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"Our Gratitude to Our Soldiers": Military Spouses, Family Re-Unification, and Postwar Immigration Reform

In a speech at St. Olaf College, April 1964, Abba P. Schwartz of the U.S. Dept. of State told his audience that "the need for a more humane policy towards Asian immigrants became apparent when an increasing number of our servicemen during and after the Second World War married girls of various Asian ancestry." As one of the chief architects of the immigration reform initiated by Presidents John F. Kennedy and Lyndon B. Johnson, which ended the national-origins quota system, Schwartz's comments illuminate an understudied episode of immigration history—how the issue of "war brides," or military spouses, influenced the course of postwar immigration policymaking.[1]

In the first two decades following World War II, debates about the admission of military spouses into the United States, es-

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1 Department of State Press Release, April 1, 1964, Abba P. Schwartz, "Foreign and Domestic Implications of U.S. Immigration Laws," speech delivered at St. Olaf College. Box 495, Immigration General, 1964–1966, 9, Emanuel Celler Papers (hereinafter ECP), Library of Congress, Washington, D.C. The national-origins quotas system limited immigration proportionately to 2% of the population of each nationality living in the United States in 1920. Through this system, Congress privileged Northern and Western European nations over those in Southern and Eastern Europe. The system exempted the nations of the Western Hemisphere from quota limitations and excluded Asians outright. See Edward P. Hutchinson, *Legislative History of American Immigration Policy, 1798–1965* (Philadelphia, 1981); Aristide R. Zolberg, *A Nation by Design: Immigration Policy in the Fashioning of America* (Cambridge, Mass., 2006); Daniel Tichenor, *Dividing Lines: The Politics of Immigration Control in America* (Princeton, 2002).

pecially those from Asia, helped to lay the groundwork for future U.S. immigration law. Discussions of military spouses not only bolstered arguments to end Asian exclusion and stringent Asian quotas but also helped to shift U.S. immigration policy in favor of family re-unification over alternatives centered on labor-market needs. Most scholars view the end of Asian exclusion as the product of wartime exigencies, lessening racism, and the growing need to integrate Asian democracies into an American-led, free-world order. The argument here is that scholars have overlooked the importance of military spouses, and military-spouse legislation, in explaining how legislators replaced race-based policies with family re-unification—the major path to immigration admissions after the Hart-Celler Act of 1965. Emerging as an issue in an era when policymakers focused on the re-integration of soldiers into the United States, the logic of family re-unification for America's fighting men (and women) was pitted against the reality of racism. The combination of wartime service, patriotism, and marriage proved stronger than latent unease about Asian migration, tipping the scales in favor of reform. The admission of military spouses became an inadvertent test case for family-centric, and ultimately racially neutral, immigration policies. Thus, a monumental change in U.S. immigration policy emerged from humble origins—relations between American soldiers and foreigners. The importance of Asian war brides in shaping the contours of policy reform stands in even stronger relief when compared to the lack of such discussions in Canada, a country also heavily engaged in World War II, and one that also enacted immigration reform in the 1960s.[2]

2 More formally, the Hart-Celler Act is the Immigration and Nationality Act of 1965, P.L. 236 (79 Stat. 911). A prime example of attempts to re-integrate military personnel is "The GI Bill," which provided educational and vocational training funding for veterans, as well as access to home and business loans (Servicemen's Readjustment Act of 1944—58 Stat. 284m). For recent work on the GI Bill, see Kathleen Frydl, *The GI Bill* (New York, 2009); Edward Humes, *Over Here: How the GI Bill Transformed the American Dream* (Orlando, 2006); Suzanne Mettler, *Soldiers to Citizens: The GI Bill and the Making of the Greatest Generation* (New York, 2005). The classic study of the end of Chinese exclusion is Fred W. Riggs, *Pressures on Congress: A Study of the Repeal of Chinese Exclusion* (New York, 1950). For general works on Asian exclusion, see Roger Daniels, *Guarding the Golden Door: American Immigration Policy and Immigrants since 1882* (New York, 2004); Bill Ong Hing, *Making and Remaking Asian America through Immigration Policy, 1850–1990* (Stanford, 1993); Lucy E. Salyer, *Laws as Harsh as Tigers: Chinese Immigrants and the Shaping of Modern Immigration Law* (Chapel Hill, 1995). On American relations with East Asian democracies during the Cold War, see Christina Klein, *Cold War Orien-*

WAR-BRIDES LEGISLATION, ADMISSIONS, AND PRIOR SCHOLARSHIP

The early legislation facilitating the entry of the foreign spouses of U.S. military personnel after World War II took shape as a series of ad hoc measures. Initial emergency legislation targeted military spouses from Europe, with little thought given by policymakers to the consequences of war and reconstruction in the Pacific. Yet once the doors had been opened, Congress found them difficult to shut. Legislators continually widened quota exemptions, extending them to Asian spouses at a time when racial hierarchies still dominated immigration policy. War-brides legislation also created a new language about migration, harnessing favorable sentiment toward American soldiers to gradually substitute a discourse of family for the previous one of race. Continued military intervention by the United States after 1945, the course of the Cold War, and emotive appeals to the plight of separated family members ultimately combined to encourage legislative change.

As outlined in Table 1, Congress passed the first emergency legislation for military spouses in December 1945 to expedite entry for individuals eligible under the existing quota system. The law was temporary, set to expire after three years. In 1947, Congress passed additional legislation to cover racially ineligible spouses, mainly from Asia. More specialized legislation, directed particularly at Japanese and Korean spouses, became law in 1950. By 1952, less than a decade after the first war-brides legislation, the

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talism: Asia in the Middlebrow Imagination, 1945–1961 (Berkeley, 2003). Several scholars argue that the Cold War opened a space for criticism of America's race relations, as the Soviet Union capitalized on all forms of domestic racial discrimination in their propaganda. See, for example, Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy* (Princeton, 2000); Penny M. Von Eschen, *Race Against Empire: Black Americans and Anticolonialism, 1937–1957* (Ithaca, 1997).

The historical materials consulted provide few insights into the groups within civil society that might have affected legislators' deliberations. Whether such groups were inactive or just absent from the historical record is unclear. Future research is warranted. Yet, although the analysis herein is primarily political, the story to be told has significant social elements—for example, the paradoxical nature of partial American Legion support for war brides (see n. 17) even as the group officially opposed wholesale immigration reform. One possible approach to understanding the bifurcations within groups like the American Legion is provided by Salyer, who, in her study of Japanese veterans of World War I, argues that the Legion supported citizenship for particular Asian veterans while opposing expanded rights for Asians as a whole. See Salyer, "Baptism by Fire: Race, Military Service, and U.S. Citizenship Policy, 1918–1935," *Journal of American History,* XCI (2004) at http://www.historycooperative.org/cgi-bin/justtop.cgi?act=justtop&url=http://www.historycooperative.org/journals/jah/91.3/salyer.html> (24 Nov. 2009).

Table 1 Postwar Legislation Pertaining to Military Spouses and Family Re-Unification

DATE	TITLE	DESCRIPTION
December 28, 1945	P.L. 271, "War Brides Act," 59 Stat. 659.	Waived certain screening provisions, and expedited entry of military spouses eligible under the quota system. Expired on December 28, 1948.
August 6, 1946	P.L. 713, 60 Stat. 975.	Granted non-quota status to the Chinese wives of U.S. citizens.
July 22, 1947	P.L. 213, 61 Stat. 402.	Expanded the provisions of the War Brides Act to cover racially ineligible spouses.
March, 1949	H.R. 199, Judd Bill.	Proposed elimination of racial bars to immigration and naturalization, proposed creation of the Asia-Pacific Triangle. Passed the House, tabled by the Senate.
August 19, 1950	P.L. 717, 64 Stat. 464.	Revived the War Brides Act to provide for admission of Japanese and Korean spouses in particular. Originally scheduled to last only six months, but extended for an additional six months.
June 27, 1952	P.L. 414, McCarran-Walter Act (Immigration and Nationality Act,) 66 Stat. 163.	Incorporated the provisions of the Judd Bill, ending Asian exclusion, while creating the Asia-Pacific Triangle. Reformulated preference categories within the quota system, including the granting of non-quota status for all spouses. Also provided for expanded exclusion and deportation on national security grounds.
October 3, 1965	P.L. 236, Hart-Celler Act (Immigration and Nationality Act,) 79 Stat. 911.	Removed the national-origins quota system and substituted a new preference structure that allotted 74 percent of all permanent visas to family–re-unification categories.

Table 2 Immigrant Admissions under the Act of December 28, 1945, P.L. 271 (By Fiscal Year, Ending June 30)

	1946[a]	1947	1948	1949[b]	1950	TOTAL (BY FAMILY TIE)
Wives	44,775	25,736	21,954	20,670	1,556	114,691
Husbands	61	101	94	71	6	333
Children	721	1,375	968	1,473	132	4,669
Total (by year)	45,557	27,212	23,016	22,214	1,694	119,693

[a] The act was approved December 28, 1945. Data for 1946 is from enactment through June 30, 1946.

[b] The Act expired on December 28, 1948; data in 1949 and 1950 include arrivals pending before expiration.

SOURCES Immigration and Naturalization Service (US Department of Justice), *Annual Reports,* for fiscal years ending June 30, 1947, 1948, 1949; House of Representatives, Report 150, 81st Cong., 1st sess. (published February 21, 1949, to accompany H.J. Rs. 160).

