostling that resulted in a pro-grower program. Considering the overwhelming “pull” of economic betterment for Mexican workers to migrate to the United States, with or without documentation, the Immigration and Naturalization Service (INS) was placed in the tough predicament of trying to control the borders. Throughout the 1950s, the INS moved to place undocumented workers into the bracero program in order to reduce the presence of “illegal” immigrants without having to directly attack the push and pull factors of the immigration. Therefore, fighting for its own existence within the government, the INS constructed a program to “legalize” undocumented

² Craig, 195-197.
Mexican agricultural workers within the United States to combat undocumented immigration. What resulted was a cheap labor force for growers, and a reason for the INS to operate.³

Other factors contributed to the continuation of the *bracero* program. Throughout the 1950s, agribusiness employed a strong lobby in Washington. In fact, Secretary of Labor under Dwight Eisenhower, James P. Mitchell called corporate farmers “the toughest lobby’ he ever faced.” In conjunction with the strong farmer lobby, agricultural workers were excluded from legislation that supported worker organization and collective bargaining. There was also a growing rural population within Mexico that that nation was incapable of supporting, meaning that the sending country was supportive of continuing the program, partly because the Mexican government hoped to reimport *braceros* that had acquired skills while in the United States. In fact, some *braceros* did receive some knowledge that assisted the rural sector in Mexico, including information on how to fix machinery, knowledge regarding hybrid seeds, and the conservation of expensive fertilizers. In addition to these factors for the continuation of the program, agricultural jobs appeared to not be up to the level that domestic workers would accept. Given the disparate reasons for the continuation of the *bracero* program, supporters of the program managed to continue its operation into the 1960s.⁴

The agricultural sector witnessed a significant shift in employment numbers and farm size throughout the early 1960s. Employment in the agricultural sector steeply declined throughout the twentieth century, from a high of 11,130,376 in 1910 to 2,912,813 by 1990. But in 1960, there were still 4,141,121 workers in the agricultural sector, roughly 6.4 percent of the nation’s workforce. That percentage would drop precipitously into 1970, down to 3.6 percent.

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³ Calavita, *Inside the State*.
Although mechanization had been an ongoing process in the twentieth century, by the 1960s it seemed to promise opportunity to accommodate the working conditions that domestic laborers might be willing to embrace. Congress pointed to a continuing trend in the 1960s in a Quarterly Fact Sheet. It stated, “In 1960 the nation numbered 3,956,000 farms, averaging 298 acres per farm. In 1964 the number of farms was down to 3,481,000 and the average size up to 332 acres. The farm population had shrunk from 15,635,000 in 1960 to 13,367,000 in 1963.” This report, therefore, pointed to a decline in farm population, and a continuing decline in small farm operations in this three-year period.5

A shrinking profit margin provided a contributing factor to the increasingly larger farm operations. The Congressional Quarterly Fact Sheet in October 1964 pointed out, “throughout the post-Korean War period, farmers’ production costs have risen faster than their gross receipts. This ‘cost-price squeeze’ has sharply lowered the profit margins of farmers over the past ten years. In August the parity ratio, which measures the relative position of the farmer in the economy, was at 74 percent, its lowest level since 1939.” This “cost-price squeeze” undoubtedly forced small farmers with a smaller margin of error to fold their operations to larger farms.6

As farm operations grew larger, overtaking smaller operations, agribusiness was in a better position to invest in capital improvements like mechanization. Governmental officials were aware that unless the farm industry moved closer to the standards provided by the industrial sector (i.e. mechanization, work laws, better wages and working conditions) the agricultural sector would not be able to retain a steady domestic labor supply. In fact, wages remained

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6 Ibid.
stagnant in the agricultural sector when compared to industrial wages throughout the 1950s. In Florida, agricultural wage rates rose from 50 cents an hour in 1949 to 65 cents an hour by 1962. This fifteen-cent increase was a stark departure from the increase in industrial wages. Florida’s manufacturing workers experienced a wage increase from $1.00 an hour to $1.99 an hour in the same period. Concern that the *bracero* program was hindering wage increases became a prominent thread of discussion when debating the continuation of the program. This view seemed to be embraced by the Kennedy administration while Congress discussed renewal of the program in 1961.\(^7\)

As the Kennedy administration entered power it showed its unwillingness to support the continuation of the imported contract workers system from Mexico. Kennedy’s administration provided four recommended amendments to P.L. 78 to be added if farmers wanted another two-year extension to the program, including a stipulation that banned the use of foreign labor for “the operation of power-driven machinery.” But, most important, the Kennedy administration, specifically Secretary of Labor Arthur Goldberg, called for authority to rest nearly exclusively in the hands of the DOL to control the *bracero* program. The desire to give control of the program over to the Department of Labor showed that the new administration came to view the DOL’s plan to attract domestic workers to the changing agricultural sector as the appropriate path. The DOL argued that the best means to attract employees to the agricultural sector was to remove the employers’ crutch of the *bracero* program and allow the free market to push farmers to raise wages and to improve working conditions. And the DOL was aware that removing the *bracero* crutch would push farmers to invest more in capital in substitution for labor. It argued, “The number of jobs in agriculture will continue to decline, [but] … the need for skilled workers will continue to rise.” Presumably, this skilled labor would be handling machinery. And considering

\(^7\) National Advisory Committee on Farm Labor, 7-8.
Kennedy’s stipulation that only domestic laborers could operate power-driven machinery, he ostensibly agreed that this type of labor might be more attractive to domestic workers since it did not require stooping to pick crops.⁸

Despite cajoling from the administration to put these new stipulations into the *bracero* program if it were to be extended, many members within Congress were not convinced. Although congressional representatives attempted multiple amendments to P.L. 78’s extension, on May 11, 1961, it was overwhelmingly passed in the House with no alterations. But the Senate was more understanding of the presidential administration’s argument. By a margin of 42-41, the Senate extended the program with all of the administration’s suggestions and attached a stipulation proposed by Senator Eugene McCarthy of Minnesota, which required *braceros* to be paid at 90 percent of either state or national averages, depending on which was less.⁹

As the two chambers of Congress convened a conference to decide the fate of the *bracero* program, multiple amendments were suggested. Of those put into the bill, using *braceros* only as temporary labor and prohibiting their use on “power-driven, self-propelled harvesting, planting, or cultivating machinery” were included. Although many within the Senate attempted to defeat the conference bill (or at least table it until P.L. 78 expired), it passed. Kennedy signed the bill on October 4, 1961, but with a bitter message. He stated, “Studies of the operation of the Mexican labor program have clearly established that it is adversely affecting the wages, working conditions, and employment opportunities of our own agricultural workers.”¹⁰

Documents show the government’s pronouncements that the administration hoped to amend P.L. 78 to protect domestic workers. In response to complaints sent to Vice-President

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⁹ Craig, 168-169.
¹⁰ Ibid., 169-174.
Johnson about the amendments, Robert Goodwin, administrator in the Department of Labor, stated, “This Department has been exerting every effort to maximize employment opportunities for United States workers.” Referencing the Area Redevelopment Act, a four-year program signed into law in 1961 that spanned both the New Frontier and into Johnson’s Great Society, Goodwin stated, “This Act provides funds to establish training programs for these unemployed workers. This training would provide employers with skilled agricultural workers and should result in better wages, working conditions, and increased productivity.” Unquestionably, Goodwin’s, and presumably the Department of Labor’s, vision of these amendments was to align the bracero program with the goals of the Manpower Development and Training Act. By curtailing farmers’ access to bracero labor, while training the area’s unemployed to perform the more skilled operations of farm labor (i.e., self-propelled machinery), the government hoped to wean farmers off of foreign labor and to attract domestic workers.\textsuperscript{11}

An exchange between the President of the Citizen’s State Bank in Knox City, Texas, B. B. Campbell and Goodwin showed the differing views over barring braceros from self-propelled machinery. Campbell argued that Goodwin was not knowledgeable about the actual problems that farmers were facing. He stated, “I think Mr. Goodwin misunderstands the general situation in the quality of local supply of labor in this area, and also the type of labor that is being sent in here from other areas.” After explaining that local laborers were not as trainable as foreign workers, he stated further that local laborers that were trainable would not do agricultural work. He continued, “It strikes me that a good type of labor available would already have jobs if they were of the type that would do for skilled tractor drivers for Knox County farmers.” But arguments like that were not acceptable to the Department of Labor. From the DOL’s viewpoint,

\textsuperscript{11} Letter from Robert Goodwin to Lyndon Johnson, April 11, 1962, LBJ Library, Vice-Presidential Papers 1962 Subject Files Box 139, Labor [Bracero and Mexican Labor].
it was not that domestic workers would not do agricultural labor; it was that domestic workers would not do agricultural labor at the current conditions.\textsuperscript{12}

Goodwin’s explanation to Vice-President Johnson showed the degree to which the Department of Labor was insistent that domestic workers could be used if working conditions improved, but also if structural unemployment was addressed. He argued, “We are aware of shortages of skilled tractor operators in some areas of Texas and it seems that the best solution is to recruit in the labor surplus areas of South Texas, training those workers who show an aptitude for machine operation just as they trained the Mexican nationals.” To Goodwin, the solution rested with improving the working conditions (i.e. using domestics in mechanized functions), providing proper training, and adapting to problems in structural unemployment to increase the appeal of agricultural work to domestic workers.\textsuperscript{13}

Congress turned to the oft-used Department of Labor to regulate the proposed amendments to the \textit{bracero} program. The 1961 amendments stipulated that the Secretary of Labor could allow \textit{bracero} labor to work in the field or on machinery where it would prevent “undue hardship.” The Department of Labor provided state employment agencies with guidelines of what was expected to determine these cases. The requirements included a list of “the wage [the farmer] paid last year,” “the composition of [the farmer’s] workforce, how many domestic and how many Mexican,” and “facts showing why [the farmer] cannot recruit domestic workers.” Goodwin was much more vague informing the employment agencies why these amendments were passed, however. He stated, “The intention of Congress that Mexican contract workers are not to be employed in the work identified and that any exception would be made

\textsuperscript{12} B.B. Campbell to Walter Jenkins, March 22, 1962, LBJ Library, Vice-Presidential Papers 1962 Subject Files Box 139, Labor [Bracero and Mexican Labor].

\textsuperscript{13} Robert Goodwin to Lyndon Johnson, March 13, 1962, LBJ Library, Vice-Presidential Papers 1962 Subject Files Box 139, Labor [Bracero and Mexican Labor].
only in a case of undue hardship is very clear.” Regardless, these requirements were necessary considering the amount of correspondence the administration received from farmers complaining about the new laws.\textsuperscript{14}

The mail the presidential administration received in favor of continuing the \textit{bracero} program unimpeded by these amendments varied, but many pointed to the unwillingness of domestic workers to work in the fields. One farmer explained in detail why he did not prefer domestic labor. Describing the three domestic workers he hired, he stated, “The first was a newly married couple and of course we couldn’t keep him (sic) in the field, the next one got to picking up things that didn’t belong to him and we got on to him about it and he got made (sic) and left. The third one was carried off by the owls.” Another farmer argued, “Moving irrigation pipe is not a popular type of farm work and local labor will leave an irrigation job to take almost any other type of seasonal work such as picking black-eyed peas or working in watermelon harvest.” He continued, “These \textit{Braceros} that I use are not depriving local laborers of jobs. LOCAL LABOR WILL NOT IRRIGATE AT NIGHT OR ON THE WEEK END” (sic) (emphasis original). Many farmers appeared adamant that relying exclusively on domestic labor was not practical. But other farmers formed their arguments in a manner that may have been somewhat more appealing to governmental officials.\textsuperscript{15}

Some farmers argued that removing access to \textit{bracero} labor might negatively affect domestic labor. After explaining to Assistant Secretary of Labor Jerry Holleman that farmers would prefer to hire domestic workers if they were available, a legal representative of multiple Texas farmers H. C. Petry argued, “If domestic tractor drivers are unavailable during the planting

\textsuperscript{14} Letter from Robert Goodwin to “All State Employment Security Agencies,” December 26, 1961, Vice-Presidential Papers 1962 Subject Files Box 139, Labor [Bracero and Mexican Labor].

\textsuperscript{15} Letter from B.B. Campbell to Walter Jenkins, April 20, 1962, Vice-Presidential Papers 1962 Subject Files Box 139, Labor [Bracero and Mexican Labor]; Letter from Sidney L. Bennett to Jerry R. Holleman, February 20, 1962, Vice-Presidential Papers 1962 Subject Files Box 139, Labor [Bracero and Mexican Labor].
season five days work by a *bracero* on a tractor planting crops could easily create many hundreds of jobs for domestic workers, as these crops later need to be weeded and harvested.” But Holleman was not convinced by arguments like Petry’s. In a letter to Vice-President Johnson, he stated, “Only in Texas and New Mexico have Mexican workers been permitted to operate tractors. In California and Arizona, for example, employers have successfully recruited domestic operators. There appears to be a patent relationship between the wage offered and the adequacy of domestic manpower resources to fill employers’ needs.” Indeed, the Department of Labor appeared adamant in its stance that domestic workers were capable of filling in for skilled jobs handling machinery if the wages offered were adequate.16

Prominent farm labor groups, like Citizens for Farm Labor (CFL), were actively engaged in arguing for the end of the *bracero* program. The Citizens for Farm Labor wrote, “There is only one way to find out how many Californians will do farm work and that is to let the mechanisms of the labor marketplace operate.” They argued that the current poor working conditions and wages for farm laborers persisted because crutches were established that allowed it to persist. The CFL continued, “If there is a ‘shortage’ of workers under existing conditions—$1.00 an hour, 134 days of work a year, no fringe benefits, no unemployment insurance, no worker representation, etc.—the only step is to change the terms which are offered.” This was a view that the DOL had argued repeatedly. Special Assistant to the Undersecretary of Labor, Jack Howard, pointed out that need for “an upward adjustment in farm wage rates, not because the government says so, but because farm employers are going to have to become competitive to attract the workers they need.”17

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16 H. C. Petry to Jerry Holleman, March 2, 1962, LBJ Library, Vice-Presidential Papers 1962 Subject Files Box 139, Labor [Bracero and Mexican Labor]; Jerry Holleman to Lyndon Johnson, January 30, 1962, LBJ Library, Vice-Presidential Papers 1962 Subject Files Box 139, Labor [Bracero and Mexican Labor].
17 National Advisory Committee on Farm Labor, 13, 17.
When Public Law 78 came up for discussion again in 1963, Congress appeared to come to the view of the DOL. The discussion over the termination of the bracero program centered on the question of labor supply. Farmers and supporters of the bracero program argued that removing bracero labor would lead to crops rotting in the field since domestic workers would not do what foreign workers would. But the Department of Labor was adamant that given proper conditions and wages, workers would respond to job announcements. Secretary Wirtz reiterated, “Generally we have found that agricultural employers who offer attractive wages and working conditions have had no difficulty in securing workers they need.”

The National Advisory Committee on Farm Labor (NACFL) further addressed the DOL’s stance. In a letter to Johnson, the committee argued, “The record is amply clear that hundreds of thousands of American farm workers are available for farm work, and independent studies show that they will do any kind of ‘stoop’ or other arduous labor required of them if they are paid reasonable wages and provided with decent conditions.” The NACFL not only openly supported the use of domestic workers in the agricultural sector, but also the unionization of farm workers. Co-chaired by A. Philip Randolph and Frank P. Graham, the NACFL was a “fact-finding, reporting agency” that attempted to push others into “taking effective action” to change the state of the nation’s agricultural system. It was groups like this that heavily lobbied for the end of the bracero program. But farmers often rebuffed their efforts.

Farmers and other bracero program supporters continued to feel that domestic workers could not properly fill agricultural labor demands. As late as January 1965, the Food Editor for the Dallas Morning News wrote President Johnson to argue that domestic workers could not fill

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18 Willard Wirtz to Mr. and Mrs. Clem Bergevin, April 6, 1966, LBJ Library, WHCF LA Box 12, LA GE 3/26/66- 5/25/66.
the gap left by the missing *braceros*. Julie Benell argued, “I know that the Department of Labor says there is plenty of American help for these jobs, but Mr. Johnson, the experience of the growers has been that they bring these men up from Los Angeles or down from San Francisco, and they pick half a field of lettuce and walk off the job. They won’t pick lemons because of the long thorns on the trees.”

Other farmer supporters argued that relying on domestic labor would slow advances in agricultural progress. The Mayor of King City, California, Emil C. Meyer, wrote Lyndon Johnson to inform him of the problems associated with removing farm access to *bracero* labor. Mayor Emil Meyer argued, “Economically, the elimination of *braceros* would, in agriculture, turn the clock back. The farmers would have to switch back to cheap crops not requiring stoop labor – the only work *braceros* are allowed to perform – and the end result would be a net increase in unemployment.” Meyer used a similar economic argument that other *bracero* supporters had used in the past. By pointing to larger economic problems that could occur because of agricultural labor shortages, Meyer hoped to gain some sympathy for the pro-*bracero* cause. But he also argued that the removal of *bracero* labor would expedite the mechanization of the farm industry. He stated, “Mechanization and automation in agriculture, even where uneconomic, would be speeded up, thus still further eliminating the jobs now occupied by local labor.” Although this argument appeared sound from Meyer’s point of view, the Department of Labor was not concerned with agricultural mechanization replacing jobs.

The Department of Labor was concerned with requiring the farm industry to offer wages that matched the strenuous nature of farm labor. Secretary Wirtz stated, “the wage rate which

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20 Julie Benell to Lyndon Johnson, January 22, 1965, LBJ Library, WHCF LA Box 18, LA 5 12/26/64 - 3/9/65.
21 Emil Meyer to Lyndon Johnson, June 4, 1964, LBJ Library, WHCF LA Box 17, LA 5 GE Migratory Labor - Seasonal Labor 11/22/63 - 8/10/64.
have been paid for these jobs have been less than the rates paid for other kinds of work which are
just as hard and just as objectionable. And the working conditions maintained by some of the
growers have been so bad that church and civic groups and labor organizations have protested
bitterly.” Wirtz felt the solution was simple; he reiterated his position that the farm industry
must offer wages and conditions that matched the job. He continued, “There has also been
accumulating evidence that U.S. workers will be available to do this work if decent working
conditions are provided and it is paid for on terms in line with those for other work that is
equally hard and unpleasant.” He provided numbers to illustrate his point, “In 1951, when P.L.
78 was enacted, the average hourly rate in manufacturing occupations in the United States was
$1.56; for farm labor, it was $.77. This 79¢ difference had increased by 1964 to $1.46, the
average for manufacturing having risen to $2.54 an hour and the average for seasonal farm work
to $1.08.” The fact that the Secretary of Labor and other groups argued that the extreme
conditions of agricultural labor did not match the relatively miniscule wages associated with
bracero labor led many to argue that braceros were semi-slaves.22

The argument that braceros were semi-slaves received a rebuttal from many farmers.
This particular argument regarding the bracero program had its origins with a pronouncement by
the U.S. Department of Labor officer Lee G. Williams when he referred to the program as
“legalized slavery.” These pronouncements caused one former farm worker to protest to Senator
George Murphy. Hiroshi Nishikawa argued, “Braceros are not semi-slaves. They come here on
their own free will. If having a binding contract constitutes slavery, then every baseball and
football player, the movie actors and actresses, and even the labor union workers should be
automatically termed semi-slaves.” He argued in the same vein that many other pro-braceros

22 Willard Wirtz, December 19, 1964, LBJ Library, WHCF LA Box 18, LA 5 Migratory Labor - Seasonal
Labor 10/1/64 - 12/25/64; Willard Wirtz, Year of Transition: Seasonal Farm Labor – 1965, c. January 21, 1966, LBJ
Library, WHCF LA Box 17, LA 5 6/3/65 – 1/21/66.
argued; domestic labor could not match the demand for agricultural jobs. He stated, “Domestic
recruitment will not produce workers capable of doing the job. If they are capable and available
I would like to know where they were the last fifteen years since I got into farming.” He echoed
the arguments of those like Mayor Emil Meyer by pointing out the larger economic problem that
would occur without *braceros*. He stated, “They [*braceros*] create jobs for citizens for they are
the prime producer who recovers the wealth in California soil through their hard work.
Thousands of citizen workers will become unemployed and many business firms will take
terrific financial losses without them.”

