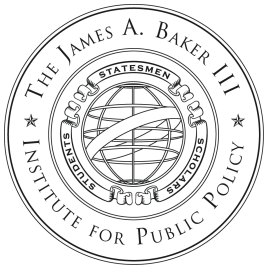
Rice University's Baker Institute
LATIN AMERICA INITIATIVE
RICE UNIVERSITY'S BAKER INSTITUTE | 20 YEARS 1993–2013

IMMIGRATION REFORM

A SYSTEM FOR THE 21st CENTURY

Security and United States Immigration Policy: Two American Immigration Security Traditions and an Analytical Framework of National Security and U.S. Immigration Policy

Robbie J. Totten, Ph.D.



James A. Baker III Institute for Public Policy
Rice University

Latin America Initiative Immigration Research Project
Working Paper

Security and U.S. Immigration Policy: Two American Immigration Security Traditions and an Analytical Framework of National Security and U.S. Immigration Policy

by

Robbie J. Totten, Ph.D.

Lecturer, Department of Political Science
University of California, Los Angeles

April 2013

These papers were written by a researcher (or researchers) who participated in a Baker Institute research project. Wherever feasible, these papers are reviewed by outside experts before they are released. However, the research and views expressed in these papers are those of the individual researcher(s), and do not necessarily represent the views of the James A. Baker III Institute for Public Policy.

© 2013 by the James A. Baker III Institute for Public Policy of Rice University

This material may be quoted or reproduced without prior permission,
provided appropriate credit is given to the author and
the James A. Baker III Institute for Public Policy.

Abstract

What is the relationship between security and United States immigration policy? This question is important because the volume of international migration has been rapidly rising in recent decades, and, since the 9/11 attacks, leaders are increasingly called on to produce policy to address its perceived security implications. This white paper assists officials with this task and answers the above question by discussing two common ways of structuring security and U.S. immigration—the national security and human rights/security traditions—that often lead to distinct policy outcomes; presenting an analytical framework of national security and American immigration policy with three dimensions (domestic or internal security interests, material and military considerations, and foreign policy); and using this framework to identify meta-security themes underlying major U.S. immigration policy decisions. The paper concludes by examining national security and post-9/11 American immigration responses, and discussing the policy implications of its findings.

Introduction

What is the relationship between national security and immigration for the United States? What are the security objectives that American leaders have historically attempted to reach with immigration? These questions are important because the volume of international migration has been rapidly rising in recent decades, with approximately one million legal immigrants coming to America per year since the turn of the century and more than 11 million unauthorized immigrants currently residing in the United States. These types of statistics whave prompted scholars such as George Kennan, Paul Kennedy, and Arthur Schlesinger to predict that migration will pose one of the greatest security challenges of the 21st century.[1]

Some argue that the 9/11 attacks provided a harbinger of the danger they envisage (the terrorists entered the country primarily on temporary U.S. visas) and Congress nearly overhauled the immigration system in 2006-2007. The federal government has attempted in recent years to

[1] George Kennan, *Around the Cragged Hill: A Personal and Political Philosophy* (New York, 1993), 152; Paul Kennedy, *Preparing for the Twenty-First Century* (New York: Vintage, 1993), 44; and Arthur Schlesinger, *The Disuniting of America: Reflections on a Multicultural Society* (New York, 1992), 10.

address perceived security risks of immigration through enhancing border security and interior immigrant enforcement. However, many states, such as Alabama and Arizona, have found these actions inadequate and have drafted controversial legislation—including making it criminal for an immigrant to fail to carry documents—because, as Arizona Governor Jan Brewer has explained, her state has been forced to "solve a crisis we did not create and the federal government has refused to fix." These remarks indicate that immigration will remain a hot issue and that major reform may be attempted again during President Barack Obama's second term in office.[2]

The immigration debate within the United States since 9/11 has emphasized the role of security in the policy area and, after years of neglect, a large number of analyses related to security and immigration have appeared.[3] While long overdue, many of these studies focus on the role of terrorism and immigrant enforcement in American migration policy over the past decade, thus neglecting the full range of security variables underlying U.S. policy since the founding of the country. Unless we develop a more complete understanding of the security implications of immigration policy, not only will we fail to grasp a key component of U.S. sovereignty and domestic policy, but current policy and reform measures will be misaligned with security interests and endanger citizen and immigrant lives. We need to understand the relationship between security and immigration as well as how security interests have historically factored into U.S. immigration policy to help with exposing human rights violations and assist leaders with forming prudent and safe policies.

---

[2] The quote is at Randal C. Archibold, "Arizona Enacts Stringent Law on Immigration," *New York Times Online Edition*, April 23, 2010, at http://www.nytimes.com/2010/04/24/us/politics/24immig.html, accessed May 31, 2010. On national security and post 9/11 U.S. immigration policy see Edward Alden, *The Closing of the American Border: Terrorism, Immigration, and Security since 9/11 (*New York: Harper, 2008); and Michelle Mittelstadt, Burke Speaker, Doris Meissner, and Muzaffar Chishti, "Through the Prism of National Security: Major Immigration Policy and Program Changes in the Decade since 9/*11*," *Migration Policy Institute*, August 2011.

[3] A few of the excellent works pertaining to security and immigration to emerge in recent years include, Fiona B. Adamson, "Crossing Borders: International Migration and National Security," *International Organization* 31 (Summer 2006): 165-199; Marc Rosenblum, *The Transnational Politics of U.S. Immigration Policy* (La Jolla, CA: Center for Comparative Immigration Studies, 2004); Christopher Rudolph, *National Security and Immigration: Policy Development in the United States and Western Europe Since 1945* (Stanford, CA: Stanford University Press, 2006); and Gary P. Freeman, Terri E. Givens, and David L. Leal, eds., *Immigration Policy and Security: U.S., European, and Commonwealth Perspectives*, eds., (New York, Routledge, 2009).

This white paper assists with this task by discussing two general ways or traditions of structuring security and U.S. immigration policy, presenting an analytical framework of national security and American immigration policy, and broadly applying this framework to over 200 years of U.S. policy. The two security traditions permeating through American immigration thought through time—the national security and the human rights/security traditions—will reveal that what/who leaders see as requiring security (the nation and its citizens or humankind) can lead to distinct policy outcomes. The analytical framework presented within this paper will show that there are three main national security categories related to immigration for the United States: domestic/internal security, foreign policy, and material/military considerations. The broad application of this framework to major immigration policy regimes through American history will uncover migration security themes that can help inform contemporary thinking on the subject. These three exercises and discussions related to security and immigration can thus assist leaders with producing policy measures for citizen and immigrant safety.

This paper unfolds in four main parts: the first part discusses key terms and issues related to the topic, including the two security traditions that have permeated throughout American immigration thought; the second part presents an analytical framework of national security and U.S. immigration policy; the third part broadly applies this framework to the three major U.S. immigration policy events through history to help illustrate the role security has played in the policy area; and the fourth part examines national security and American immigration policy over the past decade and concludes by discussing the policy implications of the paper.

Terminology and Two American Immigration Security Traditions

This section provides background information requisite for the analytical framework of immigration policy presented in the next part of the paper. After defining and explaining key terms related to immigration, it describes two general and distinct security traditions of immigration that have permeated through American political thought: the human rights or human security tradition and the national security tradition. Additionally, it discusses why this paper primarily focuses on the relationship between national security and American immigration policy to assist with the formation of contemporary policies that maximize citizen and immigrant safety.

