

## REPEAL OF "NATIONAL ORIGINS" PROVISIONS OF IMMIGRATION ACT OF 1924

FEBRUARY 9, 1927.—Referred to the House Calendar and ordered to be printed

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Mr. JOHNSON of Washington, from the Committee on Immigration and Naturalization, submitted the following

### REPORT

[To accompany S. J. Res. 152]

The Committee on Immigration and Naturalization, to which was referred the Senate joint resolution (S. J. Res. 152) to amend subdivisions (b) and (e) of section 11 of the immigration act of 1924, as amended, reports the same favorably with an amendment, as follows:

Strike out all of the text after the enacting clause and insert the following:

That subdivisions (b), (c), (d), and (e) of section 11 of the immigration act of 1924 are repealed.

Amend the title to read:

Joint resolution to repeal subdivisions (b), (c), (d), and (e) of section 11 of the immigration act of 1924.

The result will be to strike from the act of 1924 the provisions relating to national origins, and to continue the restriction of immigration as at present—2 per cent per annum on the 1890 census.

#### NATIONAL ORIGINS PROVISIONS

The subsections proposed to be stricken read as follows:

(b) The annual quota of any nationality for the fiscal year beginning July 1, 1927, and for each fiscal year thereafter, shall be a number which bears the same ratio to 150,000 as the number of inhabitants in continental United States in 1920 having that national origin (ascertained as hereinafter provided in this section) bears to the number of inhabitants in continental United States in 1920, but the minimum quota of any nationality shall be 100.

(c) For the purpose of subdivision (b) national origin shall be ascertained by determining as nearly as may be, in respect of each geographical area which under section 12 is to be treated as a separate country (except the geographical areas specified in subdivision (c) of section 4) the number of inhabitants in con-

tinental United States in 1920 whose origin by birth or ancestry is attributable to such geographical area. Such determination shall not be made by tracing the ancestors or descendants of particular individuals, but shall be based upon statistics of immigration and emigration, together with rates of increase of population as shown by successive decennial United States censuses, and such other data as may be found to be reliable.

(d) For the purpose of subdivisions (b) and (c) the term "inhabitants in continental United States in 1920" does not include (1) immigrants from the geographical areas specified in subdivision (c) of section 4 or their descendants, (2) aliens ineligible to citizenship or their descendants, (3) the descendants of slave immigrants, or (4) the descendants of American aborigines.

(e) The determination provided for in subdivision (c) of this section shall be made by the Secretary of State, the Secretary of Commerce, and the Secretary of Labor, jointly. In making such determination such officials may call for information and expert assistance from the Bureau of the Census. Such officials shall, jointly, report to the President the quota of each nationality, determined as provided in subdivision (b), and the President shall proclaim and make known the quotas so reported. Such proclamation shall be made on or before April 1, 1927. If the proclamation is not made on or before such date, quotas proclaimed therein shall not be in effect for any fiscal year beginning before the expiration of 90 days after the date of the proclamation. After the making of a proclamation under this subdivision the quotas proclaimed therein shall continue with the same effect as if specifically stated herein, and shall be final and conclusive for every purpose except (1) in so far as it is made to appear to the satisfaction of such officials and proclaimed by the President, that an error of fact has occurred in such determination or in such proclamation, or (2) in the case provided for in subdivision (c) of section 12. If for any reason quotas proclaimed under this subdivision are not in effect for any fiscal year, quotas for such year shall be determined under subdivision (a) of this section.

#### PRESENT METHOD RETAINED

The present method of ascertaining quotas is provided for by subsection (a) of section 11, as follows:

SEC. 11. (a) The annual quota of any nationality shall be 2 per centum of the number of foreign-born individuals of such nationality resident in continental United States as determined by the United States census of 1890, but the minimum quota of any nationality shall be 100.

If the amendment to Senate Joint Resolution 152 is adopted, the above method remains in the law.