McCarran-Walter Act granted quota exemptions to all spouses and minor children of U.S. citizens, regardless of race. This change helped to set the stage for the emphasis on family re-unification in the 1965 Immigration and Nationality Act that ended the national-origin quotas.[3]

Legislation facilitating the entry of military family members had a significant and immediate effect on migration flows. Almost 120,000 individuals—mostly wives but also some husbands and children—took advantage of special visa exemptions under the War Brides Act. As Table 2 outlines, Immigration and Naturalization Service (INS) statistics indicate that 114,691 women, 333 men, and 4,669 minor children entered the United States under the December 28, 1945, legislation. For the main years of war-bride migration, from 1946 through 1948, this figure represented more than 22 percent of all legal admissions into the United States.[4]

3 More formally, the McCarran-Walter Act is the Immigration and Nationality Act of 1952 (66 Stat. 163).

4 Total legal admissions in 1946, 1947, and 1948 were 108,721, 147,292, and 170,570, respectively. *INS Statistical Yearbook, 2000,* 18. Data for entry of military dependents derive from the *Annual Reports of the Immigration and Naturalization Service,* 1946 through 1951. See also 81st Cong., 1st sess., House Report No. 150, "Authorizing Completion of the Processing of the Visa Cases, and Admission into the United States, of Certain Alien Fiancés and Fiancées of Members, or of Former Members, of the Armed Forces of the United States, as was Provided in the So-Called GI Fiancées Act, as amended," February 21, 1949; 82d Cong., 1st sess., House Report No. 117, "Extending the Period for the Admission of Alien Spouses and Minor Children of Citizen Members of the United States Armed Forces," February 12, 1951; 82d Cong., 1st sess., Senate Report No. 56, "Admission of Alien Spouses and Minor Children of Citizen Members of the United States Armed Forces," January 29, 1951.

Table 3 Origins of Wives Admitted under the War Brides Act, 1946–1950, for Fiscal Years Ending June 30

COUNTRY OF BIRTH	1946	1947	1948	1949	1950	TOTAL
Europe	36,379	17,620	13,587	15,513	1,418	84,517
Austria	107	337	887	789	60	2,180
Belgium	1,275	816	346	234	16	2,687
Bulgaria	4	20	20	10	2	56
Czechoslovakia	82	357	364	395	38	1,236
Denmark	20	53	70	75	7	225
Ireland	783	325	86	30	0	1,224
Estonia	13	51	75	73	2	214
Finland	6	25	41	26	4	102
France	3,351	2,770	1,615	795	50	8,581
Germany	232	451	3,316	9,316	860	14,175
Great Britain[a]	25,758	6,744	1,645	747	50	34,944
Greece	63	308	628	261	41	1,301
Hungary	61	107	203	165	8	544
Italy	2,214	3,086	2,520	1,053	173	9,046
Latvia	16	60	78	120	5	279
Lithuania	11	47	62	55	4	179
Netherlands	230	165	161	90	9	655
Northern Ireland	1,082	246	77	39	2	1,446
Norway	22	153	30	32	9	246
Poland	496	757	633	589	39	2,514
Portugal	10	70	70	54	7	211
Rumania	40	83	90	88	2	303
Spain	39	42	38	28	1	148
Sweden	10	16	16	12	2	56
Switzerland	31	61	54	41	2	189
USSR	150	209	214	211	11	795
Yugoslavia	51	135	113	95	1	395
Other Europe	222	126	135	90	13	586
Asia	695	1,748	4,097	2,659	65	9,264
China	150	966	2,643	1,340	33	5,132
India	242	107	76	26	7	458
Japan	1	12	296	443	6	758
Palestine	20	24	24	14	1	83
Philippines	207	525	826	650	7	2,215
Other Asia	75	114	232	186	11	618
Other	7,701	6,368	4,270	2,498	73	20,910
Canada	1,788	2,288	1,974	1,186	18	7,254
Newfoundland	76	98	90	117	0	381
Mexico	318	795	576	391	0	2,080
West Indies	223	422	357	218	10	1,230
Central America	65	157	138	103	1	464
South America	86	172	108	100	5	471
Africa	438	222	157	78	12	907
Australia & NZ	4,541	2,126	777	208	26	7,678

Table 3 (Continued)

COUNTRY OF BIRTH	1946	1947	1948	1949	1950	TOTAL
Other countries	166	88	93	97	1	445
Grand total	44,775	25,736	21,954	20,670	1,556	114,691

[a] Great Britain is sum of "England, Scotland, Wales," listed separately in original report.
SOURCES Immigration and Naturalization Service (U.S. Department of Justice) *Annual Reports,* for fiscal years ending June 30, 1947, 1948, 1949; House of Representatives, Report 150, 81st Cong., 1st sess. (published February 21, 1949, to accompany H.J. Rs. 160).

Although most foreign spouses, about three-quarters of them, came from Europe, a noticeable number arrived from Asia. Statistics from INS and Congressional reports, presented in Table 3, indicate that one out of every twelve military wives came from Asia, more than half of them, or 5,132, from China. Given that the Immigration Act of 1924 effectively banned migration from China (or Japan), the special legislation opened the door to a dramatic increase in Asian migration.

In recent years, scholars have increasingly turned their attention to the study of war brides, primarily through the framework of social history. Yuh's *Beyond the Shadow of Camptown* and Boo Duk Lee's "Korean Women Married to Servicemen" examine the experience of Korean war brides; Goodman's "Only the Best British Brides" and Virden's *Good-bye Piccadilly* focus on the British; and Höhn's *GIs and Fraüleins* and Goedde's *GIs and Germans* investigate American servicemen's encounters with German women. Most of these studies highlight the challenges that war brides faced during and after resettlement in the United States, as well as the racial and gender dynamics at play in their marriages and acculturation.[5]

5 Ji-Yeon Yuh, *Beyond the Shadow of Camptown: Korean Military Brides in America* (New York, 2002); Daniel Boo Duk Lee, "Korean Women Married to Servicemen," in Young In Song and Ailee Moon (eds.), *Korean American Women Living in Two Cultures* (Los Angeles, 1997), 94–121; Giora Goodman, "'Only the Best British Brides': Regulating the Relationship between US Servicemen and British Women in the Early Cold War," *Contemporary European History,* XVII (2008), 483–503 (an exception, Goodman's article focuses more on attempts to regulate contact between the groups); Maria Höhn, *GIs and Fraüleins: The German-American Encounter in 1950s West Germany* (Chapel Hill, 2002); Petra Goedde, *GIs and Germans: Culture, Gender, and Foreign Relations, 1945–1949* (New Haven, 2003); Suzanne M. Sinke, "Gender and Immigration," in Reed Ueda (ed.), *A Companion to American Immigration* (Malden, 2006); Paul R. Spickard, *Mixed Blood: Intermarriage and Ethnic Identity in Twentieth-Century America* (Madison, 1989), 123–157.

Beyond social history, the movement of military spouses can also be understood as part of the political and legal history of U.S. immigration. Among scholars of immigration policy, the legislation for, and the migration of, war brides have been largely relegated to footnotes; explanations of reform center on the domestic maneuvering of American political parties, executive foreign-policy goals, and the relative power of interest groups within U.S. politics. When war brides figure into these accounts, they usually serve as "anchors" for migration networks after the 1965 Immigration and Nationality Act. Reimers, for example, in *Still the Golden Door,* underscores how military spouses fostered the chain migration of Japanese, Chinese, and Koreans. Thornton and Yuh have advanced similar arguments. Sound as their analysis is, this article argues that military spouses had a critical prior effect, influencing the very contours of the 1965 law that allowed for family migration. The reality of so many American servicemen and women marrying foreigners abroad, especially those racially ineligible for citizenship and immigration, challenged American notions of race and family and contributed directly to replacing national-origins-based admissions policies with those more strongly concerned with family re-unification.[6]

ASIAN EXCLUSION AND FAMILY RE-UNIFICATION BEFORE 1945 A series of legislative acts from 1875 to 1924 initially stopped most Asian migration to the United States and then curtailed migration from Eastern and Southern Europe. The first of the Chinese Exclusion Acts, passed in 1882, suspended the migration of Chinese laborers for ten years, officially deeming the Chinese racially ineligible for U.S. citizenship by naturalization. Court and legislative action eventually extended both exclusions—from entry onto U.S. soil and from access to U.S. citizenship—to other Asian groups. The Immigration Act of 1924 instituted the national-origins quota system, establishing entry caps based on the U.S. popu-

6 For examples of how immigration scholars treat war brides, see Tichenor, *Dividing Lines;* Zolberg, *Nation By Design;* Daniels, *Guarding the Golden Door.* David M. Reimers, *Still the Golden Door: The Third World Comes to America* (New York, 1992; orig. pub 1985), 21–29; Michael C. Thornton, "The Quiet Immigration: Foreign Spouses of U.S. Citizens, 1945–1985," in Maria P. P. Root (ed.), *Racially Mixed People in America* (Newbury Park, 1992); Yuh, "Moved by War: Migration, Diaspora, and the Korean War," *Journal of Asian American Studies*, VIII (2005), 277–291; *idem, Beyond the Shadow of Camptown;* Sinke, "Gender and Immigration."

lation in 1890, and preserving an "Asiatic Barred Zone," from which few could gain entry. As Ngai notes, fewer than 6,000 Italians could move to the United States in any one year, compared to almost 26,000 Germans or more than 65,000 from Great Britain and Northern Ireland; no one from China, Japan, or South Asia who was racially ineligible for citizenship could migrate.[7]

Family re-unification, especially involving the wives of American citizens, became one of the few ways to circumvent legal restrictions. Under the Act of February 10, 1855, women otherwise eligible for naturalization acquired U.S. citizenship upon marriage to an American, or upon their husbands' naturalization. The 1922 Cable Act ended this practice, but the logic of special provisions for wives continued, in a new form, under the 1924 Act, which allotted non-quota status to unmarried children under the age of eighteen as well as to wives of resident citizens of the United States. Within the quota allotments, the system gave preference to unmarried children younger than twenty-one and to parents and spouses of citizens older than twenty-one. Asian families faced much tougher restrictions, but some were able to utilize the family–re-unification program to petition for entry. A 1946 Senate report indicates that from 1930 to 1942, 767 Chinese wives of U.S. citizens were allowed into the United States. As Gardener explains, courts sometimes admitted putatively ineligible women on the grounds that their husbands would otherwise be denied the companionship and service of their partners, much in the way that men could migrate with their domestic servants.[8]

7 The Immigration Act of 1924 calculated annual quotas of 2 percent of the foreign-born population, based on the census of 1890, for a total of 186,437 permanent visas. The national-origins quota system, which came into effect in 1929, apportioned visas by percentage of each nationality, using the census of 1920, for a total of 153,714 permanent visas (one-sixth of the white population living in the United States in 1920). Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, 2004), 28–29. For the history of Asian exclusion, see n. 2.

