At the Nexus of Refugee and Labour Migration: US Refugee Policy Formulation after the Second World War

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Abstract

After the Second World War, liberal reformers in the US Congress pushed refugee legislation and included refugee provisions in their immigration reform bills. Presidents Harry Truman and Dwight Eisenhower were among those who urged Congress to enact refugee legislation. Without a statutory pathway for persons entering as refugees or asylees to become lawful permanent residents (LPRs), refugee admissions were reactive. Some presidents would draw on other executive authorities to bring refugees into the United States, relying on Congress to subsequently enact laws providing LPR status. In other instances, Congress would enact refugee legislation aimed at specific populations and limited numbers. As a result, refugee policy was handled in a piecemeal and incremental fashion during this period. It is within this context that this article explores the nexus of refugee and labour migration policies and the role the nativist right-wing political leaders played in shaping US policy in this period.

Keywords

refugees – displaced persons – labour migration – US immigration policy – asylum

1 Introduction¹

Forced migration has long been viewed as a distinct area of research among historians and other social scientists. Jerome Elie cites the 1980s as the period when research in the field ascended. In terms of US policy, a seminal study was Gil Loescher and John A. Scanlon's 1986 book, *Calculated Kindness*. Since then a rich body of scholarship has explored the policy responses to refugees in the 20th century. Most recently, Paul Kramer has published an essay reframing refugee studies for a new generation of scholars.²

Historians of US immigration policy traditionally viewed refugees and other forced migrants as one of three classes of immigrants: employment/economic, family, and humanitarian. Lawrence Fuchs offered a variant of these types of immigrants when he posited three models of immigration based upon the American colonies where these models thrived. That policy makers distinguished among these three classes is borne out in the Immigration Act of 1917, which identified close family of US citizens, persons fleeing religious persecution, and a narrow category of skilled workers as eligible for lawful permanent resident (LPR) status in the United States.³ Reliance on the paradigm that family, economic, and humanitarian migration are distinct and separate flows makes sense as both the motivations of the migrants and the legal basis of the pathways fit nicely in this three-pronged approach.⁴

Policy makers regularly argued over the merits of these three classes of immigrants who were often pitted against each other in a zero-sum game of numerically limited admissions. In the opening of *Americans at the gate: The United States and refugees during the Cold War*, Carl Bon Tempo draws a clear

1 This article is based upon a paper the author gave at the 'Global Labor Migration: Past and Present' conference sponsored by the Center for Global Migration Studies and the International Institute for Social History, Amsterdam, The Netherlands, 20–22 June 2019.

2 Gil Loescher and John A. Scanlon, *Calculated kindness: Refugees and America's half-open door, 1945 to the present* (New York 1986); Aristide Zolberg, 'The roots of American refugee policy,' *Social Research* 55:4 (Winter 1988) 658–667; Jerome Elie, 'Histories of refugee and forced migration studies,' in: Elena Fiddian-Qasbiyeh, et al (eds), *The Oxford handbook of refugee and forced migration studies* (New York 2014) 23–32; Paul Kramer, 'Unsettled subjects: inventing the refugee in North American History,' *Journal of American Ethnic History* 39:3 (Spring 2020) 5–16.

3 Provisions exempting people fleeing religious persecution from the grounds for exclusions were not included in the 1921 and 1924 statutes. Additional efforts to add a refugee provision to the 1921 Act that would have exempted persons fleeing political or racial persecution failed.

4 Lawrence H. Fuchs, *The American kaleidoscope: race, ethnicity, and the civic culture*, (Hanover 1990) 8; Susan F. Martin, *A nation of immigrants* (Cambridge 2011) 2–10.

distinction between refugees and other people who are migrating and posits how those differences shaped the political debates. Daniel Tichenor and Roger Daniels are among the scholars who point out that immigration reform advocates after the Second World War made a strategic decision to move on refugee legislation rather than a comprehensive immigration reform bill.⁵

Historians who focus on certain migrant flows or case studies of specific immigrant communities often offer more nuanced analyses. Maddalena Marinari shows how communities of Italian and Eastern Europeans of Jewish descent became sophisticated immigration reform advocates who engaged in citizen activism within a transnational framework. Jane Hong reveals the key roles the Aid to Refugee Chinese Intellectuals organisation and the Chinese American Citizens Alliance played in advocating for the inclusion of Chinese refugees in the legislation. Danielle Battiste makes clear that Italian Americans supported refugee legislation because displaced Italians were both relatives and refugees.⁶

Much of the historical analysis of refugee policy is viewed through the lens of international relations and foreign policy. In particular, the Cold War dominates the scholarship on the US refugee policy in the post-Second World War period. Maria Cristina Garcia has written essential works on the development of US refugee policy in the context of the Cold War. Marinari emphasises how reformers used the 'rhetoric of Cold War civil rights' to break down barriers. They are joined by other leading immigration historians, including Tichenor, Daniels, Donna Gabaccia, Madeline Hsu, Monique Laney and Ellen Wu, who emphasise how international relations and Cold War diplomacy shaped US immigration and refugee policy.⁷

5 Daniel Tichenor, *Dividing lines: the politics of immigration control in America* (Princeton 2002) 183; Roger Daniels, *Guarding the golden door: American immigration policy and immigrants since 1882* (New York 2004) 104–105; Carl Bon Tempo, *Americans at the gate: The United States and refugees during the Cold War* (Princeton 2008) 1–10.

6 Jane H. Hong, *Opening the gates to Asia: A transpacific history of how America repealed Asian exclusion* (Chapel Hill 2019) 156–162; Danielle Battisti, *Whom we shall welcome: Italian Americans and immigration reform, 1945–1965* (New York 2019) 85–88; Maddalena Marinari, *Unwanted: Italian and Jewish mobilization against restrictive immigration laws, 1882–1965* (Chapel Hill 2020) 98–124.

7 Maria Cristina Garcia, *Havana USA: Cuban exiles and Cuban Americans in South Florida, 1959–1994* (Berkeley 1996); Tichenor, *Dividing*; Daniels, *Guarding the golden door*; Ellen D. Wu, 'America's Chinese': Anti-Communism, Citizenship, and Cultural Diplomacy during the Cold War', *Pacific Historical Review* 77:3 (August 2008); Donna Gabaccia, *Foreign relations: American immigration in global perspective* (Princeton 2012); Madeline Hsu, *The good immigrants: how the yellow peril became the model minority* (Princeton 2015); Monique Laney, *German rocketeers in the heart of Dixie: Making sense of the Nazi past during the civil rights era*

What factors drove the formulation of US refugee policy after the Second World War? While this article does not refute that Cold War diplomacy was a factor in the refugee policy deliberations, it does offer a different perspective on the key elements of the debates over US policies to admit refugees. Rather than the time-delimited ideology of the Cold War, this article offers the 'ideology of the deserving' as a determining factor. This concept captures a mindset that distinguishes immigrants by such features as class, family background, and human capital – factors based on a timeless presumption that some people are more meritorious than others.⁸

