

The 1965 Immigration Act Its Intent, Its Consequences

BY LAWRENCE AUSTER

This is the central problem of immigration today: that the law...has not recognized that individuals have rights irrespective of their citizenship. It has not recognized that the relevant community is not merely the nation but all men of good will.

—Robert F. Kennedy, 1965

The outstanding trait of the men of our period may seem in retrospect to have been the facility with which they put forth untried conceits as “ideals.”

—Irving Babbitt, *Democracy and Leadership*, 1924

To understand the reality of immigration, we first need to know something about the existing immigration law and how it came into being. Such knowledge, more than any other factor, can help dispel the strange mental passivity that has gripped most Americans when they are confronted by this issue. Even when they begin to recognize the unprecedented scale of the ethnic changes taking place in our country, they take it for granted that those changes are inevitable. It is as though the “browning of America,” as news magazines and minority spokesmen have cheerfully dubbed it, were a kind of vast natural phenomenon, as far outside of human control as continental drift. There seems to be almost no awareness of the fact that this alteration of our society has been the result, not of an act of God, but of an act of Congress; not of some inviolable provision in the Constitution, but of a law passed in 1965. An examination of the 1965 Act, and of the profound misconceptions expressed by its framers, will show us that they never intended the sea change in American life that has occurred as the direct result of that Act. This under-

standing is essential if we are to disenthral ourselves from the disabling belief in the “inevitability” of present demographic trends.

Those trends are not inevitable, since the Congress has the power to reduce or stop immigration whenever it chooses to. But the problem goes deeper than the legal capacity to act. As I will show in the next chapter, the ethnic transformation brought about by the 1965 Act has given birth to new social and political forces in this country that make meaningful immigration reductions extraordinarily difficult, perhaps impossible, to achieve. Once a door has been freely opened to an invasion, it may not so freely be shut again.

BACKGROUND OF THE 1965 ACT

On October 3, 1965, in a ceremony at the foot of the Statue of Liberty, President Lyndon Johnson signed into law one of the most far-reaching legislative enactments in our nation’s history, the Immigration Act of 1965. The Act eliminated the restrictive national origins quota that had governed immigration policy since the 1920s and extended to the people of every country on earth the equal right to immigrate to the United States.

First passed as a temporary act in 1921 and then in permanent form in 1924, the national origins quota had drastically reduced the great tide of immigration that had been arriving in America since the late nineteenth century, the majority of it from southern and eastern Europe. This vast population of what were then called the “new immigrants,” being so different from the earlier, Northern European American population in culture and appearance, and often in political belief, had aroused profound, and entirely rational, fears of a changed America. The quota was explicitly designed to

Lawrence Auster (January 26, 1949–March 29, 2013) was an author and daily blogger. He was the author of *The Path to National Suicide: An Essay on Immigration and Multiculturalism* (AICF, 1990). His *View from the Right* blog contains a wide range of political and cultural commentary. Auster is primarily remembered for his writings on multiculturalism and immigration. This revised and updated chapter from the aforementioned book is from an unpublished manuscript that the author was revising at the time of his death.

preserve America's existing ethnic composition by limiting each nationality's share of immigration visas to that nationality's existing proportion of the U.S. population.

As later renewed under the McCarran-Walter Act of 1952, the quota limited annual entries from countries outside the Western Hemisphere to 158,000, with 70 percent of the slots earmarked for Britain, Ireland, and Germany. Asian countries were limited to a token of 100 immigrants per year, although thousands more had been admitted as refugees after World War II. By the mid-1960s, when Congress was banning discriminatory practices against U.S. citizens on the basis of color, race, and national origin, there was a growing consensus that it was unacceptable to go on excluding foreigners from U.S. citizenship on the same basis. The Immigration Act of 1965 can be best understood as a civil rights bill applied to the world at large.



Lawrence Auster

A similar bill proposed by President Kennedy had stalled in the previous Congress, but now Lyndon Johnson was firmly in control. The chairman of the Senate subcommittee that held hearings on the bill, as well as its floor manager, was Senator Edward Kennedy; appearing as a witness before the subcommittee was Senator Robert F. Kennedy, who as Attorney General had been the Kennedy Administration's point man on immigration reform. There was little opposition to the bill except among Southern Democrats and scattered conservative groups that had no influence on national opinion. As we shall see, the lack of an effective opposition resulted in a lack of serious debate. Buoyed by a cloud of rhetoric

about equal rights, individual worth, and family reunification, the bill's sponsors seemed to give little thought to the bill's actual provisions and likely results, while warnings by opponents about long-term effects were ignored amidst the general euphoria.

In his opening remarks, subcommittee chairman Edward Kennedy dismissed the critics:

What the bill will not do: First, our cities will not be flooded with a million immigrants annually. Under the proposed bill, the present level of immigration remains substantially the same.... Secondly, the ethnic mix of this country will not be upset.... Contrary to the charges in some quarters, S. 500 will not inundate America with immigrants from any one country or area, or the most populated and economically deprived nations of Africa and Asia....

In the final analysis, the ethnic pattern of immigration under the proposed measure is not expected to change as sharply as the critics seem to think.