8 Congress later extended quota-exempt status for all children under twenty-one. The Act of May 29, 1928, gave preference to husbands of U.S. citizens so long as their marriages occurred before May 31, 1928. A second amendment extended the period of marriage through July 1, 1932 (Act of July 11, 1932). Other amendments gave preference in remaining quota visas for unmarried children and wives of legal permanent residents. See Hutchinson, *Legislative History,* 505–520; 79th Cong., 2d sess., Senate Report No. 1927, "Placing Chinese Wives of American Citizens on a Nonquota Basis," August 1, 1946, 2. For women's citizenship, see Candice Lewis Bredbenner, *A Nationality of Her Own: Women, Marriage, and the Law of Citizenship* (Berkeley, 1998). Asian-born women remained legally barred from citizenship despite the 1855 Act, and non-Asian women who married foreign-born Asian men who were unable

During World War II, military directives required soldiers stationed in foreign countries to ask their Commanding Officer (CO) for permission to marry. The CO could either grant this permission at his discretion, or refuse on account of anti-miscegenation laws in a soldier's home state or any other law barring the would-be spouse entry to the United States. Yet, as Goodman points out, no law or regulation, regardless of how strict, could prevent a determined couple from marrying.[9]

After World War II, when millions of Americans were stationed across the globe, and once military wives did not receive automatic citizenship, an unprecedented number and diversity of foreign family members attempted to enter the United States. Under the provisions of the 1924 Immigration Act, many non-Asian wives of servicemen could gain entry, albeit with bureaucratic delays. The fate of Asian women seemed bleaker. The intersection of numbers, origins, and restrictive-immigration legislation generated a crisis that legislators could not ignore.

EARLY LEGISLATION FOR MILITARY SPOUSES, 1945–1947 The most striking feature of the first piece of legislation dealing with military spouses—Public Law 271 in 1945, the "War Brides Act"—is the lack of controversy or debate about it in Congress, or in Congressional committee. Other attempts to modify the immigration regime and expand admissions would run into opposition from restrictionists, but not these Acts. Rep. John Lesinski, Jr. (D-Mich.) explained that the sole purpose of the bill was "to cut the red tape surrounding the law . . . [to] expedite the admission to the United States of thousands of alien brides who were married to our soldiers" during World War II, by waiving medical examination and expediting the paperwork necessary for admission. Since most wives of American citizens qualified for non-quota status under the 1924 Immigration Act, the 1945 legislation merely speeded the process, and extended benefits to husbands as well as wives. Congress estimated that approximately 100,000 people—half of

to naturalize lost their U.S. citizenship upon marriage between 1907 and 1931. On the court appeals to circumvent Asian exclusion laws, see Martha Gardner, *The Qualities of a Citizen: Women, Immigration, and Citizenship, 1870–1965* (Princeton, 2005); Salyer, *Laws as Harsh as Tigers*.

9 Nancy K. Ota, "Flying Buttresses," *DePaul Law Review,* XLIX (2000),11–12; Goodman, "'Only the Best British Brides.'"

them from Great Britain, and mostly women—would take advantage of the legislation. Considering that under the national-origins quota system only 154,000 people could enter each year, this figure represented a sizable increase.[10]

Congressional committee reports, in particular, stressed the urgent and temporary nature of the legislation, as well as the debt owed to military personnel. In force for only three years, the Act would not permanently amend immigration law. According to Rep. Noah Mason (R-Ill.), "One of the reasons for the introduction of this measure is due to the fact that it is believed such strong equities run in favor of these servicemen and women in the right of having their families with them." Or, as Sen. Richard Russell, Jr. (D-Ga.), argued on the floor, the bill was "the least we can do for the men who fought our wars overseas, who have married aliens and who now wish to have their wives join them in this country." Congress believed that family-focused legislation was not only necessary but also justified by the service of American soldiers. Furthermore, the legislation would benefit citizens of countries already allotted large quotas, quietly preserving the intent of the 1924 Immigration Act to maintain the racial and ethnic balance of the nation. Congress referred to P.L. 271 colloquially as the "War Brides Act," but the law was decidedly, and surprisingly, gender-neutral—despite the small number of husbands who used the legislation. President Truman signed the bill into law on December 28, 1945, with its provisions set to expire on December 28, 1948.[11]

10 In 1946, Congress passed one other piece of legislation targeted at military families—P.L. 471, the "Alien Fiancées and Fiancés Act" (60 Stat. 339), which provided for a temporary three-month admission. Like the War Brides Act, it garnered little attention in Congress. If a couple married within three months, a permanent visa would be issued; if not, the fiancé(e) would be deported. Congress authorized the law for only one year, but subsequent Acts extended its provisions through 1948. All told, 5,146 fiancées and fiancés entered under the Act, more than half of them from France, Italy, Austria, Greece, Australia, and New Zealand. Only 198 arrived from Asia. See 81st Cong., 1st sess., House Report No. 150. The 1945 bill waived the provision of the 1924 Immigration Act (43 Stat. 153) that excluded immigrants with certain medical conditions, such as tuberculosis. For the provisions of the quota system, see Hutchinson, *Legislative History; Congressional Record,* 79th Cong.,1st sess., 11738 and 12342.

11 79th Cong., 1st sess., House Report No. 1320, "Expediting the Admission to the United States of Alien Spouses and Alien Minor Children of Citizen Members of the United States Armed Forces," November 30, 1945, 2. The report estimated that 40,000 to 55,000 of the approximately 75,000 to 100,000 spouses would come from Great Britain. It slightly underestimated the total number of wives (114,691), and overestimated the number from Great Britain

ASIAN SPOUSES AND THE ROAD TO THE 1952 IMMIGRATION ACT In 1946, Congress passed another important piece of immigration legislation, granting non-quota status to the Chinese wives of American citizens. Congress had given immigration rights to China under the Magnuson Act of 1943, allocating a quota of 105 immigrants per year and allowing Chinese in the United States to naturalize. In the Senate report analyzing the 1946 bill, lawmakers noted that the Magnuson Act failed to grant non-quota status to the Chinese wives of American citizens, a fundamental privilege "accorded [to] other women racially eligible to citizenship who wish to come to the United States to be and reside with their United States citizen husbands." In supporting the bill, the Senate report stressed that only a small number of Chinese women would take advantage of the act, especially considering the dearth of unmarried Chinese men in the country.[12]

Although the 1946 Act did not explicitly pertain to war brides, Sen. William Knowland (R-Calif.) linked its provisions to military intervention, justifying the policy change by referencing the exemplary wartime service of Chinese-Americans and their upstanding conduct as citizens. In hindsight, the Acts of 1943 and 1946, nonthreatening and expedient as they seemed at the time, were the first in a series of changes that poked permanent holes in the dam of exclusion, leading first to the 1952 Immigration Act, which accorded family–re-unification rights for all, and then to the 1965 Immigration and Nationality Act, which abolished the national-origins quota system altogether.[13]

(only 34,944). The error suggests that the diversity of spousal origins likely surprised representatives. Russell was reacting to *Congressional Record,* 79th Cong.,1st sess., 12342.

As for gender neutrality, Table 2 shows that 333 out of 119,693 total admissions (0.3 %) were husbands. Sinke—"Gender and Immigration," 300—argues that the War Brides Act perpetuated the long-standing penchant to classify married women as dependents of their husbands, regardless of their work status or eligibility. Yet the official inclusion of both wives and husbands signaled an important departure from pre-war policy, and the gender neutrality of the U.S. law stands in contrast to Canada's explicit focus on wives and children, or "dependents" in the government's language.

12 60 Stat. 975, August 9, 1946. Prior to 1943, only those naturalized before 1924 or born U.S. citizens could petition for spousal entry. 79th Cong., 2d sess., Senate Report No. 1927, 2. For the Magnuson Act, see Zolberg, *Nation by Design,* 290; Hing, *Making and Remaking Asian America,* 110; Desmond King, *Making Americans: Immigration, Race, and the Origins of the Diverse Democracy* (Cambridge, Mass., 2000), 232.

13 *Congressional Record,* 79th Cong., 2d sess., 10279. Knowland also pointed out that the bill had the support of the Departments of Justice and State.

The original War Brides Act covered only spouses deemed racially admissible under the national-origins quota system, and the 1946 act pertained only to Chinese immigrants. However, once soldiers stationed in the Pacific began to petition for the admission of their Asian wives, Congress moved quickly to accommodate them, passing Public Law 213 in July 1947. This amendment to the War Brides Act allowed admission regardless of race, so long as the marriage occurred within thirty days of enactment. Strikingly, P.L. 213 sailed through Congress with no floor debate.

The growing tension between valorizing the contributions of U.S. military personnel, including Asian Americans, and trying to stem large-scale Asian migration is evident in the House committee report. Rep. Ed Gossett (D-Tex.) justified P.L. 213 by stating that under current law, "a number of United States citizen soldiers of the Japanese or Korean race [who] married girls of their own race while serving in the Pacific" were unable to bring them to the United States. The committee felt that "this discrimination should be eliminated" by granting re-unification rights regardless of race. At the same time, possibly to preempt fears of large-scale Asian migration, the report reiterated that the War Brides Act was temporary legislation, timed to expire at the end of 1948. A thirty-day expiration date for eligible marriage under the provisions was necessary, according to the report, "in order not to encourage marriages between United States citizen service people and racially inadmissible aliens." Thus, while Congress had no problem widening the war bride legislation for those of Japanese or Korean descent wanting to marry spouses of their own race, they were reluctant to encourage future marriages or admissions.