Amidst this debate regarding the availability of domestic workers to fulfill agricultural
labor positions, despite arguments on the side of many farmers to continue the *bracero* program,
the Secretary of Labor insisted on using this opportunity to fundamentally change the
agricultural system. But the decision to end the *bracero* program was not his. As noted by
Wirtz, “the 88th Congress … decided to terminate Public Law 78. The users of *braceros* were
put on notice that this supply of foreign labor was, by Congress’ decision, to be cut off. All
*braceros* who entered the United States under that law will leave when it expires on December
31[, 1964].” Therefore, despite all of the argumentation that domestic workers could not fulfill
labor needs, Wirtz stated, “The various proposals to extend Public Law 78 by administrative
action of one kind or another fly squarely in the face of the decision made by Congress. These
proposals must be, and they are, rejected.” Because of Congress’ decision, the Department of
Labor moved forward with its plan to change the way that the agricultural system operated.

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23 Lee G. William information found in Snodgrass, *Patronage and Progress*, 246; Hiroshi Nishikawa to
George Murphy, February 26, 1965, LBJ Library, WHCF LA Box 18, LA 5 Migratory Labor - Seasonal Labor
10/1/64 - 12/25/64.
24 Willard Wirtz, December 19, 1964, LBJ Library, WHCF LA Box 18, LA 5 Migratory Labor - Seasonal
Labor 10/1/64 - 12/25/64.
As Secretary Wirtz pointed out, the Department of Labor had little to do with the actual termination of the bracero program. The 88th Congress moved to end the bracero program amidst opposition from pro-bracero advocates and farmers that argued that domestic workers would not do the work, the removal of bracero labor would raise consumer prices, and that it would hurt foreign relations with Mexico. Whereas those against the extension of the program argued that the bracero program hurt the domestic worker, hindered free enterprise, and was tantamount to slavery. In 1963, Congress agreed to provide a one-year extension to the program, with the understanding that this would be the last time the program would be extended.25

The reasons for termination of the program rested on many different variables, including the civil rights environment. But arguing that the ending of the bracero program was merely an aspect of the civil rights movement over-simplifies this reform. Instead, it seemed that some that wanted to see the end of the bracero law equated bracero labor to slavery to push against ignored economic principles. One avid anti-bracero advocate, Reverend James L. Vizzard, argued that “the most voiceless and voteless citizens of this land are migratory farm workers. It is no wonder, then, that until recently their many and urgent needs have been legislatively ignored. But the record of the 88th Congress proves that they are being ignored no longer” (emphasis original). He, however, continued by referencing the Economic Opportunity Act of 1964 as a positive move forward for farm workers. He echoed the general economic argumentation espoused by the Department of Labor and anti-bracero groups. He stated, “When we succeeded in killing the bracero program, we thought that at last American farm employers would be forced to join the Twentieth Century economy. We thought that finally they would have to offer American standards of wages and working conditions in order to get an adequate and dependable American work force.” For Vizzard, and others, racially charged arguments like

25 Craig, 192-3.
equating *bracero* labor to slavery made sense, but the argument had its general foundation in economic reform for domestic workers.\(^{26}\)

Congress realized that altering the farm labor situation in the United States would be much more difficult than simply ending the *bracero* program however. Large numbers of undocumented workers were still in the United States, with no signs that this flow would be abated. As stated in the *Congressional Record*, the *bracero* program did not cause the northward migration of Mexican workers into the United States, rather “it is the effect or result of the migratory phenomenon. Therefore, the absence of an agreement would not end the problem but rather would give rise to a de facto situation: the illegal introduction of Mexican workers into the United States.” According to Congress, farmers would still have access to cheap Mexican labor with or without the *bracero* program.\(^{27}\)

In addition to farmers’ continuing access of undocumented labor into the United States, there also remained a large pool of commuter workers that lived along the U.S.-Mexican border. This group of workers settled along the border as a direct result of the *bracero* program. A presidential commission on commuter aliens later reported in 1968,

> The number of commuters increased rapidly along the Mexican border during the years of the *bracero* program. U.S. employers assisted the best of the *braceros* in obtaining immigrant visas and status as permanent residents. These workers retained their domicile in Mexico and became commuters, forming a pool of legal agricultural workers near the border. It was this pool of available legal labor that played a major role in the termination of the *bracero* program.

If this commission’s statements are correct, then believing that commuter aliens could be used to assist in farm labor was a contributing factor to Congress’ willingness to allow the *bracero* program to expire. With or without the *bracero* program Congress seemed to believe that

\(^{26}\) James L. Vizzard, “Meeting the Needs of Migrant Workers,” November 17, 1964, LBJ Library, WHCF LA Box 18, LA 5 Migratory Labor - Seasonal Labor 10/1/64 - 12/25/64.

\(^{27}\) *Congressional Record*, 15204; found in Craig, 186.
farmers would find ways to harvest crops and maintain their profits, whether through commuter aliens or undocumented entrants.²⁸

Key members of Congress realized that they could not overlook the commuter laborer and undocumented worker aspect to immigration, but Congress hoped that by ending the bracero program and placing further consideration for foreign workers to work on U.S. farms into the hands of the Secretary of Labor (whose plan for post-bracero agriculture was well known), hoped that the overall outcome would be to create an outlet for the increasing domestic labor pool. Therefore, in this moment of relatively high unemployment, the Secretary of Labor followed the administration’s lead and considered ways to funnel unemployed domestic workers into the agricultural sector. Undersecretary of Labor, John Henning, wrote Senator George Murphy and informed him of how the department planned to solve holes in the agricultural sector. He argued, “We are, however, mindful of the fact that there are 400,000 jobless workers in California, 175,000 of them in Los Angeles County. We must match the unemployed workers with the employment opportunities in agriculture.” Henning was forward in relaying the DOL’s position that domestic workers could perform agricultural work.²⁹

The House approved the final extension of the bracero program on October 31, 1963 by a 173-160 vote (94 representatives absent). The Senate agreed to the extension later. Considering that the DOL’s position regarding its plans for the agricultural sector after the bracero program ended was clearly articulated for any observer, Congress was aware that the DOL had no immediate plans to continue the importation of Mexican labor for agricultural work through

²⁹ John Henning to George Murphy, January 14, 1965, LBJ Library, WHCF LA Box 18, LA 5 12/26/64 - 3/9/65.
other regulations within the immigration code. It seemed that the agricultural sector would have to adjust to either using domestic workers or covertly hiring undocumented entrants.

In addition to the DOL’s desire to push domestic workers into the agricultural sector, the department also felt that much of the temporary, seasonal work associated with farm labor could be filled by the nation’s youth. John Henning pointed out in a letter to the Mayor Emil Meyer that the DOL was focusing on youth as a possible option for farmer requests for labor. He stated, “Every effort will be made by the United States Employment Service and its State affiliates to assist employers in the recruitment of a domestic work force. New sources of supply are being tapped through the successful use of special youth programs …”. These youth programs were temporary fixes, perhaps, but the DOL intended to transition youth programs into a larger grower commitment in recruiting domestic workers. And, considering the large influx of youth that were reaching working age, the DOL hoped to funnel some youth into the agricultural sector to avoid a large jump in unemployment numbers.30

The Department of Labor explained that these youth programs would hopefully instigate the hiring of domestic workers in the agricultural sector. In a 1965 report on the farm labor situation, Willard Wirtz highlighted a few programs designed to use the nation’s youth in agriculture. He reported, “The ‘A-Team’ programs was designed for high school boys . . . . During the year, 3,225 A-Team members had been placed on farms. On the whole, this program worked well where there was grower cooperation, and poorly where there was not.” The department’s focus on youth had the added benefit of having “a strong catalytic effect on the exercise of grower initiative in recruiting domestic workers even where the A-Teams were not

used.” Therefore the DOL also noticed a spike in the use of domestic workers in agriculture in general.31

The push for establishing youth in agricultural jobs held the dual purpose of providing domestic labor for farmers and employing the nation’s burgeoning youth population. Willard Wirtz described this effort in the DOL’s Summer Youth Employment Program. Wirtz stated, “In the summer months of 1965, 128,600 California youths registered for jobs and 7,500 personal contacts were made with employers on behalf of the youth program; the result was 74,996 placements in non-agricultural jobs in California and 25,292 agricultural placements. The success of this program was significant for youth and grower alike.” The DOL argued that its plan to place young workers into agriculture was a success. It not only provided the increasing youth population with employment, but it hopefully gave growers the temporary labor that it needed. A program designed to push youth into agriculture seemed an easy fit into larger employment policies during this era.32

The department’s focus on youth shows a connection between the employment ideas that became popular during the War on Poverty and the closing of the bracero program. Considering the large influx of baby boomers into the labor market, the DOL saw it as advantageous to push some of the nation’s youth into the agricultural sector. By providing them with experience through summer programs, perhaps young domestic workers would be sought after by farmers. And with the bracero program terminated, farmers would have to better working conditions and wages to accommodate domestic youth.

The connection between the ending of the bracero program and the War on Poverty was not lost upon many observers. Walter Reuther, long time labor advocate and United Auto

32 Ibid.
Workers President, laid out this connection in a letter to President Johnson. He stated, “Ample and qualified domestic farm workers are available if a living wage and decent conditions are offered. The War on Poverty, which you lead, and the conscience of America to which you give voice, will not let us forget our nation’s impoverished farm workers.” One of the nation’s most renowned labor advocates would not allow the connection between the War on Poverty and the need for farm labor reform to go unnoticed. Myer Feldman, Counsel to the President, also highlighted the skill training aspects of the War on Poverty and farm labor. He stated, “All reasonable efforts should be made to help our own citizens who are in need of work to adjust to job opportunities that may be available in agriculture and in other industries … These people need help in preparing themselves to be more productive members of society and in finding good jobs.” Although not explicitly stated, Feldman saw the need to use the War on Poverty’s job training agenda in farm labor.33

The concern with training and agricultural labor was connected to the administration’s understanding that local vocational training programs were not sufficient to meet agricultural demands. In Louisiana, vocational and high schools were not adjusting to changes in the agricultural system. The National Advisory Committee on Farm Labor interviewed one National Sharecroppers Fund spokesman from Louisiana on the condition of farm labor training in that state. The spokesman argued, “Farm employment in Louisiana has dropped from 248,000 workers in 1940 to 67,390 as of April 1, 1964. Yet our high and vocational schools … continue to train approximately 17,000 youths each year to enter the labor market in agriculture … and they have not received adequate training to fill the modern day job in agriculture.” The DOL,

33 Walter Reuther to Lyndon Johnson, unknown date, LBJ Library, WHCF LA Box 18, LA 5 Migratory Labor - Seasonal Labor 10/1/64 - 12/25/64; Myer Feldman to James Patton, November 17, 1964, LBJ Library, WHCF LA Box 18, LA 5 Migratory Labor - Seasonal Labor 10/1/64 - 12/25/64.
through the War on Poverty mechanisms, moved to circumvent local training programs and push a different training system.\textsuperscript{34}

War on Poverty programs specifically targeted farm labor operations with the goal of making the occupation a year-round, steady endeavor. Johnson used the Area Redevelopment Administration to meet some of his War on Poverty objectives. In fact, the ARA “approved several hundred migrant-worker training classes in various parts of the country.” Anne Gould, Training Coordinator of the ARA stated, “As of today [May 1964] over 3,000 farm and migrant workers have been trained in agricultural pursuits alone, making them eligible for year-round employment instead of sporadic under-subsistence living of the past.” The ARA unquestionably espoused the vision of the War on Poverty. Gould continued, “men and women have needlessly been branded unemployable and excluded from training when all they needed was some additional, special effort to equip them to reenter the labor market.”\textsuperscript{35}

Manpower administrator John Donovan argued that the administration did not support further importation of \textit{bracero} labor on account “of persistent unemployment and underutilization of our manpower resources.” He continued, “With regard to Mexico’s view of the program, earlier this year President Lopez-Mateos commented that it was beneficial but not mandatory that American farmers continue to hire Mexican transient laborers. He stated that whenever the United States wishes to end the treaty making such hiring possible, ‘Mexico is willing to do away with it.’” In fact, the importation of Mexican workers into the United States did benefit the Mexican nation.\textsuperscript{36}

\textsuperscript{34} National Advisory Committee on Farm Labor, 7.
\textsuperscript{35} Gregory S. Wilson, \textit{Communities Left Behind: The Area Redevelopment Administration, 1945-1965} (Knoxville, TN: The University of Tennessee Press, 2009); National Advisory Committee on Farm Labor, 40.
\textsuperscript{36} John Donovan to Elmer Dunham, September 25, 1964, LBJ Library, LA 5 GE Migratory Labor - Seasonal Labor 11/22/63 - 8/10/64.
According to one report, the termination of the *bracero* program might leave as many as 800,000 Mexicans without a hefty source of income. In fact, one *bracero* was said to have supported an average of four Mexicans. Some supporters of the program seized on this point and attempted to make the *bracero* program seem like a benevolent policy. Senator George Murphy argued,

This program has been a source of substantial financial aid to these Mexican workers and their families. It has meant millions of dollars in wages going into Mexico as a means of alleviating some areas of poverty in that great country. This makes a really effective foreign aid program, which to my way of thinking is ideal since it costs the American taxpayers nothing, is a practical help to the American farmers and the American economy without any adverse effect on American workers.

Indeed, some supporters of the program hoped to depict the program as something more than the importation of what some called “semi-slaves.”

But in the midst of relatively high unemployment, a backdoor foreign relations boon such as the *bracero* program did not seem viable. The administration and its supporters in Congress were much more focused on keeping American dollars within the United States by providing American workers with the opportunity to meet business sector demands. This vision that became a part of the War on Poverty had direct connections to the ending of the *bracero* program. Director of Migrant Ministry, Sarah Hall Goodwin, made the connection between the War on Poverty and preventing the importation of temporary foreign labor by stating, “American farm workers have demonstrated their willingness to do the hard, repetitive work of agriculture whenever decent wages and working conditions are offered. The War on Poverty would be a mockery without the protection for American farm workers outlined in your regulations.”

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37 George Murphy to Lyndon Johnson, November 9, 1964, LBJ Library, WHCF LA Box 18, LA 5 12/26/64 - 3/9/65.
38 Sarah Hall Goodwin to Lyndon Johnson, March 17, 1965, LBJ Library, WHCF LA Box 18, LA 5 3/10/65 - 4/2/65.
Johnson was also not ignorant of the connection between a War on Poverty and agricultural workers. In 1965, he proudly expounded on the successes of ending the *bracero* program and using domestic laborers to fill those empty positions. The president stated, “One of the basic goals of the Great Society is to guarantee all Americans the dignity and economic security that flow from the full use of their talents. The termination on December 31, 1964, of Public Law 78 marked an important milestone in our efforts to find jobs for more Americans.” He continued, “We are now embarked on a major recruiting effort to attract unemployed American workers to fill seasonal farm jobs … As of April 14, 31,085 domestic agricultural workers had been recruited to work in the fields of California, Arizona and Florida.” Even if many farmers might use undocumented workers to fill some positions or eliminated positions through increased mechanization, according to Johnson’s statistics there was still a gain for domestic workers as well.39

Myer Feldman, Counsel to the President, made the connection between skill training and domestic agricultural workers. He argued, “All reasonable efforts should be made to help our own citizens who are in need of work to adjust to job opportunities that may be available in agriculture and in other industries … These people need help in preparing themselves to be more productive members of society and in finding good jobs.”40

The administration began struggling with what it saw as a contradiction between the War on Poverty and the encouragement of unemployed workers to take farm labor jobs. According to the administration, the agricultural sector’s need for temporary, migratory labor was not an optimal solution. One administrative letter contained, “I agree with the basic argument that a

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39 Lyndon Johnson to Cameron Hall, April 17, 1965, LBJ Library, WHCF LA Box 17, LA 5 Migratory – Seasonal Labor 11/22/63 – 6/2/65.
40 Myer Feldman to James Patton, November 17, 1964, LBJ Library, WHCF LA Box 18, LA 5 Migratory Labor - Seasonal Labor 10/1/64 - 12/25/64.
stable employment situation would in the long run be more beneficial to a farm worker and his
family than travelling from place to place for jobs. Unfortunately, migrant workers usually have
few marketable nonagricultural skills and know only farm work.” The letter continues, “Positive
steps are being taken to eliminate the need for workers to migrate.” Although the administration
was aware that the agricultural sector did not provide steady employment opportunities, as seen
both in this letter and in Feldman’s remarks, it nonetheless felt that it could be used to absorb
some labor and provide employment for the nation’s youth.\footnote{Letter to Mackenzie, May 14, 1965, LBJ Library, WHCF LA Box 17, LA 5 Migratory – Seasonal Labor 11/22/63 – 6/2/65. A letter from the executive department, but the original is incomplete and does not contain information on the original sender.}

But the connection between the War on Poverty and the ending of the \textit{bracero} program
was not universally accepted. Some individuals were not supportive of the administration’s
attempts to provide training to domestic workers and expect them to fill in for \textit{bracero} laborers.
Pointing to the job training aspect of the War on Poverty, George Waigle of the Blissfield
Canning Company argued, “We have transported the unemployed from Detroit to Toledo into
the fields by the busloads and, in the matter of hours, been without pickers. You cannot take a
person off the street and condition him for field labor at once even if he were interested in
picking tomatoes, which he isn’t.” According to Waigle, the basic tenet of the War on Poverty’s
job program was not working, that is providing workers with basic job training competencies and
expecting them to do the work necessary to fill holes in the employment sector.\footnote{Blissfield Canning Co., Inc., to Lyndon Johnson, April 7, 1965, LBJ Library, WHCF LA Box 18, LA 5 4/7/65 – 4/30/65.}

Despite Waigle’s arguments, the administration continued to see the issue not simply in
the terms of providing the unemployed with the means to be successful in farm labor, it was also
meant to assist business owners. The Secretary of Agriculture, Orville Freeman, appeared to
agree with this assessment. He argued, “Most analyses show that after the immediate impact of
each extension or increase in the minimum wage in a particular industry, the ultimate
consequences have been beneficial—not only for the workers but for the industry, the region,
and the country as a whole.” By improving “wages and working conditions,” Freeman felt
agriculture would “attract and develop productive workers.” His usage of the phrase “develop
workers,” was unquestionably connected to the War on Poverty environment. But policymakers
also needed to consider the impact that such policies might have on the nation’s consumers.43

Consideration for the nation’s consumers became a central point discussed by pro-
bracero and anti-bracero advocates alike. As would be expected, many growers and those who
supported the bracero program argued that depriving farmers of bracero labor would raise
consumer prices. Secretary Wirtz and other members of the Department of Labor argued that
consumer prices would not be drastically affected. As farmers were left without bracero labor,
and farm products arrived on the shelves of grocery stores, both sides of the bracero argument
provided numbers to support their initial claim.