Kennedy did not merely say the critics were mistaken; he went on to smear them as bigots—thereby establishing a pattern that the immigration debate has followed ever since. “The charges I have mentioned,” he said, “are highly emotional, irrational, and with little foundation in fact. They are out of line with the obligations of responsible citizenship. They breed hate of our heritage.”¹

Sen. Kennedy thus defended the immigration reform bill on the ground that it would *not* do the things that its “emotional, irrational, hate-breeding” opponents said it would. Who was right? A perusal of the subcommittee transcripts today—a third of a century after Kennedy spoke those confident words—uncovers an appalling pattern of self-deception, of repeated, reassuring claims grossly contradicted by the bill itself and by subsequent immigration history. In the following discussion, we will need to touch on the sometimes devilish complexities of immigration law. I ask the reader's careful attention. It is only by taking in these details, including numbers, that we can grasp the full scope of the 1965 lawmakers' misconceptions and misrepresentations.

THE ACCIDENTAL REVOLUTION

Mostly it was a matter of numbers. The purpose of the bill, Attorney General Nicholas Katzenbach told the subcommittee, was *to eliminate the national origins quota system, not to increase immigration*. The overall quota would be raised only slightly, from 158,000 to 166,000, and the maximum for any one country would be ten percent of that total, or 16,600.²

Here we need to clarify a distinction that senators and witnesses habitually, and perhaps consciously,

ignored. In addition to the limited, quota immigration, there was unlimited, *non-quota* immigration, which included immediate relatives (spouses, children, parents) of recent immigrants as well as, prior to 1965, immigrants from the entire Western Hemisphere.^{1*} The numbers used by the bill's sponsors referred only to that portion of immigration that comes under the quota, and did not include the numerically unrestricted, non-quota immigration, which may be (and indeed turned out to be) a far higher number. By glossing over this distinction and failing to mention the non-quota immigrants, the senators made current and projected immigration figures appear far smaller than they really were.

For example, at one point Sen. Sam Ervin (D-NC) asked Sen. Hugh Scott: "[D]o you not think there is a certain limit to the capacity of the U.S. to assimilate immigrants into our industrial and into our cultural patterns?" Scott answered: "I think, sir, that this bill has that consideration in mind." The bill, he said, would only add 8,000 immigrants per year.³ What Scott did not say is that the 8,000 figure was only the increase in the quota for *non-Western Hemisphere* (i.e. European and Asian) immigrants, which was being increased from 158,000 to 166,000.

Since that quota, mainly from Northern Europe, had not been filled for several years prior to 1965, and since the new quota under the new bill was expected to be 100 percent filled, the expected increase of quota immigrants was substantially higher than the 8,000-person increase of the quota itself. Estimates of this expected increase varied slightly. Robert Kennedy declared that "the net increase in immigration attributable to this bill would be at most 50,000 a year."⁴ Edward Kennedy mentioned a figure of 62,000; Philip Hart of Michigan said 66,000. Hart to Katzenbach: "[T]he notion was created that 190 million [the 1965 U.S. population] is going to be swallowed up. *None of us would want that, the bill does not seek to do it and bill could not do it.*" Katzenbach agreed.⁵ Thus the bill's supporters affirmed that they did not want or expect their bill to result in a huge increase in immigration or in a fundamental change in the growth rate and ethnic make-up of the U.S. population. But that is exactly what happened, because they disregarded the vast increase in non-quota, numerically unrestricted immigration that could and actually did occur under the 1965 law.

This problem was clarified by an opposition witness, Myra C. Hacker of the New Jersey Coalition of

Patriotic Societies. Mrs. Hacker pointed out that the bill would not only increase the number of immigrants under the quota by taking places away from countries that were not using their quota and giving them to others, but that further increases in non-quota immigration would lead to an actual increase of 125,000 over the then-current total of 275,000, making a total of 400,000. "However," she added, "the bill offers such broad discretionary powers to the Attorney General that the overall yearly number could well rise to a half million or more.... *At the very least, the hidden mathematics of the bill should be made clear to the public.*"⁶

Her warning went unheeded. The bill's backers continued using the misleadingly low figures. During both the hearings and the floor debates, they did not speak of the actual increase of hundreds of thousands, but of increases of "8,000" or "60,000." It was on the basis of these numbers that the bill was approved. But within a few years of the bill's passage, Myra Hacker's prediction of a "half million or more" immigrants per year already came true, and by the early 1990s it had doubled again.