As reported in Table 3, 758 people born in Japan took advantage of the provisions of P.L. 213, as did 5,132 from China. The numbers were modest, but they far exceeded, in the Chinese case, the 105-person quota instituted under the Magnuson Act. This small opening paved the way for further re-unification legislation, as military occupation and the volume of marriages in the Far East expanded.[14]

By 1949, economic upturns and the deepening Cold War induced Congress to consider ending Asian exclusion altogether. At

14 80th Cong., 1st sess., House Report No. 478, "Amending the Act to Expedite the Admission to the US of Alien Spouses and Alien Minor Children of Citizen Members of the US Armed Forces," May 28, 1947, 2.

the beginning of the year, Rep. Walter Judd (R-Minn.), a former medical missionary in China, introduced H.R. 199 to eliminate all racial restrictions for naturalization and to bring Asia into the quota system. With Asia playing an increasingly important role in the Cold War, Congressmen like Judd saw immigration and naturalization rights as the best way to show American support to the allied nations in the region. The proponents of rights for Asians also referenced the wartime service of Japanese Americans; one committee report even endorsed the bill in "record of [Japanese-Americans'] outstanding devotion to the highest principles of Americanism" during World War II. Here again, military service, war, and immigration rights went hand in hand for legislators.[15]

Although Judd's bill equalized naturalization rights, it would have limited the numbers of Asian migrants. He proposed the creation of the Asia-Pacific Triangle, which grouped all of Asia in one zone. The zone could send only 2,000 people to the United States per year, with a quota of 100 people per country, except for China and Japan, which had slightly larger quotas. Under the national-origins system, non-Asian migrants immigrated as nationals of the country where they were born, but Asians alone possessed blood-based ancestry: Hence, a person of Chinese descent born in Germany could enter only under the stringent quota allotted to China, not the far less restrictive one accorded to Germany. In Gossett's view, these provisions made certain that "there [would] be no flood of immigration from these small-quota countries."[16]

Crucial to the story of family re-unification, Judd's bill ex-

15 Reimers, *Still the Golden Door,* 11–12. Judd argued, "We cannot insult them just because of their race and still expect them to be favorably disposed toward us." "Complete Text on the Debate on H.R. 199 in the House of Representatives," *Congressional Record,* 81st Cong., 1st sess., A1259. In the same speech, Judd linked immigration and the Cold War more explicitly, arguing that exclusion led to the militarization of Japanese society and ultimately their entrance into World War II. See also "Report: Providing the Privilege of Becoming a Naturalized Citizen of the United States to All Immigrants Having a Legal Right to Permanent Residence, to Make Immigration Quotas Available to Asian and Pacific Peoples," 81st Cong., House of Representatives, 1st sess., Mr. Gossett to accompany H.R. 199, 5.

16 The Triangle provided for 2,000 base slots, plus 100 for the Triangle as a whole (for those with parents from two different Triangle countries or a colony), 105 for China, and 185 for Japan—amounting to a maximum of 2,390 Asians per year. On the provisions of the Triangle, see Charles Chan, "Racial Discrimination Features of the Immigration and Nationality Act of 1952, with Specific Emphasis on the Asia-Pacific Triangle Provisions for Quota Chargeability," International Institute of Los Angeles, February 1956; *Congressional Record,* 81st Cong., 1st sess., 1715.

plicitly revoked the 1946 regulations that gave non-quota status to the Chinese wives of American citizens. Judd proposed to limit family re-unification from all countries with fewer than 200 quota slots, even those qualifying for military-spouse visas. Lobby groups such as the Japanese American Citizens League (JACL) supported the bill as the first step toward race-neutral immigration and naturalization rights, but many Chinese American groups protested the retraction of previously secured rights. In one of the more poignant letters to Congress opposing the bill, Seam H. Wong, commander of Boston Chinatown Post 328 of the American Legion, argued that the bill would create two classes of citizens, "a class 'A' citizen who comes from Ireland, England, France, Germany, etc., who would have the right to bring their wives and minor children to the US as non-quota immigrants" and a class 'B' for citizens of small-quota countries. Despite such criticisms, the House passed the bill at the beginning of March, but the Senate tabled it, along with all other immigration legislation, as it attempted to fashion new omnibus immigration legislation that would culminate in the McCarran-Walter Act of 1952.[17]

Although war-brides legislation had expired by the end of 1948, the issue of military spouses did not disappear. Continued military occupation, as well as the start of the Korean War in June 1950, lengthened the contact between American soldiers and foreigners. In August 1950, legislators revisited the War Brides Act, passing Public Law 717 to admit military spouses and their children outside of quota limitations once again. Congress set the bill to expire six months from enactment, but in February 1951 extended it for another six months.[18]

17 See, for example, Letter from the Japanese American Citizens League to Pat McCarran, April 14, 1949. Even while urging support for the bill, Mike Masaoka, the head of the JACL, argued for an amendment to extend non-quota status to all immediate family members. See Box 86, H.R. 199, ECP. Letter from Seam H. Wong, Boston Chinatown Post No. 328, The American Legion, March 23, 1949, to Sen. Leveret Saltonstall (R-Mass.), RG 46, Sen.81A-E11, Box 86, H.R. 199, National Archives, Washington, D.C. Other protest records in the Congressional Archives for House Report 199 include letters from the Chinese ambassador and various senators, especially those from the West Coast. Walter introduced one other piece of legislation designed to give naturalization rights to Asians, HJ Res. 238. The bill passed Congress toward the end of 1950 but was vetoed by President Truman because of a late, restrictive amendment. After HJ Res. 238's rejection, Walter introduced a second attempt at equal naturalization rights, H.R. 9760, in November 1950; it passed the House but not the Senate. See *Congressional Quarterly Almanac,* 81st Cong., 2d sess., 1950, vol. 61, 240–242.

18 81st Cong., 1st sess., House Report No. 150.

The Congressional committee report makes clear that P.L. 717 was intended for the Japanese wives and children of servicemen. The committee estimated that only 760 people would immigrate under the law. The report touched on the hardships involved in family unification, stating that many servicemen had already returned to the United States without their wives and children. Sen. Pat McCarran (D-Nev.), speaking for the Judiciary Committee, stated that Congress was in the midst of preparing omnibus immigration reform to remove all racial barriers to immigration and naturalization but that temporary legislation was needed to stem the tide of requests for private bills to admit individual military spouses. That Congress would revive expired "emergency" legislation speaks to the continued political traction of the military-spouses issue.[19]

As with the earlier expansion of the War Brides Act to include Asians, McCarran downplayed the possibility of interracial unions, concluding, "a great many of the citizen servicemen involved are themselves of Japanese descent." Although some of the soldiers who married Japanese women were probably of Japanese descent, a significant portion were not. Military officials could deny permission to marry if they did not believe that a couple could survive the pressures of re-integration into American life, but Ota points out that military occupation in the Pacific created an unprecedented number of interracial marriages. Spickard observes that U.S. and Japanese officials did little to stop American soldiers from seeing Japanese women. The prevalence of interracial marriages was noteworthy since, during World War II, thirty states still had anti-miscegenation laws on their books.[20]

19 *Ibid.,* 2.

20 *Ibid.* Most Japanese American soldiers served in the European theater. From 1943, when the first ones shipped overseas, through the occupation of Japan, about 6,000 Japanese Americans served in the Pacific. If Congressional figures are accurate, roughly one out of eight Japanese American soldiers would have had to marry overseas to account for all spousal entries. A letter from Bartel O. Hoglund, 1st Lt., United States Air Force, to Pat McCarran, January 25, 1950, Box 86, H.R. 199, ECP, suggests at least one case of interracial marriage. On Japanese American military service during and after World War II, see Michael L. Cooper, *Fighting for Honor: Japanese Americans and World War II* (New York, 2000); Bill Yenne, *Rising Sons: The Japanese American GIs Who Fought for the US in World War II* (New York, 2007); Military Intelligence Service Association of Northern California and the National Japanese American Historical Society, *The Pacific War and Peace: Americans of Japanese Ancestry in Military Intelligence Service 1941 to 1952* (San Francisco,1991). On anti-miscegenation laws, see Ota, "Flying Buttresses," 12. Spickard, *Mixed Blood,* 131–135, observes that American military officials tried to keep American soldiers and Japanese women from marrying or, at best, to prevent the bride's entry to the United States. They were successful at neither. One consequence of U.S. policy,

To justify the extension of P.L. 717 in February of 1951, the House committee acknowledged the escalating number of military spouses, explicitly referring to a new group—servicemen marrying and having children with Koreans. Policymakers worried about "the hardship that would ensue should these United States citizens find the doors closed to the admission of their alien families." The conflict in Korea also prevented many soldiers stationed in Japan from taking advantage of quota-exempt immigration privileges within the allotted six-month period.[21]

Contrary to the rhetoric surrounding the original War Brides Act—which stressed the temporary nature of the bill—legislators began to place military-spouse law within an arc of policymaking. Gossett, writing for the House committee, viewed the bill as "interim legislation," to be replaced with something more comprehensive that promised "the elimination of all racial barriers on immigration and naturalization." The shift in rhetoric, from "temporary" in 1945 to "interim" in 1951, portended a deeper change in the mindset of legislators. Although none of the bills for military spouses and fiancés became permanent, the overall course of legislative action points toward a more steadfast concern for family reunification in immigration policymaking. The Senate committee report for P.L. 717 is especially telling. Instead of framing the postwar history of war-brides legislation as a series of ad hoc provisions, the report drew a line of continuity from the original War Brides Act in 1945 through the 1947 decision to allow entrance to military spouses regardless of race to the bill at hand, linking the three pieces of legislation via the need to admit military spouses and to elevate family unity over racial restriction. This interim legislation illustrates the place of family re-unification as a fundamental cornerstone of postwar immigration policy.[22]

An administrative decision by the Board of Immigration Appeals in July 1951 showcases this new orientation. In a visa petition

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according to Spickard, was to encourage more informal relationships than marriage. Illustrative of Congressional resistance to marriage, in an exchange about the Alien Fiancées Act, Rep. J. Leroy Johnson (R-Cal.) wondered, "In my State, for instance, white and Japanese cannot marry. Does this bill recognize such laws of the states?" Rep. Arthur G. Klein (D-N.Y.) reassured him, "This bill does not change existing law with reference to racial eligibility" (*Congressional Record,* 79th Cong., 2d sess., 7318).

21 82nd Cong., 1st sess., House Report No. 117; Senate Report No. 56, 2.