The pivot point for this article comes in 1948 when Senator Chapman Revercomb (D-WV), chairman of the Senate Judiciary Immigration Subcommittee, drew the distinction between refugees and economic migrants during the Senate floor debate on the Displaced Persons Act. 'I think in wisdom we must draw a distinction between those who were compelled to flee, who could not remain in safety, and those who migrated and moved simply because they felt they could improve their economic condition.'⁹

Revercomb was insinuating that people who immigrated to seek work were generally less desirable, a perspective that was codified in the immigration law's provisions excluding foreign nationals coming to the United States through employment contracts, with only a few occupations excepted.¹⁰ Such thinking, however, was being met in the post-war period by a push to prioritise highly skilled immigrants, especially scientists. Monique Laney's research discloses that critical applications of technological advancements during the Second World War prompted a race to recruit foreign scientists, including German experts in aerodynamics and rocketry that the US military brought to the United States as 'enemy aliens'. The Truman Commission opened its 1953 report by

(New Haven 2015); Maria Cristina Garcia, *The refugee challenge in post-cold war America* (New York 2017); Marinari, *Unwanted*, 98–124.

8 Ruth Ellen Wasem, 2015 Kluge Lecture 'The struggle for fairness,' US Library of Congress, 8 October 2015. (<https://www.loc.gov/item/webcast-7245> last accessed July 6, 2020).

9 'Remarks of Senator Chapman Revercomb,' *Congressional Record*, 94 (1 June 1948) 6806. Revercomb later lost his re-election bid in a 1958 race when he was attacked for supporting the Civil Rights of 1957.

10 Although the Immigration Act of 1917 [39 stat 874] did permit persons skilled in agriculture to immigrate, the preference of 50 per cent was limited to immigrants from a select group of European countries that had sent the bulk of immigrants prior to 1890. Laws permitting agricultural labourers were narrowly crafted to limit them to temporary workers from designated nations.

stating the need for immigrants providing manpower that would serve the national interests.¹¹

Overarching this debate is the insidious role that nativists on the political right in the United States played in shaping the policy debate during this period. They embodied the xenophobia that Erika Lee characterises as 'a set of beliefs and ideas based upon the premise that foreigners are threats to the nation and its people', promoting an irrational fear and hatred of 'others.' They were the ideological descendants of the racist eugenics movement that helped establish the national origins quota laws of the 1920s. Although the American public's horror and condemnation of the atrocities and genocide of Hitler's Nazi Germany diminished fascism in the United States, the racist-nativist element survived. A small number of xenophobic men sat in key positions of power over immigration policy in the US Congress, enabling them to have disproportionate influence over the policies. They also were deft at cloaking their xenophobia in the garb of national security or economic concerns.¹²

It is in this environment that advocacy groups and policy makers draw on political messages and highly charged rhetoric to portray potential immigrants in a favourable or derogatory light – the ideology of the deserving. Nowhere does this messaging and rhetoric of the ideology of deserving become more significant than at the nexus of refugee and labour migration. Refugee populations in the era after the Second World War were sometimes described as bringing needed skills and advanced educations that stimulate the economy and other times characterised as unskilled and uneducated people that drag down the labour market.

To frame the intersection of labour migration and refugee policies developed during the 1945 to 1962 period, Figure 1 offers a 3 by 3 matrix. One set of rows uses desired traits of employment-based immigrants according to the statutory categories most common in US immigration law. The other set of columns uses broad labour market attributes that were ascribed to various groups of refugees. The article studies the policy evolution of legislation and executive actions with these intersecting elements in mind. The matrix provides a framework for analysing the nexus of US refugee and labour migration policies at the conclusion of the article.

11 President's Commission on Immigration and Naturalization, *Whom we shall welcome* (Washington, DC 1 January 1953) 33–37; Monique Laney, 'Setting the stage to bring in the 'highly-skilled': Project Paperclip and recruitment of German specialists after World War II,' in Maddalena Marinari, Madeline Hsu and Maria Cristina Garcia (eds), *Nation of immigrants reconsidered* (Illinois 2019) 144–160.

12 Erika Lee, *America for Americans: A history of xenophobia in the United States* (New York 2019) 7–9.

Labour Flows	Refugee Flows		
	Traumatised by War	Possessing Human Capital	Golden Wave of Elites
Shortage			
Labourers			
Professionals & Skilled Workers			
Best & Brightest			
Highly Educated			

FIGURE 1 Proposed Matrix of Main Policy Distinctions Characterising Labour and Refugees

2 Post-Second World War Setting

The immediate post-war period was a heady time for the nation. The United States and its allies had defeated the powers of fascism and, in the process, had risen out of the Great Depression. Sacrifice and austerity gave way to pent-up consumer demand, and the federal government committed to a full employment economy. By all indications, the timing seemed optimal for the United States to liberalise its immigration policies.

As it has long been interpreted, the US Constitution gives plenary power over immigration to the legislative branch of government. When the Congress established the national origins quota system in the 1920s, it was shaped by three factors: an ideology of deserving; a belief in ethnic and racial superiority (eugenics and racism); and, a desire of the Southern and rural regions of the country to retain control over the Congress (power or apportionment politics). Demographic data and public opinion surveys from the post-war period reveal a changing citizenry that was challenging these factors.¹³

In 1945, the House Committee on Immigration chaired by Congressman Samuel Dickstein (D-NY) recommended the creation of the Select Committee to Investigate and Study Laws and Problems Relating to Postwar Immigration and Naturalization (hereafter House Select Committee on Postwar Immigration). Dickstein was well-known at the time as an ardent anti-fascist.¹⁴ During

13 Wasem, 2015 Kluge Lecture ‘The struggle for fairness.’ <https://www.loc.gov/item/webcast-7245>; and Ruth Ellen Wasem, ‘The undertow of reforming immigration’ in: Marinari, Hsu and Garcia (eds) *Nation of immigrants reconsidered*, 191–212.

14 Evidence suggesting that Dickstein’s anti-fascist views led him to be a communist spy has arisen in recent years, though the source materials have been questioned. During the late 1930s, Dickstein reportedly received money from the Soviet Union, Great Britain, and

its year of existence, the Select House Committee on Postwar Immigration held a series of hearings around the country and offered a variety of observations. The recommendations that arose from the hearings included an end to racial discrimination in immigration and naturalisation laws. Most germane to this discussion was the statement: '(T)hat the right of asylum be made an explicit part of United States immigration policy. Advocates of this view urged that it is an old and strong tradition in the United States that this country will provide asylum to victims of political, racial, or religious persecution.'¹⁵

Meanwhile, as Asia, Europe and the Middle East filled with 175 million displaced persons after the Second World War, President Harry Truman became impatient with Congress's inaction on refugee legislation. He stretched his executive authority to require consular officials to re-allocate visas that had been unused by the national origins quota law to displaced persons. His December 1945 directive 'to reduce human suffering' made about 39,000 visas available to natives of Central Europe. Truman was aware of the anti-Semitic prejudice that permeated the State Department and thus instructed that 'visas should be distributed fairly among persons of all faiths, creeds and nationalities.'¹⁶

Legislators with nativist attitudes as well as specific anti-Semitic bigotry held key positions of power in the US Congress, the most significant being Senator Pat McCarran (D-NV), who chaired the committee with jurisdiction over immigration law from 1949 until his death in 1954. McCarran unabashedly allied himself with the dictator of Spain, General Francisco Franco.¹⁷ In keeping with Senator Joseph McCarthy's (R-WI) 'Red Scare', McCarran was among those who alleged the State Department was populated with communist sympathisers. Many credit McCarran with ensuring that persons sharing his nativist right-wing views received prominent placements in the State Department.

perhaps other US allies in exchange for providing them with information on fascist and pro-Nazis groups in the United States. Allen Weinstein and Alexander Vassiliev, *The haunted wood: Soviet espionage in America — the Stalin era* (New York 1999).