#### VIEWS OF THE MAJORITY

The committee having considered the text of Senate Joint Resolution 152 to postpone for one year the going into effect of the national origins provisions of the immigration act of 1924, is of the opinion that at the end of one year from July 1, 1927, the same uncertainty as to the results of regulating immigration by means of the "national origins" plan will continue to exist.

That the Secretaries of State, of Commerce, and of Labor will have little if any more positive evidence on which to base quota findings than at present.

That too much uncertainty exists as to the requirement of the law that "The President shall issue a proclamation on or before April 1, 1927," when read in conjunction with further provisions of the law. That the uncertainty will continue from year to year.

That it seems far better to have immigration quotas for the purposes of restriction fixed in such a manner as to be easily explained and easily understood by all.

That the organization of our Government does not provide for coordinated work such as proposed in national origins clause of the 1924 act, by three Secretaries of the President's Cabinet, and in the opinion of the committee, such requirement should not be continued.

The committee is of the opinion that the United States, having started on a policy of numerical restriction, the principle of which is well understood, that little will be gained by changing the method.

#### PRESENT LAW WORKING WELL

Further, it is clear that any change in either method or census year will immediately bring great protests from all nationalist groups, even though the quotas for the countries from which the members of these groups, or their ancestors came, are but slightly affected.

The great majority of the people of the United States, including a majority of citizens of foreign birth and of recent foreign ancestry, have accepted the 1890 census as a quota base and realize that it is working remarkably well for the purposes for which it was intended. Your committee has come to the conclusion that it is unwise to invite further strife over a change to a plan based in part on estimates which go back into the times of the colonies. The carrying on of strife and feeling that should not exist in a country of 118,000,000 people, made up of the blood stock of the peoples of the civilized world, should be avoided if the end to be obtained can be gained in any other way.

One of the great purposes of the immigration act of 1924 was so to reduce the inflow of immigration as to end the idea of nationalistic groups in the United States and to permit amalgamation and homogeneity. After liberal immigration for so many years, this is a most difficult process, and will require many years, under favorable circumstances, even with the closest possible restriction of immigration.

Had there been no 1890 census quota plan worked out ahead of the national origins proposal, it is probable that the national origins plan would not have met the opposition it now meets. But quotas having been fixed and in use for nearly three years, the change brings protests from many groups, who feel that the countries their members came from are being discriminated against (by comparison, of course, with the 1890 quota figures). In the future this will happen with any proposed change. If it is proposed to use the 1920 census, the protest will come just as it now comes, though perhaps from different groups.

A table is inserted from the hearings to show how the use of the 1920 census (on a maximum of approximately 150,000) would affect immigration from various countries.

	Present law (1890 basis)	Origins basis, Captain Trevor's estimates	Presi- dential commis- sion's origin basis	1920 foreign- born basis
Albania.....	100	100	-----	<sup>1</sup> 100
Austria.....	785	2,171	1,485	7,195
Belgium.....	522	251	410	780
Bulgaria.....	100	100	-----	130
Czechoslovakia.....	3,073	1,359	2,248	4,530

<sup>1</sup> Minimum.

	Present law (1890 basis)	Origins basis, Captain Trevor's estimates	Presi- dential commis- sion's origin basis	1920 foreign- born basis
Denmark.....	2,789	945	1,044	2,360
Estonia.....	124	325		
Finland.....	471	517	559	1,870
France.....	3,954	1,772	3,837	1,910
Germany.....	51,227	20,028	23,428	21,075
Greece.....	100	384	367	2,195
Hungary.....	473	1,521	967	4,965
Great Britain and North Ireland.....	34,007	85,135	73,039	17,305
Irish Free State.....	28,567	8,330	13,862	9,853
Italy.....	3,845	5,716	6,691	20,125
Netherlands.....	1,648	2,762	2,421	1,645
Norway.....	6,453	2,053	2,267	4,610
Poland.....	5,982	4,535	4,978	14,245
Portugal.....	503	236		870
Rumania.....	603	222	516	1,285
Russia.....	2,248	4,002	4,781	17,505
Spain.....	131	148	674	6,190
Sweden.....	9,561	3,072	3,259	7,815
Switzerland.....	2,081	783	1,198	1,480
Turkey in Europe.....	100	100	233	<sup>1</sup> 100
Yugoslavia.....	671	591	777	2,115
All others.....	4,679	2,842	4,500	
Total.....	164,867	150,000	153,541	152,253

<sup>1</sup> Minimum.

