

The Immigration and Nationalities Act of 1965

The Hart-Celler (Public Law 89-326) Act fundamentally changed the demographics of our nation. The legislation, which is still the foundation of today's immigration law, phased out a national origins quota system that had been instituted in the 1920s and inaugurated a new era of immigration from Asia, Latin America, Africa, and the Caribbean. Today, tens of millions of Americans can trace their lives in America directly to the impact of the Hart-Celler Act and its successor legislation.

Since the Chinese Exclusion Act of 1882, Congress enacted many restrictions to immigration culminating with the 1921 Quota Act and the 1924 Johnson-Reid Immigration Act. These acts set quotas based respectively on the 1910 and 1920 U.S. Census figures that heavily favored European immigrants. After World War II, in recognition of the prominent position of the US as a beacon of democracy and equality, a growing movement for reform emerged. Although President Truman sought to strike preferential quotas, a conservative Congress passed the Immigration and Nationalities Act of 1952, reaffirming the quotas of the 1920s.

With the passage of the Civil Rights Act of 1964, the momentum for change was finally strong enough. Representatives Philip Hart of Michigan and Emanuel Celler of Brooklyn, New York introduced the immigration reform legislation in the 89th Congress during the summer of 1965, and it was passed by wide margins on August 25th of that year. The act amended the 1952 Immigration and Nationalities Act specifically by striking discriminatory quotas from the United States immigration code. The act was signed into law by president Lyndon Johnson on October 3rd, 1965 at the foot of the Statue of Liberty.

The act was phased in over a three-year period, coming into full effect on June 30th of 1968. The Hart-Celler Act dramatically changed immigration policies by amending the immigration code established by the 1952 law. Key provisions of the amendment included the abolition of preferential quotas based on national origin, race, and ancestry as basis for immigration; the creation of a seven-category preference system, which gave priority to relatives of U.S. citizens and legal permanent residents and to professionals and other individuals with specialized skills; an exclusion from numerical restrictions of immediate relatives and "special immigrants" including ministers, former employees of the U.S. government, and foreign medical graduates.; a requirement that the Secretary of Labor certify labor shortages to justify certain work-related immigration allowances; and finally a provision that refugees be given a category preference with the possibility of adjusting their status. The Act aimed to create a set of standards for determination of eligibility for prospective immigrants that could be applied regardless of who they are or where they come from. Subsequent amendments have pushed the immigration debate in various directions, but the principal of non-discrimination remains a hallmark of the law.