15 US House of Representatives, *Postwar immigration and naturalization laws and problems: interim report* (House Report 79–1312, 27 November 1945) 11.

16 President Harry S. Truman, *Directive of December 22, 1945*, *Department of State Bulletin*, 13:339 (23 December 1945) 983; and *Statement of the President, 'Immigration to the United States of certain displaced persons and refugees in Europe'*, (22 December 1945) and *Department of State Bulletin* 13:339 (23 December 1945) 981.

17 Franco was supported by the pro-Nazi Falangists in Spain as well as by the monarchists. 'McCarran Acting on His Own in Spain, Truman Declares', *Washington Post* (16 September 1949) 12; Daniel Rudsten, 'For the Record: The Senator and Franco', *Jewish Advocate* (26 October 1950) 14; and undated memoranda and notes from Jack Anderson to Drew Pearson, folders on Senator Pat McCarran, Drew Pearson Papers, Lyndon B. Johnson Presidential Library.

His legislative counterpart in the House of Representatives, Francis ‘Tad’ Walter (D-PA) had taken over the chairmanship of the House Judiciary Subcommittee on Immigration when the Legislative Reorganization Act of 1946 folded the committee that Dickstein had chaired under the House Committee on the Judiciary. Walter’s expressed views on immigration and refugees were much more in line with McCarran than Dickstein’s had been.

Liberal immigration reformers also faced a recalcitrant public. There was no groundswell for increased immigration, and only limited public support for admitting refugees displaced by the war. In June 1946, Gallup asked a sample of Americans: ‘Would you approve or disapprove a plan to require each nation to take in a given number of Jewish and other European refugees, based upon the size and population of each nation?’ Only 40 per cent of those surveyed said yes; half stated their opposition to the plan.¹⁸

Opponents of admitting refugees maintained a majority during the immediate post-war period (Figure 2). As the debate over the Displaced Persons Act heated up in 1947, a stunning 72 per cent of those surveyed opposed the admission of 100,000 European refugees. The grip of anti-Semitism was revealed by the 1948 survey results that 60 per cent of those surveyed would oppose Jewish refugees by imposing a limit on admissions. In comparison, 53 per cent of those surveyed would oppose German refugees by imposing a limit on admissions.¹⁹

FIGURE 2 US Public Opinion on Refugee Admissions, 1946–1948

SOURCE: THE ROPER CENTER FOR PUBLIC OPINION RESEARCH

¹⁸ Data provided by The Roper Center for Public Opinion Research.

¹⁹ In December 1947, Roper asked: ‘Would you vote yes or no on a bill in Congress to let 100,000 selected European refugees come to this country in each of the next four years, in

2.1 *Displaced Persons Act*

Proponents of the Displaced Persons legislation realised they faced a formidable challenge and prepared accordingly. To counter anti-Semitism, Jewish leaders built a strong coalition with faith communities of Protestants and Catholic religious leaders, known as the 'Citizens' Committee on Displaced Persons'. They established grassroots committees across the country and also formed a blue-ribbon board of prominent American elected officials, statesmen, labour leaders, and corporate executives.

One of the dominant messages of the Citizens' Committee and other supporters of the Displaced Persons legislation was that the entry of refugees into the US labour market would not adversely impact US workers. Although the US economy was robust after the war, the memory of the Great Depression was still vivid in many peoples' minds. Citizens' Committee chairman Earl Harrison was among those who testified to Congress that displaced persons would settle in rural areas that had lost population during the Depression, that they would fill jobs where workers were in short supply, and that they would stimulate production and economic growth.²⁰

It became abundantly clear, however, that most in Congress were wedded to retaining race-based national origins as a basis of immigrant admissions and that these nativist policies would be applied to refugees. Opponents used their positions of power to wield parliamentary procedures to stall the legislation for months. In both chambers, the floor debate over the legislation included statements that were blatantly anti-Semitic. While some labelled Jewish people as communists and spies, others denied that Jewish people were refugees (i.e., Jewish people migrated for economic reasons).²¹

The criteria for employment-based immigration were operationalised into the language of the Displaced Persons bill. The House bill included as a first preference those 'qualified as farm labourers, physicians, dentists, medical nurses, household, construction, clothing and garment workers; or aliens possessing educational, scientific or technological qualifications.' The co-mingling

addition to the 150,000 immigrants now permitted to enter every year under our present quotas?' In September 1948, Roper asked: 'There are still a lot of refugees, or displaced persons in European camps who cannot go back to the homes they had before the war. If most of these refugees should turn out to be [Germans] [Jews], do you think that we should put a special limit on the number of [Germans] [Jews]?' Data provided by The Roper Center for Public Opinion Research.

20 'Hearing on permitting admission of 400,000 Displaced Persons into the U.S.' *House Committee on the Judiciary, Subcommittee on Immigration and Naturalization* (4, 6, 13, 20, 25, 27 June 1947; 2, 9, 16, 18 July 1947 Committee on the Judiciary Serial No. 11) 512.

21 Loescher and Scanlon, *Calculated kindness*, 13–14.

of employment-based immigration and humanitarian immigration was clear in these priorities.

More troubling was how the Senate, under the hand of McCarran, redrafted the employment-based preferences to require that 30 per cent of the visas be prioritised for refugees who were agricultural workers. Although immigration law for decades had designated 50 per cent of quota visas to persons skilled in agriculture, that provision yielded only four per cent of immigrants admitted from 1925 to 1945. The prioritising of agricultural workers coupled with the inclusion of the 22 December 1945 date of Truman's directive as a cut-off date were designed to restrict the admission of refugees, specifically those who were Jewish or who were from Eastern European nations. As Gil Loescher and John A. Scanlon have documented, the Senate bill not only left out many Jewish refugees, '(I)t embraced an area where anti-Semitic persecution had been most intense and where there were few Jewish survivors.'²²

Though the Displaced Persons Act of 1948 authorised the admission of 202,000 refugees, it did so within the framework of the national origins quotas. More precisely, the admissions of displaced persons were mortgaged against 50 per cent of their home countries' quotas. Truman objected to the funnelling of refugees through the quotas. He was also angry that the Senate's restrictive language on cut-off dates and occupational priorities were in the final bill. When he reluctantly signed it, Truman stated:

The bad points of the bill are numerous. Together they form a pattern of discrimination and intolerance wholly inconsistent with the American sense of justice. The bill discriminates in callous fashion against displaced persons of the Jewish faith. This brutal fact cannot be obscured by the maze of technicalities in the bill or by the protestations of some of its sponsors.