President of the American Farm Bureau Association, Charles Shuman, argued that
consumer prices rose considerably after farmers were deprived of bracero labor. Shuman stated,
“Retail outlets in Washington report they cannot obtain anything like an adequate supply of
California berries, and that the quality of lettuce is low.” It was all too clear, according to
Shuman, what caused this scarcity of goods and subsequent rise in prices. He blamed the
policies of the Department of Labor causing, “strawberries still [to be] plowed under in
California, over-ripe lemons [to] still [be] on trees, and crops like tomatoes … not being planted
in anything like the volume of last year.” According to Shuman, such waste in production
created a scarcity in the market that supposedly increased prices. If there was, in fact, an

43 Freeman to Johnson, April 21, 1965, LBJ Library, WHCF LA Box 17, LA 5 Migratory – Seasonal Labor
11/22/63 – 6/2/65.
increase in consumer prices, this would cause problems for the president’s War on Poverty program. Consumer Price Index data showed that prices in the United States did not spike in 1965. There was only a .5 percent increase in prices, which was consistent with annual inflation.\textsuperscript{44}

As would be expected, this debate over consumer prices found its way into a discussion on Johnson’s War on Poverty. Mayor Emil Meyer, argued, “housewives throughout the Nation will have to pay so much more for fresh fruit and vegetables, so essential in the diet of everybody, that many poorer families would have to manage without them, which again would affect the national health.” By introducing a subject such as poorer families and health concerns, Meyer was hitting at the heart of Johnson’s War on Poverty campaign. In Meyer’s opinion, providing work to the domestic unemployed in agriculture had the unintended consequence of raising the cost of living for everyone.\textsuperscript{45}

Secretary Wirtz argued that claims of increasing consumer prices were overblown. He argued, “As far as fruit and vegetable prices in 1965 were concerned, most of them went down. That year, as always, the principal influences on consumer prices were things other than labor costs. It was a good year for most crops, and the result of larger supplies was lower prices” (emphasis original). Wirtz made sure to be even more specific in reference to crops that were traditionally harvested by \textit{bracero} workers. He stated, “So far as ‘\textit{bracero} crops’ (those on which substantial numbers of \textit{braceros} were used 1964) were concerned, the prices of some increased in 1965; the prices of others decreased. Again the controlling factors were the size of


\textsuperscript{45} Emil Meyer to Johnson, June 4, 1964, LBJ Library, WHCF LA Box 17, LA 5 GE Migratory Labor – Seasonal Labor 11/22/63 - 8/10/64.
the harvest and the marketing decisions which were made.” He argued that although some prices
did go up, other factors besides the absence of bracero labor caused the increase.46

Lyndon Johnson explained how Wirtz correctly assessed that any rise in prices was not
connected to the absence of bracero labor. He stated, “There was a time when the cost of food at
the farm translated nearly dollar for dollar into retail food costs. That is no longer the case.
Today, when marketing charges account for nearly two-thirds of retail food prices, even a
significant rise in farm prices has far less impact than do changes in nonfarm cost.” To illustrate
his point, he stated, “A 50 cent increase in the price of a bushel of wheat for example will
increase the cost of a loaf of bread by little more than one cent.” According to Johnson, the
presence of commodity programs within the agricultural sector shows a disconnect between
consumer prices and economic inputs.47

As seen in the discussion over consumer prices, objections against and support for the
bracero program made its way to the office of the Secretary of Labor. As some individuals
continued to ask the Secretary for more bracero workers, the DOL was adamant in pointing out
that it was merely enforcing the decision made by Congress. He wrote to one city official, “The
action of Congress in not extending Public Law 78 was a clear expression of congressional intent
to stop the large-scale importation of foreign workers for seasonal farm jobs. Proposals to
extend PL 78 by administrative action cannot be considered, therefore, in light of the decision
made by Congress.” But despite Congress’ decision to end the importation of bracero workers,
the debate over the use of foreign agricultural workers continued.48

46 Willard Wirtz, Year of Transition: Seasonal Farm Labor – 1965, c. January 21, 1966, WHCF LA Box 17,
47 Lyndon Johnson to John McCormack, April 5, 1965, LBJ Library, WHCF LE/AG Box 26, 11/22/63 –
4/5/65.
48 Willard Wirtz to Jean Hammerberg, April 1, 1965, LBJ Library, WHCF LA Box 18, LA 5 3/10/65 –
4/2/65.
The presence of a provision within the Immigration and Nationality Act of 1952 (P.L. 414), which allowed the Secretary of Labor to admit temporary workers if domestic labor proved to be in small supply, made the Secretary of Labor a target for the anger of farmers and pro-bracero advocates. Despite evidence to the contrary, one pro-bracero advocate argued, “Secretary of Labor Wirtz has succeeded in helping push the consumer price index to an all time high … Consumers will be faced with still larger living cost increases and farmer losses will pyramid unless the extremely critical farm labor shortage is relieved immediately.” Clarence Johnson, representing a Rotary Club chapter in Florida, argued that Wirtz was at fault for the lack of labor in the Florida citrus industry. He stated, “Should Secretary Wirtz continue with his adamant position and the citrus growers of this State continue to suffer the great monetary loss they are now suffering because of his decision … the citrus growers may bring actions in the United States District Court against the United States to recoup their losses.” He continued, “The time is still available for Secretary Wirtz to admit that he has made an error in judgment and to rectify this situation.” Farmers like these focused their anger towards the secretary for the lack of cheap, foreign labor.49

Congress’ decision to merely allow the bracero program to end created a difficult situation for the Secretary of Labor. Although he was not the reason for the bracero program’s termination, Congress’ termination of the program placed Wirtz in the position of interpreting Congress’ reasoning. He deduced that Congress “expressed its desire that farm labor needs be met by United States workers. As the debate in Congress shows, it was that body’s belief that

American workers could be attracted to farm labor if wages and working conditions were improved. “50

Interpreting Congress’ decision as a means to attract domestic workers, Wirtz moved to bring domestic workers into agriculture after the bracero program terminated. He informed a California city official, “From what I observed on my recent visit to California, I believe that the labor needs of American agriculture can be substantially met if decent wages and working conditions are assured. We have passed the first three months of this year without the need to import foreign workers.” John Leslie of the DOL argued, “Let me point out that, for the period June 1-30, 1965, 900 foreign workers were authorized to work in Florida sugar cane. On June 21, it was reported that all foreign workers were returned home because there was an adequate supply of domestic labor.” Regardless of the arguments laid before Wirtz and the DOL, the department felt it had a mandate to provide domestic workers with an opportunity to respond to agricultural jobs when the market necessitated that proper conditions be provided. 51

Some members of Congress refused to back Wirtz’s claim, however. Harold Cooley (D-NC), Chairman of the House’s Committee on Agriculture, had a different interpretation of the program’s termination. In a letter to Johnson, he explained that Wirtz had the wrong idea about his overreliance on domestic labor. He argued, “The Secretary apparently has misconstrued the intent of Congress when it permitted P. L. 78 to lapse.” He continued, “While the Secretary’s primary concern is for American labor, he also has responsibility to the employers of labor and to that important segment of the American economy represented by those agricultural producers who find it necessary to employ seasonal field labor.” Whereas Secretary Wirtz argued that Congress intended to end the importation of temporary foreign labor, Cooley countered, “This

50 Willard Wirtz to Burt Henson, April 2, 1965, LBJ Library, WHCF LA Box 18, LA 5 3/10/65 – 4/2/65.
did not terminate the general authority for Mexican and other foreign workers to enter the United States for seasonal labor. Such authority has existed for many years in the Immigration and Nationality Act. The Congress was well aware of this when it permitted the Mexican labor law to expire.” Cooley, thus, argued that Congress simply allowed the program to lapse because it knew that foreign workers could be imported anyway.52

Supporters of the Secretary’s decision adeptly described how they viewed Wirtz’s plan. Colin Bell, of the American Friends Service Committee, stated, “We strongly support the Secretary of Labor’s conscientious and consistent position that maximum efforts to employ domestic labor at decent wages and with fair and responsible personnel practices and working conditions must be proven to have failed before permission is given to import foreign farm workers.” Connecting this approach to the War on Poverty, James Vizzard of the Catholic Rural Life Conference, in a letter to Myer Feldman, Counsel to the President, stated, “Those of us who have applauded your War Against Poverty and are actively cooperating in it can see no conceivable justification for bringing into this country thousands of people from Mexico, themselves desperately poor, to compete for the jobs and to undermine working and living conditions of the very poorest of our own citizens.” The connection between the War on Poverty and providing America’s farm workers with better conditions coincided with the Secretary’s and his supporters’ agenda with the farm labor question.53

Secretary of Labor claimed that his goal with the ending of P.L. 78 was to require the normal market demands to determine wage rates and working conditions within agriculture. Despite those like Norman Daniels, of the H.J. Heinz Company, that wrote a scathing letter to

52 Harold Cooley to Lyndon Johnson, April 9, 1965, LBJ Library, WHCF LA Box 18, LA 5 4/7/65 – 4/30/65.

53 Colin Bell to Lyndon Johnson, February 25, 1965, WHCF LA Box 18, LA 5 3/10/65 – 4/2/65; James Vizzard to Myer Feldman, October 20, 1964, LBJ Library, WHCF LA Box 18, LA 5 Migratory Labor - Seasonal Labor 10/1/64 - 12/25/64.
President Johnson regarding the Department of Labor, arguing that the country should not bow to the kind of sociological planning now being allowed to adversely affect the agricultural economy of this country,” the DOL, as stated by Secretary Wirtz, wanted only to remove the “crutches which had been leaned on too long and heavily.” But the mood of the administration began to change in 1965. As the administration began to believe that the roots of poverty laid with concerns other than access to employment (Chapter 2), the DOL began to soften on its unwillingness to import foreign agricultural workers through the P.L. 414 code.\(^{54}\)

The transition to this position happen quite rapidly. In February Wirtz reported, “A good start has now been made toward developing 75,000 new jobs for U.S. workers. No Mexican workers have been used in January or February; and no new British West Indies workers have been brought in. The result: about 10,000 jobs for U.S. workers who would otherwise have been unemployed.” He went on to argue that despite claims that domestic workers would not do “stoop” labor, 9,000 jobs were filled by domestics that would normally have gone to braceros. But, even at this early juncture, Wirtz commented, “there are some future situations which it may or may not be possible to meet fully with domestic labor. If it isn’t, and if the growers do cooperate, then we will use Public Law 414 to meet whatever develops” (emphasis original).\(^{55}\)

Wirtz eventually allowed enough foreign labor into the nation to alter the response he received from anti-bracero program activists. California’s AFL-CIO leader Thomas L. Pitts lamented that, “Within a 60-mile radius of Stockton and Salinas more than 100,000 U.S. workers are jobless, yet the Secretary of Labor can slap together a Panel of men regarded as educators and rely on them to make a determination that spits in the eye of the economic facts of the issue.”


\(^{55}\) Memorandum to President from Wirtz, February 25, 1965, WHCF LA Box 17, LA 5 Migratory – Seasonal Labor 11/22/63 – 6/2/65.
This statement was in reaction to Secretary Wirtz allowing 2,500 foreign workers to work on asparagus and strawberry harvests in 1965. The National Advisory Committee on Farm Labor reported, “Attempted use of P.L. 414 to bring in foreign workers to meet alleged labor shortage circumvents the intention of Congress and must be prevented.” But with some chagrin, the NACFL reported, “it has become apparent that P.L. 414 is being used in this way.”56

There appeared to be some real political impact if Wirtz had not lightened his position. In a memorandum to the president, Larry O’Brien, political strategist (and eventual Postmaster General), argued that the Democratic Party could lose congressional representatives from California if Wirtz did not soften his approach. Reporting on a meeting with the California congressmen, he stated, “They were very concerned about the political impact of Secretary Wirtz’s slowness in providing sufficient Mexican farm labor to harvest crops in California. They say that 50% of the strawberry crop is lost and that the tomato crop will be at least 25% less this year.” He continued, “The Congressmen feel that Pat Brown has been hurt badly and that we could lose Congressmen Tunney and Hanna on this issue.”57

The continued use of foreign workers did not point to a complete turnaround for the DOL, however. The DOL produced numbers to show the positive effect that ending the bracero program had on the nation’s employment numbers. In a memorandum distributed on January 21, 1966, Wirtz stated, “There was an 83% reduction in the use of foreign farm labor – from 634,000 man-months in 1964 down to 110,000 man-months in 1965.” This had a positive impact on employment conditions in the United States. He continued, “Tens of thousands of additional jobs were created for American workers, and there were significant improvements in the terms

56 From the California Labor Federation, San Francisco, unknown date, LBJ Library, WHCF LA Box 17, LA 5 Migratory – Seasonal Labor 11/22/63 – 6/2/65; National Advisory Committee on Farm Labor, 56.
and conditions of employment.” As a result, he reported only three or four crops had developed “significant labor shortages,” while producing lower market prices. Regardless, the DOL continued to admit foreign labor into the U.S. agricultural system. As reported, “In addition to the 20,300 braceros admitted under Public Law 414 during 1965, farm workers from the British West Indies, Canada, Japan and the Philippines were also employed.” Although these numbers were significantly reduced, the DOL seemed to submit to farmer demand, possibly because of growing political pressures.58

Although there is no evidence connecting the DOL’s changing policies with the changing War on Poverty, the softened approach by the secretary nonetheless coincides with the War on Poverty’s lessened concerns with national unemployment numbers. As shown in Chapter 2, throughout 1965 the Johnson administration began to notice a disconnection in national and local unemployment numbers. As the national unemployment rate dropped, geographical pockets of unemployment remained, causing the administration to look to other avenues for reducing poverty. The presidential administration, thus could afford to soften on the issue of foreign workers entering the United States to work on the nation’s farms to ease the problems associated with this structural unemployment (Chapter 2).

Despite allowing a smaller percentage of workers into the United States’ agricultural system, the secretary reported major successes. Wage rates increased from $1.08 to $1.14 an hour, “the largest recorded one-year increase since the Korean War period.” The secretary concluded, “Most of the increased domestic employment came from improvements by growers in wages and in working and living conditions, and from the realization by workers that they were no longer required to compete with foreign labor willing to accept jobs at the lowest pay

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and with the poorest working conditions.” And mechanization seemed to assist in the bettering working conditions. Wirtz argued, “More of the work was done this year by machines, and available domestic workers were employed more efficiently than in former years.” Therefore, the mechanization movement to provide for increased industrialization of the agricultural sector seemed to pay immediate dividends.59

Although Secretary Wirtz made little overture to the benefit that unionization would have on the farm worker situation, it was not long into 1965 that relatively successful unionization movements cropped up throughout the United States. The United Farm Workers in California, Obreros Unidos in Wisconsin, and the Farm Labor Organizing Committee in Ohio grew prominent in the late 1960s. This points to yet another aspect that the 1951 presidential commission argued would better farm worker conditions. Since 1951 (and even before), farm labor advocates argued that unionization in agriculture would provide better wages and working conditions for workers. In 1965, the National Advisory Committee on Farm Labor argued, “Until the right of collective bargaining is protected legally it is almost impossible for farm workers to organize effective unions …”. But unionization was not something that the administration openly supported within farm labor at this time. The changes that Congress and the DOL made, nonetheless, made it a natural outcome. Historians have pointed to the way that the ending of the bracero program opened the door for union organization in agriculture even if they did not immediately receive the same legislative supports that industrial workers received.60

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59 Ibid.
The *bracero* program ended in the midst of the civil rights movement. This era of increased attention to social justice undoubtedly influenced the way that congressional representatives viewed the labor importation program. Although some congressional representatives claimed that farmers’ labor needs should still be met through other avenues in the immigration code, the stated agenda of the Department of Labor was a known entity. Congress was aware that the DOL hoped to adhere to the president’s War on Poverty and funnel the unemployed and impoverished into job opportunities, creating consumers and taxpayers out of permanent residents. A *bracero* program that potentially hindered the employment of domestic workers did not fit. As a result, the department worked hard to fit youth and other unemployed into the agricultural sector. It was in this milieu that Congress allowed P.L. 78 to expire.

As the Department of Labor continued to receive letters of distress amongst growers, and as the agenda of the War on Poverty began to change, the way that it manipulated the farm labor sector also began to change. Secretary Wirtz became more open to allowing for the importation of foreign workers through the P.L. 414. But the basic principles upon which Wirtz envisioned agriculture, post-*bracero*, were already entrenched in the planning.

There were two main objectives of Secretary Wirtz’s post-*bracero* planning, and an incidental third occurrence. First, Wirtz hoped to reduce unemployment in the United States by providing domestic workers with the opportunity to obtain employment in agricultural labor. Knowing that much of agricultural labor was seasonal and temporary in nature, it made sense from Wirtz’s point of view to funnel youth into open agricultural positions. Second, Wirtz simply tapped into and hoped that removing *bracero* labor would expedite mechanization. As *bracero* labor was removed, mechanization increased. This not only removed the need for cheap, foreign labor, but it promised to streamline agricultural production and provide jobs for
domestic workers that did not require the harsh working conditions of stoop labor. But there was also a third, perhaps unintended, outcome. Although not explicitly argued after the 1950 Presidential Commission on Migratory Labor, a natural outcome of removing foreign labor was increased unionization in the fields. As soon as bracero labor was removed, organizations like the UFW showed immediate success relative to previous efforts.

What became apparent in 1965 was that part-time migrant labor was not beneficial to the larger economy. What the administration and its supporters in Congress wanted was permanent residents that could contribute full to the nation’s tax base and consumer economy. As Chapter 4 argues, further immigration reform in 1965 shows the administration’s desire to meet business sector demands through the immigration code. As the administration and Congress moved to discuss changes in the immigration code, a focus on skilled labor remained.
CHAPTER IV. SKILLED IMMIGRANTS, UNSKILLED AMERICANS

The Immigration and Nationality Act of 1965, which ended the era of national origins quotas in U.S. immigration policy, represented a concerted effort on the part of the Johnson administration and its supporters in Congress to not only end ethnic-based discrimination in the nation’s immigration code, but also to bring immigration into the overall effort to deal with unemployment in the United States. As shown with the implementation of War on Poverty legislation and the termination of the *bracero* program, the Johnson administration and Congress hoped to deal with the nation’s unemployment numbers by providing training to the unemployed to meet job openings and to remove foreign workers that were occupying jobs that low- and unskilled domestic workers could possibly obtain. Although the INA of 1965 entered into congressional review because a few representatives hoped to end the immigration code’s basis on national origins, supporters sold its merits to other congressional representatives by arguing that it would introduce skilled workers and reunite families. Many legislators and commentators viewed skilled workers as job producers who would not compete with domestic workers. Instead, they had the potential of opening more jobs for the unskilled domestic unemployed. As shown in this chapter, supporters of the Senate and House versions of this bill deployed many different arguments to make this point.

As immigration reform made it through congressional hearings, the crux of the argument centered on the question of discrimination. Since the 1920s, the immigration code rested on national origin based or ethnic discrimination. And Congress held some members that continued to tout that system. Senator Sam Ervin (D-NC) asked, “what harm is there in discriminating if it is discriminating in favor of people that have made a great contribution to America…?” But as the hearings proceeded, Secretary of State Dean Rusk, amongst others, provided the rationale for
a new type of discrimination in the immigration code; “this word ‘discrimination’ is still a very
difficult word . . . . we can select among classes and groups to give preference in terms of
individuals in this country, but not on the basis of race or national origin.” As the House and
Senate held hearings on immigration reform, supporters of reform continued to argue in favor of
discrimination centered on innovation, skills, and familial connections with the purpose of
bolstering the nation’s economy.¹

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Since passage of the 1952 immigration act, the executive branch had vocally opposed
basing immigration policy on national origins. As discussed in the first chapter, Harry Truman
boldly commissioned a study on immigration in defiance of the passage of the INA of 1952 over
his veto. The commission’s report, Whom We Shall Welcome, championed the cause of
immigration reformers who called for a liberalized immigration code that would remove national
origins quotas and, therefore, improve the American economy by reorienting the basis of the
legislation towards discrimination based on innovation, skills, and familial reunification.²

This document impacted the policy writers of the 1960s immigration code. The leading
senator for immigration reform in the 1960s, Philip Hart (D-MI), pointed to the commission as
an example of how Congress should develop immigration reform. He argued, “today, more than
ever, the historic 1953 report of President Truman’s Commission on Immigration and
Naturalization -- Whom Shall We Welcome (sic) -- is valuable for this deliberation. The report’s
guidelines and recommendations for a rational method of selecting immigrants are relevant to
our needs today.” Although he was not involved with the 1950s report, he believed that that

¹ Hearings before the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary,
United States Senate, 89th Congress, 1st Session, 64.
² President’s Commission on Immigration and Naturalization, Whom We Shall Welcome: Report of the
document had a lasting impact on immigration reform. But it took Congress over a decade to enact change despite continued support for immigration reform in the executive branch.³

Dwight Eisenhower also supported the liberalization of the immigration code. He pushed Congress to pass refugee acts in 1953 and 1957 and called for changes in the immigration code during his State of the Union address in 1956. He stated, “I again point out to the Congress the urgent need for revision of the immigration and nationality laws. Our nation has always welcomed immigrants to our shores.” He further argued that Congress should update the quota data to confirm with 1950 census numbers and provide unused quotas to backlogged regions. Although he did not successfully prod Congress into enacting significant change in the immigration code, he continued to argue in favor of reform.⁴

During Kennedy’s presidency immigration reform resurfaced as a credible possibility. Before winning the presidency, Kennedy publicly showed his support for a more open immigration policy with his book A Nation of Immigrants in 1958. And he immediately charged Abba Schwartz, administrator of the Bureau of Security and Consular Affairs, with the task of constructing a new immigration formula. He then stepped back from pushing for immigration reform during the first two years of his presidency waiting for the right opportunity to introduce his proposed legislation. It was not until the death of the Chair of the Judiciary Committee Francis Walter that the door opened for Kennedy to have a plausible chance of pushing immigration reform through Congress.⁵