The separation between Great Britain and north Ireland, on one hand, and the Irish Free State, on the other, in the 1920 foreign-born basis is figured on the basis that the Irish Free State has 76 per cent of the foreign-born population of the United States born in Ireland. This is the percentage which the Government has adopted for the 1890 census basis.

In obtaining the 1920 foreign-born basis, I have gone on the basis that 12,000,000 foreign born were subject to the quota. Under the 1890 basis, 2 per cent of the foreign born of each country are admissible, but under the origin system only 150,000. Reducing the 1920 foreign-born basis to 150,000, I have given each country five-eighths of 2 per cent of its foreign born here in 1920. The totals do not figure an even 150,000, but are only slightly over.

EDWARD R. LEWIS.

#### HEARINGS BY THE COMMITTEE

Hearings were held by the committee, and much interesting information was placed in the record. Recognition should be made of the painstaking work performed by the committee of six experts who worked under the direction of the Secretaries of State, Commerce, and Labor in searching records and preparing the revised national-origins tables. Testimony before this committee discloses the fact that the Carnegie Foundation had nothing to do with the suggestion of the use of national origins as a base for immigration restriction. Weeks after its enactment this foundation printed as a matter of information a digest of the 1924 law and an explanation of the origins plan.

A study of the testimony shows that the committee of experts has submitted one set of tables on the origin of the people of the United States to the three Secretaries, and that further revisions are to be made. It is interesting to note that it takes an error of 600 in the gross computations to make an error of 1 in the figures when prorated among quotas for a possible 150,000 immigrants.

Reviewing all the conditions and mindful of the fact that the use of the 1890 census comes as near as possible the general results desired



to be attained by the use of the calculations reached through revision of the first national-origins figures, the majority of your committee is of the opinion that the aims and purposes of the 1924 act will be best served by striking from that act its national-origins provisions and by adhering to the 1890 census as a base for restriction.

Letters to the President from the Secretaries and tables from the then committee of experts and messages from the President transmitting these to the Senate are appended for the information of the Members of the House.

# APPENDIX

[Senate Document No. 190, Sixty-ninth Congress, second session]

*To the Senate:*

In response to Senate Resolution 318 there is herewith transmitted a copy of the joint report of the Secretary of State, the Secretary of Commerce, and the Secretary of Labor, to the President, in pursuance of section 11(e) of the immigration act of 1924.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 7, 1927.

JANUARY 3, 1927.

The PRESIDENT,

*The White House, Washington, D. C.*

DEAR MR. PRESIDENT: Pursuant to the provisions of sections 11 and 12 of the immigration act of 1924, we have the honor to transmit herewith the preliminary report of the subcommittee appointed by us.

The report of the subcommittee is self-explanatory, and is stated to be a preliminary report, yet, in the judgment of that committee further investigation will not substantially alter this presentation.

It may be stated that the statistical and historical information available from which these computations were made is not entirely satisfactory. Assuming, however, that the issuance of the proclamation provided for in paragraph (3), section 11, of said act is mandatory and that Congress will neither repeal nor amend said act on or before April 1, 1927, the attached list shows substantially the quota allotments for use in said proclamation.

Faithfully yours,

FRANK B. KELLOGG,  
*Secretary of State,  
Department of State.*

HERBERT HOOVER,  
*Secretary of Commerce,  
Department of Commerce.*

JAMES J. DAVIS,  
*Secretary of Labor,  
Department of Labor.*

DECEMBER 16, 1926.