He made clear he would have vetoed the bill if Congress had not passed it on the very last day they were in session.²³

In subsequent Congresses, liberals continued to push for reforms to the Displaced Persons Act. Amendments addressing some of the liberals' concerns, including the cut-off dates, were enacted in 1950 and 1951, but the race-based

²² Helen J. Eckerson and Gertrude D. Krichesky, 'Principles of immigration law – Part 1, *I and N Reporter*, U.S. Department of Justice (January 1962) 36; Loescher and Scanlon, *Calculated kindness*, 19–20.

²³ Public Papers of Harry S. Truman, 1945–1953, Statement by the President upon signing the Displaced Persons Act (25 June 1948).

national origins quota mortgages survived. In the end, the Act as amended authorised the admission of 415,000 displaced persons in 1951.

3 Anti-Communism of the 1950s

A new generation of political leaders buoyed by the growing civic engagement of foreign stock voters made up of naturalised citizens and first-generation citizens was beginning to emerge as the 1950s opened. This group was as bipartisan in its support for reform as the nativist right wing was bipartisan in its opposition.²⁴ The naturalisation rate (i.e., percentage of foreign-born residents who become US citizens) rose from just over half (52 per cent) in 1920 to over three-quarters (80 per cent) in 1950. Just as the accomplishments of immigrants and successes of their children were directly challenging old notions of selectivity and racial superiority, the electoral clout of naturalised immigrants and their children was beginning to alter the political landscape. Although proponents of liberalising immigration and refugee laws were gaining strength, their progress was kept in check by a strong undertow of nativism.²⁵

In August 1951, newspapers across the United States picked up Senator McCarran's revelation that 5 million aliens had 'poured into the country illegally'. Reportedly relying on secret testimony given to the Subcommittee on Internal Security, McCarran said that 'militant communists', 'Sicilian bandits', and 'criminals' were among the 5 million. McCarran warned that these illegal aliens were a 'readymade fifth column' for the enemy and were potentially more dangerous than an armed invasion. Senator Herbert O'Connor (D-MD) added that these illegal aliens were coming into the United States from Canada and Cuba.²⁶

24 In the House of Representatives, Emanuel Celler (D-NY) was joined by pro-immigration liberals Peter Rodino (D-NJ), Jacob Javits (R-NY), Kenneth Keating (R-NY), and Hugh Adonizio (D-NJ). Liberal immigration advocates in the Senate included Herbert Lehman (D-NY), Hubert Humphrey (D-MN), Paul Douglas (D-IL), John Pastore (D-RI), and William Langer (R-ND).

25 Ruth Ellen Wasem, 'The undertow of reforming immigration' in Marinari, Hsu and Garcia, (eds), *Nation of immigrants reconsidered*, 191–212.

26 'Five Million Aliens Called Peril to U.S.', *Chicago Daily Tribune* (21 August 2 1951) 7; 'McCarran Charges Alien Infiltrating,' *New York Times* (21 August 1951) 11. It is puzzling that Canada and Cuba – but not Mexico – were cited as the transit countries for illegal immigration. That the Congress in 1951 was also weighing the re-authorisation of the Bracero Program for temporary agricultural workers from Mexico, which McCarran and O'Connor supported, may have been a factor. In contrast, the *Annual report of the Immigration and Naturalization Service* emphasised that the 'very volume' of migrant workers from Mexico made the US border with Mexico vulnerable to illegal entries. U.S. Department of Justice,

The fifth column rhetoric was commonplace at that time and fostered the fears of an 'enemy within'. In 1949, the Senate Judiciary Committee had held a series of hearings over several months on communist activities among aliens and national groups. Not wishing to wait until they had completed their drafting of a consolidated immigration and naturalisation bill, the McCarran committee staff wrote the Internal Security Act of 1950. This legislation added foreign nationals who were communists or who were affiliated with communists or other totalitarian regimes to the grounds for exclusions.²⁷ Truman vetoed the legislation, asserting that it was ineffective and unworkable and that some of its provisions would actually advance Communism. Congress nonetheless overrode Truman's veto, and the provisions became law in 1950.²⁸

3.1 *McCarran-Walter Act of 1952*

McCarran had hired a formidable person as the committee's staff director: a Republican lawyer from Missouri named Richard Arens. Arens oversaw the work of the committee and yielded considerable power. During hearings and committee business meetings, McCarran permitted Arens to sit on the dais and ask questions, which was a privilege rarely extended to someone who was not a Member of Congress. As a powerful agent of nativist right-wing political leaders, he produced an official report in 1950 (Senate Report 1515) that set the agenda for what became known as the McCarran-Walter Act.

Although Senate Report 1515 concluded that the national origins quotas served well as a method for the numerical restriction of immigration, the report criticised the national origins quotas for not admitting the proper mix of white people. More precisely, the report stated, 'only about half of the anticipated proportion of immigrants have come from northern and western Europe, while twice the contemplated proportion have come from southern and eastern Europe.' The report concluded '(A)s a method preserving the relationship between the various elements in our white population, the national origins

Annual report of the Immigration and Naturalization Service for the fiscal year ending June 30, 1951, 2-3.

27 The legislation also barred the issuing of U.S. passports to Communists and required the registration of Communist and Communist-front organisations with the Subversive Activities Control Board.

28 Truman may have had the last laugh on McCarran when the first group of foreign nationals that the Truman Administration barred from entry were Falange Party members from Spain. Already well-known for his support of Spain's dictator Francisco Franco, McCarran went public with his outrage and said that the action was not the intention of his legislation. Truman, however, made clear that the Justice Department determined the Falange Party members were totalitarians who were inadmissible under the terms of the new Internal Security Act. Truman Library, The President's News Conference of 19 October 1950.

system has not been as effective.' Senate Report 1515 was consciously an affront to the liberal movement for equality, fairness, and expansive citizenry.²⁹

The coupling of ideology and racial/national origins arose again during joint hearings held by the Immigration and Naturalization Subcommittees of the House and Senate Judiciary committees in 1951. Implicit in several exchanges during the joint hearings was a linkage of subversive and communist beliefs with certain racial and immigrant minorities. At times, the alleged association between racial/national origins and ideology was more than implied. Committee counsel Arens asked a witness: 'Was it not the people of northern and western Europe in the main who established the institutions of this country, established the customs of this country, built the democratic system which we regard so highly in this country today?' Arens later was explicit in his questioning: 'Is there not quite a distinction to be made between the colour of a man's skin and the blood that pulses in his veins and the ideas he holds in his mind and in his heart?'³⁰