Francis Walter had been a major impediment to reform. Since Walter co-sponsored the 1952 Immigration and Nationality Act he would not support legislation that allowed regions with

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³ “PAH Statement before Immigration Subcommittee,” 8 February 1965, Philip Hart Papers, Box 130 – Immigration, 3.
⁵ Koed, 115-116; Reimers, 65; Daniels, 130-131.
small quotas to appropriate unused quotas. And since he headed the judiciary subcommittee, there was little chance of pushing through a reform that defied his bill’s intent. But with Walter’s death, Kennedy did not wait around long. Walter died on May 31, 1963; Kennedy sent his proposal to Congress on July 23. And since Walters was not around to halt a more liberal approach to immigration reform, Kennedy altered his proposal. Although he initially only called for slight changes to the national origin quota system, Kennedy now called for its elimination.6

After Kennedy’s death in November, Johnson pushed forward with the immigration agenda, along with many of his other legislative reforms. Scholars and contemporary observers viewed Johnson’s support of the bill as a surprising turn of events. As a senator he had voted to override Truman’s veto of the much-maligned McCarran-Walter Act, seemingly making him an obstructionist to overturning the national origins quota system. But his record on immigration was not straightforward. In the 1930s and 1940s Congressman Johnson supported the entry of Jewish refugees into the United States, a move that immigration restrictionists opposed. In 1963, as president, he sponsored the ending of the national origins quota system and desired an immigration bill that put first emphasis on skilled laborers needed in the United States. The first hearings held to specifically discuss the passage of a new immigration reform occurred in the House in 1964.7

A major development that had the potential of derailing immigration reform was a feud that erupted between Michael Feighan and Emanuel Celler over control of the House version of the bill. Celler was the Chair of the Judiciary Committee and Feighan was the Chair of the Judiciary Immigration Subcommittee. Since Celler was a friend of the Kennedy administration and seemed to work in concert with its desire to end the national origins quota system, he

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6 Koed, 62, 115-117, 120.
7 Robert Crater, “Cong. Feighan Pushes His Bill on Immigration to a Test Vote,” August 12, 1964, Mudd Manuscript Library, Feighan Papers, Box 5; Daniels, 132.
appeared the more liberal of the two. Feighan had a reputation for being racist, seemingly
evidence of his unsuitability to be the champion of ending national origins quotas. Although the
feud added extra drama to the hearings process, it is hard to gauge how much it truly affected the
outcome of the immigration reform.8

The feud did cause some hiccups in the process of pushing the pending legislation out of
the subcommittee. Feighan wanted to use the Joint House-Senate Committee to conduct a study
of immigration reform, but that body did not have the authority to report legislation, it could only
make recommendations (and liberal reformers felt that this was a delay tactic by Feighan). The
McCarran-Walter Act created this joint committee, but it laid dormant for nearly all of its
existence due to Francis Walter’s attempts to keep his control over immigration matters. Celler
led a charge to disallow a $160,000 appropriation to the joint committee. But in 1964, Feighan
finally led hearings over proposed immigration legislation. On June 11, 1964, these hearings
began in earnest. Feighan’s first witness was Emanuel Celler.9

Celler’s testimony gave insight on how he envisioned immigration operating in the
United States. Celler did not view immigration reform as an attempt to maintain a certain racial
makeup, but he still had ideas on what was and was not “American.” In ending the quota
system, he argued, the nation needed to ask immigrants not “where you were born”, but “Was
America born in you?” Although he remained vague on what characteristics were American, no

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8 For information on the feud both Wagner and Koed’s dissertations provide many details. I also found
much information in the Feighan papers at the Mudd Manuscript Library in Princeton, New Jersey, specifically in
box 5. These papers show the way that these two congressmen delayed hearings and appealed for support from
others. Disagreements included one event when Feighan argued that Celler purposely disallowed the printing of
Feighan’s bill. Information about Feighan’s racist remarks can be found in Koed’s dissertation. On page 165 she
recounts one incident where Feighan is cited as saying “To hell with your civil rights rules … my people don’t want
to live next to niggers … .”

9 “The Drive for Immigration Reform,” April 28, 1964, LBJ Library, WHCF LE/IM, Box 74, GE 11/22/63 –
5/31/64; Koed, 164-170.
congressman deemed it necessary to ask for an explanation. Perhaps the American ideal, according to Celler, lied with economic productivity.  

Celler tried to preempt the discussion on unemployment by making the refrain that unemployment “arguments are totally irrelevant since the bill before you in no way significantly increases the basic numbers of immigrants to be permitted entry.” But he also argued that the U.S. should be able to “choose freely from all corners of the earth the talents and skills we need and not limit our own choice because one man of genius was born 5 miles east or south of an arbitrarily traced boundary.” Implicitly referring to the current immigration policy’s discrimination against southern and eastern Europeans, he still shows a move to base the new immigration bill on talent and skill. The goal was to recruit the best and brightest individuals in the world to improve the nation’s economy and society.  

In order to ensure that congressional representatives viewed the bill as economically sound, supporters also had to make sense of the economic benefits of familial reunification. Pointing to organized labor to make his point, Celler argued that the “AFL-CIO applaud this bill … when you bring into the country, say, 100 immigrants they are not all workers. But, they are all consumers . . . . those who are consumers, in turn, create demand for goods, so that labor does not fear immigration any more …”. In fact, there was a basis to believe that labor organizations favored breaking down the national origins quota system. The Committee on Civil Rights of the United Steelworkers of America wrote President Johnson that it was “greatly heartened by the courageous and positive stand … taken in support of the enactment of badly needed remedial legislation effecting our out-dated immigration laws.” A statement by the AFL-CIO propounded, “Before the merger of the AFL and CIO, both organizations urged elimination of

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10 Committee on the Judiciary, Hearing before the House Subcommittee on the Judiciary to Amend the Immigration and Nationality Act and for other Purposes, Part I, 88th Congress, 2nd sess., 1964, 2.
11 Ibid., 6.
the national origins quota system, and at the merger convention in 1955, the AFL-CIO urged revision and liberalization of the McCarran-Walter Act.” The labor movement became entrenched within the Democratic Party and, at least overtly, began to shed its nativist past. The consumer question played a major role in the economic discussion regarding this bill.12

Many supporters of immigration reform believed that the key to immigration was to bring in those with the best skills and allow families to migrate with these skilled workers to increase the consumer pool, thus bettering the nation’s economy. Joseph P. Addabbo a Democratic Representative from New York argued, “we must remember that they will [immigrants] become consumers.” Judge Juvenal Marchisio, president of the American Committee for Italian Migration echoed a sentiment made by Secretary of Labor Willard Wirtz at one of his organization’s symposiums. He stated immigration would “increase the benefits of labor because consumer goods require production, production requires work, work requires labor, and labor earns money.” Mark Jones of the National Economic Council argued, “You have to have consumers, obviously, and if you have producers you automatically have consumers up to a point.” Although Jones warned against increasing the consumer level beyond the point of sustainability, it became clear that consumerism was a viable argument for increasing immigration numbers. And as the economic impact of immigration reform became the main area of concern, the discussion naturally moved to consider the bracero program.13

Celler’s testimony before the house immigration subcommittee also provided insights on this agricultural contract labor program. His answer to questions from the committee showed not only the ways that the bracero program flavored the debate, but the level of ignorance that Celler


13 Committee on the Judiciary, Hearing before the House Subcommittee on the Judiciary to Amend the Immigration and Nationality Act and for other Purposes, Part I, 88th Congress, 2nd sess., 1964, 264, 659, 692.
had in regards to the Mexican farm labor program. Arch Moore (R-WV) directly questioned Celler how the *bracero* program informed his understanding of the new immigration legislation:

Mr. Moore. Mr. Chairman, may I interrupt the Chairman, and ask him, then, why are you on record against the Mexican bracero bill, providing these laborers for California and Texas to do these menial tasks that have to be done?

Mr. Celler. Which bill was that?

Mr. Moore. The bracero bill

Mr. Celler. You mean the Mexican labor?

Mr. Moore. Yes.

Mr. Celler. Well, you catch me a little unaware. I am not aware of all the details of the bill.

Mr. Moore. That provides for the Mexican laborer to come into the country legally rather than as a ‘wetback’ and to take the low paid, stoop labor jobs in California and elsewhere during their harvest time, and it is synonymous, is it not, to the premise you lay concerning the jobs that Puerto Ricans now do in New York? But now you have opposed that particular bill, and I ask you to reconcile the two points.

Mr. Celler. I opposed it because they don’t pay enough—they only pay substandard wages. We pay standard wages in New York, when we get the rough labor. If, for example, those migratory laborers were given a fair shake as to wages, I would undoubtedly approve a bill like that, but as I understand it, the testimony was that wages paid were pitiful, and the conditions under which they labored were not of the best. That is the distinction.

Mr. Moore. I think you will find that they do get the prevailing wage in the area, and that they do receive the minimum wage in California.

Mr. Celler. Do they?

Mr. Moore. I think that has been suggested camouflage with respect to the bill, although I have opposed it, myself, but I couldn’t conceivably see why in one instance, you were suggesting the dearth of this type of labor for New York, but yet you opposed that type of labor for California.

Mr. Celler. Only on account of the wage situation and conditions, the certain type of conditions under which they work.\(^{14}\)

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\(^{14}\) Committee on the Judiciary, *Hearing before the House Subcommittee on the Judiciary to Amend the Immigration and Nationality Act and for other Purposes*, Part I, 88\(^{\text{th}}\) Congress, 2\(^{\text{nd}}\) sess., 1964, 15-16.
This exchange between Celler and Moore points out the way that one immigration reform supporter viewed unskilled labor. Celler viewed immigration of unskilled labor as part of the natural cycle of American history. Immigration to the United States required unskilled workers to do the jobs that the previous cycle of immigrants had already moved on from. In Celler’s case, being a representative from New York, he used Puerto Ricans as an example despite that island’s status as a U.S. commonwealth. He argued, “We haven’t got the rough laborers anymore. The Italians, and Germans, and Portuguese, and the Czechoslovaksians, and the Yugoslavs, and the Poles. They don’t work at those rough chores anymore, so we are compelled, for example, to use Puerto Rican labor.” And he saw this as part of the natural cycle. He continued, “Now soon that Puerto Rican labor will be exhausted. In the next generation … Where are we going to get people to do that rough work?” Celler believed that ending the national origins quota system not only provided the needed skills that America demanded, but also the unskilled masses required to do the “rough labor” that acculturated Americans would not do.15

This question of the need for immigrants to do the nation’s “rough labor” permeated the 1964 House immigration hearings. It took on the name “new seed immigration,” that is underrepresented immigrant groups that establish a foothold in America while, in the minds of many representatives, performing “rough labor.” But the term was not widely known at the time. While interviewing Byron Rogers (D-CO), Arch Moore brought up the term new seed immigration. Rogers responded, “New what?”

Mr. Moore. Seed: you know, you plant it every year. I mean this is a term which has come up in these hearings. I say that respectfully to the gentleman, new seed immigration.

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15 Ibid., 15.
Mr. Rogers. You mean first-preference applicants?

Mr. Moore. No…

The meaning of the phrase seemed to only resonate with Rogers when comparing the term to Mexican labor. He continued by stating that there were already new seed immigrants in Colorado from Mexico that were now being excluded from jobs because of continuing importation of braceros. He opposed further extension of the bracero program because the nation needed to “take care of the ones here first …”.16

Rogers’ appearance provided Feighan with an outlet for his growing distaste for Celler. As Rogers was taking the stand, seemingly in lieu of Celler, Feighan expressed increasing disillusionment with Celler over his refusal to return for more questioning. Rogers began his testimony by stating, “It is my understanding that … Celler … has appeared before this subcommittee … and has given a section-by-section analysis” of his bill. Feighan responded, “That is incorrect . . . . We had no opportunity to question him further.” He continued that Celler refused to return and submit for further questioning. From this point forward, it seemed as if Rogers became the target of Feighan’s ire towards Celler. He questioned him on very detailed aspects of the bill, specifically on issues of skilled labor.17

It was during Rogers’ testimony of the provisions of skilled labor that the committee came to terms with the way that this new proposed immigration reform differed from the 1952 Act. The 1952 act required that persons immigrating to the United States under the skilled worker quota must not only demonstrate that they have the skills required, but also have a job lined up upon their arrival. The new reform proposed by Celler would not include the latter requirement. This proved contentious for those conducting the hearings. Arch Moore pointed to

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16 Ibid., 80-81.
17 Ibid., 75-76.
how under current immigration legislation a good number of tailors immigrated in the United States, but upon arrival did not perform the task they had the skills to perform. He stated, “there is evidence from some of the largest clothing manufacturers in the Nation that very few, if any, of them has applied for a job…” Richard Poff (R-WV) furthered the inquiry by asking, “if these people possessing those skills came here allegedly to fill such a vacancy and then surreptitiously … go into another job market … they are complicating our unemployment problem, don’t you agree?” Through all of this commentary Poff and Moore did not consider the obvious, that this problem was occurring under the dictates of the 1952 legislation, not the new proposed legislation. Rogers quipped, “Well, not any more than under the present system…” Despite the entertaining nature of this back and forth, the dialogue shows that Rogers envisioned the new immigration reform opening the system and removing barriers to increased labor immigration. His concern was not with ensuring that the needed skilled workers met the job openings that were available, but brought with them the skill and innovation to hopefully expand the nation’s economy.18

As the hearings moved to incorporate testimony from the executive branch, the true nature of the legislation began to form, and it is somewhat different from the vision that Celler and Rogers displayed. Celler’s belief that unskilled immigration (rough labor or new seed immigration) could continue unimpeded began to be disavowed by members of the administration who detailed an immigration policy that imported needed skilled laborers but largely excluded unskilled laborers that might compete with domestic unskilled workers. Secretary Wirtz, who addressed the changing immigration codes employment impact, delineated his vision of the proposed immigration policies.

18 Ibid., 87-88.
Wirtz endorsed the immigration bill, but for different reasons than outlined by Emmanuel Celler. Although Celler was open to an increase in unskilled workers as new seed immigrants, Wirtz felt that the market was already glutted with unskilled workers. Wirtz’ concern with increasing unskilled workers connected to the changing nature of the nation’s labor market. He argued, “Now, the machines are doing the unskilled work … anybody that does not have a high school education just cannot compete with a machine.” Therefore, the problem rested with the “diminution in the number of unskilled jobs in the economy.” Bringing in more unskilled workers was not something that Wirtz endorsed. But overall immigration numbers were not a concern for the Secretary of Labor as long as there was a discriminatory measure put in place that ensured that those admitted would assist the expanding economy.19

The unskilled worker question inevitably led examiners to interrogate Wirtz over the bracero program. Michael Feighan asked Wirtz, “is there a possibility that we can abandon the alien contract labor programs and fill this need through regular immigration?” Wirtz responded, “there is a great deal that can be done to develop practices which will permit the use of domestic labor rather than the importation of foreign labor on a seasonal basis…” Wirtz clearly viewed this immigration reform as compatible with his farm labor objectives. The immigration reform brought in skilled workers that could enhance employment opportunities in the United States and disallowed unskilled workers who might compete with domestic workers in finding employment. He explained his vision of automation creating more desirable jobs, coupled with vocational training programs to give domestic workers the means to obtain these jobs.20

Wirtz argued firmly for the furthering of automation in the all fields of industry and agriculture. “The only way we can maintain a standard of living higher than what they have any

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20 Ibid., 455.
place else in the world,” he explained, “is by producing more efficiently, more economically, increasing our productivity, and that means using automation to the fullest possible extent.” He further argued that this went in tandem with the training programs that the Kennedy and Johnson administrations endorsed and continued to support. And, he lauded the expansion of the Manpower Development and Training Act and called for the adoption of the Economic Opportunities Act. He stated, “Without those increases…we will fall far short.”

Discrimination on the basis of skills and innovation further strengthened his support for the proposed legislation because skilled workers would purportedly further bolster the economy. “It takes just 1 man with an idea for a new industry to employ another 100,000 to 150,000 people,” he argued, “I think we have gotten it in full measure from the immigrants who have come into this country.” He continued, “We are absolutely dependent upon the new invention, the improved methods, and so on and so forth, to get full employment.” Increased immigration was not a concern for the secretary, as long as it promised innovation. The committee asked Wirtz if there was a point where the nation would witness diminishing returns on skilled immigration. Wirtz responded that it may have its limits, but the number could not be determined.

Wirtz attempted to keep the discussion on quota immigrants, but when asked about family reunification he sidestepped the discussion by tacitly arguing that it would not have an effect on the labor market. He stated, “one purpose of the proposed legislation was to permit the reuniting of families, so you would have a nonwork force influence there.” Wirtz never openly

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21 Ibid., 451, 457
22 Ibid., 452, 465.
opined during these hearings that this “nonwork force influence” would bring more consumers, and thus more jobs, but other influential witnesses were willing to make this leap.\(^{23}\)

Attorney General Robert Kennedy openly used this as support for family reunification. He testified, “immigration of the kind an quantity for which this bill provides would increase … employment opportunities for American workers . . . . Only about one immigrant out of three additional immigrants admitted by this bill would enter the labor market.” He then directly connected that with a belief in consumerism. He continued, “What that means is that our economy will get three consumers for every worker that is admitted. And our economy generates jobs at a rate better than one for every three consumers.”\(^{24}\)

The hope for immigration reform to have a positive impact on the American economy became most obvious in this early testimony when Feighan questioned Wirtz over the nation’s structural unemployment. Feighan questioned, “a worker will have a job only if he is able and willing to … move to another part of the country. Does this mobility factor have any relationship to immigration?” Wirtz responded, “Yes; not admit it—I would assert it affirmatively to the point that we feel quite strongly there should be both the private and public policy of stimulating labor mobility by relocation allowances…”. Wirtz continues that he is not certain that immigration can answer all of these problems unless there is a definite willingness on the part of immigrants to move to areas of increased employment opportunities, but there is nonetheless a belief that immigration would not bring unemployment and business needs could be filled by this influx.

The testimony of Willard Wirtz and Robert Kennedy show a strong notion on the part of the executive branch to paint the immigration bill as a boon for employment in the United States.

\(^{23}\) Ibid., 445.
\(^{24}\) Ibid., 417.
The overall argument was that the immigration reform bill would not increase immigrant numbers over the McCarran-Walter Act, but would rather alter the system so that the right kind of immigrants would enter, that is skilled workers, consumers, and possibly a mobile workforce. Supporters of immigration reform maintained this argument as the hearings moved into initial review with the Senate.

Senate hearings for immigration reform began early in 1964. The administration might have viewed the Senate as a possible impediment to passage of immigration reform considering the long stewardship of the Senate Judiciary Committee by James Eastland (D-MS), who was reluctant to change the national origins quota system. But Eastland unexpectedly passed the management of the bill over to Edward Kennedy. Chaired by Senator Edward Kennedy (D-MA), the Senate subcommittee on Immigration and Naturalization held hearings on January 13 and 14 (and a 10-minute session in June). Unlike the House hearings, which proved to be a very contentious debate highlighted by the rivalry between Michael Feighan and Emanuel Celler, these initial Senate hearings seemed to be a one-sided affair with multiple testimonies all in support of two Senate versions of what was essentially an administration bill.25

Kennedy began the hearings by relaying his vision of the Senate bills. He echoed the general argument that the immigration bill was needed to end the quota system based on national origins. But, like most supporters, he couched his argument in economic terms. He argued, “The demands of our complex, technical society have led us to encourage the immigration of highly skilled persons. One out of every three immigrant workers has reported his occupation as professional, technical or skilled. These individuals contribute uniquely to our skilled labor

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25 Committee on the Judiciary, Hearings held before Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, 1964; Daniels, 130, 133.
force...”. Kennedy’s statements set the tone for the hearings as the witnesses that followed merely echoed this basic premise.  