Immigration Terms

Human migration is an ancient phenomenon that has been described since people began to write down their history. It refers to the action taken by people "as they move from one geographic point to another geographic point."[4] One type of migration is international migration, which occurs when people move across national boundaries; it began with the emergence of the modern nation-state system, typically dated to the Treaty of Westphalia in 1648. Nation-states began to develop immigration policies, such as passports and visa systems that attempted to keep out those considered hostile, shortly after international migration movements commenced. Over the past two centuries, states have developed more complex policies in addition to mechanisms that simply accept or turn away foreigners, such as programs to temporarily import foreign workers and provide political asylum to those persecuted in other nations.[5] Immigration policy as defined in this study therefore includes the entirety of the efforts of a state to "regulate…entry into the national territory and to stipulate conditions of residence of persons seeking permanent settlement, temporary work or political asylum."[6]

Security Definitions and Terminology: *Human Rights/Security and National Security Traditions of American Immigration*

A general dictionary definition of security describes it as "the quality or state of being secure," as in "freedom from danger" or "freedom from fear or anxiety."[7] But how security is conceptualized in regard to immigration policy within the U.S. is not so clear-cut because it depends on who or what officials see as being secured when they form policy. Americans have tended to view security and immigration in two broad and distinct ways since the founding of the country, which can be labeled the national security and the human rights/security traditions of immigration.

---

[4] Migration includes internal migration (within a nation) and international migration (from one nation to another nation). This section is based on Andreas Demuth, "Some Conceptual Thoughts on Migration Research," in *Theoretical and Methodological Issues in Migration Research: Interdisciplinary, Intergeneration and International Perspectives*, ed., Biko Agozino (Aldershot, U.K.: Ashgate, 2000), quote at 26.

[5] See, for example, Jane Caplan and John Torpey, eds., *Documenting Individual Identity: The Development of State Practices in the Modern World* (Princeton, NJ: Princeton University Press, 2001); Demuth, "Some Conceptual Thoughts on Migration Research," in *Theoretical and Methodological Issues*, ed., Agozino; and John Torpey, *The Invention of the Passport: Surveillance, Citizenship, and the State* (Cambridge, UK: Cambridge University Press, 2000).

[6] Gary Freeman, "Migration Policy and Politics in the Receiving States," *International Migration Review* 26 (Winter 1992): 1145.

[7] Merriam-Webster Dictionary, http://www.merriam-webster.com/dictionary/security.

These two American security traditions associated with this policy area differ in regard to what each of them point to as requiring securing with immigration. For example, national security refers to "the defense and foreign relations of a country" and "the protection of the interests of a country." For leaders of states, obtaining national security generally "refers to the safeguarding of [its] people, territory, and way of life."[8] On the other hand, human rights as defined by the United Nations are "rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status."[9] Related to human rights is the concept of human security, which places "emphasis on security of all human beings, not the more common and limited focus on national or state security."[10]

Therefore, officials who form U.S. immigration policy for national security—and according to the national security tradition of American immigration—will construct it in such a way that it maximizes the integrity and strength of the nation-state, and it will emphasize the safety of citizens even if it is at the expense of immigrant safety. This way of structuring the security dimension of U.S. immigration policy is aptly reflected in a private discussion between President Richard Nixon and his Secretary of State Henry Kissinger during the early 1970s, discussing whether the U.S. should offer persecuted Jews in the Soviet Union refuge in America. Kissinger stated that "the emigration of Jews from the Soviet Union is not an objective of American foreign policy [...] And if they put Jews into gas chambers in the Soviet Union, it is not an American concern. Maybe a humanitarian concern." Nixon responded to his remark by saying, "I know. We can't blow up the world because of it."[11] This example illustrates U.S. leaders

[8] There is no universally accepted definition of national security. See the discussion in Amos A. Jordan, William J. Taylor, Jr., Michael J. Meese, and Suzanne C. Nielsen, *American National Security*, 6th ed. (Baltimore, MD: The Johns Hopkins University Press, 2009 [1981]), 3-5; Joseph S. Nye, Jr., "Redefining the National Interest," *Foreign Affairs* 78 (July/August 1999): 22-35; The Commission on America's National Interests, *America's National Interests* (Cambridge, MA: The Commission on America's National Interests, 2000), esp. 5-8; Paul Williams, "Security Studies: An Introduction," in *Security Studies: An Introduction*, ed., idem (London: Routledge, 2008), 1-10, quote on 1; and Dictionary.com, http://dictionary.reference.com/browse/national+security?s=t.

[9] See United Nations Human Rights, Office of the High Commissioner for Human Rights, http://www.ohchr.org/en/issues/Pages/WhatareHumanRights.aspx.

[10] On human security see Russell Bova, *How The World Works: A Brief Survey of International Relations, 2nd ed.* (Boston, MA: Pearson, 2012), 238-239; and Paul R. Viotti and Mark V. Kauppi, *International Relations and World Politics*, 5th ed. (Boston, MA: Pearson, 2013), 496-497, quote on 497.

[11] Nixon Tapes, February 13, 1973, in "In Tape, Nixon Rails about Jews and Blacks," *New York Times*, online edition, December 10, 2010, available at, http://www.nytimes.com/2010/12/11/us/politics/11nixon.html?src=me&ref=general.

thinking of immigration in regard to national security, since Nixon and Kissinger prioritized American security over assisting potential refugees/immigrants in the international community.

On the contrary, leaders who form U.S. immigration policy based on human rights or human security—and according to the human rights/security tradition of American immigration—will construct it in such a way to ensure the safety and rights of all people, whether national citizens or immigrants. This type of security understanding about U.S. immigration policy is captured in the Emma Lazarus poem inscribed on the base of the Statue of Liberty:

> "Give me your tired, your poor,
> Your huddled masses yearning to breathe free,
> The wretched refuse of your teeming shore.
> Send these, the homeless, tempest-tost to me,
> I lift my lamp beside the golden door!"

The spirit underlying this message—one often evoked by leaders in public messages—illustrates Americans thinking of immigration in the context of human rights/security, in the sense that it extends an invitation to the oppressed of the world without concern over the national interest.

It is important to underscore the national security and human rights/security traditions of American thought because we often hear leaders talking about security and immigrants in these two distinct ways. These two traditions are not necessarily mutually exclusive in their policy outcomes in the sense that an immigration policy designed for national security can enhance or harm immigrant security, and likewise an immigration policy designed with human rights in mind can improve or compromise national security. Leaders may frequently claim (and perhaps even believe) they are forming policy with both security goals in mind. Nevertheless, the primary motive (national security or human security) underlying policymakers' intentions will likely lead to distinct immigration policies that accordingly favor national or human security.

A goal of this white paper is to help leaders with forming policies that maximize the security of citizens *and* immigrants. It may thus at first seem contradictory that I present in the next part of the paper an analytical framework of national security and U.S. immigration opposed to a model centered on human security, but this is done to assist with policy measures promoting human