McCarran, however, was most urgent in warning his colleagues about the alien subversives in the United States. He acknowledged that he was diverting from his prepared statement when he spoke of the '3,000,000 to 5,000,000 aliens' who were 'illegally present in this country'. He assured that the immigration law was not being: 'strengthened merely for the sake of excluding aliens, as has been alleged, but in a sincere effort to ensure that when millions of aliens are storming our gate we shall not be admitting into our society those who would contaminate or subvert it'.³¹

Liberals argued that refugees should be considered a separate migration stream and not count under the quota system. Once again in 1952, liberals offered amendments to remove the mortgages during consideration of the McCarran-Walter legislation, but they failed. The McCarran-Walter Act did, however, reform the way immigrant visas were distributed within each country's quota. The preference system that McCarran-Walter established allocated 50 per cent to persons of high education, technical training, specialised experience, and exceptional ability; and the remainder to various categories of family members of US citizens and LPRS.

29 *The immigration and naturalizations systems of the United States* (S. Rept. 81-1515,) 430-432 and 445-446.

30 US Congress, Subcommittees of Committees on the Judiciary, *Joint Hearings on S. 716, H. R. 2379, and H. R. 2816c* (82nd Congress, 1st Session) 636-638.

31 *Congressional Record* (13 May 1952) 5090-5095. Arguably, McCarran's use of the words 'contaminate or subvert' may have had a racialised connotation, given the linkages made earlier.

For the first time, US immigration policy was prioritising high-skilled immigration. The importance of this shift in policy grew in the coming years. From this point forward, business interests and organised labour had even more distinct stakes in the immigration debate.

When Truman vetoed the McCarran-Walter Act (which Congress overrode), he had asked Congress to establish a commission to conduct a careful re-examination of immigration law. When Congress did not act, the President created a special Commission on Immigration and Naturalization on 2 September 1952, tasked with bringing immigration law 'into line with our national ideals and our foreign policy.'³²

The Truman Commission held a series of hearings across the country and sought the voices of local witnesses. As a result, the Truman Commission garnered a fair amount of local media coverage as well as national press. The visible role of the commission no doubt played a key part in raising public awareness of immigration issues. Just as Truman was leaving the presidency in January 1953, the commission presented its report, *Whom we shall welcome*, which he immediately forwarded to Congress.³³

The Truman Commission recommended that the national origins quota be abolished and that immigrants be admitted without regard to national origin, race, colour, or creed. It further recommended 'that one of the categories should be based on the right of asylum, available for refugees, escapees, expellees and other persons suffering from political, religious, and economic persecution.' It also advised that Congress provide for 'annual admission over a 3-year period of 100,000 such refugees, escapees, expellees, and remaining displaced persons' on a temporary basis in response to the ongoing refugee crisis worldwide.³⁴

Building on the recommendations of the Truman Commission, Senators Herbert Lehman (D-NY) and Hubert Humphrey (D-MN) and Congressman Celler introduced immigration and refugee reform legislation in 1953. In addition to New York Republican Jacob Javits co-sponsoring the bill with Celler, Republican Senators William Langer and Wayne Morse³⁵ joined with Lehman and Humphrey, making it a bipartisan proposal. The bill would have abolished

32 Memorandum from Julius C. C. Edelstein to Richard E. Neustadt with Attachments, 28 June 1952, Presidential Papers of Harry S. Truman.

33 Public Papers of Harry S. Truman, *Special message to the Congress transmitting report of the President's Commission on Immigration and Naturalization* (13 January 1953).

34 President's Commission on Immigration and Naturalization, *Whom we shall welcome* (Washington, DC 1 January 1953) 118–119.

35 At that time, however, Morse was switching his party allegiance from Republican to Democrat.

the national origins quotas and would have required that immigrants be admitted without regard to national origin, race, colour, or creed. The bill featured provisions that would have expanded refugee protections. The total level would have been one-sixth of 1 per cent of the most recent census, about 251,000 annually. Within that annual total, 15 per cent to 25 per cent of the visas would have been allocated to refugees. The legislation did not move.

3.2 *Refugee Relief Act of 1953*

President Dwight Eisenhower shared his predecessor's concern for refugees and displaced persons and was especially committed to helping people that had escaped 'Iron Curtain' nations under the Soviet sphere of influence. Since the Displaced Persons Act had expired at the end of 1951, there was no pathway for refugees and escapees to enter the United States. Eisenhower enlisted Senator Arthur Watkins (R-UT), chairman of the Senate Judiciary Subcommittee on Immigration, to introduce the Refugee Relief Act.³⁶

The Refugee Relief Act departed from the Displaced Persons Act in several important elements.

- It defined refugees, escapees and expellees as distinct types of beneficiaries.³⁷
- It provided for the admission of refugees, escapees, and expellees outside of the national origins quotas.
- It provided for the admission of refugees from Asia and the Middle East, albeit a small number.

36 In 1954, Watkins chaired the bi-partisan committee that investigated Senator Joseph McCarthy and ultimately brought charges for the Senate to censure McCarthy.

37 Section 2 of the Act defines the terms as: (a) 'Refugee' means any person in a country or area which is neither Communist nor Communist-dominated, who because of persecution, fear of persecution, natural calamity or military operations is out of his usual place of abode and unable to return thereto, who has not been firmly resettled, and who is in urgent need of assistance for the essentials of life or for transportation. (b) 'Escapee' means any refugee who, because of persecution or fear of persecution on account of race, religion, or political opinion, fled from the Union of Soviet Socialist Republics or other Communist, Communist-dominated or Communist-occupied area of Europe including those parts of Germany under military occupation by the Union of Soviet Socialist Republics, and who cannot return thereto because of fear of persecution on account of race, religion or political opinion. (c) 'German expellee' means any refugee of German ethnic origin residing in the area of the German Federal Republic, western sector of Berlin, or in Austria who was born in and was forcibly removed from or forced to flee from Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, Rumania, Union of Soviet Socialist Republics, Yugoslavia, or areas provisionally under the administration or control or domination of any such countries, except the Soviet zone of military occupation of Germany.