22 *Ibid.,* 2. 81st Cong., 2d sess., Senate Report No. 1878, "Permitting the Admission of Alien Spouses and Minor Children of Citizen Members of the US Armed Forces," June 26, 1950, 2.

under P.L. 717 for the admission of a young Chinese child of an American soldier, the Board referenced the original War Brides Act, P.L. 271, the decision to amend it in 1947, and P.L. 717. In ruling for the petitioner, the Board concluded that Congress passed P.L. 717 not simply to re-unite military families, but also to reverse the original restrictions on Asian entries. In the Board's eyes, the legislative history could be read as an evolutionary movement, wherein one policy begat the next, rather than as a set of transitory measures. The dynamics of policy snowballing are clear: Once the ball begins to roll, it quickly gathers speed and size.[23]

PASSING THE MCCARRAN-WALTER ACT The McCarran-Walter Act culminated a five-year process of studies, hearings, reports, and attempts at legislation. The bill revoked all prior immigration and naturalization laws, substituting the new omnibus bill. It contained two seemingly contradictory provisions for Asian immigration—granting non-quota status to the immediate relatives of U.S. citizens regardless of race but also retaining the national-origins quota system and implementing the Asia-Pacific Triangle's severe restrictions for Asian countries. The United States military presence in Asia, and the aim of integrating East Asian democracies into an American-led free world order, clearly influenced the relaxation of policy toward Asians. A detailed explanation is needed, however, to understand why expansion centered on family re-unification. Support for family re-unification, especially involving military personnel, was a position on which both immigration restrictionists and expansionists could agree. Expansionists saw it as a way to end a discriminatory quota system; restrictionists used it to deflect charges of racism and support the ideals of family and military service.[24]

23 United States Department of Justice, "In the Matter of N-K-D—In VISA PETITION Proceedings," VP-442306, Decided by Board May 14, 1951, Decided by Acting Attorney General, July 26, 1951, *Administrative Decisions Under Immigration & Nationality Laws,* IV, February 1950–January 1953, 394.

24 Scholars are divided about the McCarran-Walter Act. Daniels, Gary Gerstle, and Michael Davis, who believe that the Act contained both liberal and conservative features, view it optimistically as a first step toward liberalization. But King, Zolberg, Robert Divine, and Ong Hing portray the Act as intrinsically conservative and discriminatory, mainly because of its racial components. See Daniels, *Guarding the Golden Door;* Davis, "Impetus for Immigration Reform: Asian Refugees and the Cold War," *Journal of American-East Asian Relations,* VII (1998), 127–156; Divine, *American Immigration Policy, 1924–1952* (New Haven, 1957); Gerstle, *American Crucible: Race and Nation in the Twentieth Century* (Princeton, 2001); King, *Making*

Even before the McCarran-Walter Act reached the floor of Congress, letters from servicemen to McCarran, chairman of the Judiciary Committee, implored him to end Asian exclusion and to allow them to bring home their brides. "There are many of us who are looking hopefully to you for aid," wrote Lt. Bartel O. Hoglund of the USAF in 1950. Changes in immigration law, specifically the Judd Bill, "would give us much to look forward to," he continued, "even though the small number of Japanese that would be authorized to enter the United States would leave a long period of waiting for many of us before we could be joined by our wives." Throughout the process of legislative revision, soldiers worked to keep the plight of their families in the minds of legislators.[25]

During the floor debate in Congress, much of the discussion revolved around foreign policy and domestic security. Liberal legislators attacked the national-origins system as damaging to American standing in the world. Conservatives, according to Tichenor, played down the racially biased parts of the legislation, instead highlighting the ease and utility of the system. As one Congressional report put it, "the national origins formula has . . . provided a fixed and easily determinable method for controlling immigration." Restrictionists like McCarran portrayed the quota system as the best method for assuring assimilation into the American polity. Legislators on both sides of the aisle focused on three main issues—the national-origins system, the exclusionist Asia-Pacific Triangle (rehashing many of the same arguments from the Judd Bill of 1949), and the provisions for increased deportation and excludability.[26]

The issue of military spouses and family re-unification appeared less frequently during floor debate, but legislators were not averse to mentioning military spouses to bolster their arguments.

Americans; Hing, *Making and Remaking;* Zolberg, *Nation By Design*. Klein, *Cold War Orientalism;* Reimers, *Still the Golden Door,* 22.

25 See, for example, Hoglund's letter to McCarran.

26 See, for example, Celler's speech, *Congressional Record,* 82d Cong., 2d sess., 4305; Tichenor, *Dividing Lines,* 192; Congressional report quoted in Bennett, *American Immigration Policies,* 123. In a speech to Congress, McCarran discounted any underlying racism in the quota system: "The simple theory underlying the national origins quota system is that if we permit new immigrants to enter in uniform proportions to those of each foreign national origin already here, they are more likely to assimilate readily than if they arrived in numbers disproportionate to the origins of our people. This is not any super-racial theory" (*Ibid.,* 183).

For example, in promoting the end of Asian exclusion, Rep. Joseph Farrington (R-Hawaii) argued that the bill provided a solution to a series of otherwise intractable problems, explicitly pointing to the problem of American soldiers married to Japanese and Korean women. As had earlier discussions, Farrington focused on the disparity in rights between marriages involving Japanese and Korean women and those involving European women, noting, "the troops we have had in the Far East include a great many Americans of Japanese ancestry . . . and others who have married girls of their own races."[27]

War brides re-emerged as a politically potent topic after President Truman vetoed the omnibus bill. Truman refused to sign, primarily because, in his words, it "discriminates, deliberately and intentionally, against many of the peoples of the world." Congress quickly and overwhelmingly overrode the veto, passing the legislation into law in June 1952. Notably, supporters of the bill—who had to fight charges of discrimination—appealed to the plight of war brides to secure the votes needed to override the veto. "If the President's veto is sustained," stated Rep. Francis Walter (D-Penn.) in a laundry list of detrimental factors, "the GI in Japan or in Korea will not be permitted to bring his Oriental wife into this country." McCarran contended that failure to pass the legislation would maintain the status quo without any of the "desirable revisions," such as ending Asian exclusion. Both legislators used the predicament of soldiers, a widely recognized and highly respected group, to push their vision of immigration reform.[28]

After passage of the Act, Congressmen like Emanuel Celler (D-N.Y.) continued to receive messages from soldiers. In a 1952 letter to Frank Pace, Jr., secretary of the army, Celler confirmed that "Congressional mail is replete with inquiries coming from servicemen stationed in the Far East, requesting information regarding the future policy . . . with respect to marriages between such servicemen and Japanese or Korean nationals." One month later, when apprised of the new legislation, Fred Korth, acting sec-

27 *Congressional Record,* 82d Cong., 2d sess., 4304. Many of the other discussions about family re-unification dealt with the enhanced deportation provisions of the Act.

28 For the president's speech, see President's Commission on Immigration and Naturalization, *Whom We Shall Welcome* (Washington, D.C., 1953), 277. The vote to override the president's veto was 278 to 113 in the House, and 57 to 26 in the Senate. See Zolberg, *Nation By Design,* 315. For the quotations of Walter and McCarran, see *Congressional Record,* 82d Cong., 2d sess., 8215 and 8254.

Table 4 Number of Wives of U.S. Citizens Admitted from Select Asian Countries, 1945–1964

FISCAL YEAR (ENDING JUNE 30)	CHINA	JAPAN	KOREA
1945	11	—	—
1946	159	4	—
1947	902	14	—
1948	3,192	298	—
1949	2,143	445	—
1950	1,062	9	1
1951	826	125	11
1952	959	4,220	101
1953	722	2,042	96
1954	787	2,802	116
1955	909	2,843	184
1956	1,055	3,661	292
1957	904	5,003	288
1958	980	4,841	410
1959	1,345	4,412	488
1960	1,027	3,887	649
1961	1,340	3,176	405
1962	1,377	2,677	692
1963	1,471	2,745	1,350
1964	1,535	2,653	1,340
Total	22,706	45,857	6,423

SOURCES Immigration and Naturalization Service (U.S. Department of Justice), *Annual Reports,* for fiscal years ending June 30, 1945–1965, inclusive, Table 6. For Korean data from 1950–1957, see David M. Reimers, *Still the Golden Door: The Third World Comes to America* (New York, 1992; orig. pub 1985), 23.

retary, responded that the commander-in-chief in the Far East had given permission to those waiting to marry. Concerns about the plight of the family influenced discussions of immigration policy, both in Congress and in Congressional mail, for some time to come.[29]

The 1952 changes had a clear effect. As Table 4 shows, the number of Asian wives entering the United States, especially from Japan, soared after 1952. From China, Japan, and Korea alone, 74,986 foreign wives entered between 1945 and 1964. Scholars point to these immigrants as the "anchor brides" who facilitated the chain migration that occurred after 1965, but their presence

29 Celler to Secretary of the Army Frank Pace, Jr., July 11, 1952; Acting Secretary of the Army Fred Korth to Celler, August 16, 1952, RG233, HR.82A-D11, Box 314, H.R. 5678 2 of 2, National Archives, Washington, D.C.

also helped to ensure that family re-unification would figure prominently in later legislation.[30]

THE ROAD TO THE 1965 IMMIGRATION AND NATIONALITY ACT

The passage of the McCarran-Walter Act, which accorded all spouses of citizens quota exemptions, ended the need for emergency war-bride legislation. But as the U.S. military presence in Europe and Asia expanded, pressures to admit military spouses increased. Passage of the 1952 Act also further galvanized efforts to abolish the national-origins quota system. In every year from 1953 through 1965, legislators introduced bills to modify or dismantle the quotas. As policymakers continued to debate immigration reform, military spouses again became a hot-button issue, but now exploited for different political ends. Whereas McCarran and Walter used the plight of American servicemen to overturn Truman's veto and keep the quota system in 1952, liberals used the plight of military spouses to showcase the Act's failures.[31]

Celler led the fight against national origins, as he had done since the passage of the quota system in 1924. One of his favored tactics was to direct attention to the hardships of immigration by shining a spotlight on questionable exclusions such as those based on crimes of "moral turpitude." In 1954, Celler's staff prepared a series of case studies of destitute German women—the majority married to U.S. soldiers—who were denied entry after World War II because of such minor crimes as stealing sacks of coal, potatoes, or walnuts to feed and care for their families in a postwar economy of scarcity. The gendered nature of the appeals, combined with the women's marriages to American servicemen, contributed to bringing family re-unification to the forefront of policy debates once more.[32]

30 These figures report all of the wives of U.S. citizens who were accorded entry, both military wives and other women married to Americans. Data derive from *Annual Report of the Immigration and Naturalization Service,* fiscal years ending June 30, 1945–1964, Table 6. Reimers, *Still the Golden Door,* 22–26, presents similar numbers, drawn from a Department of Education report, but the data are mislabeled as pertaining only to military wives. For "anchor brides," see n. 6.