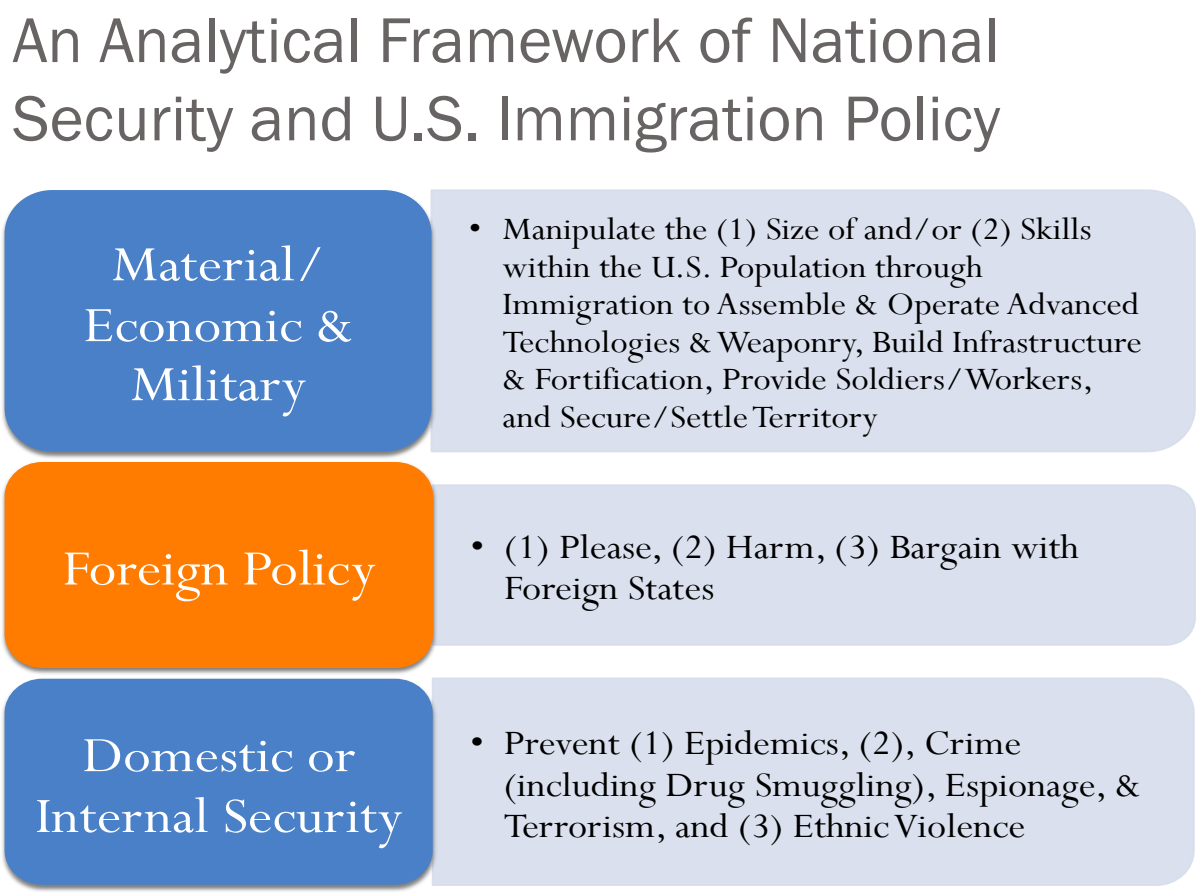
security. I do this in large part because we need know the relationship between national security and U.S. immigration policy to assist with human rights in the policy area, since leaders have historically factored security considerations (with the national interest in mind) into immigration policy measures—even if they give lip service or package their policies in the human rights tradition. A national security analytical framework will thus help illuminate tendencies in human nature and structural forces within the international system that incline leaders to security-minded behavior in this policy realm. It will help illuminate historically responsible or abusive immigration practices in regard to human security so that we can take steps to prevent harmful and promote beneficial policies for human rights. This analytical framework will also assist with revealing "Goldilocks" security policy choices for leaders—that is, politically popular migration policies that enhance national and human security.[12]

An Analytical Framework of National Security and U.S. Immigration Policy

This section of the paper details the strategic logic of immigration for the U.S. by presenting an analytical framework of national security and American immigration policy with three dimensions. Immigration and security intersect in regard to a state's foreign relations, material and military interests, and domestic security. As shown in figure 1, the framework consists of three general categories of national security objectives that U.S. leaders have attempted to reach with immigration policy, from the founding of the country to the present day: 1) material/economic and military considerations; 2) domestic or internal security interests (crime, espionage, and terrorism; epidemics; and ethnic violence); and 3) foreign policy. The brief analyses accompanying each of the dimensions or categories of the framework specify the relationships among the security areas and immigration. This analytical model captures the national security dimension of American immigration policy, which will then be broadly applied to immigration policy in the next part of the paper.[13]

[12] For example, an immigration policy that humanely screens immigrants for contagious disease (and provides treatment for anyone found infected) can protect U.S. citizen and national security as well as immigrants from disease (and provide medical care to those suffering from an ailment).

[13] This framework is developed based upon work in my dissertation, Robbie J. Totten, "Security and United States Immigration Policy," UCLA PhD Dissertation, 2012.



Material/Economic and Military Objectives and U.S. Immigration Policy

Leaders concern themselves over the material and military power of their states to ensure security in an anarchic international system.[14] They focus on military *and* economic/material strength because wealth is an important component for a state in procuring resources necessary to remain competitive and secure in the international community. The core building blocks of the material and military strength of a state are related to the size and skill of its labor force and population—a large, efficient, and technologically advanced population has the capacity to produce great wealth and a formidable military.

Leaders throughout history have gone to great lengths to ensure that their states are endowed in these areas. One way that they have done this is through immigration, which can affect the size and skill level of the labor force and population of a state and provide human numbers or experts to serve as soldiers and workers. Immigrants provide a state with soldiers for militaries, people to

[14] This section is drawn from Totten, "Security and United States Immigration Policy," 102-157.

settle and secure territory, workers to build fortifications and infrastructure, and, perhaps of particular importance in the modern era, scientists and specialists with the expertise to build and operate the cutting-edge technologies needed for economic production and weaponry.

The types of immigration policies that American officials have implemented for these security objectives fall into three broad categories—policies that attract skilled immigrant labor, policies that increase population size, and policies that set up foreign-worker programs during wartime to cover manpower shortages—all of which within different geopolitical settings can enhance U.S. material and military strength. The policy instruments that U.S. leaders have used to carry out these objectives include allocating percentages of available immigrant visas for skilled foreign laborers, granting exemptions in restrictive legislation for immigrants with special skills, instituting an "open door" immigration policy to invite large numbers of foreigners, sending agents to foreign countries to recruit immigrants, offering special inducements such as tax incentives or cheap land to attract foreign numbers, setting up temporary guest-worker programs, and more recently through "virtual immigration," which uses technology to allow American corporations and organizations to utilize foreign labor from abroad without the expense of incorporating them in the polity.[15]

There are numerous historical examples of U.S. leaders devising these types of immigration policies for material and military gain. For one, American officials primarily during the 18th and 19th centuries who wanted to bolster the material and military strength of the country sought to increase population by leaving the borders largely unregulated so nearly anyone could come to the U.S.; through offering foreigners incentives such as cheap land to come to America; and by sending agents to Europe to attract immigrants.[16] Second, U.S. leaders have sought skilled labor by granting exemptions in "restrictive" clauses within legislation (e.g., the Quota Acts of 1921 and 1924, and the McCarran-Walter Act of 1952) for immigrants possessing desired skills; through designating visas within legislation for immigrants with skills seen as important for the

[15] On these policies see Totten, "Security and United States Immigration Policy," 115-157. On "virtual immigration," see A. Aneesh, "Rethinking Migration: On-Line Labor Flows from India to the United States," in *International Migration of the Highly Skilled*, eds., Wayne A. Cornelius, Thomas J. Espenshade, and Idean Salehyan (La Jolla, CA U.C. San Diego Center for Comparative Immigration Studies, 2001), 351-372; and Marc Rosenblum, "High-Skilled Immigration and the U.S. National Interest," in *Ibid*., 390-391.