The SECRETARY OF STATE,  
The SECRETARY OF COMMERCE,  
The SECRETARY OF LABOR.

SIRS: The board which you appointed to conduct investigations and submit a report containing recommendations respecting immigration quotas upon the basis of national origin which may be reported to the President, as required by section 11 of the immigration act of 1924, submits the following preliminary statement in the belief that you may wish to be informed regarding the progress the board is making.

We have found our task by no means simple, but we are carrying it out by methods which we believe to be statistically correct, utilizing the data that are available in accordance with what seems to us to be the intent and meaning of the law. We have not completed our work, but the figures which we are sub-

mitting for your information, though provisional and subject to revision, indicate approximately what the final results will be.

The available data which furnished the basis of our computations include:

(1) The records of immigration giving the number of immigrants arriving annually from each foreign country from 1820 to 1920.

(2) The reports of the decennial censuses which have classified the foreign-born population by country of birth at each census from that of 1850 to that of 1920, inclusive; the native white population of foreign or mixed parentage by country of birth of parents at each census from that of 1890 to that of 1920, inclusive; and both the foreign-born white population and the native white population of foreign or mixed parentage by mother tongue at the censuses of 1910 and 1920.

(3) A classification by racial stocks of the white population enumerated at the census of 1790, as published by the Bureau of the Census in the volume entitled "A Century of Population Growth."

(4) Standard reference works giving the population of foreign countries at different periods, by provinces and other small political divisions, and by linguistic and racial groups.

It does not seem to us advisable or, indeed, practicable in this connection or at this time to undertake to give anything like a complete description of the statistical processes which we have applied in reaching the results which we submit. To do that would require a voluminous and rather technical report, which probably would be of interest mainly to statisticians. The first step in our computations was the division of the total white population into two main portions, one representing that portion which is descended from the population which was enumerated in the first census, that of 1790, and the other that portion which consists of immigrants and the descendants of immigrants who have come to this country since 1790. The one portion we call for convenience the "original native stock" and the other the "immigrant stock." This division was based on census statistics and was made by a process which is believed to be more scientific and reliable than any heretofore applied to that problem. It may interest you to know that, according to this computation, of the 94,820,915 white population of the United States as enumerated in 1920, approximately 53,500,000 were of immigrant stock and 41,000,000 of original native stock.

Having made this division, the foreign-born and the native-born children of foreign-born parents were allocated to quota areas on the basis of the 1920 census classifications by country of origin, adjustments being made where necessary for geographical changes; and the balance of the immigrant stock (comprising the grandchildren and later descendants of immigrants) was distributed by country of origin partly upon the basis of statistics of immigration and partly upon the basis of census statistics, again making allowance for changes in political geography.

For the classification of the other portion of the population, constituting what we have termed the original native stock, the only comprehensive data available is that supplied by the classification, previously mentioned, of the 1790 population, which was based mainly upon the names recorded in the schedules returned at the census, distinguishing English, Scotch, Irish, Dutch, French, German, and "all others." It must be admitted that any racial classification based mainly upon names involves a considerable element of uncertainty, partly because family names undergo changes as time goes by and partly because many names are common to two, or possibly more, countries. The work of making this classification was, however, carefully done by people who were by no means lacking in qualifications for the task; and who did not rely exclusively upon names but consulted histories and works on nomenclature to some extent. Moreover, the files of the Congressional Record show that it was the expectation of Congress that the 1790 classification here referred to would be used as a basis in carrying out the provisions of the act regarding the determination of national origin.

As regards most of the nationalities of more recent immigration, their quotas would not be affected appreciably, if at all, by any errors that may exist in this classification of the 1790 population because they were not represented in any considerable numbers in the population of the United States at that time. As regards the other countries, whose quotas are based in part upon the 1790 population, just what the margin of error resulting from uncertainty in regard to the classification by names may be could be determined only by extended historical research. At present it must be largely a matter of opinion; and while the burden of proof appears to rest upon those who may object to the classification as being seriously erroneous, we are not prepared to say that their criticisms may not be in some cases or to some extent justified.