Senator Hart explained the major parts of the immigration bill that he sponsored. He reiterated the necessity for immigration policy that did not discriminate on national origins, but then pointed out how his bill would bring in needed skilled workers. He argued, “Selective immigration can help meet our urgent manpower needs.” His argument rested in the belief that in the long run, skilled immigrants created more jobs. This statement connected well with the senator’s long record of coupling his sponsored immigration reform with the nation’s War on Poverty. The previous year he stated, “Certainly we must attack the problem of unemployment and underemployment in this Nation … the solution lies … in training the unskilled … And, in my book, selective immigration, on a new and rational basis can assist this growth.” Although he realized the immediate problems of this outlook, he confessed, “The hard truth is, I suspect, that it is bad politics in the short haul, because even those who have relatives overseas are nonetheless gunshy (sic) of a discussion that might open the door to somebody to displace him from his own job.” In fact, as other historians have pointed out, the environment was not ripe for immigration legislation. In May 1965 a Harris poll revealed that 58 percent of respondents did not support an “easing of immigration laws.” But the hope for economic benefits, in addition to ending the discriminatory national origins quota system, pushed Congress to change the immigration law anyway.  

Other senators also hoped to gain some economic benefits from immigration reform. Kenneth Keating (R-NY) took Hart’s statements and expanded them even further. He argued in

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26 Committee on the Judiciary, Hearings held before Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, 1964, 3.
27 Ibid., 26; “PAH Statement before Immigration Subcommittee,” February 8, 1965, Bentley Historical Library, Philip Hart Papers, Box 130 – Immigration, 8; Graham, 89.
favor of providing non-quota status to skilled workers, stating “I cannot see the sense in placing any numerical limitation on this category of immigration…” Senator Claiborne Pell supported immigration reform but lauded his own bill that required that “pioneer immigrants, that is those with no connections with people (sic) presently in Rhode Island, would not settle there but would settle in areas where there are greater job opportunities…” Pell felt that his bill, S. 751, dealt better with the nation’s structural unemployment problems. He opined that “the law of supply and demand” would take care of structural unemployment because “families take the responsibility for the adjustment of the individuals. When they are not closely related, then they would tend to go to new areas and strike out on their own.”

The last witness to testify before the Senate immigration subcommittee was Hiram Fong (R-HI). After a lengthy recap of the history of the nation’s immigration policy, Fong addressed the employment aspects of the immigration policy. His argument contained many of the same points outlined already, but he also put a monetary value on importing skilled workers. He argued, “It has been estimated that it costs $35,000 to raise a child and send him through college … then the immigrant scientists and engineers who came here since 1952 represented an investment in human capital of approximately 1.25 billion dollars.” He continued that all together the U.S. had acquired “3.25 billion dollars in human capital since 1952…” Thus, immigration reform made economic sense. The Senate did not scrutinize these proposed immigration reforms in these early hearings, but immigration concerns received a much larger audience during the 1964 presidential election.

Barry Goldwater’s running mate, William Miller, brought immigration to the forefront of the 1964 presidential campaign for a short time after using his Labor Day speech in South Bend, Indiana.

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28 Committee on the Judiciary, Hearings held before Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, 1964, 34, 50-51.
29 Ibid., 91.
Indiana to make a case that immigration reform in the manner that the administration was pursuing was not beneficial to the American worker. Before a crowd of 2,000 Miller declared,

In legislation, which Lyndon Johnson has designated as top priority … he now proposes that we completely abolish our selective system of immigration and instead open the floodgates for virtually any and all who would wish to come and find work in this country. We estimate that if the President gets his way, and the current immigration laws are repealed, the number of immigrants next year will increase threefold and in subsequent years will increase even more. These people will need jobs, but where will they find them?”

The New York Times reported that Miller was prepared to say, “Are you willing to give them yours?” But decided to drop that rhetorical flair and added, “Shall we give them your tax dollars to compensate for no jobs? Or shall we, instead, look at this situation realistically and begin solving our own unemployment problems before we start tackling the world’s?”

Miller planned his comments specifically for his South Bend audience, in hopes of rousing the city’s growing fears. South Bend workers underwent a difficult transition throughout the previous year leading up to the speech. In December 1963, the Studebaker Company moved its auto production to Hamilton, Ontario terminating 1,300 jobs in South Bend. It then closed its engine and stamping plants in South Bend in 1964 displacing 1,600 more workers, in addition to many more layoffs.

Miller’s comments incited a quick response from his opposition. The next day Philip Hart responded that Miller made, “false statements … in two areas of public concern—immigration reform and asylum for refugees from Communist tyranny. These were echoes of the know-nothing days of American history. There is no justification that I can imagine for

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31 “Studebaker Plans to Close more Factories in Indiana,” in New York Times, February 6, 1964, 47.
turning time back to these days of vision and discord.” He continued, “His charge is absurd and irresponsible.”

If anything, Miller’s comments gave the public an understanding of how the administration responded to unemployment problems like those in South Bend. Immediately after the plant’s closing the federal government was actively engaged in alleviating some of the problems associated with transitioning into new employment. In essence, Johnson’s War on Poverty came to South Bend. Early in 1964 the administration announced the implementation of “training or retraining instruction in 21 different occupations for 1,350 people, at a cost of $2 million.” The Department of Health, Education and Welfare also announced it would provide the area with a daycare program since “the almost 7,000 laid-off workers have 13,000 dependents, including 8,500 children 18 years or younger.” The administration was quick to respond to this exceptional moment of unemployment in South Bend.

According to some reports this quick response by the administration netted a positive response in South Bend, and perhaps throughout the nation. The superintendent of South Bend schools, Alex Jardine, wrote Johnson, “Your personal concern about the plight of South Bend, Indiana following the closing of the Studebaker plant here is greatly appreciated. With unprecedented speed a team of experts from the Departments of Labor and Health, Education, and Welfare came to our city.” And its supposed negative connection to immigration appeared not to engender the response that Miller desired. According to the Detroit Free Press, “Miller lost votes for the party in South Bend when he tried to convince ex-Studebaker employes (sic) that changing the law would endanger their jobs. The workers knew that any slight danger was

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32 Philip Hart, Congressional Record, September 8, 1964, Philip Hart Papers, Box 94 – Kennedy Immigration Bill.
33 From Hodges and Wirtz to Johnson, February 7, 1964, LBJ Library, WHCF LA Box 6, LA 2 Conditions – Employment – Unemployment.
more than offset by the advantages of the bill.” Although this report made broad assumptions about the beliefs of workers, Miller’s comments were not enough to generate massive outrage about the immigration bill, nor did it halt congressional hearings.34

After Johnson won the 1964 election and Congress returned to work, the Senate moved toward an intensive discussion over an administration bill in 1965 now dubbed S. 500. These Senate hearings highlight the extent that economic issues were the pivotal concern for many congressmen. The hearings began with testimonies from members of the presidential administration who backed the bill on the premise of national origins, but also familial reunification, foreign relations, and most importantly economic benefits.

National origins received initial attention since there was a long line of congressmen that viewed past immigration code as outmoded to modern social ideas. Hiram Fong, called upon the civil rights atmosphere of the 1960s and argued, “as we move to erase racial discrimination against our own citizens, we should also move to erase racial barriers against citizens of other lands in our immigration laws.” The racial problems associated with the immigration code were a popular theme throughout the Senate deliberations. Senator Jacob Javits (R-NY) stated that S. 500 “seeks … to eliminate the discriminatory national origins quota system and I support this principle … wholeheartedly.” Hart added, “I have been interested in seeing the elimination of a mistake that was made in the twenty’s and has lived with us ever since in this business of the national origins quota system.” Senator Hugh Scott (R-PA) stated, “I will support and fight for passage of any bill which will remove from our immigration laws the degrading and un-American concept of judging a man on the basis of his place of birth or racial ancestry.”

national origins quota provided the initial move to reform immigration, but that did not mean that
the McCarran-Walter Act did not still have its supporters.\textsuperscript{35}

Senators did not universally denounce the basis of the national origins quota. Senator
Ervin took on the role of key detractor and was adamant that basing the nation’s immigration
code on national origins actually rewarded those nationalities that provided the greatest
contribution to the nation. During his cross-examination of many witnesses he made his case for
discrimination on the basis of national origin. He questioned if it was a futile practice to write an
immigration code free of discrimination. He asked, “Do you think there is any human being ever
born on earth, who had such a gifted intellect, such a power of penmanship or phraseology, that
he could draw a restrictive or selective immigration law without having many discriminations in
it?” He used this grandiose statement in the hopes of justifying the continuation of
discrimination based on national origins, stating “the people of Ethiopia have the same right to
come to the United States under this bill as the people from England, the people of France, the
people of Germany, the people of Holland, and I … don’t know of any contributions that
Ethiopia has made to the making of America.” In other words, if the nation’s immigration code
was going to contain discrimination, he believed the code should discriminate in favor of those
nations that historically provided greater contributions to the foundation and growth of the
United States.\textsuperscript{36}

His reasoning changed over time, but the basis remained the same, discrimination on
national origins was actually more appropriate than the elimination of the system. He argued
that providing Algeria with the same numerical cap as Ireland was unjust because that was “very
poor recompense for all they [the Irish] have done for this country.” When that argument

\textsuperscript{35} \textit{Hearings before the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary,}
United States Senate, 89\textsuperscript{th} Congress, 1\textsuperscript{st} Session, 1965, 4-5, 45, 127.

\textsuperscript{36} Ibid., 62-63.
seemed not to gain the response he hoped for, he changed his argument to support national origins because it based immigration on numbers and not political decisions. Despite large numbers of special provisions that Congress passed since the passage of the McCarran-Walter Act that dictated that some individuals could immigrate to the United States, Ervin felt that a national origins system provided a strong base of numerical limitations on immigration that the S. 500 did not contain. But as other senators had pointed out, the McCarran-Walter Act contributed to increasing special legislation that circumvented the bill’s initial intent. Discussing family reunification, Philip Hart argued that advances had been made in family reunification not because of McCarran-Walter, but “in spite of it—through a series of special, temporary immigration enactments to circumvent the strictures and inequities in the 1952 Act.” These special immigration enactments moved beyond mathematical considerations and undoubtedly focused on political agendas as congressmen pushed forward special immigration acts outside of the normal dictates of the law to allow certain immigrants to legally settle in the U.S. Regardless, Ervin insisted that McCarran-Walter provided a sounder basis for the immigration code and stated, “I want a mathematical formula and not a political formula.”

The Senate sidestepped the debate over family reunification during the 1965 hearings, perhaps because even those most critical of S. 500 did not object to the family reunification concept. After Senator Scott stated, “I cannot say that I am against reuniting children and parents,” Ervin, the consistent detractor, retorted, “I am not either, and I have voted for bills to unite them … we could let those come in without destroying the entire law and the basic foundation of our immigration law.” It seemed that the family reunification argument was not contentious enough to engender a long debate. Congress supported family reunification for the

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37 Ibid., 67, 142; “Immigration Policy of the Sixties,” unknown date, Bentley Historical Library, Philip Hart Papers, Box 130 – Immigration, 3-4.
simple reason of maintaining familial unity, but the consumer argument buttressed this consideration.\textsuperscript{38}

Speaking directly about the benefits of familial unification, Attorney General Nicholas Katzenbach, among other supporters, firmly believed that increased immigration numbers would not be detrimental to the United States economy since this type of immigration only increased the number of consumers. Although he estimated that the increase from S. 500 would be only around 60,000 immigrants from the previous immigration law, a third of this number would be workers, “the rest would be wives, children, and elderly parents. Since the ratio of consumers to workers is somewhat higher than our present ratio, the net effect would be to create rather than absorb jobs.” With familial unification seemingly a fairly well accepted policy within the immigration code, Ervin spent most of his questioning examining how the immigration policy fit within the nation’s larger economic plans.\textsuperscript{39}

Even Ervin, during his defense of the national origins quotas, seemed to understand that the crux of the immigration debate rested on the question of skilled workers and the economy. He interjected, “there are two main arguments I have heard advanced for the passage of this bill. The first one is it would bring in a lot of people with skills, skills that are necessary and needed in the United States. The other is that it would end discrimination on racial and religious grounds.” And that is how the questioning proceeded, with an emphasis primarily on the function of immigration on U.S. business needs. But this had a national origins connection. Although the primary function of the new immigration code was to bring in needed skills, to do so it had to cut out discrimination based on “racial and religious grounds,” although he should

\textsuperscript{38} Hearings before the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, United States Senate, 89th Congress, 1st Session, 1965, 151.

\textsuperscript{39} Ibid., 14.
more accurately state national origins. Thus, in order to truly find the highest skilled workers, the immigration code needed to cast a wider net.40

The concern over employment understandably centered on the question of possible job displacements. One concerned citizen wrote President Johnson about the seeming incongruence of his War on Poverty and his support for immigration reform. He argued, “Our nation is now starting to train our unemployed for jobs in areas where work is available. If we fill such jobs by immigration, none will be available for people to be trained under our new program.” The American Committee on Immigration Policies agreed that there was an inconsistency between supporting both immigration reform and a War on Poverty. It wrote, “A ‘War Against Poverty’ already occupies us with the population now within our borders. Last year the Federal Government spent over 4 billion dollars for our own poor…”41

Supporters of the bill attempted to focus the debate not on possible job displacement or exacerbating the problem with the nation’s poor, but on how skilled workers would be a net gain for the employment structure. Senator Edward Kennedy brought this question before Senator Paul Douglas (D-IL) by emphasizing the current unemployment numbers. Pointing out that there were currently 3.5 million unemployed workers, he emphasized that youth primarily contributed to this number. He asked, “To what extent then would the changes in the current law as found in S. 500 add or subtract from our unemployment problem in your judgment.” Douglas responded with a War on Poverty based argument; “I think we should push ahead and try to educate and train these groups and find jobs for them, that this is a better method of reducing their unemployment than by excluding 60,000 people from Greece, Poland, and Italy.” This argument

40 Ibid., 104.
41 From Colin Rae to Lyndon Johnson, December 9, 1964, LBJ Library, WHCF LE/IM, Box 73, GE 12/1/64 – 5/3/65; The American Committee on Immigration Policies, “Our Immigration Laws,” 1964, LBJ Library, Legislative Background 1, The Road to Final Passage 3.
displayed the major thinking within the administration about employment problems in the United States at the time. Unemployed domestic laborers consisted largely of unskilled workers and importing skilled workers did not exacerbate this problem. Instead, supporters of the immigration bill focused specifically on how this bill could only improve employment numbers.42

The primary witness in the employment debate was, properly, Secretary of Labor Wirtz. He became a major advocate for opening the immigration code to foreign skilled workers. Just as he had stated during his testimony before the House committee, he discussed before the Senate the importance of skilled workers in bringing a net increase in job opportunities. Wirtz viewed the current employment situation as in a “bottleneck point.” He felt that bringing in skilled workers and innovators to fill important needs would open up needs for lesser-skilled workers. He further explained the meaning of this “bottleneck point” a little later in his testimony. Hiram Fong asked, “if we get a Ph. D. from a foreign country, and he came into our economy, he would provide jobs for some of these 3,800,000 unemployed, is that correct?” Wirtz responded, “Yes; that is right . . . . We have a very real shortage at the sub-Ph. D. level … and we are today wasting a good many of the talents and the time of our most skilled people because we have a shortage at the second level.” He continued to elucidate on this point, “For every bottleneck that we meet or break in our manpower situation, more jobs result . . . . For every inventor who invents something . . . for every doctor who [brings innovation] … employment is increased.” And this employment strategy that Wirtz advocated coincided with the War on Poverty.43

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42 Hearings before the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, United States Senate, 89th Congress, 1st Session, 1965, 166-167.
43 Ibid., 115, 118.
Wirtz’ Senate testimony contained a more thorough description of how the immigration reform worked in tandem with War on Poverty objectives to fulfill basic labor demands. He argued, “I think … it is quite analogous to the situation that we are experiencing here under the [MDTA]. There is a provision in that bill … that we cannot train any individual for a job unless a job opportunity is afforded.” He reiterated that the administration designed this bill to value high-skilled job openings that would not be the target of War on Poverty programming. The administration prepared responses to arguments that immigration reform conflicted with the War on Poverty, and used Wirtz’ arguments to make its points. The basic argument was that immigrants “get jobs in labor shortage areas which enable expansions of industry, and expansion of job opportunities for unskilled people who are looking for jobs here.” Wirtz viewed the operation of these differing legislative reforms to achieve the same objective, to provide U.S. business with needed workers.44

As the conversation in the Senate evolved, Ervin continued his objective of depicting S. 500 as too similar to the McCarran-Walter Act by questioning what the immigration bill truly did to change the immigration code in regards to employment. His argument centered on the change in the phrase “urgently needed” to “especially advantageous” to describe the first preference, skilled immigrants. The conversation began during the Wirtz testimony. Ervin asked, “the only difference between the pending bill and the existing law is that the pending bill strikes out the words ‘urgently needed’ and substitutes for them ‘especially advantageous to’ … Is that not a distinction without a difference, or merely an exercise in semantics?” Wirtz responded by attempting to convince Ervin that the change in phrasing, in conjunction with other purposes of the bill, would result in an opening of the bureaucratic workings to allow more workers with the

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44 Ibid., 97; “Possible Hostile Questions…,” February 8, 1965, LBJ Library, Legislative Background 1, The Road to Final Passage 3, 2.
skills needed. But this response was not enough to keep Ervin from continually questioning witnesses on this point. He asked Assistant Secretary of State Abba Schwartz, “I would like to know the difference between the meaning of skills which are urgently needed … and skills which are highly advantageous.” He told Senator Hugh Scott, “I would say that is the major change which is no substantive difference … I do not believe we are trying to keep away skills that are urgently needed by the United States, and that is the only change.”

To answer Ervin’s questioning over the slight change in wording between the two laws, many supporters attempted to show Ervin that the elimination of national origin quotas actually increases the amount of needed skilled workers who could enter the country. Senator Robert Kennedy (D-NY) pointed out, “a maid or an unskilled laborer from a northern European country can enter this country within a matter of weeks, while scientists or doctors or highly skilled persons with less favored countries wait for months and years.” Ervin had heard this argument from other witnesses. Hiram Fong explained, in similar terms, why ending national origins was economically sound. He made the point that to eliminate a group of people solely based on their place of birth “arbitrarily exclude[s] skilled or gifted persons needed in this Nation merely because he is Polynesian, a Negro, or an oriental, or because the country of his birth has a small quota, is to effectuate undemocratic as well as economically wasteful policies.” This argument seemed to be the crux of the issue for the initial economic debate. Adapting to this economic argument, Ervin contested, “I do not think by extending the provisions of this bill to people like those in the Congo we are going to get highly skilled people, and that is the main thrust of this bill …”.

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45 Hearings before the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, United States Senate, 89th Congress, 1st Session, 1965, 96, 151, 183.
46 Ibid., 113, 150, 216.
The Senate further investigated the employment question when the hearings centered on the *bracero* program. Secretary Wirtz explained to the Senate subcommittee the importance of the *bracero* program in understanding the employment situation within the United States and its connection to immigration. Wirtz described to Ervin that with the ending of the *bracero* program, “what we’re trying to do … is to assure that there will be first use of American workers, and it is a point which I feel very strongly about.” He explained that under the *bracero* program foreign workers were coming in on a temporary basis to do a job that unskilled American workers were more than capable of doing. Wirtz then used this stage to continue to insist, “the first question is whether the growers will take the affirmative action which in my judgment is necessary to discharge their responsibility in the situation.” He continued that American farmers could still recruit foreign workers “if that determination still showed that there was no available U.S. work force.” The discussion over the *bracero* program highlights how many congressmen believed that American employers should use domestic labor to fill unskilled job openings, while immigration could provide for unfilled skilled positions.47

Supporters of the immigration reform defended the new immigration legislation as providing skilled labor while unemployed Americans filled the unskilled sector.

Secretary Wirtz. … There is a concentration of unemployment in the unskilled areas, and particularly in the younger person area, and that is mostly unskilled. The answer to your question as you put it would require some refinement, but I think your point is that it is concentrated among the unskilled areas disproportionately.

Senator Fong. Yes

Senator Wirtz. That is correct.

Senator Fong. And these people have difficulty in finding jobs at the present time because of their lack of skills.

47 *Hearings before the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary*, United States Senate, 89th Congress, 1st Session, 1965, 110-112.
Secretary Wirtz. The machines have taken over or are taking over the unskilled jobs.

Senator Fong. And the people who will come in under S. 500 will be mostly skilled and professional workers?

Secretary Wirtz. That is correct.