[16] For elaboration, see Robbie Totten, "National Security and U.S. Immigration Policy, 1776-1790," *Journal of Interdisciplinary History* 39 (Summer 2008): 37-64.

national interest (e.g., Immigration and Nationality Act of 1965 and Immigration Act of 1990); and by creating "special," one-time legislation to permit entrance of immigrants with needed skills (e.g., H-1B visa legislation of 2000 that allowed entrance of skilled technology workers). And third, American officials have designed schemes and temporary foreign-worker programs during the Revolutionary War, Civil War, WWI, WWII, and the Korean War to recruit immigrants to assist on the battlefield and with domestic war production.[17]

Domestic/Internal Security Objectives and U.S. Immigration Policy

Immigration has wide-ranging effects on the domestic or internal security of a state in regard to crime (including drug trafficking), epidemics, espionage, ethnic violence, and terrorism.[18] For one, criminals and drug traffickers can enter the United States as authorized or unauthorized immigrants. Second, epidemics have posed perhaps the largest security threat to mankind through history, with many outbreaks rapidly and indiscriminately claiming lives at a faster pace than even the great wars of the 20th century. One of the primary ways that they spread among states is through international migration.[19] Third, spies and terrorists can infiltrate the United States through immigration, exemplified in that all 48 of the terrorists convicted of acts of violence against the United States since 1993 entered the country legally.[20] And fourth, a rapid influx of immigrants can quickly change the cultural, demographic, and ethnic composition of the polity, which in turn can lead to domestic uprisings and violence.[21]

American leaders have attempted to protect against domestic threats through measures such as border monitoring systems (screening immigrants) and interior enforcement policies (such as deportation), designed to prevent the entrance of and to remove criminals, those with contagious diseases, spies, and terrorists. U.S. officials have also prior to WWII enacted racist measures

[17] On these historical immigration policies see Totten, "Security and United States Immigration Policy," 115-157.
[18] This section is drawn from, Totten, "Security and United States Immigration Policy," 102-157.
[19] For further discussion on national security, epidemics, and immigration see Robbie J. Totten, "Contagious Disease, Epidemics, National Security, and U.S. Immigration: Historical Policy Responses," June 11, 2012, U.C. Center for Comparative Immigration Studies Working Paper #187, available at, http://ccis.ucsd.edu/2012/06/contagious-disease-epidemics-national-security-and-u-s-immigration-historical-policy-responses-working-paper-187/.
[20] Otis L. Graham Jr., *Unguarded Gates: A History of America's Immigration Crisis* (Lanham, M.D.: Rowman & Littlefield Publishers, Inc., 2004), 65.
[21] For example, many analysts attribute the 1992 Los Angeles Riots, arguably the worst civil disturbance in U.S. history since the Civil War, to tensions amongst those born in the United States and those born elsewhere.

restricting the entrance of specified ethnic groups, perhaps with the intention of preventing domestic conflict and violence.[22]

There are numerous examples of U.S. leaders devising policies to reach these objectives. American officials, for example, have included stipulations and measures in nearly every major piece of immigration legislation through history that prevent the entrance of anarchists, criminals, spies, terrorists, and those suspected of carrying certain types of contagious diseases (e.g., the Immigration Act of 1917, the 1921 and 1924 Quota Acts, the McCarran-Walter Act of 1952, the Immigration and Nationality Act of 1965, and the Immigration Act of 1990). U.S. officials have also repeatedly passed legislation designed to improve border security and prevent the entrance of unauthorized immigrants, under the stated goal of protecting citizens (e.g., the Intelligence Reform and Terrorism Prevention Act of 2004).[23]

Foreign Policy Objectives and U.S. Immigration Policy

The foreign policy of a state involves its goals in the international system and its interactions with nations and organizations in the global community.[24] The diplomatic objectives of states vary, but countries commonly seek preservation and independence, and most of them also strive for prestige and economic prosperity. A state can use its immigration policy as a foreign policy instrument in large part because it directly involves the people of another state, which for many nations are one of the most intimate and valuable components of its capital and resources. The immigration decisions made by states regarding the people of other states are often construed by foreign leaders as either a hostile or warm gesture and can improve or sour diplomatic relations.

U.S. leaders have used immigration as a foreign policy tool to accommodate, sanction, and bargain with nations. U.S. officials have attempted to foster, initiate, or improve relationships with foreign states by inviting their people to immigrate to America. Additionally, U.S. leaders have attempted to punish adversary nations by permitting entrance of immigrants from foreign

[22] These and other types of policies are described in Totten, "Security and United States Immigration Policy," 166-175, 179-187, 196-201.
[23] These and other historical examples of U.S. immigration policies designed to protect against domestic or internal security concerns are discussed in Totten, "Security and United States Immigration Policy," 166-175, 179-187, 196-201.
[24] This section is drawn from, *Ibid*., 49-101.

states that prohibit their exit, mistreating the immigrants of foreign states, or training the immigrants of foreign states to return to their home country to overthrow the ruling regime. U.S. leaders also have linked immigration with issues in other policy areas to serve as a bargaining chip in negotiation and trade with foreign states. The instruments and vehicles used by leaders to carry out these policies include diplomatic agreements, displaced persons and refugee laws, executive decree, "nonpolicies" or preventing the passage of immigration legislation for diplomatic purposes, stipulations or omissions within major immigration legislation, and "one-time" laws.[25]

There are numerous historical examples of U.S. leaders devising policies to reach foreign policy objectives. For one, American officials have frequently used immigration to foster or improve relations with foreign countries—for example, the exemption of the Western Hemisphere from the restrictions of the 1920s Quota legislation, which all but closed U.S. borders to the rest of the world for five decades but allowed unlimited migration from Western Hemisphere countries because of the United States' "Good Neighbor" foreign relations policy. Second, U.S. officials have used immigration as a discomfiting or ideological "weapon" against foreign states, particularly during the Cold War. The Refugee Relief Act of 1953 was ostensibly designed to serve as a humanitarian instrument, but a National Security Council memorandum identified it as having been created to "encourage defection of all USSR nationals and 'key' personnel from the satellite countries" in order to "inflict a psychological blow on Communism" by encouraging a high-skilled labor force to leave that regime.[26] Third, U.S. officials have tied immigration to other issue areas in diplomatic negotiations, exemplified by the Jackson-Vanik amendment of the 1974 U.S. Trade Act, explicitly linking trade and migration by denying most-favored nation status to specified countries that restricted the emigration rights of their citizens.[27]

[25] These and other policies are described in Totten, "Security and United States Immigration Policy," 52-100.
[26] Quoted in Zolberg, *Nation by Design*, 322.
[27] For discussion on the historical immigration policies mentioned in this paragraph as well as other ones see Totten, "Security and United States Immigration Policy," 52-100.

Meta-security Themes and American Immigration Policy History

The history of American immigration policy can be categorized into three very broad eras based on general openness to immigrants: the aggressively open era (1776-1921), the selectively closed era (1921-1965), and the cautiously open era (1965-2001/?). Although each of them have played a role in each of these periods, one of the security categories (material/military, domestic/internal security, and foreign policy considerations) of U.S. analytical framework has arguably underscored a main orientation of immigration policy developed during each of these periods. As specified below, the security category or meta-security theme of the first period was centered on material and military considerations; the second period was based primarily on domestic or internal security considerations, and to a lesser extent foreign policy considerations; and the third period was centered on foreign policy considerations.

There are, of course, many ways to find fault with simplifying American immigration policy history into three broad periods—for example, the individual immigration policies of each of the eras were significantly more complex and nuanced than this general characterization captures. Also, the policies designed by American leaders during each of the periods were often geared toward reaching a wide range of security objectives, even if certain meta-security themes have underscored the origin of U.S. immigration policy orientation in some periods more so than others. Nevertheless, the benefit of a crude characterization of a long stretch of American immigration policy history is that it gives us a sense of the ways that national security has influenced American immigration decisions over time, as well as place, in context of the security immigration dialogue (a focus on terrorism and immigrant enforcement) that has dominated over the past decade. In other words, the purpose of this section is to illustrate some of the ways in which national security objectives have factored into American immigration policy, rather than put forth a new periodization scheme of U.S. immigration policy history.[28]

[28] One more note on the periodization scheme may be helpful before we proceed. I have ended the third period with 2001/? because it is difficult without further hindsight to know if the system set up under the Immigration and Nationality Act of 1965 has ended with immigration policies enacted after the events of the September 11, 2001.