It is to be noted, however, that so far as the provisions of the immigration act of 1924 are concerned, an exact classification is neither expected nor required, for the act says that the determination of national origin shall be made "as nearly as may be." Your board believes that the results finally obtained, after such revisions as it may make within the next two or three months, will indicate the national origin of the population of the United States as nearly as may be ascertained with the available data and under existing conditions. A greater degree of accuracy could doubtless be obtained by a careful and exhaustive study of historical and genealogical records; but that is a task which might take several years for its completion and would require the assistance or cooperation of historians and experts in historical or genealogical research.

For your convenience, the tabular statement herewith submitted includes the present quotas (based upon the foreign-born enumerated in the 1890 census) for comparison with the preliminary quotas based on national origin. As of possible interest, there is added also a column showing the quotas as they were presented to Congress at the time the immigration act of 1924 was under discussion, as published in the Congressional Record, volume 65, No. 159, June 24, 1924, pages 11739-11740. This column is introduced as indicating what Congress probably anticipated would be the results of the application of the national-origin basis.

It may perhaps have been anticipated that under the provisions of the immigration act the total immigration from quota countries would be 150,000. But the act, as your board understands it, does not definitely and directly limit the total immigration. It simply provides a rule by which the quota for each nationality is to be determined, that rule being that the annual quota "shall be a number which bears the same ratio to 150,000 as the number of inhabitants in continental United States in 1920 having that national origin (ascertained as hereinafter provided in this section) bears to the number of inhabitants in continental United States in 1920." In the opinion of your board the quota of any country as determined by that rule must stand unaltered, unless it proves to be less than 100, in which case it is to be increased to that figure under the proviso that "the minimum quota of any nationality shall be 100." As a result of increasing the quotas in such cases, the total is somewhat in excess of 150,000.

Respectfully submitted.

R. W. FLOURNOY, Jr.,  
S. W. BOGGS,  
*Representing the Secretary of State.*

JOSEPH A. HILL, *Chairman,*  
LEON E. TRUESDELL,  
*Representing the Secretary of Commerce.*

W. W. HUSBAND,  
ETHELBERT STEWART,  
*Representing the Secretary of Labor.*

#### IMMIGRATION QUOTAS

*Provisional immigration quotas based on national origin as provided by the immigration act of 1924; also present immigration quotas as based on 1890 foreign-born population; and estimated quotas on national origin basis as submitted to Congress when the act of 1924 was under consideration*

Country of origin	Provisional quotas on basis of national origin	Present quotas based on 1890 foreign-born population	Estimated quotas on national origin basis as submitted to Congress in 1924
Total.....	153,541	164,667	150,000
Afghanistan.....	100	100	100
Albania.....	100	100	100
Andorra.....	100	100	100
Arabian peninsula.....	100	100	100
Armenia.....	100	124	100
Australia, etc.....	100	121	100

<sup>1</sup> Includes Fleume (100) and Hejaz (100).

# 8 REPEAL "NATIONAL ORIGINS" PROVISIONS OF IMMIGRATION ACT

## IMMIGRATION QUOTAS

Provisional immigration quotas based on national origin as provided by the immigration act of 1924; also present immigration quotas as based on 1890 foreign-born population; and estimated quotas on national origin basis as submitted to Congress when the act of 1924 was under consideration—Continued