This conversation coupled well with Wirtz’ discussion with Ervin over the importance of the Manpower Development and Training Act. Connecting a training program to provide workers with basic working competencies to compete for unskilled or low-skilled positions provided an objective for domestic unemployment, while bringing in skilled workers not only filled skilled job openings, but also had the potential of creating more jobs through innovation and opening bottlenecks.48

With so much attention on the utility of foreign skilled workers filling job openings and providing a boon to the nation’s economy, the business community surprisingly remained relatively quiet on the subject. Only one representative of the Chamber of Commerce (COC) testified at the House or Senate hearings. And his testimony rested more on racial concerns than economic policy. Richardson King of the New Orleans COC made some mention of the confusing conjunction of War on Poverty programming and immigration reform, “We are all aware of the growth of automation, and that it is good for the free enterprise system. But … it creates a problem … to train our people to fill these jobs. And as a result this [immigration reform] will just create more unemployment rather than lessen it.” But other testifiers had made this argument. A more telling reason for King’s distaste for the reform measure appeared in his statement about those that support the reform. “The people who are supporting these bills,” he argued, “are to a large degree Communist Party members, specialists in immigration law, do-gooders, or those who have for some strange reason a hate toward all persons who are of Anglo-

48 Ibid., 114.
Saxon descent.” In other words, King felt that those that supported this reform were either radicals, those divorced from the real consequences of immigration, or racists. Sam Ervin and Edward Kennedy were the only Senators present to hear King’s testimony, and Kennedy remained silent throughout the questioning. Ervin, on the other hand applauded King on “a very informed and … very intelligent analysis…”. Although King’s testimony was bereft of economic analysis of immigration reform, a more balanced interpretation of the bill’s focus from a business standpoint surfaced in the *Wall Street Journal.*

On January 15, 1965, the *Wall Street Journal* printed an opinion piece in response to Lyndon Johnson’s State of the Union Address on January 4. Johnson made a quick reference to immigration in a list of four ways that America needed to adopt new policies towards those “trapped in poverty and idleness and fear.” In addition to providing assistance to the elderly, the African American, and the poor, America needed “an immigration law based on the work a man can do and not where he was born or how he spells his name.” The *Wall Street Journal* argued that “Johnson oversimplifies somewhat, but basically seems to propose a rational course” in regards to immigration. The journal did not feel that the national origins quota was inherently racist. “The current system of choosing among applicants by allotting national quotas is not,” it stated, “contrary to inferences by the President and others, simply a manifestation of xenophobia with no basis in logic.” But the journal recognized that national quotas did inhibit some skilled immigration. “The quota system undeniable leads to a number of anomalies,” it argued, “It turns away qualified applicants from some countries while quotas from others go unused.” The editorial concluded, “In the absence of more telling objections than those usually advanced, the President’s suggestions seem intelligent steps towards straightening out a needlessly jumbled

49 Ibid., 796-797.
corner of national policy and foreign relations.” So from this particular business prospective, the administration’s plan appeared to make sense.50

Although business perspectives were hard to come by at the time, one professional organization provided insights on the value of reorienting immigration policy toward a focus on skilled labor during the Senate hearings. Pointing to a “serious shortage of qualified professional nurses,” Julia C. Thompson, Director of the American Nurses’ Association in Washington stated, “we wish to assure the committee that the American Nurses’ Association is ready to welcome to its membership qualified nurses from abroad…” There were some complications with nursing licensure and foreign nationals, but Thompson felt proper legislation could fix those concerns. Sam Ervin did not question Thompson on the utility of immigration reform on the nursing profession, but Ervin made a point to poke holes in discriminating on skills by revealing a supposed contradiction in U.S. policy.

While examining the Secretary of State, Senator Ervin provided a concern with consistency associated with the new immigration bill:

Senator Ervin. So with this immigration law we would invite to this country the most gifted of foreigners and at the same time we are sending our people over there in the Peace Corps and providing other activities to build up those countries; and so we rob them on the one hand and try to benefit them on the other; isn’t that so?

Secretary Rusk. And add to the total very dramatically by these means.

Senator Ervin. I am reminded of Aesop’s Fable where a man was blowing on his hands out in the cold weather and when he was asked what he was blowing on his hands for, he said to warm them. Then when he went into the house, and when they brought his porridge for breakfast, he started blowing on the porridge, and when asked why he was blowing on the porridge he said to cool it—in effect blowing both hot and cold. And so it is with the Peace Corps, we send the Peace Corps abroad to help and then are encouraging these people to leave those countries and come over here.

This interaction dramatized another of Ervin’s concerns with the proposed bill, but supporters of S. 500 neutralized this argument by stating that the United States does not require higher skilled individuals to immigrate to America, it just opens the door in the opportunity that the potential immigrant wants to come. In fact, *The Daily Tribune* of Royal Oak, Michigan highlighted this concern even before these hearings in 1964. It argued, “us[ing] skills as a principal immigration standard raises questions beyond the benefits for the United States, because the countries from which the specially skilled would emigrate … have great need for their educated and trained citizens.” Attorney General Katzenbach, anticipating this question, argued, “It is not accurate, Senator, to say [S. 500] seeks to take from them, because the decision is made by the person who wants to come, not by the United States.” Secretary Rusk argued, “It is not a specific device to recruit manpower from abroad.” Senator Fong added, “We are not saying to these countries ‘Give us all your skilled people.’ What we are saying is, ‘If your skilled people would like to come to America, there is a place for them.’”

During the Senate hearings, foreign policy concern did not evolve much beyond the question of draining the world of its talent while trying to assist in its modernization. Secretary of State Rusk’s testimony seemingly provided the Senate with all of the information it needed regarding the foreign policy implications of immigration reform. Senator Edward Kennedy asked Rusk about the possibility of communist attempts to undermine the image of the United States because of its reliance on national origins quotas. Rusk downplayed this possibility, “I think basically … that our problems here are normal problems of feelings just within the free

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51 Ibid., 29, 53, 57, 115; “Change in Immigration Policy,” in *The Daily Tribune*, Royal Oak, MI, February 17, 1964, 4, found in Bentley Historical Library, Philip Hart Papers, Box 130 – Immigration.
world itself. I have not seen in the last year or two a major effort by the Communists to organize the feeling in this matter, but it has been noticed by them."52

Foreign policy consideration eventually made a bigger impression on the debate as the conversation settled on the topic of the Western Hemisphere’s role in the new immigration code. After the initial debate over immigration reform, it seemed that Congress would pass the bill unchanged. In addition to ending the supposed outmoded national origins quota, it also had a strong economic endorsement from the Secretary of Labor. As long as the immigration bill focused on skilled workers, innovation, and family reunification rather than national origins, immigration reform supporters willingly accepted the changes to the code. But as the House subcommittee within the Committee on the Judiciary reconvened to examine the proposed immigration reform from March to June 1965, the discussion seemed to hinge on the subject of the Western Hemisphere. As Chapter Five discusses, the topic of discrimination on the basis of national origins led many congressmen to question the traditional non-quota status of the Western Hemisphere. And through this questioning, reform detractors successfully used the economic rhetoric of the bill’s supporters to alter the reform from many of its initial intentions.

52 Hearings before the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary, United States Senate, 89th Congress, 1st Session, 1965, 52.
CHAPTER V. THE WESTERN HEMISPHERE QUESTION

Michael Feighan (D-OH), calling Latin American workers “unskilled and unsophisticated in industrialized North American terms,” reoriented the immigration debates in the 1965 House hearings towards the non-quota status of the Western Hemisphere. Feighan wondered why, if the point of the immigration reform was to put all immigrants on an equal footing and favor skilled workers, would a part of the world that had “unskilled and unsophisticated” workers receive special exemptions? The Johnson administration immediately objected to the possibilities of placing restraints on the Western Hemisphere based on foreign policy grounds, pointing to the tenuous situation in Latin America in the midst of the Cold War. But through the maneuvering of Feighan’s counterpart in the Senate subcommittee, Sam Ervin (D-NC), an overall quota on the Western Hemisphere became a reality.\(^1\)

In the midst of the jostling over immigration from the Western Hemisphere, Feighan altered the bill even further. He turned the bill into primarily a family reunification reform. This new orientation received little opposition from immigration reformers because the bill still allowed a large enough percentage of skilled immigrants and innovators to enter the U.S. It also ended the national origins quota system and allowed for families to either reunite with U.S. citizens or legal residents, or move with skilled immigrants. Immigration reform detractors found this an acceptable compromise because it promised to effectively continue a national origins quota since family reunification would presumably go to the non-Asian and non-Latin populace that made up the majority of the U.S. National origin supporters, therefore, successfully established a bill that partitioned 74 percent of the immigration code to family reunification.

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\(^1\) Michael Feighan notes, March 6, 1967, Michael Feighan Papers, Mudd Library, Box 4.
This chapter argues that reform detractors waged a successful counterattack to those that desired to end the national origins quota system. These detractors appropriated the economic rhetoric that reform supporters used against their cause. Casting Latin American workers as unsophisticated and agreeing with reform supporters on the benefits of permanent residents and consumers allowed reform detractors to get the changes to the code that they sought. As the administration relented on its foreign policy demands and congressmen accepted the focus on family reunification, what resulted was an immigration reform that was compromised from its original intentions.

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Congress’ initial concern with the Western Hemisphere’s role in the newly proposed immigration reform dated back before the House hearings in 1965. The question rested on the changing status of newly independent nations Trinidad and Tobago and Jamaica. Before these nations were included in the non-quota status of the Western Hemisphere, they were subject to the quotas of their mother country. As early as Kennedy’s administration Philip Hart pointed out the essentiality of providing non-quota status to these newly independent nations. Although Trinidad and Tobago and Jamaica were ex-British colonies, they became a bulwark (along with other areas, most importantly Puerto Rico) against communist Cuba. As Cuba rapidly moved toward the Soviet bloc after the 1959 revolution, it became increasingly important to Washington to show the merits of staying within the American sphere through providing, amongst other economic benefits, an open door to those nations’ immigrants.2 In fact, Hart argued that he

designed his initial drafts of his immigration bill, “first, and most important … recogniz[ing] the essential foreign policy demands of a sound immigration policy.”

He maintained that Congress and the nation needed to foster good relations with the Western Hemisphere, Latin America specifically, in order to prevent Latin American nations from courting the Soviets, similar to what happened in Cuba.

Washington watched the Cuban Revolution of 1959 with a weary eye. After the ascension of the new regime, the young revolutionary Fidel Castro made overtures to the United States of possible cooperation. But Castro increasingly demonstrated that Cuba would not continue its previous path with the United States. Tensions grew into the 1960s through the failed Bay of Pigs fiasco and the Cuban Missile Crisis, and throughout all of this growing pressure, Cuban immigrants were fleeing to the United States creating difficulty for the nation’s immigration code. What resulted was a glut of new Cuban refugees into one condensed region, south Florida.

Since Cuban refugees began streaming into the United States, governmental officials had a case study of the effects of immigration on one particular community. What this taught many governmental officials was that properly administered immigration would not have a deleterious effect on the economy or employment numbers. Through the Cuban Refugee Program new Cuban immigrants found the transition to American life easier and some jobs available. But

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Although Hart argued that foreign policy concerns needed to be recognized, “first, and most important,” his next paragraph continued, “Equally important, this proposal recognizes that each immigrant as an individual has a special worth because of his potential contribution to the total manpower of our nation.”


*García, *Havana USA*, 30-37; Paterson, 255-263.*
concentrating in south Florida, Cuban immigrants seemed to promise problems in that region’s job market. This concern opened the discussion to larger questions regarding Cuban migration.  

The Study of Population and Immigration Problems hearing with Mario Noto of the Immigration and Naturalization Service showcased the debate over Cuba. During this 1963 interview, Noto received multiple questions regarding the status of Cuban refugees and attempts to resettle Cuban immigrants away from the Florida area. But the House Judiciary Committee made sure to downplay the economic ramifications of this policy, as would be excepted from refugees, and focus on the foreign policy objectives. In fact, Feighan stated, “No doubt they are convinced that eventually the United States and other members of the Organization of American States will have to take purposeful action to rid the hemisphere of the Russian beachhead in Cuba.” He continued, “Moreover, they may be convinced that somehow they may be able to contribute to emancipation of their homeland.” Calling upon a hypothetical situation where a Cuban immigrant might decide that he wanted to obtain permanent residence, Noto stated, “the mere fact that he at that time applies for a visa to acquire permanent residence should not be construed as an abandonment by the individual of a thought that he eventually may someday return to Cuba.” Cleary because of many Cubans’ refugee status, they were exceptions to the immigration policy.

Not all political figures had this rosy estimation of Cuban immigration, however. A familiar detractor of the administration’s stance, Vice Presidential candidate William Miller, while on the stump in 1964, questioned the economic ramifications of this viewpoint; “We cannot continue to subsidize each visiting Cuban family with checks from our Federal Treasury forever.” Philip Hart responded to his suggestion by stating that, “Of the 250,000 Cubans in this

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7 García, *Havana USA*, 20-21, 30-40.
country, most are contributing guests in our society.” He then pointed to the findings of the Department of Health, Education, and Welfare that of those 250,000, less than 25,000 remained on relief. In fact, he argued, the country’s economy was more than able to absorb increased numbers of immigrants.9

Cubans received special consideration beyond refugee status because of the extenuating circumstances that surrounded this movement (a Communist government just 90 miles off the coast of Florida). And Washington obviously viewed Cuban refugees as temporary sojourners who would return once the Cuban people overthrew the Castro regime. In the meantime, however, Washington had to address the structural unemployment problems. Johnson explored one avenue to this adjustment by threatening to cut off aid to Cubans who refused to relocate for jobs in which he or she qualified. Washington also introduced many other programs to assist in the transition, including job training programs and licensing procedures to ensure that trained doctors, lawyers, etc. could practice in the United States. But, despite concerns with structural unemployment, the record of transition for Cuban refugees was fairly successful, as most Cubans seemed to find employment. The relative success of the Cuban Refugee Program heartened those that supported the War on Poverty employment measures.10

Partly in response to this communist expansion into the Western Hemisphere, Washington moved carefully to consider its policy towards newly independent Jamaica and Trinidad and Tobago. Attempting to use their membership in the West Indies Federation (WIF), a now defunct organization described by historian Jason C. Parker “as a kind of halfway house en route to full independence,” to Washington’s advantage, the U.S. hoped that newly independent island nations like Jamaica and Trinidad and Tobago would be a counterpoint to

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9 Congressional Record, September 8, 1964, Philip Hart Papers, Bentley Historical Library, Box 94, Kennedy Immigration Bill.
10 García, Havana USA, 37.
Cuba through U.S. support. Although Washington was disappointed that the WIF failed to last beyond 1962, these newly independent nations did not follow down Cuba’s path either.11

These ex-British colonies caused some concern in the immigration code since they were exiting the quota system as British subjects, and entering the non-quota system as independent Western Hemisphere nations. One concerned citizen wrote Representative Eugene Keogh [D-NY] denouncing the congressman’s approval of Philip Hart’s amendment to the immigration act. He questioned, “Don’t you think it would be fairer and more sensible to at least put immigration from the Caribbean and Latin America on the same basis as immigration from Europe rather than favoring Latin America immigration over European immigration?” As early as 1963, the question of the Western Hemisphere’s “favored” status began to enter into the immigration discussion.12

Unable to reply to his constituent’s concerns, Keogh forwarded it to Philip Hart. Hart responded, “I think the principal argument for not extending some type of quota system to the Western Hemisphere is the adverse effect it would have on our good relations with Latin American countries.” In fact, through programs like the Alliance for Progress, Washington remained very concerned about the possibility of more Latin American nations turning communist in the same way as Cuba.13

Regardless, the inclusion of Trinidad and Tobago and Jamaica into the Western Hemisphere guidelines of the existing immigration code received very little resistance. Norbert Schlei, U.S. Assistant Attorney General, also called for the law to be rewritten to allow Trinidad

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11 Parker, 12-13, 100, and 158-160.
12 Letter from Albert Mayer to Eugene Keogh, May 1, 1963, Philip Hart Papers, Bentley Historical Library, Box 145 – Immigration General.
and Tobago and Jamaica to be included in a non-quota Western Hemisphere. The administration stance stated, “[T]he inclusion of Jamaica and Trinidad and Tobago within this single quota will not change conditions in the U.S. labor market.” He continued, “…any increase in immigration from Jamaica and Trinidad and Tobago will be offset by a decline in immigration from other comparable areas in the Western Hemisphere.” Regardless, questions surrounding Cubans’ refugee status and adding Jamaica and Trinidad and Tobago to Western Hemisphere quotas proved a segue to more substantial deliberations.14

The Western Hemisphere was a unique question considering the supporters based their initial push of immigration policy on opening the code, not placing more restrictions. Northern and Western European countries were not filling their quotas and Southern European nations (like Italy who had a large expatriate population in the U.S. calling for increased quotas for their homeland) were receiving larger quotas. Asian nations also received quotas on par with the rest of the hemisphere where they had paltry quotas before 1965. From a foreign policy standpoint, congressional representatives accepted immigration reform as a positive change for the “Old World.” But immigration reform was much more complicated in the Western Hemisphere.15

Leading opponents like Michael Feighan and Sam Ervin pointed out the most contentious point regarding the Western Hemisphere—its non-quota status and its supposed concentration of unskilled potential immigrants. They felt that the proposed immigration reform might be more palatable to some restrictionist voters if they presented it as legislation that controlled increasing immigration from Western Hemisphere. As seen in the introduction to this chapter, Feighan and

14 Norbert Schlei, “Background Briefing,” January 12, 1965, LBJ Library, Legislative Background 1, The Road to Final Passage 2, 7; Questions and Answers,” unknown date, LBJ Library, Legislative Background 1, The Road to Final Passage 3, 5.
15 Although it appeared that this bill would only bolster foreign policy concerns in the Eastern Hemisphere, the United States soon experienced protests from Irish Americans who learned fairly quickly that this bill curtailed immigration from Ireland. See Roger Daniels, Still the Golden Door, 141.
his advisors felt, “Within the Western Hemisphere one of the largest groups of intending immigrants are Mexican brothers and sisters of United States citizens, the majority of whom are unskilled and unsophisticated in industrialized North American terms.” Although Feighan does not write down his thoughts on this until the post-1965 Select Commission on Western Hemisphere Immigration, his actions throughout the process showed this belief. Feighan and Ervin called for a numerical limit on the hemisphere based on potential employment problems.16

Supporters of the reform often answered Feighan’s concern. Assistant Attorney General Norbert Schlei argued that even without a set numerical limit, Western Hemisphere immigrants could not come into the nation indiscriminately. He stated, “unless a person has a skill or he has a job, or he has relatives who are willing to support him, he just doesn’t get a visa in the first place.” Schlei understood the concerns that Feighan and other congressional representatives held, and further expounded on his faith in the controls set up for the Department of Labor. He continued, “It is just that a fairly limited number of people can demonstrate when they arrive they will not become public charges. The Secretary of Labor has authority to regulate that to some degree, and he uses it.” It seemed that the belief that Latin America did not provide a large supply of quality immigrants permeated all sides of the discussion. Schlei did not contest the argument that the Western Hemisphere largely consisted of unskilled workers, but he felt the mechanisms were in place to prevent a flood of migrants.17

Administration officials showed their unwillingness to agree to changes in Western Hemisphere status. Secretary of State Dean Rusk stated that placing a quota restriction would, “vex and dumbfound our Latin American friends, who will now be sure we are in final retreat from Pan Americanism.” Secretary Rusk, through the proxy of U.S. Assistant Secretary of State

16 Michael Feighan notes, March 6, 1967, Michael Feighan Papers, Mudd Library, Box 4.
17 Norbert Schlei, “Background Briefing,” January 12, 1965, LBJ Library, Legislative Background Box 1, The Road to Final Passage 2, 29.
for Security and Consular Affairs Abba Schwartz, reiterated his argument to Attorney General Katzenbach “that imposition of an over-all ceiling at this time would compound our problems with our Latin American neighbors.” Schwartz wrote to Katzenbach that, according to Rusk, foreign policy problems could be avoided by placing a line in the bill that stated, “if total immigration from all sources reaches 400,000 in any one year, the President is requested to notify the Congress within 90 (or 60) days, together with such recommendations, if any, as he may have.” The administration and those in support of the administration bill were adamant that adding any provisions that would place a numerical cap on Western Hemisphere immigration would be detrimental to relations. But in order to iron this concern out, the bill needed to move out of the House and to the Senate. Feighan, however, remained a roadblock to moving the bill out of the subcommittee.18

Administration officials and other supporters of immigration reform felt that Feighan had purposely delayed pushing forward with immigration reform and the hearings. But that changed when he barely retained his seat in the House in the 1964 elections. During the primaries he did not win a majority of the votes in Cleveland, his home district— a district that still contained “many first and second generation immigrants with relatives still in the old country.” When Johnson made a trip to Cleveland during his own campaign, he put pressure on Feighan to move forward with the immigration bill, informing him that the Democratic platform was to remove the national origins quotas. Feighan allegedly received “The Treatment” from LBJ, which included “White House dinners, consultations in the Oval Office and trips on Air Force One.”