Aggressively Open Period—"Open-Door" Federal Immigration Policy, 1776-1921

Meta-security theme underlying policy formulation: Attracting immigrants to serve as workers/soldiers to build infrastructure and provide protection to secure and settle territory.

The federal government from the Revolutionary War through approximately 1921 left the borders of the country mostly unregulated. The individual states tried to regulate immigration during that period, and the federal government began in the last decades of the 19th century to increasingly pass racially motivated legislation to keep out specified ethnic groups as well those deemed criminal, contagiously diseased, or poor; but neither state nor federal actors took measures that significantly impeded the flow of immigrants to the United States until the 1920s Quota laws.[29] The result was mass migration. This part of U.S. immigration history has been referred to as the "Open Door Era," and over 20 million immigrants came to the country during this time.[30] Material and military considerations arguably played the primary security role in the orientation of the immigration policy regime during this period, with the main meta-security theme underlining policy during this era consisting of attracting large numbers of immigrants to serve as soldiers and workers to assist with securing and settling territory (particularly the frontiers), building infrastructure, and making America powerful in the international community. America was a fragile and growing state during the 18th and 19th centuries, and immigration was used as a tool to help secure its place and safety in the competitive international system.

The population surge from the open immigration policy of this period helped boost the material and military strength of America. One study estimates that, by 1912, immigrants contributed to as much as 42 percent of the country's gross physical capital production, in large part because most foreigners arrived as young adults, thus saving America the costs associated with child-rearing.[31] Similarly, work by Timothy Hatton and Jeffrey Williamson on the Atlantic economy

[29] On state regulatory policies, E.P. Hutchinson, *Legislative History of American Immigration Policy, 1798-1965* (Philadelphia, PA University of Pennsylvania Press, 1981) ; and Gerald L. Neuman, "The Lost Century of American Immigration Law (1776-1875)," *Columbia Law Review* XCIII (1993): 1833-1901. On late nineteenth and early twentieth century restrictive U.S. federal immigration policies such as the Chinese Exclusion Act of 1882 see Daniel Tichenor, *Dividing Lines: The Politics of Immigration Control in America* (Princeton, NJ: Princeton University Press, 2002), 211-218, and Zolberg, *A Nation by Design*.

[30] Part of this general period is referred to as the "open door" era in Michael LeMay, *From Open Door To Dutch Door: An Analysis of U.S. Immigration Policy Since 1820* (New York: Praeger, 1987.)

[31] Larry Neal and Paul Uselding, "Immigration: A Neglected Source of American Economic Growth: 1790 to 1912," *Oxford Economic Papers* 24 (March 1972): 87. See also Robert E. Gallman, "Human Capital in the First 80 Years

indicate that U.S. economic gains from migration were higher than those from trade during the 19th century.[32] Immigrants also contributed to U.S. military power. Approximately one-third of the nation's regular army in the early 1840s was composed of foreign-born persons, and the percentage of immigrants serving in many state militias in the Northeast and Midwest during this period is estimated to have been even higher. Many of these immigrants fought in the U.S.-Mexican and Civil Wars .[33]

These statistics are not "accidental," and numerous private and public comments by early American leaders indicate they sought immigrant manpower to boost the material and military strength of the country.[34] Consider that President George Washington privately recommended that the Western states should "admit such emigrations . . . not only from the several States of the Union but from Foreign Countries" to help secure border territory. "Measures of this sort, " he noted, "would not only obtain Peace from the Indians, but would, in my opinion, be the means of preserving it."[35] Accordingly, the U.S. Bureau of Foreign Commerce printed a report after a century of mass immigration in the late 1880s that concluded that "owing exclusively to its enormous alien population . . . the United States is at the present day in a position to take rank

---

of the Republic: How Much Did America Owe the Rest of the World?" *The American Economic Review* 67 (February 1977): 27-31; Charles Hirschman and Elizabeth Mogford, "Immigration and the American Industrial Revolution from 1880 to 1920," *Social Science Research* 38 (2009): 897-920; and Paul Uselding, "Conjectural Estimates of Gross Human Inflows to the American Economy: 1790-1860," *Explorations in Economic History* 9 (1971-1972): 49-61. Approximately one out of every three employees in manufacturing and mechanical industries was an immigrant from 1870 to 1920. John Higham, *Strangers in the Land, Patterns of American Nativism 1860-1925* (New Brunswick: Rutgers University Press, 1955), 14-19.

[32] Timothy J. Hatton and Jeffrey G. Williamson, *The Age of Mass Migration: Causes and Economic Impact* (New York, 1998). See also Christopher Rudolph, "Globalization and Security: Migration and the Evolving Conceptions of Security in Statecraft and Scholarship," *Security Studies* 13 (2003): 14-15. Relevant to contemporary discussion regarding migration and economics, Rudolph notes that "whereas the dominant economic perspectives on the relationship between migration and trade has long viewed the two as substitutes, more recent analyses of the empirical evidence suggest that migration and trade are, in fact, complements. Scholars of international political economy have long pointed to the importance of trade for the accumulation of material economic power. If migration complements trade, then it must be considered a necessary condition to achieve maximum gains through trade, especially in situations of total specialization or where locational economies of scale exist." Idem, "Globalization and Security," 14-15.

[33] Vernon M. Briggs, Jr., *Mass Immigration and the National Interest: Policy Directions for the New Century*, 3rd ed. (Armonk, NY: M.E. Sharpe, 2003), 52. See also Ella Lonn, *Foreigners in the Confederacy* (Chapel Hill, NC: The University of North Carolina Press, 1940); and Ella Lonn, *Foreigners in the Union Army and Navy* (Baton Rouge: Louisiana State University Press, 1952.)

[34]Totten, "National Security and U.S. Immigration Policy, 1776-1790," 37-64. See also Robbie J. Totten, "Security, Two Diplomacies, and the Formation of the U.S. Constitution: Review, Interpretation, and New Directions for the Study of the Early American Period," *Diplomatic History* 36 (January 2012): 97, 104, 113-114.

[35] George Washington to James Duane, September 7, 1783 in *Writings of George Washington*, ed., Lawrence B. Evans (New York: G.P. Putnam's Sons, 1908), 480.

with the great European powers." It also noted that international migration was weakening foreign states because they were losing men to America who could be used in "the military services, and the numerical strength of their armies is by so much diminished, which will be seriously felt in the hour of danger."[36] American policy during the aggressively open era (1776-1921) thus illustrates a way in which U.S. leaders have used immigration for material and military gain.

The Selectively Closed Era, 1921-1965: The Restrictive and Discriminatory Quota Laws

Meta-security theme underlying policy formation: restrict immigration to prevent epidemics, stop anarchist attacks, and prevent ethnic violence; "Good Neighbor" Latin America foreign relations.