31 Reimers, *Still the Golden Door,* 22–29. Most bills failed, but at least seven bills from 1952 to 1962 enlarged the visa-preference categories. Hutchinson, *Legislative History,* 314–357.

32 One of Celler's first speeches to Congress after his election was a rebuke of the quota system (1924). He spent much of his Congressional career fighting for the liberalization of immigration policy. See Bernard Lemelin, "Emanuel Celler of Brooklyn: Leading Advocate of Liberal Immigration Policy, 1945–52," *Canadian Review of American Studies,* XXIV (1994),

To liberal policymakers, both elected and appointed, the plight of war brides illustrated the failure of the national-origins system to operate as intended. In an undated, handwritten memo c. 1962, Celler listed examples "of how nat[ional] origins theory prove unworkable aside from [the] violation of equality of opportunity." As examples of times when Congress had to circumvent the national-origins policy, Celler cited legislation for displaced persons, for Hungarian Freedom Fighters, and for soldiers' brides. About the latter group he wrote, "When we tried to show our gratitude to our soldiers . . . we set aside the restrictions of national origins provisions." "Something must clearly be wrong," Celler concluded, "with a law that stands in the way of so many important national objectives."[33]

By 1965, a buoyant economy, an overwhelmingly Democratic Congress, the groundwork laid by Presidents John F. Kennedy and Lyndon B. Johnson, and the 1963 death of Walter—the staunch restrictionist—had opened a space for reform. The merging of the AFL and CIO in 1955 had pushed organized labor from anti- to pro-reform, and by the 1960s, nativist organizations had lost much of the political clout that they had wielded in 1952. As Skrentny and others have pointed out, the Hart-Celler Act emerged within a larger rights movement, concurrent with the Civil Rights Act of 1964 and the Voting Rights Act of 1965. Additionally, according to Reimers, the American public had soured on the national-origins system by the 1960s, viewing it as akin to deliberate segregation. However, although reform was imminent by 1965, its exact nature was far from clear.[34]

As originally proposed by President Kennedy in 1963, and in-

81–111. Moral turpitude clause: 66 Stat. 163, section 212(a)(9). According to the U.S. Department of State, crimes of moral turpitude include such offenses as fraud, larceny, and intent to harm persons or things—often crimes against property, against governmental authority, and against a person and most types of conspiracy. See U.S. Department of State, "Foreign Affairs Manual Vol. 9—Visas," 6–29–2005, at http://www.state.gov/documents/organization/86942.pdf (2/26/09); Section 9 FAM 40.21(A) N2, "Extension of Remarks of Congressman Emanuel Celler," c. May, 1954; Box 478, H.R. 439A, 87th Cong., Folder 2, Case No. 9, Anneliese Else Hermine Neumann, ECP.

33 "Examples of how nat.origins theory prove unworkable aside from violation of equality of opportunity," undated handwritten memo, Box 492, Immigration—General 1961–1962, folder 1, ECP.

34 See Tichenor, *Dividing Lines;* Zolberg, *Nation By Design;* John D. Skrentny, *The Minority Rights Revolution* (Cambridge, Mass., 2002); Otis L. Graham, Jr., *Unguarded Gates: A History of America's Immigration Crisis* (Lanham, 2004); Reimers, *Still the Golden Door.*

troduced again by President Johnson in 1965, the revised law would have abolished the Asia-Pacific Triangle immediately and phased out the quotas over five years. In their place, a preference system would have allotted first preference and 50 percent of all visas to labor migration; the remainder would have been reserved for family re-unification. However, when the bill emerged from Congressional committee, the preferences had been enlarged, and the focus shifted to families, reflecting the priorities of restrictionist Rep. Michael Feighan (D-Ohio). Instead of an equal emphasis on labor and family migration, the new bill contained seven categories, devoting 74 percent of all visas to family re-unification—including the first, second, fourth, and fifth preferences—and only 20 percent to labor.[35]

Much of the floor debate about the bill revolved around ending national origins, and on the merits of bringing the Western Hemisphere into the visa-preference system, arguably the most controversial aspect of the new bill. Family preferences garnered less attention. Nevertheless, those seeking to discredit the discriminatory quota system, and those hoping to appease fears of mass non-European migration, brought the justice and logic of family re-unification to the forefront. Rep. Peter Rodino (D-N.J.) asked, "How can we, as Americans explain to another American that his mother or father must wait years before coming to the United States, when there are countries with large quotas that go unused?" Legislators declared that the new preference system would not open the doors to a flood of new immigration. "Since the peoples of Africa and Asia have very few relatives here," testified Celler, "comparatively few could immigrate from those countries." In signing the bill into law, President Johnson concurred that it was "not a revolutionary bill. It does not affect the lives of millions. It will not reshape the structure of our daily lives." Family re-unification became a convenient way to remove overt racial discrimination from the law while—it was hoped—not substantially changing the numbers and origins of admissions. Indeed, most in Congress worried more about creating equality for Europe than about admitting too many people from the rest of the world.[36]

35 The bill kept the Western Hemisphere on a non-quota basis and proposed a seven-member presidential advisory board that could allocate up to 20% of all visas to refugees (Zolberg, *Nation by Design,* 328–329; Tichenor, *Dividing Lines*).

36 Introducing the bill, Feighan proclaimed that now "family unity [was] made the first and

The Act of 1965, the endpoint of a snowballing policy process, removed the quota system, excised all references to race or nationality, and substituted a preference system that allotted nearly three-quarters of all visas to family categories, earning the bill the moniker "the Brothers and Sisters Act." The military-spouse issue, which aligned with a variety of political viewpoints, had kept family re-unification at the heart of the postwar reform debates. Once instituted as the core of the post-1965 immigration policy, it radically transformed the flow of immigration to the United States, opening the door to far greater numbers of migrants, of much more diverse origins, than anticipated.[37]

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foremost objective of the new system," *Congressional Record,* 89th Cong., 1st sess., 21585. Rodino quotation on 21594; Celler's on 21758; "President Lyndon B. Johnson's Remarks at the Signing of the Immigration Bill, Liberty Island, New York, October 3, 1965," Lyndon B. Johnson Library and Museum, Austin, Texas, at http://www.lbjlib.utexas.edu/Johnson/archives.hom/speeches.hom/651003.asp (2/27/09). See also Zolberg, *Nation by Design,* 329–333; Tichenor, *Dividing Lines,* 176–218.

Gabriel J. Chin—"The Civil Rights Revolution Comes to Immigration Law: A New Look at the Immigration and Nationality Act of 1965," *North Carolina Law Review,* CCLXXIII (1996), 75—argues that legislators knew from the beginning that these changes would increase immigration but focused instead on the fight to pass the bill. Indeed, legislators had the pertinent information. However, given that they attempted to curb immigration from Latin America (by keeping the Western Hemisphere out of the preference system, thereby limiting their ability to take advantage of family re-unification) but not from Asia, they hardly expected drastic changes. All immigrants from the Western Hemisphere (except for immediate relatives) had to endure rigorous labor certification to gain entrance to the United States after 1965. Legislators also knew that economic circumstances had improved in Europe, limiting this area as a source of increased immigration. See, for example, United States, Committee on the Judiciary, Subcommittee No. 1, House of Representatives *Study of Population and Immigration Problems* (Statement of Dr. Dudley Kirk, Demographic Directory, Population Council, New York, "The Population of Western Europe") (Washington D.C., 1963), 3–27. Daniels, *Guarding the Golden Door,* 137, argues that Congress ignored evidence (such as Kirk's) that family re-unification would alter the flow of immigration, "expecting the future to resemble the past." Reimers, *Still the Golden Door,* 73–80, points out that the emphasis of family unification over skilled labor was a clear victory for organized labor, which worried about foreign competition.

37 Reimers, *Still the Golden Door,* 94–96, explains how a migrant could bring over an entire kin group after 1965, up to nineteen people, by taking advantage of family preferences. Guillermina Jasso and Mark R. Rosenzweig—"Family Reunification and the Immigration Multiplier: U.S. Immigration Law, Origin-Country Conditions, and the Reproduction of Immigrants," *Demography,* XXIII (1986), 291–311—found the actual effect of this immigration multiplier to be substantially more modest. Examining the sponsorship patterns of a cohort of 1971 immigrants, they discovered that each labor-certified migrant brought 1.2 other migrants (adults and children) into the country, and that fewer than 0.2 adults were admitted for every sibling or adult child who arrived as a migrant. In a more recent study, Bin Yu—"Immigration Multiplier: A New Method of Measuring the Immigration Process," Population Association of America, 2006 Annual Meeting at http://paa2006.princeton.edu/download.aspx?submissionId=61643 (12/17/09)—using a slightly different methodology that combined re-

THE DOG THAT DID NOT BARK: CANADIAN POSTWAR IMMIGRATION REFORM The process of Canadian immigration reform, which lacked prolonged debate about war brides, represents an alternative path to the one that the United States chose. Canada, like the United States, had a long history of anti-Asian sentiment, a large influx of military spouses after World War II, and a similar process of postwar immigration reform. But, unlike those of its southern neighbor, Canada's war brides came primarily from Western Europe, and the matter of war brides quickly faded from the public sphere after demobilization. The fact that policymakers in Canada did not perceive military spouses as a challenge to immigration policy can help to explain the strong emphasis on family reunification in the United States, and the concurrent reluctance of Canadian officials to expand unification rights.