18 From Valenti to Johnson, May 8, 1965, LBJ Library, WHCF LE/IM, Box 73, EX 11/22/63 – 9/30/65; Letter from Schwartz to Katzenbach, May 20, 1965, LBJ Library, Legislative Background 1, The Road to Final Passage 3.
The election scare and Johnson’s intervention succeeded in getting immigration reform before hearings.19

Instead of discussing the many different bills proposed by members of the House, the committee now had a supported administration bill to consider—H.R. 2580. Despite the early jostling over the Western Hemisphere and its status within the new immigration reform, the Western Hemisphere question mostly remained out of the discussion during the initial 1964 hearings. But during the 1965 House hearings it became clear how much the Western Hemisphere question had begun to permeate the conversation.

Attorney General Nicholas Katzenbach was the subcommittee’s first witness. His testimony highlighted the way that the administration and supporters of the administration bill viewed the Western Hemisphere question. “There simply is not a real immigration problem with respect to the Western Hemisphere countries,” he explained. But, he maintained that placing barriers would actually create problems. Stating that Mexico and Canada “are two countries in which there is a good deal of traveling back and forth across the border,” and since “There is a good deal of activity on the part of American business going up into Canada,” he opined, “It seems to me there are enough problems in the area of immigration without unnecessarily creating another problem.” So, for the ease of commercial relations and American business, Katzenbach argued in favor of continuing Western Hemisphere exclusions from quotas. Feighan and others on the committee probed the Attorney General on how this policy towards the Western Hemisphere somehow skirted the problems with discrimination based on national origins. Katzenbach responded, “The initial national origins system quota law was heavily Anglo-Saxon and Northern European oriented. It discriminated against Italians, Greeks, other countries of

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Southern Europe and the Asiatic countries. I think what we are trying to do now is to reduce that discrimination.” Katzenbach continued that the Western Hemisphere was “a population derived from immigration by and large,” and therefore maintaining a non-quota system with that hemisphere did not discriminate against one particular people. His argument rested that since Latin America was similar to the U.S. in that it historically had a large influx of immigration, then it was not discriminatory since it did not favor a particular race or ethnicity of people—it was a “melting pot” like the U.S.20

Katzenbach’s testimony provided one insight into how the administration wanted to address the Western Hemisphere question. The purpose of immigration reform, according to the administration, was to break down old barriers and not erect new ones. Placing a quota on the Western Hemisphere appeared to risk undermining the foreign policy agenda of the administration toward the Western Hemisphere. And since the existing code already contained stipulations to curtail the immigration of unskilled workers, and since the ending of the bracero program supposedly solved the question of the migration of temporary workers, then there was no need for Congress to place further immigration regulations on that part of the world.

The reasons for the administration’s support towards maintaining the non-quota status of the Western Hemisphere was clearly articulated in Secretary Rusk’s statement and responses before the House Subcommittee. The Secretary of State provided three major areas of foreign policy concern that the immigration code hoped to solve: elimination of the national origins quota, elimination of the categorization of “Asia-Pacific Triangle” (that is those regions in Asia that received a small portion of the overall quotas), and bringing Jamaica and Trinidad and Tobago under the rubric of the Western Hemisphere. Whereas almost all members of the

immigration subcommittee accepted the first two points of the administration's concern, the last point provided a gateway into the larger non-quota question. Secretary Rusk demonstrated his objection to placing a quota on the Western Hemisphere by complicating the negative connotations associated with the word. Rusk stated, “In one sense, any drawing of distinction is a discrimination. I would not, myself, deny that there is a distinction drawn between the Western Hemisphere and the others … I would not object to that being called discrimination.” Rusk concluded, however, “I would suggest that it is not that type of discrimination which causes us difficulty in our relations with other countries.” In fact, Rusk’s defense of the non-quota status of the Western Hemisphere rested on his insistence that there was no need to change the status of the Western Hemisphere based on how other non-Western Hemisphere nations would perceive it. From the Secretary’s perspective, the U.S. would have nothing to gain from placing a quota on the Western Hemisphere; “We … have had no indication from any one anywhere else in the world … that they look upon the special relationship which we have in the Western Hemisphere as being derogatory to themselves.” From Rusk’s point of view, placing a quota on the Western Hemisphere would accomplish nothing from a foreign policy standpoint in relation to the Eastern Hemisphere. And he continued by arguing that any concerns the subcommittee had regarding increased numbers of immigrants was unfounded.21

Defending the administration’s objectives, Rusk stated, “The favored position of natives of the Western Hemisphere who are permitted to immigrate in a nonquota status, has not been considered discrimination and I know of no valid substantive reason why, after 40 years, a numerical limitation should be placed upon nonquota immigration from the Western Hemisphere.” Rusk, and the administration, viewed the Western Hemisphere as part of a unique case for the United States; “[t]he freedom of movement of peoples within the Western

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21 Ibid., 91-92, 94.
Hemisphere recognizes the special relationships, close associations, and good neighbor policy which has been and is the foundation of our relationship with our neighbors to the north and to the south.”22

Secretary Rusk appeared to share Feighan’s assumptions about the quality of individuals within the Western Hemisphere, although it led him to a different conclusion. He continued to argue that there was no need to place a quota on the Western Hemisphere because of the safeguards already placed in the immigration bill that prevented the admission of unskilled workers. “The United States has become a highly complex, highly sophisticated society,” he argued, “[w]e have heavy unemployment at the lowest levels of the economic scale, or the lowest levels of education.” He assumed, then, because of these safeguards on unskilled labor, that quota numbers were not necessary since the Western Hemisphere would not contribute greatly to the U.S.’s need for skilled labor. “[W]e are not under pressure to accept large numbers of peoples who want to come here without training, talent, education, or special ability, because there are not the opportunities here that attract them,” he concluded.23

Others invited to the hearings began preparing to answer questions on the Western Hemisphere in expectation that this was the hot-button issue. Some individuals even attempted to preempt the questioning by engaging the subject when the first hint of its discussion arose. Andrew Biemiller, AFL-CIO Legislative Director, showed his readiness to engage this topic before the House subcommittee. Feighan first questioned Biemiller by asking, “Do you feel that the principle should be applied universally throughout the entire world?” Biemiller immediately mentioned the Western Hemisphere; “I think it is perfectly obvious that we still have left, Mr. Chairman, the age-old problem of the Western Hemisphere preference situation . . . . I think we

22 Ibid., 91.
23 Ibid., 95.
would probably get into some serious difficulties if we tried at this stage of the game to make any change in that situation.” Feighan responded, “Yes, I understand that. My question was really directed to the problem of whether we would be adopting basic policy of eliminating the national origins quota system which asks prospective immigrants where they were born to countries external to the Western Hemisphere and also to countries in the Western Hemisphere.” The Western Hemisphere question was so commonplace that testifiers came prepared to defend their stance regarding the subject.  

The argument over the economic ramifications of Western Hemisphere immigration was well defined in Andrew Biemiller’s testimony before the House Immigration Subcommittee. A former Representative himself, Biemiller was familiar with Congressional hearings. As AFL-CIO’s representative, he argued in favor of the new immigration law, but recurrently insisted that his support rested on the continued controls of labor importation within the framework presently constructed, specifically on the Secretary of Labor’s power over designating which skilled and unskilled positions were in need of immigrant workers. But after his initial comments regarding the immigration act and the economy, Representatives Peter Rodino and William T. Cahill questioned him regarding the Western Hemisphere.  

Peter Rodino (D-NJ) first asked Biemiller about the Western Hemisphere. Rodino wanted to ensure that he was sympathetic to protecting the American worker in this legislation. He began, “I assure you that we want to recognize always the domestic interest of the worker and we should take this into consideration.” But he then wanted to hear the AFL-CIO’s Representative’s comments on Western Hemisphere immigration. He asked Biemiller, “I wonder if you are satisfied with the fact that although this difference [between the Western

\[\text{\small 24 Ibid., 324-325.}\]
\[\text{\small 25 Ibid., 319-346.}\]
Hemisphere and Eastern Hemisphere’s numerical caps] does exist … that it is because we are concerned with the foreign policy of our country.” Biemiller responded, “as long as we keep a tight rein on that immigration in terms of making sure that those who are received … do have assured jobs … I think it could be a mistake if we tried to tamper with that situation, because it also involves our foreign policy.” Biemiller was not concerned with overall numbers admitted into the United States. His concern solely focused on ensuring that those admitted would not be a detriment on the work force.26

When Biemiller discussed the same subject with Congressman Cahill (R-NJ), Biemiller showed that he was not concerned with immigration totals to the same degree as many members of Congress. In fact, Biemiller argued for an Eastern Hemisphere ceiling of 250,000: 80,000 more than what was eventually passed by Congress. When questioned about increasing immigration numbers, Biemiller responded, “Providing the law is properly administered and that there is a careful check kept on the unavailability of jobs for those who come in under the provisions requiring specified skills,” he felt increased numbers would not negatively effect the U.S. work force. He went as far as supporting the removal of a total cap on all parts of the world. He stated, “As I understand what we are going to do, it is gradually to do away with the whole quota system. Simply, then it would be up to the people to meet the general requirements of the law.” Biemiller was satisfied with a plan to remove numerical quotas as long as the United States put a strong focus on skills acquisition and safeguards on labor.27

Feighan’s comments and Biemiller’s testimony before the House Immigration Subcommittee demonstrated the conflicting views on the Western Hemisphere quota. Restrictionists were interested in placing a numerical ceiling on immigration in general and the

26 Ibid., 329.
27 Hearings before the Subcommittee No. 1 of the Committee on the Judiciary on H.R. 2580, House of Representatives, 89th Congress, 1st Session, 331-332.
Western Hemisphere was an area that required the most attention since it operated without any sort of quota. Immigration reformers in support of the administration bill argued that numerical ceilings in themselves were not as important. What mattered was that the nation only admitted potential immigrants if they would not displace domestic workers or become a public charge. Detractors retorted that if the goal was to reduce the flow of unskilled workers into the United States then it would be prudent to place a cap on an area of the world with the highest concentration of unskilled workers, i.e. Latin America.

Concern over Latin American relations provided the biggest impetus for those opposed to a Western Hemisphere quota, but Canada also generated some concern for Hart. He argued, “our long-established relations with Canada do not lend themselves to the imposition of a quota system on Canadian emigrants. It would obviously not serve U.S. interest to inject a needlessly irritating element into the conduct of our affairs with one of our nearest neighbors, our most important trading partner and our closest ally.” Hart’s views represented those of the administration, but Canadian officials appeared to have a much more ambivalent view.²⁸

Whereas Paul Martin, Canada’s Minister of External Affairs, felt that placing a total cap on Western Hemisphere immigration might hurt relations between the two nations, John Nicholson, Canada’s Minister of Immigration and Citizenship, held a different view. Martin argued, “If the bill were passed in its present form it would be a regressive factor in our traditional arrangements with the United States insofar as the movement of our peoples is concerned.” Nicholson felt differently, “While I hesitate to comment on a bill that is only a recommendation from a committee, we in Canada feel that the United States has attracted many

of our best people.” He continued, “If Congress were to take such action as recommended…it would certainly not hurt Canada.”

Canada’s concern with high-skilled individuals leaving for the United States was indicative of a larger debate that surrounded the idea of the bill’s contribution to a “brain drain.” As shown in Chapter Four, this held special interest in Latin America considering the concomitant Alliance for Progress. As the United States was pouring billions of dollars into Latin America it seemed counterintuitive for the U.S. to rob it of individuals with high skills and exceptional talent. In addition to providing economic stimulus to these nations, programs such as the American Institute for Free Labor Development operated to provide individuals within Latin American nations with needed skills. President Johnson lauded this program as bringing, “untold benefits to the Latin American worker.” He argued, “In it the Alliance for Progress has found a ready champion, and its countless beneficiaries have found the pathway to a better life.” Indeed, the United States was active, at some level, in the betterment of Latin American economies. But brain drain issues seemed to be far from the minds of immigration reformers when discussing the part that Latin America played in the United States’ immigration rolls.

Feighan continued to fight to place a quota on the Western Hemisphere. Attorney General Katzenbach sent correspondence directly to Feighan in hopes of compelling Feighan to drop the possibility. Katzenbach, after “initiat[ing] a thorough review of this issue within the [a]dministration,” pleaded Feighan “not to pursue this particular proposal at this time.” He reiterated, “It is our view that a change in the immigration laws such as you propose would have

30 Letter from Johnson to George Meany, May 23, 1966, LBJ Library, WHCF LA Box 1, Management Relations [2 of 2].
extremely adverse effects on our foreign relations and would be particularly inopportune at this
time.”

The administration attempted to come to terms with Feighan’s goal of placing a quota on
the Western Hemisphere. In a private meeting between Norbert Schlei and Feighan, Schlei
informed the congressional representative that the administration was willing to go along with a
numerical cap on the Western Hemisphere if it were placed “in the least offensive way possible.”
According to the administration, this meant a “a one-line amendment that would impose a fixed
numerical limit on immigration of all kinds from every part of the world, quota or non-quota.”
Schlei hoped that even if Feighan was not willing to go along with this that “we would
nevertheless have the votes needed to get the bill out of committee.” It appeared that Feighan
was willing to place a global quota in the immigration bill rather than a special line for the
Western Hemisphere. In a proposal, Feighan called for a 325,000 fixed ceiling on immigration
globally with no special reference to the Western Hemisphere (although it is uncertain why that
proposal was not accepted).

Philip Hart tried to air his concerns again before the stipulation made it into the bill by
pointing to the long-term relationship between the United States and the Western Hemisphere.
He argued, “Common interests, ideals, and aspirations have been reinforced through the
Organization of American states, the Good Neighbor Policy, and, more recently, reaffirmed
through the Alliance for Progress.” He continued, “To now restrict immigration from Latin
America under a quota system would be a significant and deleterious departure from these
historic policies.” Hart, a strong supporter of the administration’s stance, was concerned that any

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31 Letter from Katzenbach to Feighan, May 26, 1965, LBJ Library, Legislative Background 1, The Road to
Final Passage, 3.
32 Schlei to Johnson, “Memorandum for the President,” May 7, 1965, LBJ Library, WHCF LE/IM, Box 73,
EX 11/22/63 – 9/30/65; “Basic Provisions of Mr. Feighan’s Proposal, unknown date (mid-1965), LBJ Library,
WHCF LE/IM, Box 73, EX 11/22/63 – 9/30/65.
new restrictions on Latin America might cause damage in Washington’s efforts to foster good relations. He continued, “Our history of Western Hemisphere unity and friendship is not without its strains. These have been possible sources of tension over beef imports, coffee prices, our former use of marines, our continued presence in Panama, and other matters.” Hart recognized that other nations had not always perceived the United States as a benevolent ally to the rest of the Hemisphere. “We are liable,” he continued, “to being viewed as a rich, domineering relative who is not generous except to protect investments from threats like Castroism. To take away [the Western Hemisphere’s] non-quota status now might well be portrayed as slamming the door on their people, or at least largely closing it.”

Feighan decided that the best means to accomplish its passage in the most preferable way was to change the bill into primarily a family reunification bill. He maintained the preference for skilled workers, but placed it below the percentages dedicated to family reunification. Whereas in the 1952 bill, skilled workers were grouped with their families in one fifty percent allotment, now this was broken up to provide more weight to the family. As scholars have pointed out since the passage of this bill, this altered it from its original purpose. It changed it from a bill to end national origin quotas, into a bill that Feighan intended to resemble national origin quotas by ensuring that the majority of immigrants would be family members of the population that were already in the United States. Through the lobbying of such organizations as the American Legion and the Daughters of the American Revolution, Feighan and other immigration reform detractors attempted to create this “backdoor” national origins quota system. This, therefore, limited the amount of Asians and Latin Americans who could immigrate (although the actual application of the bill ended up doing the opposite). In fact, a Japanese-American organization

understood what purpose Feighan had for this focus on family reunification. It argued, “although
the immigration bill eliminates race as a matter of principle, in actual operation immigration will
still be controlled by the now discredited national origins system and the general patterns of
immigration which exist today will continue for many years to come.”34

Despite protests against the family reunification changes, this alteration was satisfactory
from an economic perspective, in the minds of immigration supporters, because Feighan’s bill
still valued skilled workers and provided the Secretary of Labor with the means to choose those
immigrants that had the skills most wanted in the U.S., and it gave preference to wives, children,
and parents of already productive members of American society. In other words, it provided
consumers that would only expand American business since they would consist of wives and
children, i.e. non-workers. However, it did compromise some economic tenets since it also
provided up to 34 percent of the immigration code to siblings of legal residents and immigrants.
This could include unskilled workers and those that might exacerbate the structural
unemployment problems. So, what Feighan placed before the subcommittee was a bill that not
only conflicted with stated economic goals, but also challenged the elimination of national-origin
quotas.

Immigration reform supporters seemingly accepted these changes, despite the possibility
of an influx of unskilled workers, partly because of the belief in the ever-expanding economy,
and because of Congress’ concern with bolstering consumer markets. As late as the 1950s
business journals were arguing that continued focus on the “middle-class market” was actually
slowing down the economic benefits. In addition to previous means of expanding consumer

34 Roger Daniels, Guarding the Golden Door, 120; Desmond King, Making Americans: Immigration, Race,
found in: Vernon M. Briggs, Immigration Policy and the American Labor Force (Baltimore: The Johns Hopkins
University Press, 1984), 69.
products based on purchasing power, businesses sought ways to diversify their products in order to appeal to varying tastes, and therefore expand their consumer base. As some businesses were able to adapt to this change, others had difficulty. By promising an increase in consumers from immigration (i.e. family members connected to a skilled worker, established legal residents, or citizens) businesses were promised more domestic consumers for their products.\footnote{Lizabeth Cohen, \textit{A Consumers’ Republic}, 292-298.}

It also provided an extra benefit of tackling the problem of rising non-quota immigration. The new writing in the bill provided that the only quota-exempt immigrants could be spouses, children, and parents of U.S. citizens. Everyone else had to be approved through the quota system.

The administration looked for ways to undermine this new legislation in support of Celler’s bill, but Feighan and others found ways to rebuff their attempts. The biggest impediment to the change in the bill was not in ideological differences between the original bill and the new provisions as outlined by Feighan; it was in diplomacy. It took some fighting between the administration, who backed Celler because of his contributions to Johnson’s other initiatives, and Feighan’s control over the bill’s passage in the subcommittee. After some attempts by the administration and its congressional backers, from June 15 to June 17 Feighan and Celler worked out a compromise where Feighan’s provisions would be introduced but Celler would retain his name on the bill.\footnote{Koed, 250-259.}

The bill remained a “Celler” bill, but Feighan would receive many of his concessions. A letter from Secretary Rusk confirmed the administration’s acceptance of a quicker removal of the national origins quota system instead of its proposed five-year roll out. Rusk also confirmed the administration’s willingness to place an overall annual quota on immigration. This acquiescence
by the administration came with one exception, that there would be no limitation placed on the Western Hemisphere. Celler was willing to go along with the administration.\(^{37}\)

Representative Clark MacGregor (R-MN), despite Feighan’s compromise, put an amendment before the subcommittee to place a numerical limit on the Western Hemisphere. In fact, at one point the amendment was added to the bill by a vote of five to four. However, Frank Chelf (D-KY) changed his vote in response to a request from President Johnson. Chelf stated, “the President of the United States…can ask me for a favor…just as much as any constituent of mine back home.” He continued, “I changed my vote in the subcommittee only to get the bill to the floor.” As the bill made its way through the Judiciary Committee and to the floor of the House, it stalled briefly, once more, as discussion turned to adding an amendment of a Western Hemisphere limit of 115,000. The amendment was defeated and the bill passed handedly by a 318 to 95 vote on August 25. Although it seemed the Western Hemisphere question had finally been resolved, and the administration’s concern over foreign policy had won out, the House discussion over the problem merely transferred to the Senate discussions over its version of the bill—S. 500.\(^{38}\)

As the Senate revisited its version of the immigration bill, Ervin began to intimate that he would place either a global cap or a specific quota on Western Hemisphere immigration. The administration, through Katzenbach, attempted to sway Ervin from placing this amendment in S. 500, but instead had to acquiesce to his demands. Ervin settled on a separate cap for the Western Hemisphere, but his true desire was to place an overall global cap within the legislation and remove any family reunification from non-quota status. Although he was not able to place all family reunification within a quota, he agreed to the immigration bill because of the

\(^{37}\) Ibid., 261-262.

implementation of the Western Hemisphere quota. The amendment passed in the committee by a five to three vote.