Domestic security concerns, and to a lesser extent foreign policy considerations, constitute the security meta-themes underlying the 1921, 1924, and 1929 Quota Acts, which sharply reversed the federal government's laissez-faire "open-door" policy that had been in place since the founding of the country and substantially limited immigration to the United States until their repeal four decades later.[37] These laws created an immigration system based on the "percentage quota principle," which in its final form limited the number of immigrants admitted to the United States from any country to 2 percent of the number of people from that nation who were living in America according to the 1890 census. [38] The restrictive nature of the legislation was quickly realized: while the United States admitted over 650,000 immigrants in 1921, only eight years countries from the Western Hemisphere from their restrictions (the reason for doing so is discussed below).[39]

[36] The report is published in the U.S. Bureau of Foreign Commerce, *Emigration and Immigration* (Washington, 1887), 720-34, excerpted in Edith Abbott, ed., *Historical Aspects* of the *Immigration Problem: Select Documents* (Chicago, IL: The University of Chicago Press, 1926), 398.
[37] On the Quota laws see especially Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, NJ: Princeton University Press, 2004); and Higham, *Strangers in the Land*.
[38] Michael C. Lemay, *Guarding the Gates: Immigration and National Security* (Westport, CT: Praeger Security International, 2006), 118.
[39] Many leaders pushed for an extension of the quota system to the region, but no major legislation was passed. Robert A Divine, *American Immigration Policy, 1924-1952* (New Haven, CT: Yale University Press, 1957), 62-63; and Zolberg, *A Nation by Design*, 257.

The Quota legislation is frequently and correctly explained as a manifestation of pronounced xenophobia in the United States, and while the content of the laws as well as comments by leaders of the era are undeniably and abhorrently racist, domestic security concerns also played a role in their creation. For one, contagious disease claimed large numbers of American lives during the first half the 20th century. Typhoid killed an estimated 1 million lives from 1880 to 1920, and Spanish influenza, the deadliest disease in human history as measured by the absolute number of lives it claimed worldwide, struck soon after WWI and soon before passage of the first quota law, killing an estimated 500,000 Americans in a few short years.[40] Second, many anarchist/terrorist attacks (primarily bombings and assassinations) were carried out by immigrants (or their recent descendants) on American soil during the first two decades of the twentieth century.[41] Third, the Ku Klux Klan was particularly active soon before the 1921 quota act and its violent activities, as well as the retaliations of the groups it persecuted, perhaps stirred up a national sense of intensifying ethnic violence.[42] These three domestic security concerns—epidemics, terrorist/anarchist attacks, and ethnic violence—were perceived as associated with immigrants and many in the United States feared these security problems would be exacerbated if action was not taken to prevent the arrival of millions of Europeans displaced from WWI. The result was the passage of the 1921 Quota Act, which, along with related legislation of the era, erected a restrictionist immigration policy system that remained in place until the Immigration and Nationality Act of 1965.

In addition to domestic security concerns, foreign policy considerations also played a role in the immigration policy regime of this period. As previously mentioned, the Quota Acts exempted the Western Hemisphere from its restrictions because doing so was antagonistic to foreign policy objectives of the period.[43] The U.S. foreign policy establishment during the 1920s, for reasons related to the Monroe Doctrine, pursued what has been referred to as "Pan-Americanism" and

[40] See James Doull, "The Bacteriological Era (1876-1920)," in *The History of American Epidemiology*, ed. Franklin H. Top (St. Louis: The C.V. Mosby Company, 1952), 86; and John M. Barry, *The Great Influenza* (New York: Penguin Group, 2004), 4.
[41] See discussion and sources cited in Paul Avrich, *Sacco and Vanzetti: The Anarchist Background* (Princeton, NJ: Princeton University Press, 1991); Lemay, *Guarding the Gates*, 88, 103, 106-107; and Totten, "Security and United States Immigration Policy," 183, 183*n*.
[42] Higham, *Strangers in the Land*, 286-293; Totten, "Security and United States Immigration Policy," 183-185.
[43] Robert A Divine, *American Immigration Policy, 1924-1952* (New Haven, CT: Yale University Press, 1957), 62-63.

emphasized foreign policies that promoted positive relations with neighboring countries.[44] As such, immigration legislation that restricted the residents of these countries from coming to America contradicted the spirit of this policy. For example, private correspondence between President Calvin Coolidge and Secretary of State Frank B. Kellogg noted that it is "inconceivable that for the sake of preventing a relatively insignificant migration from Mexico [a primary reason that some leaders were calling for restricting Western Hemisphere immigration], the undesirability of which is at least questionable, we should endanger our good relations with Canada and all of Latin America."[45]

The 1920s Quota Laws and the immigration system they created, which remained in place until 1965, thus illustrate how domestic security concerns and foreign policy considerations have factored into U.S. immigration policy.

The Cautiously Open Era, 1965-2001/?: The Immigration and Nationality Act of 1965 and the Foreign Policy Considerations of a Superpower

Meta-security theme underlying policy formulation: foreign policy objectives of a superpower

The Immigration and Nationality Act of 1965 abolished the quota system, vastly reopened the nation's doors to immigrants, and laid the broad framework upon which the U.S. immigration system still rests today. As a result of the legislation, the number of immigrants who came to the U.S. doubled between 1965 and 1970, and then doubled again between 1970 and 1990. The new system has also resulted in the source countries of immigration shifting from nations in Europe to ones in Asia and Latin America, which has significantly changed the ethnic composition of the U.S. over the past several decades. The post-1965 American immigration policy orientation is significantly more open than the one under the Quota laws, but there are numerical limitations to the numbers of immigrants who can come to the United States, so it is not nearly "open" as the immigration policy stance of the early American period (and thus its crude labeling as the "cautiously open era" in this paper). [46]

---

[44] See Kenneth J. Grieb, *The Latin American Policy of Warren G. Harding* (Fort Worth, Texas: The Texas Christian University Press, 1977), x; L. Ethan Ellis, *Republican Foreign Policy, 1921-1933* (New Brunswick, NJ: Rutgers University Press, 1968); and Totten, "Security and United States Immigration Policy," 55-59.
[45] Kellogg to Coolidge, July 21, 1927, quoted in Divine, *American Immigration Policy*, 60.
[46] For overviews of the Immigration and Nationality Act of 1965 see, for example, Tichenor, *Dividing Lines,* 211-218; and LeMay, *Open Door to Dutch Door,* 109-114.

Interpreters of the 1965 law often argue that ideological factors such as those underlying the Civil Rights Movement were a primary motivation behind its formation.[47] While perhaps true, many American leaders who played large roles in its creation also argued vigorously for the repeal of the quota laws and the formation of a new immigration system based on foreign policy grounds. The United States emerged from WWII a dominant world power and, along with other leading Western states, competed against the Soviet Union and its satellite states in the economic and political competitions and proxy wars of the Cold War. The quota system, though acceptable to leaders responsible for foreign policy during the country's experiment with "isolationism," was a major impediment to postwar U.S. diplomatic objectives, such as fostering good relations with its allies in the fight against the Soviet Union and extending a welcoming hand to those fleeing Communist rule. The Cold War has of course ended, but America remains a superpower and closely watched in the international community, and a friendly and open immigration policy that does not evoke resentment is a sensible choice for leaders concerned over the national interest.

Public, government, and private comments by officials responsible for forming and passing the 1965 law support the foreign policy origin of the contemporary American immigration security orientation.[48] For example, Secretary of State Dean Rusk explained to other leaders that, "What other peoples think about us plays an important role in the achievement of our foreign policies. [. . .] More than a dozen foreign ministers have spoken to me in the last year alone, not about the practicalities of immigration from their country to ours, but about the principle which they interpret as discrimination against their particular countries. [. . .] I would think that it would be possible for the Congress to devise a policy that would be good for us internally, and welcomed and respected by countries all over the world."[49] And Emanuel Celler, Chairman of the Committee on the Judiciary, a key player in the formation of immigration policy during the

[47] See, for example, the discussion in Gabriel J. Chin, "The Civil Rights Revolution Comes to Immigration Law: A New Look at the Immigration and Nationality Act of 1965," *North Carolina Law Review* 75 (November 1996): 273-345.

[48] See the discussions in John Skrentny, *The Minority Rights Revolution* (Cambridge, MA: Belknap Press of Harvard University Press, 2002); and P. E. Wolgin, "Beyond National Origins: The Development of Modern Immigration Policymaking, 1948–1968." Ph.D. Dissertation, 2011, University of California, Berkeley.