– It required that beneficiaries had assurances of employment and housing and that the employment and housing did not displace other people. Senator McCarran warned that US national security would be threatened by communists entering the United States as refugees. He successfully inserted language that required:

(N)o alien shall be issued a visa under this Act or be admitted into the United States unless there shall have first been a thorough investigation and written report made and prepared by such investigative agency or agencies of the Government of the United States as the President shall designate, regarding such person's character, reputation, mental and physical health, history and eligibility under this Act.³⁸

Watkins and Celler acceded to McCarran's language, noting that the Internal Security Act of 1950 as well as the McCarran-Walter Act already required extensive national security background checks and the exclusion of communists. The bill authorising 214,000 refugees, escapees, and expellees passed both chambers with bipartisan support.³⁹

Supporters of the legislation had not planned for a protégé of Senator Styles Bridges (R-NH) – Scott McLeod – to head the State Department's Bureau of Security and Consular Affairs (BSCA) and directly oversee the Refugee Relief Program. McLeod, a former FBI agent, had worked as the top staffer for Senator Bridges, who was closely associated with Senator McCarthy and Senator McCarran. Much like McCarran and McCarthy, Styles was famously critical of the State Department. On the Senate floor, he faulted the State Department for trying to block the entry of German scientists who had worked for the Nazi government. 'But I do not like the way the State Department, collectively, thinks. [...] The State Department needs a real house cleaning. [...] It should be finished off with a first-class cyanide fumigating job.' Styles' choice of words was shocking as the gas chambers of the Holocaust were vivid in many peoples' minds.⁴⁰

McLeod directed the BSCA as his mentors Bridges, McCarran and McCarthy had hoped. He brought an anti-communist fervour to his work and, according to historian Carl Bon Tempo, believed every job at the State Department posed a national security risk. McLeod apparently enjoyed his prominent role and used it as a springboard for speaking engagements on the right-wing dinner

38 Section 11 of the Refugee Relief Act of 1953; 8 USC 1351.

39 Section 11 of the Refugee Relief Act of 1953; 8 USC 1351.

40 *Congressional Record* 96, 18 July 1950, 10490–10492.

circuit. Still, it was stunning that the State Department issued only eight Refugee Relief Program visas from the autumn of 1953 until May 1954. McLeod reportedly said that the average processing time was 126 working days. It was becoming more apparent that anti-communist 'Red Scare' rhetoric was a dog whistle for extreme-right nativists.⁴¹

Later in 1954, Secretary of State John Foster Dulles tried to facilitate refugee processing by bringing in Edward Corsi, a well-respected Republican from New York who had considerable experience administering immigration and social welfare policy. Corsi immediately clashed with McLeod over how to run the programme. He also tangled with House Judiciary Immigration Subcommittee Chairman Walter and was soon being labelled a communist. Corsi was forced out after three months. As Danielle Battisti recounts, Corsi refused to step down quietly; he instead engaged in a very public campaign that the refugee programme was doomed to failure until it was rescued 'from the grips of an intolerant minority both in Congress and within the department itself which believes that in this world there are superior and inferior races.'⁴²

The death of McCarran in September 1954 and the censure of McCarthy in December 1954 were watershed moments. On an administrative level, McLeod was left without two of his three patrons. On a national level, two of the most powerful extreme right-wing political leaders were silenced. Bridges, however, went on to serve in Senate Republican leadership posts.

Dulles brought in a deputy administrator in 1955, and he gave him operational authority over the programme. When McLeod no longer had direct control over the day-to-day policies and processing, the number of visas issued soared. By the time the Refugee Relief Act expired at the end of 1956, the programme had issued almost 190,000 of the 214,000 visas authorised.

3.3 *Public Opinion at Mid-Decade*

During hearings before the Senate Judiciary Subcommittee on Immigration and Naturalization in the summer of 1955, witnesses cited a recently released Gallup survey reporting that over half of those interviewed who were familiar with the McCarran-Walter Act thought it should be changed. Of those who thought the law should be changed, Gallup reported that 68 per cent favoured making the law more liberal. Only 26 per cent (of the 53 per cent who supported changing the law) expressed the view that the law should be made stricter.⁴³

41 Bon Tempo, *Americans at the gate*, 34–58.

42 Battisti, *Whom we shall welcome*, 164.

43 Harry N. Rosenfield, 'Prospects for immigration amendments,' *Law and Contemporary Problems* (Spring 1956) 411.

In contrast to the Gallup survey cited by advocates for reform, the National Opinion Research Center (NORC) found in April 1955 that only 13 per cent of those surveyed thought that immigration levels should be increased. The proportion who said immigration levels were ‘about right’ (37 per cent) was comparable to those who said the United States was admitting too many immigrants (39 per cent).⁴⁴

Fortunately, NORC took its questioning a bit further by asking those who disapproved of admitting ‘so many’ why they held those views. The majority of the 39 per cent who supported reducing immigration gave economic reasons for their position, as Figure 3 illustrates. Of the economic reasons cited, competition for jobs led the opposition to immigration. Lack of housing and concern that wages would be depressed were other economic reasons given. Only about 7 per cent overall said that immigrants were undesirable, and another 3 per cent said that there were ‘enough immigrants here now’.⁴⁵

NORC also asked a question about refugee policy in April 1955, and for the first time in this period of post-war polling, a majority (53 per cent) of those surveyed supported an increase in refugee admissions (Figure 4). The question was worded as follows:

FIGURE 3 Top Reasons Given for Reducing Immigration in 1955
SOURCE: FOREIGN AFFAIRS SURVEY, APRIL 1955

44 National Opinion Research Center, University of Chicago during April 1955, and based on personal interviews with a national adult sample of 1,226; data provided by The Roper Center for Public Opinion Research (University of Connecticut).

45 National Opinion Research Center, University of Chicago during April 1955, and based on personal interviews with a national adult sample of 1,226; data provided by The Roper Center for Public Opinion Research (University of Connecticut).

FIGURE 4 Public Opinion toward Refugees in 1955
SOURCE: NATIONAL OPINION RESEARCH CENTER, APRIL 1955

As you know, there are many refugees who have left their own homes because their countries were taken over by the Communists. Do you approve or disapprove of letting a limited number of these refugees enter the United States? (i.e., over and above the normal number we would let in anyway)

It is worth noting how the phrase ‘limited number’ NORC used in 1955 contrasts with the phrase ‘100,000 European refugees’ Roper used in 1947. Only 18 per cent of those Roper surveyed approved of admitting 100,000 European refugees in 1947.

The economic context of the public opinion data is meaningful. In 1955, the unemployment rate had fallen from the prior two years to 4.2 per cent, and the GDP was at 7.1 per cent – both measures of a strong economy. The memories of the Great Depression were fading. There were fewer concerns about the labour market impact of refugees.

4 Incrementalism Holds Sway

As the Senate was nearing its final day of the scheduled session, Majority Leader Lyndon B. Johnson was quietly completing negotiations with Minority

Leader Everett M. Dirksen on a package of revisions to the McCarran Walter Act. The two Senate leaders offered this package as an amendment to House-passed HR 6888 when it came to the Senate floor on 27 July 1956 – the last day of the session. It appeared to be one of the masterful legislative moves for which Lyndon B. Johnson was famous: to end-run the obstructionists. Johnson called the amendment a compromise among the various proposals to revise the law. Key among points of the compromise, the Johnson-Dirksen Amendment would have:

- cancelled ‘mortgages’ resulting from entries under the Displaced Persons Act of 1948; and,
- permitted the reallocation of unused visas authorised under the Refugee Relief Act of 1953, due to expire at the end of 1956.