Canada, like the United States, emerged from World War II on a trajectory of economic expansion, growing internationalism, and cognizance of international human-rights norms. Canada's manpower shortages, greater than those in the United States, bolstered its calls for an expansionist immigration policy. Yet Canada was just as disinclined to accept non-European migrants as was the United States. In 1947, it re-affirmed its commitment to a largely white and British-centric immigration policy. Prime Minster Mackenzie King famously stated, "The people of Canada do not wish . . . to make a fundamental alteration in the character of our population. . . . Any considerable Oriental immigration would give rise to social and economic problems." As in the United States, 1952 marked the passage of new immigration legislation in Canada. The new provisions largely re-affirmed prewar policy, retaining the significant discretionary power of the minister in charge of immigration and reiterating a preference for white immigrants. In 1962, the Canadian government removed race or nationality criteria from entrance requirements and in 1967 implemented a points system that emphasized economic preferences to a much greater extent than the Hart-Celler Act. These reforms, like those in the United States, opened Canada to substantial nonwhite immigration.[38]

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unification with reproduction, estimated the multiplier at 4.3. Ngai, *Impossible Subjects,* notes that although legislators used the rhetoric of equality to push immigration reform, by retaining numerical limitations and imposing the 20,000-person cap per country, they adopted the notion that all countries are equal in size and circumstance, thereby perpetuating inequality.

38 King's speech quoted in Ninette Kelley and Michael Trebilcock, *The Making of the Mo-*

The immediate postwar debates about immigration policy in Canada mostly turned on two issues—whether to admit displaced people from Europe and whether future economic growth depended on admitting more migrants. Military spouses were not a factor. Politicians and bureaucrats were more concerned with how long it would take to transport the dependents of military personnel from overseas than with their right to enter Canada. Indeed, most major works on Canadian immigration policy do not even mention their arrival, at most noting that officials used the transport of military dependents as a stalling tactic to delay immigration reform.[39]

Canada entered World War II in September 1939, and by 1942, Canadian policymakers and bureaucrats were aware of the war-bride issue. In January of that year, the government announced that it would pay for the ocean and rail transportation of wives, widows, and children of Canadian personnel serving overseas. The following year, in its Annual Report, the Immigration Branch tried to predict the possible flow of military dependents, estimating that 8,000 Army personnel had married overseas and that "marriages were being contracted at the rate of about 2,600 per annum." The number was significant, since in the 1942/43 fiscal year, only 7,445 immigrants entered Canada, and the military

saic: A History of Canadian Immigration Policy (Toronto, 1998), 312. Canada, like the United States, effectively excluded Chinese between 1923 and 1950. Whereas older studies, such as Alan Green's *Immigration and the Postwar Canadian Economy* (Toronto, 1976) and Kelley and Trebilcock's *Making of the Mosaic,* pointed primarily to changing economic circumstances in the push for immigration reform, more recent scholarship, such as Triadafilos Triadafilopoulos, *Becoming Multicultural: Immigration and the Transformation of Citizenship in Canada and Germany* (forthcoming), highlights the role of changing international norms in policy reform. In the postwar period, because Canada attempted to become an international powerbroker, its legislators increasingly found their exclusionary policies under the scrutiny of a multiracial Commonwealth and the United Nations. Reimers and Harold Troper, "Canadian and American Immigration Policy since 1945," in Barry R. Chiswick (ed.), *Immigration, Language, and Ethnicity: Canada and the United States* (Washington D.C., 1992), 15–54; Freda Hawkins, *Canada and Immigration: Public Policy and Public Concern* (Kingston, 1988; orig. pub.1972). For Canadian manpower needs, see, for example, Canada, Department of Labour, Economics and Research Branch, Professional Manpower Bulletin No. 11, *The Migration of Professional Workers into and out of Canada, 1946–1960* (Ottawa, 1961).

39 Kelley and Trebilcock, *Making of the Mosaic;* Hawkins, *Canada and Immigration;* Reimers and Troper, "Canadian and American Immigration Policy." Valerie Knowles, *Strangers at Our Gates: Canadian Immigration and Immigration Policy, 1540–1990* (Toronto, 1992), mentions military dependents only in the context of a government tactic to stall immigration reform. For Canadian scholarship about the social history and lived experience of Canadian war brides, see Joyce Hibbert (ed.), *The War Brides* (Toronto, 1978); Franca Iacovetta, *Gatekeepers: Reshaping Immigrant Lives in Cold War Canada* (Toronto, 2006).

estimates did not include those serving in the air force or navy. During the 1944 discussions in Parliament about the budget for the Ministry of Mines and Resources, which housed the Immigration Branch, Minister Thomas Crear reported that from 1942 through 1943, only 837 dependents of military personnel had entered the country but that "the number of these people coming back week by week and month by month is increasing." Crear observed that once the war ended, numbers would increase even faster.[40]

In this period, the cabinet minister in charge of immigration controlled policy by passing regulations and orders-in-council (OICs), largely free from legislative intervention by Parliament. Five ministerial OICs, from 1944 through 1946, dealt with the entrance of war brides into Canada. The first two, P.C. 7318 in September 1944 and P.C. 858 in February 1945, provided for expedited entry, simply stating, "It is desirable to facilitate entry into Canada of dependents of members of the Canadian Armed Forces." Special rules were necessary, however, since Canada's immigration law would not permit certain spouses into Canada, primarily for medical reasons. The OICs also granted citizenship or domicile status, to match the status of the husband, upon admission, unlike the U.S. provisions, which granted only an immigration visa.[41]

The second set of OICs, passed in the autumn of 1946, updated the original orders. P.C. 4044, in September, noted that the military had almost completed repatriation of its personnel and had arranged to transfer control of military dependents' admission from the minister of defence to the Immigration Branch as of December 1, 1946. The regulation also set out a series of deadlines. Applicants for free transportation had to file a request before October 15, 1946. Anyone who had not left Europe before June 30, 1947, would be ineligible for benefits. P.C. 4216, in October, updated the February 1945 order to reflect the June deadline. A final OIC, P.C. 5103, passed in December, amended the September order to include dependents married or born after October 15, 1946, but only at the discretion of the minister of National Defence. These orders show that Canada's provisions for war brides—including

40 Canada, *Report of the Department of Mines and Resources,* Fiscal Year Ended March 31, 1942 (Ottawa, 1942), 159; *ibid.,* Fiscal Year Ended March 31, 1943 (Ottawa, 1943), 173. Canada, Debates, House of Commons, June 6, 1944, 3572.

41 P.C. 7318 (September 21, 1944), 2; P.C. 858 (February 9, 1945).

expedited entry, medical examinations, and transportation—were part and parcel of the demobilization of military staff and personnel following the Allied victory.[42]

The number of women and children who entered Canada as military dependents was substantial, making the lack of debate all the more striking. From April 1, 1942, through March 31, 1948, the Immigration Branch tallied 43,454 wives and 20,997 children—a total of 64,451 servicemen's dependents brought to Canada. This figure is slightly more than one-half of that for the United States under the War Brides' Act, but Canada's total population (approximately 11.5 million in 1941) was less than one-tenth of the U.S. total (132 million). Anti-immigrant policymakers could certainly have raised questions about the country's ability to absorb the large number of new arrivals.[43]

Instead, the question repeatedly raised in parliamentary and public debates was *when* dependents would arrive in Canada, not whether the government should admit them. Members in the House of Commons regularly asked about delays in arrival. In October 1945, D. S. Harkness (Progressive Conservative-Calgary East), in reference to a demonstration in London held "by ex-servicemen in Canada to protest the delay in bringing their wives to this country," pressed the government about its plans for their entry. Douglas Abbott, minister of National Defence, replied, "Every effort is being made to obtain additional shipping to bring wives and dependents back to Canada, but priority is being given to returning servicemen." In December 1946, Abbott addressed Parliament again, reiterating that "the basic policy governing the repatriation of soldiers and war brides from the United Kingdom remains unchanged" but acknowledging "the desirability of returning to Canada the dependents . . . at the earliest possible moment."[44]

Abbott's remarks, aside from the issue of transportation, re-

42 P.C. 4044 (September 26, 1946); P.C. 4216 (October 11, 1946); P.C. 5103 (December 12, 1946).

43 Canada, *Report of the Department of Mines and Resources,* Fiscal Year Ended March 31, 1948 (Ottawa, 1948), 240, enumerated only 225 outstanding applications beyond those already admitted. Population data derive from F. H. Leacy (ed.), *Historical Statistics of Canada* (Ottawa, 1983); Gibson J. Campbell and Emily Lennon, "Historical Census Statistics on the Foreign-born Population of the United States: 1850–1990," U.S. Census Bureau working paper 29 (Washington, D.C., 1999).