[49] Dean Rusk, July 2, 1964, U.S. Congress, House of Representatives, Committee on the Judiciary, *Immigration: Hearings before Subcommittee No. 1 of the Committee on the Judiciary*, 88th Congress, 2nd Session (Washington, DC: U.S. Government Printing Office, 1964), 385-408.

period, privately wrote Kennedy that a new immigration law was needed that was "best suited to serve our national interest and the basic objectives of our foreign policy" and to please "our foreign friends and Allies."[50] The creation of the Immigration Act of 1965 and the immigration system it erected which still broadly remains in place today illustrate how foreign policy considerations can play in role in U.S. immigration policy.

Conclusions—Security and Post-9/11 U.S. Immigration Policy and Policy Suggestions

This paper has described the distinction between structuring U.S. immigration in regard to national security and human rights/security, specified an analytical framework of national security and American immigration policy, and broadly applied the framework to three major U.S. immigration policy events. This final section will describe immigration policy development in regard to national security since 9/11 and conclude by using the analysis within this paper to make broad policy suggestions for contemporary leaders considering immigration reform.

Post-2001 U.S. Immigration Policy

The 9/11 hijackers entered the country with legally issued visas, which caused many leaders and public commentators to associate immigration with terrorism and homeland security, and brought emphasis on border security and undocumented immigrants (whose presence many argued demonstrated the weakness of American border controls and national susceptibility to internal attack). Consequently, the post-9/11 immigration debate has largely been viewed through the lens of security and immigration policy and has been seen by many American officials as one of the primary instruments in the War on Terror. President George W. Bush and Congress attempted, but failed, major federal immigration reform in 2006-2007 in part to protect against professed security risks of migration.[51] Absent comprehensive federal immigration reform, and primarily to address security concerns related to international migration, U.S. immigration policy since 2001 has been characterized by four broad security-minded developments and emphases: 1) the structure of the federal immigration bureaucracy has been

[50] Emanuel Celler to John F. Kennedy, June 24, 1963, available at, http://www.jfklibrary.org/Asset-Viewer/Archives/JFKPOF-016-002.aspx, accessed January 20, 2013.

[51] This legislation, related state and federal policy action in the area, and a hyper-emphasized connection between unauthorized immigration and terrorism has led to a strong and emotional public response. Numerous marches over immigration have occurred throughout America, including ones consisting of over 100,000 people.

reworked to combat terrorism, 2) border security measures have been enhanced, 3) interior enforcement policies such as deportation have been enforced, and 4) state and local actors have proliferated in part to address perceived security concerns unaddressed by the federal government.[52]

First, the federal immigration policy bureaucracy/system in 2002 was reorganized under the Department of Homeland Security (DHS), which is an agency that was founded to assist with preventing another terrorist attack like 9/11. It should not be surprising, therefore, that a department with "security" in its name and centered on preventing terrorism has tended to think of immigration policy in security terms. Second, the federal government has spent billions of dollars on new infrastructure, manpower, and technologies to secure American border territory, which has been characterized as porous and easily penetrable by terrorists. For example, the Secure Fence Act of 2006 allocated funds for 700 miles of fencing along the southern border. Third, there has been in recent years an invigorated enforcement of immigration laws within the interior of the country, such as a significant increase in deportations to dissuade unauthorized immigration and identify criminal aliens. And fourth, absent strong and effective federal action regarding perceived immigration problems (notably the presence of 11 million unauthorized immigrants within the United States), a large number of state and local actors have arisen since 9/11 to form and enforce immigration policies. Most infamously, states such as Alabama, Arizona, and Oklahoma have passed controversial immigration laws that go as far as making it criminal for an immigrant to fail to carry official documents.[53]

Policy Implications

The U.S. immigration policy debate and regime since 2001 has thus tended to emphasize a few select issues pertaining to national security, notably ones related to unauthorized immigration and terrorism. This working paper, however, has shown there is much more to the national security and U.S. immigration story than this focus suggests. The paper outlined an analytical framework of national security and U.S. immigration with three dimensions that captures a wide

[52] This section on post-2001 U.S. immigration policy is based on, Alden, *Closing of the American Border*; and Mittelstadt, Speaker, Meissner, and Chishti, "Through the Prism of National Security."
[53] This paragraph draws from, Alden, *Closing of the American*; and Mittelstadt, Speaker, Meissner, and Chishti, "Through the Prism of National Security."

range of security issues relevant to international migration for states: 1) material and military interests; 2) domestic security (prevent crime, espionage, and terrorism; epidemics; and ethnic violence); and 3) foreign relations. The historical analysis within this paper has also shown that American leaders have previously attempted to reach these types of national security objectives.

There are at least five broad implications and suggestions that can be drawn from this study regarding contemporary policy reform. For one, although public and even scholarly attention has focused on national security and immigration over the last decade (thereby suggesting a securitized immigration policy is a post-2001 development), a wide-range of national security objectives have factored into American immigration policy for more than 200 years; therefore, national security will likely continue to play a substantial role in U.S. immigration policy in the foreseeable future. Second, the immigration policy debate and response since September 11, 2001, has been arguably "stuck" on the perceived security dangers of terrorism and unauthorized immigrants, but leaders need to remain sensitive that immigration relates to other security areas as well, as revealed in the analytical framework within this paper. If history is any guide, officials will remain overly sensitive to present themes (terrorism and perceived dangers pertaining to unauthorized immigration) until a prominent new security issue arises (such as an epidemic, a military-related manpower issue, or a vital foreign policy consideration).

Third and related to this point, officials would be prudent to remain aware that an immigration policy decision made for a national security purpose in one realm may inadvertently affect another national security realm. For example, a policy devised to more ably screen immigrants for terrorist activity may end up alienating key allies if foreign leaders perceive their citizens to be mistreated. Fourth, American leaders need to remain cognizant that an immigration policy decision made for a purely domestic purpose may jeopardize U.S. national security. For example, a seemingly "benign" immigration policy designed solely to please an interest group within the United States may anger a foreign ally or expose America to a domestic security risk. It is therefore wise for officials to consider all of the security areas in the analytical framework within this paper prior to forming and implementing immigration policy, even if the policy does not appear to have a security dimension.

The fifth policy suggestion that can be drawn from this paper is to remain mindful that there are two broad ways to think of the security dimension of U.S. immigration policy: the national security and the human rights/security traditions of American immigration. The competitive international system has a tendency to "pressure" leaders into forming immigration policies in the national interest opposed to ones that maximize the safety of citizens and immigrants. This paper has revealed the national security objectives that American leaders have historically sought with immigration so that informed observers and the public can raise alarums when leaders devise policy for national purposes that jeopardize human security. It has also done to assist leaders who are perhaps strapped by domestic political constraints to potentially try to choose "Goldilocks" policy options that might produce outcomes favorable both to national and human security.[54] American leaders will face difficult decisions in coming years in regard to forming immigration policies that benefit U.S. national, as well as immigrant, security. This white paper has provided them with a basic conceptual and empirical guide to assist with this task.

[54] See fn 12 for an example.

Bibliography

Abbott, Edith, (ed.) 1926. *Historical Aspects* of the *Immigration Problem: Select Documents.* Chicago: The University of Chicago Press.

Abbott, Edith, (ed.) 1924. *Immigration: Select Documents and Case Records*. Chicago: The University of Chicago Press.

Agozino, Biko, (ed.) 2000. *Theoretical and Methodological Issues in Migration Research: Interdisciplinary, Intergenerational, and International Perspectives.* Aldershot, England: Ashgate, 2000.

Alden, Edward. 2008. *The Closing of the American Border: Terrorism, Immigration, and Security since 9/11*. New York: Harper.