Senate Judiciary Chairman James Eastland (D-MS) led the floor fight against the Johnson-Dirksen Amendment, as expected. He argued that the national origins quota system ‘is designed not only to assure maximum assimilation of the quota immigrants [...] but more important [...] to preserve and protect our American traditions, our American institutions, our American way of life.’ He further warned that redistributing unused quotas would ‘change the cultural pattern of our immigration system from northern and western Europeans to southern and eastern Europeans.’ Unlike the previous Judiciary Chairman McCarran, who emphasised the spectre of Communism, Eastland chose to warn about potential cultural problems and assimilation difficulties of immigrants who were not from the racially preferred Northern European countries of the quota system.⁴⁶

The Senate approved the Johnson-Dirksen Amendment, but the victory was short-lived. Immigration Subcommittee Chairman Walter effectively blocked action on HR 6888 as Congress adjourned. Press accounts credited Walter’s counsel Richard Arens, whom Walter hired after McCarran died, with interceding to stop the measure.⁴⁷

4.1 *Refugee-Escapee Act of 1957*

When Senator John F. Kennedy became Chairman of the Subcommittee on Immigration and Naturalization, he cultivated Congressman Walter in the House and worked with Senator Eastland, the Chairman of the full Senate

⁴⁶ ‘Immigration Revision,’ *CQ Almanac* (1956).

⁴⁷ Procedurally, the House of Representatives would have had to agree by unanimous consent to suspend the rules to permit immediate action on HR 6888. Walter refused to agree to allow a vote on the bill. ‘Immigration revision,’ *CQ Almanac*, 1956; and, ‘Random notes from Washington,’ *The New York Times* (30 July 1956) 8.

Committee on the Judiciary. The result was a modest set of revisions to the Immigration and Naturalization Act, officially known as the Act of September 11, 1957 and more commonly called the Refugee-Escapee Act. Most importantly, the law finally eliminated the Displaced Persons Act 'mortgages' that had filled the queue of the quota system. It also restored and reallocated over 18,000 visas that had been authorised by the Refugee Relief Act of 1953 and subsequently expired. The law's provisions easing the rules for orphans adopted abroad drew widespread popular support.⁴⁸

A largely unnoticed – but significant – provision of the Act of September 11, 1957 permitted all prospective immigrants with petitions approved by 1 July 1957, in the first, second and third preference quotas to enter immediately outside of numerical limits. These preference categories included high-skilled employment-based immigrants, parents of US citizens, and the spouses and children of legal permanent residents already in the United States. Its stated purpose was to clear the queue of the backlogged quotas, and it opened the door for increased admissions.⁴⁹

4.2 *Chinese Refugees*

It took years of activism and strategic alliances for the Chinese American Citizens Alliance (CACA) to achieve the repeal of the Chinese exclusion laws during the Second World War, as Jane Hong documents. Tens of millions of Chinese were displaced during the Second World War, and the subsequent civil war won by Chairman Mao Zedong's Communist forces furthered the crisis of Chinese refugees. Lobbying efforts of the CACA and the Aid to Refugee Chinese Intellectuals (ARCI) organisation, which had US Department of State funding, were instrumental in opening the door for refugees from China.⁵⁰

The Refugee Relief Act's earmark of 3,000 visas to refugees 'indigenous' to the area of the 'Far East' and 2,000 visas to refugees of 'Chinese ethnic origin' coupled with the emphasis on high-skilled immigrants in the 1957 Act enabled just over 13,000 Chinese refugees to be admitted to the United States in the 1950s. Madeline Hsu documented that thousands of 'elite intellectuals' studying

48 'The Kennedy Immigration Act S. 2792: A summary and analysis,' Commission on Law and Social Action of the Jewish American Congress, 13 September 1957, papers of Congressman Emanuel Celler, US Library of Congress.

49 Of this total, 72 per cent were from Italy, 8 per cent were from Greece and 3 per cent were from Poland. Helen J. Eckerson and Gertrude D. Krichesky, 'Principles of immigration law – Part 1, *I and N Reporter*, U.S. Department of Justice (January 1962) 36.

50 Meredith Oyen, "Thunder without rain" ARCI, the Far East Refugee Program, and the U.S. response to Hong Kong refugees,' *Journal of Cold War Studies* 16:4 (Fall 2014) 189–221; Hong, *Opening the gates to Asia*, 156–162.

in the United States during the Second World War were allowed to stay after the Communists prevailed in the civil war. Hsu insightfully concludes that these high-skilled and well-educated Chinese refugees 'transformed from the Yellow Perils of the early twentieth century to model minorities and immigrants by the century's end.'⁵¹

In the context of this research, the Chinese refugees played a pivotal role of shifting the view of refugees' contribution to the labour market. Perhaps because mostly educated elite Chinese benefited from the narrowly crafted relief provisions, their accomplishments refuted the arguments of the nativist right wing.

4.3 *Hungarian Refugees*

The failed uprising against the Communist government in Hungary in 1956 further shifted the portrayal of refugees from unskilled and downtrodden labourers to educated and valuable assets to the labour market. The revolt that began in October 1956 with the stated objective to make Hungary independent of any foreign government ended in November 1956 when Soviet Union tanks rolled in and crushed the rebellion. An estimated 200,000 refugees fled Hungary.

Eisenhower immediately authorised the use of any Refugee Relief Act visas still available and drew on a then obscure provision in the Immigration and Nationality Act known as 'parole' to bring almost 40,000 Hungarian refugees to the United States on a temporary basis. In a stark reversal of his position that national security was the utmost priority, McLeod was ready to waive for the Hungarians the strict security assurances and extensive screenings that the Refugee Relief Act had imposed. Although Chairman Walter had initially given tacit agreement to Eisenhower's parole decision, he and other nativists on the right, most notably Senator Olin Johnson (D-SC) who chaired the Internal Security Subcommittee, began criticising the programme as an executive branch over-reach that was administered so laxly that communists were admitted.

As Carl Bon Tempo recounts, the Eisenhower administration and the voluntary agencies charged with refugee resettlement coordinated a campaign in 1957 to present the Hungarian refugees as 'prospective citizens with all of the qualities that "good Americans" supposedly possessed in the late 1950s.' They enlisted the Advertising Council, which was made up of power business leaders, to promote public service announcements on radio and television that described the Hungarian refugees as 'freedom fighters'. A public relations firm led

51 Madeline Y. Hsu, 'The disappearance of America's Cold War Chinese refugees, 1948–1966,' *Journal of American Ethnic History*, 31:4 (Summer 2012) 12–33.

a major media campaign portraying the Hungarians as educated middle class people easily adapting to American life.⁵²

The 85th Congress went on to enact several specific immigration laws that reflected an easing of the hard line on refugees. Most notably, the Act of July 25, 1958, enabled those Hungarians whom President Eisenhower had paroled into the country after the invasion of the Soviet Union to adjust to legal permanent residence. The Act of August 21, 1958, extended for an additional year certain provisions in the 1957 Refugee-Escapee Act. The nativist right wing was shrinking in political power in Congress as the 1950s drew to a close.