Country of origin	Provisional quotas on basis of national origin	Present quotas based on 1890 foreign-born population	Estimated quotas on national origin basis as submitted to Congress in 1924
Austria.....	1,486	785	2,171
Belgium.....	410	512	251
Bhutan.....	100	100	
Bulgaria.....	100	100	100
Cameroon (British).....	100	100	
Cameroon (French).....	100	100	
China.....	100	100	
Czechoslovakia.....	2,248	3,073	1,359
Danzig.....	122	228	100
Denmark.....	1,044	2,789	945
Egypt.....	100	100	100
Estonia.....	109	124	325
Ethiopia (Abyssinia).....	100	100	100
Finland.....	559	471	517
France.....	3,837	3,954	1,772
Germany.....	23,428	51,227	20,028
Great Britain and Northern Ireland.....	73,039	34,007	85,135
Greece.....	367	100	384
Hungary.....	967	473	1,521
Iceland.....	100	100	100
India.....	100	100	
Iraq (Mesopotamia).....	100	100	
Irish Free State.....	13,862	28,567	8,330
Italy, etc.....	6,091	3,845	5,716
Japan.....	100	100	
Latvia.....	184	142	384
Liberia.....	100	100	100
Liechtenstein.....	100	100	100
Lithuania.....	494	344	458
Luxemburg.....	100	100	100
Monaco.....	100	100	100
Morocco.....	100	100	100
Muscat (Oman).....	100	100	
Nauru.....	100	100	
Nepal.....	100	100	
Netherlands.....	2,421	1,648	2,762
New Zealand, etc.....	100	100	100
Norway.....	2,267	6,453	2,053
New Guinea, etc.....	100	100	
Palestine.....	100	100	100
Persia.....	100	100	100
Poland.....	4,978	5,982	4,535
Portugal.....	290	503	236
Ruanda and Urundi.....	100	100	
Rumania.....	516	603	222
Russia.....	4,781	2,248	4,002
Samoa, western.....	100	100	
San Marino.....	100	100	100
Siam.....	100	100	
South Africa, Union of.....	100	100	
South West Africa.....	100	100	100
Spain.....	674	131	148
Sweden.....	3,259	9,561	3,072
Switzerland.....	1,198	2,081	783
Syria and the Lebanon.....	100	100	100
Tanganyika.....	100	100	
Togoland (British).....	100	100	
Togoland (French).....	100	100	
Turkey.....	233	100	100
Yap, etc.....	100	100	
Yugoslavia.....	777	671	591



[Senate Document No. 193, Sixty-ninth Congress, second session]

*To the Senate:*

I am sending herewith a copy of the letter of transmission which accompanied the report of the Secretary of State, the Secretary of Commerce, and the Secretary of Labor, in the matter of the immigration law relating to national origins, to replace an inaccurate copy which was inadvertently forwarded to the Senate with such report.

CALVIN COOLIDGE.

THE WHITE HOUSE, *January 10, 1927.*

JANUARY 3, 1927.

The PRESIDENT,  
*The White House, Washington, D. C.*

DEAR MR. PRESIDENT: Pursuant to the provisions of sections 11 and 12 of the immigration act of 1924, we have the honor to transmit herewith the preliminary report of the subcommittee appointed by us.

The report of the subcommittee is self-explanatory and is stated to be a preliminary report, yet, in the judgment of that committee, further investigation will not substantially alter this presentation.

Although this is the best information we have been able to secure, we wish to call attention to the reservations made by the committee and to state that in our opinion the statistical and historical information available raises grave doubts as to the whole value of these computations as a basis for the purposes intended. We therefore can not assume responsibility for such conclusions under these circumstances.

Yours faithfully,

FRANK B. KELLOGG,  
*Secretary of State,  
Department of State.*

HERBERT HOOVER,  
*Secretary of Commerce,  
Department of Commerce.*

JAMES J. DAVIS,  
*Secretary of Labor,  
Department of Labor.*

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The following is a summary of the work done during the year 1902.

The first part of the work was devoted to the study of the history of the country. This was done by examining the old records and by consulting the authorities on the subject.

The second part of the work was devoted to the study of the present state of the country.

The third part of the work was devoted to the study of the future of the country.

The fourth part of the work was devoted to the study of the present state of the country.

The fifth part of the work was devoted to the study of the future of the country.

The sixth part of the work was devoted to the study of the present state of the country.

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The fourteenth part of the work was devoted to the study of the present state of the country.

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The twenty-fifth part of the work was devoted to the study of the future of the country.