The administration was willing to soften its approach on the Western Hemisphere quota to achieve an immigration bill. As reported by the *Washington Star*, “While the administration strongly supported a new immigration bill as a top priority, it went along only reluctantly with the Western Hemisphere provision as the surest way of getting action on the legislation at this time.” Ervin pushed the bill through the subcommittee by a 6 to 2 vote. He argued that this amendment truly ended discrimination based on national origins in immigration policy, but continued his assertion that national origins favored those who provided the greatest contribution to America. As reported by Andrew Glass in the *New York Herald Tribune*, Johnson apparently convinced the State Department to accept Ervin’s changes after it was voted out of the subcommittee on August 26. After counting votes, the administration realized it could lose the bill if it did not acquiesce to this demand.39

Former President of the League of United Latin American Citizens (LULAC), William Bonilla, wasted no time arguing against the implementation of a Western Hemisphere quota. In a letter to president Johnson Bonilla proclaimed, “I am strongly opposed to this proposed amendment and would urge you to lead the opposition to the same. Adoption of this amendment would damage our relationship with our Latin American Countries, whose friendship is so vital during these times.” In response to Bonilla’s letter, Johnson’s Special Assistant, Harry

McPherson wrote that the administration was not in support of the amendment and hoped to have a “fair and progressive bill emerge from the Congress.”

Despite the many objections, the Senate passed S. 500 on September 20 by a 76 to 18 vote. Those that opposed the bill were mostly “Southern Senators on racial grounds,” according to *The Washington Post*. The majority of detractors never testified before the hearings to air their objections, but there were a few exceptions. However, those objections represented in the record came from Mexican American congressmen who objected to the reform because of “literacy requirements,” not on racial grounds. One detractor, Congressmen Henry Gonzalez (D-TX) attempted to have more stringent literacy requirements imbedded in the immigration reform. He stated, “persons who wished to become naturalized must speak the English language, but there was no requirement that he be able to read and write in English.” Fellow Congressmen from Texas, Kika de la Garza [Democrat] echoed Gonzalez’s desire to require immigrants to be able to read and write as well as speak the English language before naturalization, a rather conservative opinion within the larger Mexican American movement. Regardless, with clear majorities in both the House and the Senate, the detractors were well outnumbered and the bill went to a joint committee.

S. 500 and H.R. 2580 were similar bills with only the Western Hemisphere question truly standing out as different. From September 27 to 30 a joint conference committee met to iron out this major difference. House representatives did not feel there was enough of a mandate in their vote for the bill to put up a fight over the Western Hemisphere question. On September 30,

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Congress passed the compromise bill with the Western Hemisphere limit intact. Referencing how the Senate version of the bill became the major contributor to the new legislation Celler stated, “we came to the conclusion, in order to get something done, that we should do this.”

Through all of the jostling over the passage of the bill and the Western Hemisphere, it was discrimination based on national origins and foreign policy concerns that were compromised rather than economic principles. The final bill placed large allowances (74 percent) on family reunification in an attempt to curtail non-quota immigration. But the underlying effect of this change proved to be only a minor compromise to its economic principles. Despite the allotment within the bill given to siblings of U.S. citizens, the rest of the family reunification number was meant to include spouses and unmarried children who promised to be consumers that might help expand business. In the 1952 code, spouses and children were combined with highly skilled immigrants to make up 50 percent of the immigration code. Placing innovators and needed workers into a 20 percent allotment seemed to promise to increase the emphasis on these immigrants since they did not have to share their quota with family members. And with new controls from the secretary of labor to ensure businesses received the “right” skills (Chapter 4), this met all of the economic principles espoused in the majority opinions of the 1960s. The underlying effect of changing the bill to a family reunification reform, instead, was a backdoor continuation of national origin quotas since the majority of the immigration numbers belonged to family members of U.S. citizens, that is those members who already made up a strong European background. And, with the implementation of a Western Hemisphere quota, supporters of the economic benefits of this reform were not concerned since, in their minds, the majority of Latin American immigrants were not compatible with the nation’s skilled, industrial society. A

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42 Wagner, 437, 450-451; Koed, 243-274, quote on 274.
compromise on Western Hemisphere and family reunification principles, therefore, affected the nation’s foreign policy, national origin quota objectives, and its economic principles.

The immigration bill became law on October 3, 1965, signed by Johnson. The final wording of the bill placed a 170,000 total cap on the Eastern Hemisphere and a 120,000 total cap on the Western Hemisphere. Despite attempts to bring the Western Hemisphere under the same provisions as the rest of the world, Congress settled upon a few alterations that differentiated the hemispheres. First, Congress did not place the Western Hemisphere under the 20,000 national numerical ceiling as were other countries. In other words, it did not matter if the 120,000 allotment came primarily from one or two countries (a stipulation that allowed the nation’s closest neighbors, Canada, Mexico, and Cuba, to not have their numbers curtailed). Mostly, this was to accommodate Canadian immigration. As Norbert Schlei pointed out, “The tabulation shows a total of 2,394,124 such immigrants during these 40 years, over a million of them from Canada, which is by far the largest source of Western Hemisphere immigration.” The immigration code did, however, keep the Western Hemisphere under the same labor certification requirements. But considering Cuba’s political state, Cuban immigrants could qualify for an added seventh preference in the immigration law for political refugees from communist and totalitarian states. There was also a three-year study and select commission created to study the implementation of the Western Hemisphere quota (which was delayed to go into effect after the three years). Perhaps the most striking difference between the Western and Eastern Hemispheres was the prohibition of Western Hemisphere immigrants physically in the United States adjusting their status to permanent resident. Although Congress placed this to inhibit undocumented immigration since the immigrant might “circumvent … the normal visa issuing process,” it
nonetheless placed hardship on the immigrant who then had to return to his or her home country to obtain immigrant visas.⁴³

The leading journal of the business community was happy with the passage of the bill and the Western Hemisphere amendment. The Wall Street Journal opined after the passage of the bill, “while the Administration bill is a good one, the [Western Hemisphere] amendment is a sensible addition.” The Journal argued that discrimination based on national origins was “neither the fairest basis … nor the most useful . . . . It’s far more logical to stress, as the reform bill does, relationships to U.S. citizens and special skills needed here.” It concluded, “The need is for a law which is reasonably just, reasonably comprehensive and reasonably permanent. Both the general principles of the Administration bill and the Western Hemisphere limitation seem significant steps in that direction.” Although the business community remained relatively quiet, the Wall Street Journal depicted it as an innocuous bill that righted an injustice.⁴⁴

Congress was not done with the Western Hemisphere quota question, however, since it created a commission to investigate the new policy’s implications on the immigration code. It contained “15 members … to be composed of 5 members from the House, 5 members from the Senate, and 5 members to be appointed by the President.” As its chair, the president selected Richard M. Scammon. Johnson was attracted to Scammon because of his work on a voting requirements commission during the Kennedy administration. Other immigration policy stalwarts from Congress also manned the commission, including Feighan, Hart, Edward

Kennedy, and Celler. But Scammon and Assistant Secretary of Labor Stanley Ruttenberg were the two main commissioners that appeared at nearly all the hearings.\textsuperscript{45}

The commission had an inauspicious start, however, forming just months before the scheduled submission of an interim report. In that report, Scammon began pleading for an extension to provide time to conduct a full study. He argued, “the members believe that the Commission should be extended one year, until January 15, 1969, and that the effective date for the imposition of the ceiling on Western Hemisphere immigration should be delayed until July 1, 1969.” When Scammon did not receive an extension for the committee, the committee decided to focus only on the issue of commuter employment. And, although the commission submitted a report to find means to curtail commuter employment, Congress ignored the report and the Western Hemisphere quota went into effect after its three-year waiting period.\textsuperscript{46}

Although the immigration bill is remembered today as ending national origins and its unintended consequences, this obscures the degree to which Congress and the administration truly wrestled over the economic considerations of the bill. As the Western Hemisphere became the center of attention, Congress jostled over the impact this would have on foreign policy. But reform detractors used the economic question to not only bring the Western Hemisphere under a quota, but to reorient the bill to family reunification and thus create a backdoor national origins quota by providing large and exempt quotas for family members of citizens and legal residents. Although this caused problems in the reform supporters’ economic argument, allowing large allotments for family members that did not necessarily meet that criteria seemed acceptable since so many individuals began to believe that the economy could remain resilient as long as innovators and skilled laborers, who could open employment bottlenecks, were a major


\textsuperscript{46} “Proposed Interim Report B,” unknown date, Michael Feighan Papers, Mudd Manuscript Library, Box 4.
component. In the end, Congress’ belief in the efficacy of consumers, innovators, and skilled workers became the central hinge upon which immigration reform in the 1960s revolved, even if the actual consequences of the bill did not meet its initial intentions.
EPILOGUE. BEYOND 1965

Lyndon Johnson signed the new Immigration and Nationality Act on October 3, 1965 (officially P.L. 89-236, amending the McCarran-Walter Act). At Liberty Island he uttered, “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 our power. Yet it is still one of the most important acts of this Congress and of this administration.” By emphasizing the supposed importance of the bill while stating that it would not add “wealth … or power” he highlighted the true impetus of the bill. Despite all of the wrangling over the economic consequences of immigration, the demise of the national origins quota remained key. This rhetoric partially influenced the way that commentators and scholars have studied this immigration reform.¹

By the administration focusing on the merits of ending national origin quotas, and considering the political atmosphere of the early-1960s, scholars and commentators will forever link the INA of 1965 with civil rights legislation. This idea has seeped into many works. Betty Koed wrote in her dissertation that the INA of 1965 was “the third leg of that legislative triad,” lumping the immigration code with the Civil Rights Act of 1964 and the Voting Rights Act of 1965. John Skrentny, in his work on Minority Rights, that “black civil rights … ease[d] passage of the Immigration Act of 1965.” Mae Ngai also points out how “[h]istory books record the Civil Rights Act of 1964 and the Voting Rights and Immigration Acts of 1965 as watershed legislation of the Kennedy-Johnson era.” And this interpretation continues to be the way that most scholars discuss immigration reform in the 1960s. John S. W. Park, in his most recent

work published in 2013 states that the INA of 1965, “was very much a part of the civil rights revolution in American public law.”

The overwhelming focus on 1965 immigration reform and its connection to the civil rights is not surprising, as the timing and nature of the reforms make them obvious cohorts. But as this dissertation shows, although Senators and Representatives initially pointed to national origin quotas as the reason to change the immigration code, this overwhelming concern for the confluence of civil rights activity and removing an immigration policy based on ethnicity has obscured the larger picture. It is not that scholars have ignored the economic argument, Mae Ngai points out that economic nationalism played a major role in the passage of the INA of 1965, it is simply that historians have decided to focus mostly on its other merits. Ngai chose to look at the passage as a result of liberal pluralism. David Reimers discussed the way that immigration code opened the door for a flood of third world immigrants. Otis Graham considers the INA of 1965 a perfect example of legislative unintended consequences. But this bill was also a product of economic thinking in the 1960s that went beyond these other considerations, even beyond the dictates of Ngai’s economic nationalism.

Economic nationalism only explains part of the story behind the economic aspect of the INA of 1965. Although it has been argued that the economic tenets of the new immigration code were conservative measures designed to bolster the U.S. economy at the expense of other nations (economic nationalism), this argument ignores the economic arguments that surrounded the passage of the immigration act that pointed to the decreasing need for unskilled jobs (because of automation and an increasing glut of young workers entering the job market) and the promised

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efficacy of skilled employment on opening the job market. Unquestionably this code, like any policy that deals with foreign relations, has a self-serving element, but economic planning connected to the War on Poverty and other Great Society legislation also heavily influenced policymakers. But if the overwhelming push to end national origin quotas was not enough to detract scholars from the economic merits of the bill, then the unintended consequences of the bill often became the other focus.4

Often scholars view the INA of 1965 as an example of how congressional representatives inadvertently opened the floodgates to increased immigration. Indeed, immigration numbers spiked. From 1951 to 1960 2,515,000 immigrants entered the United States. From 1971-1980 immigration numbers jumped to 4,493,000 and up to 7,338,000 from 1981-1990. And hit all time highs in the 1990s. As discussed in the introduction, scholars disagree on the importance of 1965 to this increase, but endless immigration through familial connections unquestionably played a part.5

Since familial connections became such a strong legacy of the immigration bill, other scholars focused on how congressional representatives surreptitiously designed the bill to uphold the ethnic makeup of the nation by focusing on family. Since very few American residents were of Asian descent, it seemed as if Congress felt that removing the national origins quotas in favor of family reunification and skills would not drastically alter the racial complexion of the nation. Immigration totals nonetheless received a drastic turn towards an increase in Asian and Latin American immigrants in the following years, another example of unintended consequences.6

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4 Ibid., 109-111.
The upsurge in Asian immigration most likely did catch policymakers by surprise. Queues within Asian nations to immigrate to the United States were low before 1965, so policymakers did not foresee an increase in a desire to gravitate towards the U.S. But through American occupation in Japan, Korea, and, increasingly, Vietnam, American culture spread throughout Asia, in an era of increasing distribution of American television and music, perhaps making the adjustment to the United States more fluid. Also, policymakers did not foresee the increase in Asian nonimmigrants gaining an education in the United States, settling permanently, and then providing for a cascading of family immigration from those “new seed” immigrants. Indeed, Asian immigration ballooned after 1965. In 1965 20,683 Asian immigrants entered the United States. By 1991 (the peak year) 358,533 immigrants entered the nation from Asian countries.  

Latin American immigration also increased, but its pattern of increase was perhaps a little more predictable. Although the Western Hemisphere received forty percent of the total immigration numbers, it represented only 10 percent of the world population. So, despite the 120,000 cap implemented on the Western Hemisphere immigration, the immigration code looked to favor Canada and Latin America. But the 120,000 cap was exceeded in the following years anyway. Increasing immigration from refugees provided some of the numbers, but also increasing numbers connected to family reunification. And with the bracero program ended, illegal immigration also increased. As Ngai succinctly points out, “most liberals failed to understand—or refused to admit—that illegal migration would rise as legal avenues for immigration were shut off.” Reports of Mexican nationals having children in the United States to gain a foothold in the nation were also common (although it took 21 years for the child to

\[\text{Reimers, } \text{Still the Golden Door, 94-99; usan B. Carter, ed., et. al., Historical Statistics of the United States: Millennial Edition Online.}\]
legally bring their family to the U.S.). Regardless of the many reasons, by 2000 Mexico made up over twenty percent of the total legal entrants into the United States.\footnote{Reimers, \textit{Still the Golden Door}, 122-132; Graham, \textit{Unguarded Gates}, 125; Ngai, 257.}

Considering these changes, the complexion of the immigration picture began to take on a whole new image after the 1965 legislation, regardless if it was a direct result of the Hart-Celler Act. As David Reimers famously wrote, “The Third World [came] to America;” indeed it did. And as the makeup of immigration changed, so did the way that policymakers viewed immigration reform. During the 1965 deliberations, discussion over “illegal” immigration barely made an appearance. Some testifiers appeared before the House or Senate hearings to argue in favor of a new guest worker program, but that was outside of the purview of limiting undocumented entrants. By the 1980s, when the next overhaul of the immigration code occurred, undocumented immigration became the major topic of discussion. Roger Daniels relays an interesting switch in immigration policy thinking by describing the differing views of economist John Kenneth Gaibraith and President of Notre Dame and head of the Selection Commission on Immigration and Refugee Policy (1978-1981) Theodore M. Hesburgh. Hesburgh and others of his thinking began to sway Congress into viewing immigrants as job stealers, while Galbraith argued that immigration was “economic development,” just as policymakers in the early-1960s did. Hesburgh’s point of view won out in the 1980s and Galbraith’s view that immigration was “economic development,” began to lose favor.\footnote{Reimers, \textit{Still the Golden Door}; Daniels, “Two Cheers for Immigration,” 50-51.}

This swing in prevailing beliefs in immigration policy gave way to the Immigration Reform and Control Act of 1986 (IRCA). As the name implies, there was more to this immigration reform than reorienting preferences and opening immigration to more people; now there was a particular focus on controlling undocumented entrants. But, just as scholars see the
INA of 1965 as an example of unintended consequences, the IRCA of 1986 also failed to meet many of the policymakers’ objectives. Roger Daniels argued, “the IRCA actually expanded legal immigration to the United States significantly and did little or nothing that would limit future illegal immigration.” Otis Graham also argued that this reform did not meet the objectives that were espoused by immigration reformers at the time. He stated, “the [IRCA was] in retrospect a public policy failure of major proportions.” The IRCA provided amnesty to those undocumented entrants who had been in residence since 1982 as well as providing for a mechanism to “legalize” agricultural workers. Policymakers hoped to implement a system that was preferable to mass deportation and perhaps curtail illegal entry. What some studies found, however, were that undocumented migrants continued to enter the United States and began saving their pay records in hopes that Congress would pass another amnesty. Although there was a temporary dip in immigration numbers, undocumented entry continued.\(^\text{10}\)

Connecting border control to immigration reform measures continues today as Congress negotiates a new approach to immigration reform in 2014. Both the Senate bill (S. 744) and the favored House bill (H.R. 1417) focus on strict border controls, and supposedly “100 percent surveillance” of the southern border. S. 744 also contains a provision for authorizing 11 million undocumented workers, a provision left a little more vague in the House offering. But the Senate bill also opens the immigration code a little to eliminate nation quota caps in plans of increasing skilled worker immigration from larger countries like China and India, showing a continued faith in skilled migration. Whether these reforms will become a single bill for the president to sign is

\(^{10}\text{Reimers, “Two Cheers for Immigration,” 52; Graham, Unguarded Gates, 107-109; Park, 82.}\)
not known at the time of writing this dissertation, but reports are that this immigration reform push “feels unstoppable.”

This “unstoppable” feeling might have a lot to do with the purported economic benefits of the reform. The Congressional Budget Office (CBO) conducted an economic review of the S. 677 bill and determined that it would reduce the federal deficit by $2 trillion over 20 years. Although the unemployment rate might raise by 0.1 percent, the bill would have no effect on unemployment by 2020. And, it would increase the U.S. GDP by “3.3 percent in 2023 and 5.4 percent in 2033.” But detractors of the bill still point out that illegal immigration would continue with very little change. The CBO reported that S. 677 would only decrease undocumented entry by 25 percent. So, concerns over the illegal entry of mostly Latin immigrants continue to abound. But those that champion this bill make the 2014 developments very interesting.

Just like the 1965 policy, the comprehensive immigration reform bill discussed in 2014, if it were to pass, might be remembered for something beyond simply reforming the immigration code. The so-called “Gang of Eight,” eight senators tasked with drafting the immigration bill, is made up of a bi-partisan group that includes Republicans John McCain, Lindsey Graham, Marco Rubio, and Jeff Flake. In a famous remark from 2010, Lindsey Graham referred to the DREAM Act, a proposal that would have provided amnesty to undocumented immigrants that had finished

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High School in the U.S., as a Democratic ploy to “drive a wedge between the Hispanic community and the Republicans.” In a reversal of Republican thinking, these Senators now called for the “legalization” of undocumented workers in 2014, along with the bill’s other measures. Many pundits argue this is an attempt by these Republican party leaders to win over Latino/a voters. Perhaps if this provision passes, history books will describe this bill as a political maneuver rather than an effort to bring immigration reform more in line with the economic ideas of the nation. In fact, it seems very little has changed. Considering the concomitantly high unemployment rates, a new immigration bill that promises to increase skilled labor while stopping unskilled labor from Latin America and the rest of the world will perhaps gain a lot of momentum.13

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