Avrich, Paul. 1991. *Sacco and Vanzetti: The Anarchist Background.* Princeton, NJ: Princeton University Press.

Barry, John M. 2004. *The Great Influenza.* New York: Penguin Group.

Briggs, Jr., Vernon M. 2003. *Mass Immigration and the National Interest: Policy Directions for the New Century*, 3rd ed. Armonk, NY: M.E. Sharpe.

Caplan, Jane and John Torpey (eds.) 2001. *Documenting Individual Identity: The Development of State Practices in the Modern World.* Princeton, NJ: Princeton University Press.

Chin, Gabriel J. 1996. "The Civil Rights Revolution Comes to Immigration Law: A New Look at the Immigration and Nationality Act of 1965." *North Carolina Law Review* 75: 273-345.

Cornelius, Wayne A., Thomas J. Espenshade, and Idean Salehyan, (eds.) 2001. *The International Migration of the Highly-Skilled: Demand, Supply, and Development*

Consequences for Sending and Receiving Countries. La Jolla, CA: Center for Comparative Immigration Studies, University of California at San Diego.

Divine, Robert. 1957. *American Immigration Policy, 1924-1952.* New Haven, CT: Yale University Press.

Ellis, L. Ethan. 1968. *Republican Foreign Policy, 1921-1933.* New Brunswick, NJ: Rutgers University Press.

Ford, Worthington C. (ed.) 1904-37. *Journals of the Continental Congress, 1774-1789*. Washington, D.C.: Government Printing Office.

Gallman, Robert E. 1977. "Human Capital in the First 80 Years of the Republic: How Much Did America Owe the Rest of the World?" *The American Economic Review* 67: 27-31.

Graham Jr., Otis L. 2004. *Unguarded Gates: A History of America's Immigration Crisis.* Lanham, MD: Rowman & Littlefield Publishers, Inc.

Grieb, Kenneth J. 1977. *The Latin American Policy of Warren G. Harding.* Fort Worth, TX: The Texas Christian University Press.

Hatton, Timothy J. and Jeffrey G. Williamson. 1998. *The Age of Mass Migration: Causes and Economic Impact.* New York: Oxford University Press.

Hirschman, Charles and Elizabeth Mogford. 2009. "Immigration and the American Industrial Revolution from 1880 to 1920." *Social Science Research* 38: 897-920.

Higham, John. 2002 [1955]. *Strangers in the Land: Patterns of American Nativism, 1860-1925.* New Brunswick, NJ: Rutgers University Press.

Hollifield, James. 1992. *Immigrants, Markets, and States, The Political Economy of Postwar Europe.* Cambridge, MA: Harvard University Press.

Hutchinson, E.P. 1981. *Legislative History of American Immigration Policy, 1798-1965.* Philadelphia, PA: University of Pennsylvania Press.

Jordan, Amos A., William J. Taylor, Jr., Michael J. Meese, and Suzanne C. Nielsen. 2009 [1981]. *American National Security*, 6th ed. Baltimore, MD: The Johns Hopkins University Press.

Kennan, George. 1993. *Around the Cragged Hill: A Personal and Political Philosophy.* New York: W.W. Norton.

Kennedy, Paul. 1993. *Preparing for the Twenty-First Century.* New York: Vintage.

Lemay, Michael C. 1987. *From Open Door To Dutch Door, An Analysis of U.S. Immigration Policy Since 1820.* New York: Praeger.

Lemay, Michael C. 2006. *Guarding the Gates: Immigration and National Security.* Westport, CT: Praeger Security International.

Lonn, Ella. 1940. *Foreigners in the Confederacy.* Chapel Hill, NC: The University of North Carolina Press.

Lonn, Ella. 1952. *Foreigners in the Union Army and Navy.* Baton Rouge, LA: Louisiana State University Press.

Mitchell, Christopher, (ed.) 1992. *Western Hemisphere Immigration and United States Foreign Policy*. University Park, PA: The Pennsylvania State University Press.

Michelle Mittelstadt, Burke Speaker, Doris Meissner, and Muzaffar Chishti, "Through the Prism of National Security: Major Immigration Policy and Program Changes in the Decade since 9/*11*," *Migration Policy Institute*, August 2011.

Neal, Larry and Paul Uselding. 1972. "Immigration, A Neglected Source of American Economic Growth: 1790 to 1912." *Oxford Economic Papers* 24: 68-88.

Neuman, Gerald L. 1993. "The Lost Century of American Immigration Law (1776-1875)." *Columbia Law Review* 93: 1833-1901.

Ngai, Mae M. 2004. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Princeton, NJ: Princeton University Press.

Rosenblum, Christopher. 2004. *The Transnational Politics of U.S. Immigration Policy.* La Jolla, CA: Center for Comparative Immigration Studies.

Rudolph, Christopher. 2006. *National Security and Immigration: Policy Development in the United States and Western Europe Since 1945.* Stanford, CA: Stanford University Press.

Rudolph, Christopher. 2003. "Globalization and Security: Migration and Evolving Conceptions of Security in Statecraft and Scholarship." *Security Studies* 13: 1-32.

Russell, Sharon Stanton and Myron Weiner, (eds.) 2001. *Demography and National Security.* New York: Berghahn Books.

Skrentny, John D. 2002. *The Minority Rights Revolution.* Cambridge, MA: Belknap Press of Harvard University Press.

Teitelbaum, Michael S. and Myron Weiner. 2001. *Political Demography, Demographic Engineering.* New York: Berghahn Books.

Thomas, Brinley. 1973. *Migration and Economic Growth: A Study of Great Britain and the Atlantic Economy.* London: Cambridge University Press.

Tichenor, Daniel. 2002. *Dividing Lines: The Politics of Immigration Control in America.* Princeton, NJ: Princeton University Press.

Top, Franklin H., (ed.) 1952. *The History of American Epidemiology.* St. Louis, MO: Mosby.

Torpey, John. 2000. *The Invention of the Passport: Surveillance, Citizenship, and the State.* Cambridge, UK: Cambridge University Press.

Totten, Robbie. 2008. "National Security and U.S. Immigration Policy, 1776-1790." *The Journal of Interdisciplinary History* 39: 37-64.

Totten, Robbie. 2012. "Security and United States Immigration Policy," PhD diss. University of California, Los Angeles.

Totten, Robbie. 2012. "Contagious Disease, Epidemics, National Security, and U.S. Immigration: Historical Policy Responses," June 11, 2012, U.C. San Diego Center for Comparative Immigration Studies Working Paper #187, available at, http://ccis.ucsd.edu/2012/06/contagious-disease-epidemics-national-security-and-u-s-immigration-historical-policy-responses-working-paper-187/.

Totten Robbie. 2012. "Security, Two Diplomacies, and the Formation of the U.S. Constitution: Review, Interpretation, and New Directions for the Study of the Early American Period," *Diplomatic History* 36 (January 2012).

Tucker, Robert W., Charles B. Keely, and Linda Wrigley, (eds.) 1990. *Immigration and U.S. Foreign Policy*. Boulder, CO: Westview Press.

Uselding, Paul. 1971-1972. "Conjectural Estimates of Gross Human Inflows to the American Economy: 1790-1860." *Explorations in Economic History* 9: 49-61.

Weiner, Myron. 1995. *The Global Migration Crisis: Challenge to States and to Human Rights.* New York: HarperCollins.

Wolgin, P. E. 2011 "Beyond National Origins: The Development of Modern Immigration Policymaking, 1948–1968." PhD Diss., University of California, Berkeley.

Zolberg, Aristide R. 2006. *A Nation by Design: Immigration Policy in the Fashioning of America.* Cambridge, MA: Harvard University Press.