Two factors arguably led to this dramatic turnaround of US policy toward refugees. The Hungarians were characterised as ‘freedom fighters’ against Communism, and they were made up of educated and high-skilled people who were relatively young. These were people whom the nativist right wing could accept.

4.4 *Fluctuating Public Opinion*

Despite growing acceptance of certain types of refugees among political leaders who were otherwise nativist, public opinion of refugee admissions continued to fluctuate (Figure 5). By 1958, only one-third of those surveyed by Gallup supported the admission of 65,000 Hungarian refugees. Though that was up slightly from about a quarter of those surveyed who supported Hungarian and Polish refugees in 1956, those opposed were comfortably in the majority.

FIGURE 5 US Public Opinion of European Refugees, 1953–1958
SOURCE: THE ROPER CENTER FOR PUBLIC OPINION RESEARCH

52 Bon Tempo, *Americans at the gate*, 75–81.

That the nation was in an economic recession in 1958, with unemployment at a decade high (7.4 per cent), no doubt cooled Americans' hospitality toward refugees.

The 86th Congress passed the Fair Share Refugee Act of 1960, which established temporary provisions to admit refugees who had been in camps for a long period of time. Walter presented the law as progressive, but he did not actually change the quotas. And, he had written the Fair Share Refugee Act to be largely limited to refugees from Western Europe.

4.5 *The Golden Exile*

As the 1950s gave way to the 1960s, the United States had its first major experience as a country of first asylum in the modern era. Cuban elites began traveling to the United States after the regime of Cuban dictator Fulgencio Batista began faltering in the face of Fidel Castro's guerrilla fighters in the latter part of the 1950s. Tourist and business travel between the two neighbouring countries was commonplace at the time. When Castro achieved control in Cuba in 1959 and established a socialist government that ultimately aligned with the Soviet Union, tourism gave way to mass asylum.

Most of the 250,000 Cubans who arrived from 1959 to 1962 were urban, middle-aged, well-educated, light-skinned, and white-collar workers, leading them to be labelled the 'Golden Exiles'.⁵³ Prior to the breakdown of diplomatic relations between the United States and Cuba in January 1961, an average of 1,500 to 1,700 Cubans arrived weekly in flights directly from Havana to Miami. Maria Cristine Garcia writes that the US Immigration and Naturalization Service was approving two-thirds of approximately 1,200 Cuban visa waiver requests daily by the end of 1961. It is fair to say that many of these Cuban exiles presumed their stay in the United States would be temporary until the Castro government was overthrown.⁵⁴

After the Bay of Pigs fiasco in April 1961, diplomatic relations between the two nations ended, blocking legal pathways to emigrate from Cuba. The US Department of Defense continued to advocate 'a positive policy aimed at the

53 Cuban-Americans and many scholars prefer to call this wave the 'Historical Exiles' (1959–1962) as part of five distinct stages of Cuban migration; the other four being the Freedom Flights (1965–1973); the Mariel boatlift (1980); the *balsero* (rafter) crisis (1994); and the post-Soviet exodus (1995–present). In all, over 1.4 million Cubans have come to the United States during these years.

54 Julia Vadala Taft, David S. North and David A. Ford, 'Refugee resettlement in the U.S.: A time for a new focus,' (Washington: New TransCentury Foundation 1979) 11–23; Silvia Pedraza-Bailey, 'Cuba's exiles: Portrait of a refugee migration,' *International Migration Review* v.19 (1985) 4–34; Garcia, *Havana USA*, 13–37.

early establishment of a free and democratic Cuba.⁵⁵ As did the Cuban emigres, the Eisenhower, Kennedy and Johnson Administrations initially assumed that the United States was merely providing safe haven until the Castro government toppled. The influx of asylum seekers from Cuba continued, now as unauthorised immigration. In most instances, the Administration 'paroled' them into the United States.⁵⁶

The Cuban asylum seekers heralded a significant new phase in US refugee resettlement, i.e., the first deliberate and largescale programme of refugee relief services in the United States. Soon after he became President, Kennedy instructed that \$4 million be taken from the International Cooperation Administration⁵⁷ and given to the US Department of Health, Education, and Welfare⁵⁸ to establish a comprehensive set of human services for the arriving Cubans. From 1961 through 1963, the US government expended \$99 million for the Cuban Refugee Program to support voluntary agencies, schools, health providers, employment services.⁵⁹

Even though subsequent phases of emigration from Cuba were much more diverse racially, educationally and socioeconomically, the initial portrait of a Cuban refugee conformed to the nativist right wing ideal: anti-Communist, freedom-fighting, white, and elite. Liberals also supported the Cuban refugees for all the reasons they had supported previous waves of refugees: the ideal that the United States was founded by immigrants, many of whom had escaped persecution and oppression. Cubans ultimately became the largest influx of refugees in US history.

5 Conclusion

This article concludes as it opens, with a 3 by 3 matrix that uses the main types of employment-based immigration categories and broad labour market

55 'U.S. policy toward Cuban exiles,' U.S. Department of Defense. Secret, Internal Paper. 3 May 1961.

56 It was not until 1966 that Congress passed the Cuban Adjustment Act, which provides that certain Cubans who have been physically present in the United States for at least one year may adjust to permanent resident status. The legislative debate leading up to its enactment makes clear that persons fleeing Cuba are presumed to be refugees under international law, but the Act does not use the language or definitions commonly used for refugee and asylee. Ruth Ellen Wasem, 'Cuban migration to the United States: policy and trends' (U.S. Library of Congress, Congressional Research Service June 2009).

57 Now known as the US Agency for International Development (USAID).

58 Now known as the US Department of Health and Human Services.

59 Taft, North and Ford, 'Refugee resettlement in the U.S,' 70–83.

attributes with which refugees were labelled. The main groups of refugees from 1945 to 1962 are placed in the matrix cells according to the characteristics ascribed to them.

The pattern presented in the matrix illustrates more succinctly than the narrative how refugee policy intersected with labour market policy. After the Second World War, refugees were viewed as those of old – tired, poor and traumatised by war. The Displaced Persons Act relegated its beneficiaries into agricultural work and other shortage occupations, though those with human capital were able to move into professional and skilled worker positions. With the Chinese, Hungarians and Cubans came a decidedly new view of refugees who had wealth, education, and human capital. This ‘golden wave’ found its nexus with the ‘best and the brightest’, softening the opposition of the nativist right-wing policy makers.

The ‘ideology of the deserving’ appears to be a factor in the years following the Second World War, as it has been throughout much of US history. That some people are more meritorious than others – even in the context of vulnerable people displaced by war and revolution – proved to be powerful messaging. In turn, the prototype of the refugee, rightly or wrongly, morphed from the downtrodden arrival with few labour market assets in 1948 to the freedom fighter with considerable human capital in 1962.

FIGURE 6 Matrix of Main Policy Distinctions Characterising Labour and Refugees Flows