44 Canada, Debates, House of Commons, October 12, 1945, 976; December 12, 1946, 3416–17.

veal the major difference between war-brides legislation in the United States and that in Canada—geographical thrust: Canada's policy primarily revolved around the admission of wives from Great Britain. According to Hibbert, almost 94 percent of the war brides admitted to Canada hailed from Great Britain. In distant second place came those from the Netherlands (4 percent of the total), followed by those from Belgium (slightly more than 1 percent). Only a handful of recorded cases of Asian-origin war brides exist. For example, in the 1947 fiscal year, the Immigration Branch reported that of the 39,092 dependents who entered Canada, only 7 were "of the Chinese race," all of them born within the British Commonwealth, either the West Indies, Australia, or England.[45]

The predominantly Northwestern European origins of Canada's war brides might have been due partly to military interdictions about marrying certain foreign women, but they were mostly due to Canadians' limited military engagement outside the European theater. Canadian army officials, like their U.S. counterparts, were not eager to encourage marriage. As Routine Order 788, providing directions to commanding officers on permission to marry, noted, "Records of marriages contracted abroad from the last war show that a pitifully small percentage turned out to be reasonably happy." Consequently, COs were enjoined to dissuade soldiers from marrying, especially in cases "where . . . differences of race, religion and customs" left them "open to obvious risks to future happiness." More consequential, Canada played only a restricted role in the Pacific during World War II and took no part

45 Two other differences between Canada and the United States are (1) the number of underage children that each admitted—20,997 for Canada and 4,669 for the United States—likely a reflection of Canada's longer participation in World War II; and (2) the gendered nature of Canadian policy. The Canadian government defined dependents as the "wife, the widow, or child under eighteen years of age," excluding husbands. Considering that more than 45,000 women served in the Canadian Armed Forces during the war (and about 1 million men), the lack of attention to husbands is striking, probably linked to citizenship regulations (Canada, Debates, House of Commons, 1945, I: 1129). Prior to January 1, 1947, when Canadian citizenship was instituted, a woman who was a citizen by virtue of being a British subject lost that status upon marriage to a non-citizen (Canada, *Annual Report of Citizenship and Immigration,* Fiscal Year Ended March 31, 1951, 13). If she married another British subject—as was likely in the United Kingdom—her husband's status as a British subject would permit migration to Canada without problem. On the national origins of war brides, see Hibbert, *War Brides,* 156–157. For statistics about Chinese military dependents from Canada, see *Report of the Department of Mines and Resources,* Fiscal Year Ended March 31, 1947 (Ottawa, 1947), 266–267. For immigrants and Canadian citizenship, see Bloemraad, *Becoming a Citizen: Incorporating Immigrants and Refugees in the United States and Canada* (Berkeley, 2006).

in the reconstruction of Japan. The 26,791 soldiers that Canada sent to Korea in 1950 did not stay long after the ceasefire, quitting the peninsula in 1955. Thus, in Canada, the military-spouse issue pertained mainly to Europeans, primarily to those from Great Britain.[46]

By the 1950s and 1960s, the key debates for immigration reform in Canada revolved around economics, controlling family sponsorship—which had broadened in the late 1940s and early 1950s—and a perceived lack of transparency in the decisions made by immigration officials. Backlash against the system of OICs reached a crescendo in 1959, when criticism from ethnic groups and opposition Members of Parliament forced the Conservative government to rescind an order aimed at curbing Italian migration that would have limited family-sponsorship rights. What Hawkins termed a "failure in diplomacy" taught the government to inform and educate the public before making policy changes. During the 1950s, the newly independent nations of Pakistan, India, and Ceylon also won small entrance quotas, furthering the breakdown of Canada's white-only immigration stance.[47]

In 1962, the Conservative government removed race-based discrimination from the immigration statutes, although it still aimed to extend more ample family-sponsorship rights only to Europeans and Americans. This continuation of differential policies, despite removal of race-based exclusion, prompted a barrage of criticism. The 1962 reforms also left ministerial discretion over immigration policy intact. Triadafilopoulos interprets these partial changes as an attempt to pacify critics of the immigration system rather than as a wholehearted move to implement color-blind legislation. The 1959 and 1962 reforms illustrate that although Canadian policymakers recognized the importance of family sponsorship, they primarily aimed to limit re-unification rather than to expand it.[48]

46 For Canada's role in World War II, see David Jay Bercuson, *Maple Leaf Against the Axis: Canada's Second World War* (Toronto, 1995); Patricia Giesler, *Valour Remembered: Canada and the Second World War, 1939–1945* (Ottawa, 1981); Ian R. Munro, *Canada and the World Wars* (Toronto, 1979). "Canadian Army Routine Order 788, Permission to Marry—North West Europe," cited in Hibbert, *War Brides,* 17. For Canada's role in Korea, see Veterans Affairs Canada, *Valour Remembered: Canadians in Korea* (Ottawa, 1982).

47 Hawkins, *Canada and Immigration,* 121–125. See also Knowles, *Strangers at Our Gates*.

48 See Kelley and Trebilcock, *Making of the Mosaic,* 332–345. Chapter 4 of Triadafilopoulos' forthcoming *Becoming Multicultural* also argues that in 1962, government officials feared that

By the end of 1966, the government reorganized the ministry in charge of immigration, creating the Department of Manpower and Immigration, a name reflecting the government's economic priorities. In October 1966, this new ministry tabled a white paper that called for the creation of a long-term immigration policy based upon reduced family-sponsorship rights, increases in skills-based admissions, and decreases in unskilled immigration. Attempts to limit family re-unification provisions immediately encountered criticism in parliamentary hearings, as did the proposed education and skills criteria for independent (nonsponsored) immigrants.[49]

In response to the criticism, the government introduced the points system, which presented guidelines for entry, based on nine categories, including education, training, and character. To deal with the possibility of exponential growth in family sponsorship, the system split family re-unification into two categories—sponsored immigrants (dependent relatives not subject to the points system) and nominated immigrants (distant relatives subject to qualification but eligible for extra points because of family connections). While legislators in the United States testified that the Hart-Celler Act would not increase the number of immigrants, Canada faced a much greater need for manpower. Minister Jean

large-scale immigration from nontraditional sources would upset white Canadians. Reimers and Troper, "Canadian and American Immigration Policy," 32, agree that the changes in 1962 had more to do with deflecting criticism than economics (a matter of "federal and provincial human rights initiatives"), as well as Canada's work on the international stage.

49 Hawkins, *Canada and Immigration,* 145–162; Kelley and Trebilcock, *Making of the Mosaic,* 348–356. The white paper stated that "there is little dissent from the proposition that Canada still needs immigrants" and proposed extending family-sponsorship rights only to citizens, to forestall explosive growth. Interestingly, the white paper foreshadowed Reimers' work by almost twenty years, describing in great detail the possible perils of chain migration through family sponsorship. The differences between Canada's cautious approach to family re-unification and the United States more aggressive one is telling. See Canada, Department of Manpower and Immigration, *White Paper on Immigration* (Ottawa, 1966), 5–7; Reimers, *Still the Golden Door,* 94–96. Whereas John J. Deutsch of the Economic Council of Canada and others testified that Canada's need for unskilled labor was declining, certain ethnic groups, such as the Canadian-Italian Business Association, and national groups, such as Caribbean migrants, argued otherwise. As the brief of the Negro Citizenship Association, Inc., the Jamaica Association of Montreal, and the Trinidad and Tobago Association of Montreal opined, "The government is in effect substituting a policy of discrimination based on ethnic and geographic origin, for one based on skill." See Canada, Special Joint Committee of the Senate and House of Commons on Immigration, *Minutes of the Proceedings and Evidence,* 2d sess., 27th Parliament, 1967–1968 (quotation in Appendix O, 610–611).

Marchand repeatedly spoke to the expansionist nature of the new policy, which sought "to establish the basis for a steadily active immigration policy adapted to our manpower needs." The government still chose to implement the point system through its cabinet, rather than through new legislation, but the process of proposals, hearings, and revisions heralded an increase in transparency from the closed-door deliberations of the previous era. Canada now had a system that could stand up to international and domestic scrutiny with clear and readily available criteria for admissions.[50]

Three years after the passage of the U.S. McCarran-Walter Act of 1952, Frank Auerbach of the Dept. of State, speaking on the topic of "Immigration Today," explained that three principles drove immigration law: the national-origins system, Western Hemisphere quota exemptions, and family re-unification. Acknowledging that Congress had implemented family-preference categories as early as the 1920s, he maintained that they "gained considerable momentum" in 1952, when "the Asian husband, wife and child of an American citizen [was] now accorded non-quota status on the same basis as the non-Asian." Thus, Auerbach not only foreshadowed by ten years the replacement of national origins with family preferences, but he also alluded to the central contention of this article—that policy snowballing created a language, mindset, and constituency for the expanded notions of family re-unification that eventually ended Asian exclusion and moved ideals of family unity to the core of U.S. immigration policy. Offering aid to families, as a gesture of gratitude to returning soldiers, was acceptable to restrictionists and expansionists alike. Sympathy for wartime sacrifice, patriotism, and marriage proved more durable than the vestiges of racism and isolationism, laying

50 See, for example, the speech by Sen. Edward Kennedy (D-Mass.), *Congressional Record,* 89th Cong., 1st sess., 1965, 24228; Canada, House of Commons, *Debates,* 1966–1967, 8651. The government presented the new system as a color-blind policy, with entry determined by merit, as reflected through an individual's total points. However, officials retained the power to decide which skills were relevant, and individual immigration officers could award up to fifteen points for subjective criteria. See Kelley and Trebilcock, *Making of the Mosaic,* 359. Feminist scholars have criticized the points system for a bias against single and nondependent women. See Yasmeen Abu-Laban, "Keeping 'em Out: Gender, Race, and Class Bias in Canadian Immigration Policy," in Veronica Strong-Boag et al.(eds.), *Painting the Maple: Essays on Race, Gender, and the Construction of Canada* (Vancouver, 1998), 69–84.

the groundwork for the immigration reform of the 1950s and 1960s.[51]

The legacy of these debates continues into the present. Current immigration law in the United States retains a preference for family re-unification over economic selection and refugee admissions. Moreover, in 2007, when a bipartisan Senate bill supported by the White House proposed moving to a points system like that of Canada, critics were almost unanimous in making appeals to the family. Kevin Appleby, director of immigration policy for the U.S. Conference of Catholic Bishops, responded that the proposed system "ignore[d] the fact that immigrant families have helped build this nation." Then-Sen. Barack Obama (D-Ill.) called the proposal a "radical experiment in social engineering," worrying that the bill "fail[ed] to recognize the fundamental morality of uniting Americans with their family members." These words expressed the same moral position that soldiers, politicians, and various social groups championed more than half a century earlier.[52]

51 Department of State, Press Release, address by Frank L. Auerbach, May 27, 1955, "Immigration Today," RG46, Sen.86A-F12.1, Committee on the Judiciary, Immigration Subcommittee, Box 5, Press Releases (2 of 2), 1–3, National Archives, Washington, D.C.

52 Quotations from Michael Abramowitz, "Immigration Bill's Point System Worries Some Groups," *Washington Post,* 27 May 2007, A11. See also Carolyn Lochhead, "Point System Is Key to Immigration Overhaul," *San Francisco Chronicle,* 15 May 2007; Robert Pear, "A Point System for Immigrants Incites Passions," *New York Times,* 5 June 2007.