REVERSING THE PREFERENCES

Another kind of hidden mathematics concerned the types of persons admitted under preference categories that were designed to place a priority on family reunification and individual worth. Once again we must place the rhetoric against the reality. Attorney General Katzenbach stated: "The United States would declare to those who seek admission... 'We don't care about the place or circumstances of your birth—what we care about is what you can contribute.'"⁷ The same sentiment was voiced literally dozens of times during the hearings and floor debates. Surely no belief could come closer to the heart of liberalism—as it was once understood—than this recognition of a person's individuality as distinct from the group he happens to belong to. But the fact is that the 1965 law actually made it harder for people of recognized worth (in the form of valuable skills) to gain entry compared to another category of persons, the relatives of recent immigrants. Prior to 1965, the first 50 percent within the quota for each country was earmarked for persons with specialized skills "urgently needed in the U.S.," the next 30 percent for parents and unmarried adult children of U.S. citizens, and the last 20 percent for spouses or unmarried children of permanent U.S. residents. *The 1965 law reversed this priority and favored relatives over skilled individuals.* First priority would now go to unmarried adult children of citizens, second priority to spouses of resident aliens, and third priority to exceptional and talented immigrants, with additional categories for more distant relatives and people with "needed" skills.

To get an idea of how this emphasis on relatives

1* Apart from minor revisions to update figures, improve style, and reply to later criticism, this chapter is identical to the first chapter of my 1990 booklet *The Path to National Suicide*, the arguments and language of which were paralleled by Peter Brimelow in chapters 4 and 5 of his important 1995 book *Alien Nation*.

worked out in practice, let's look at the figures for two years in the 1980s, a period when annual legal immigration had already topped half a million. In 1985, out of a total of 570,000 legally admitted immigrants (270,000 under the quota and 300,000 non-quota), only 54,000 were admitted because of their skills, while 420,000 (73 percent of the total) were relatives. Of the 270,000 quota immigrants, 80 percent were relatives. In 1986 less than four percent of the 601,708 legal immigrants were granted entry on the basis of occupational skills, while kinship entrants amounted to 443,700, or 74 percent of the total. Thus relatives came to dominate both the quota and non-quota rolls, making it very hard for unrelated individuals to be admitted.

Nor have subsequent reforms that have supposedly been intended to increase the percentage of immigrants with skills made much overall difference. As Scott McConnell wrote:

What no legislator voting on the 1965 act envisioned was how quickly family reunification would produce chain immigration. Imagine one immigrant, say an engineering student, who was studying in the U.S. during the 1960s. If he found a job after graduation, he could then bring over his wife [as the spouse of a resident alien], and six years later, after being naturalized, his brothers and sisters [as siblings of a citizen]. They, in turn, could bring their wives, husbands, and children. Within a dozen years, one immigrant entering as a skilled worker could easily generate 25 visas for in-laws, nieces, and nephews.⁸

This result—virtually unlimited admittance of hundreds of thousands of relatives every year—was even more remarkable when we consider the scope of the actual problem that the family preference categories were supposedly meant to solve: the separation of U.S. citizens and residents from their families. Critics of the bill made the point that there was a total of *only five or six thousand outstanding cases* of family separation; the number of Asian spouses of American citizens who were not able to get into the U.S. was only 507. Sam Ervin suggested that this limited number of cases could be handled by special measures short of changing the whole law: “[W]e could cure any such injustice without changing the status of all the countries of the earth.” This reasonable suggestion was ignored. Instead, family preference categories were so favored that they not only dominated the immigration rolls, but continued to expand year after year, with no legal ceiling.

Beyond the obvious inequity, in a law advertised for its fairness, of favoring relatives to the virtual exclusion of all other applicants, the rhetoric of worth as applied to our immigration law is deceptive on a deeper

level. “Individual worth,” *understood as the value that an immigrant is adding to the U.S.*, has little or nothing to do with a person’s qualifications for citizenship. People apply, and if they have the right relatives, or if they fit in the quota and have applied early enough, and if they have no diseases or other disqualifying factors, they are admitted. And even that minimal criterion no longer applies. We now admit immigrants with serious and costly diseases, including AIDS, that once would have caused a person to be automatically barred from the U.S. We also—since 1990—admit tens of thousands of immigrants each year on the basis of a lottery. Where is “worth” in all this? “Worth,” in the Madisonian sense of an immigrant’s contribution “to the wealth and strength of the United States,” is simply beside the point in our immigration policy, or is at best left to chance, since there is no *positive* value for our country being sought in our choice of immigrants (except for the tiny number admitted with “urgently needed skills”), but only the avoidance of a *negative* value, i.e., discrimination. We prove our moral worth to ourselves and the world by demonstrating compassion and eschewing any trace of national or racial discrimination. *That* is our immigration policy, and the idea of what is good for the people of the United States plays a very small part in it.^{2*}

A VOICE IN THE WILDERNESS

But did the 1965 Act put an end to discrimination? Sen. Sam Ervin of North Carolina, co-chairman of the immigration subcommittee, thought not. In sharp distinction from his colleagues, who seemed ready to launch America into the unknown on the basis of idealistic dreams and falsified numbers, Ervin practiced the Confucian standard of leadership; he used words that corresponded with facts.

Ervin argued that the bill did not eliminate discrimination, as its sponsors claimed, but only exchanged some types of discrimination for others. No matter how you arrange things, he said, you are still going to be discriminating against someone. For example, even under the new law the U.S. would still be discriminating against the hundreds of millions of people who wanted to come but couldn’t. Further, he said, “Instead of taking those we talk about when we get oratorical, the tired and the poor and the despised, we take the brilliant.” Of course this turned out not to be the case, since the law gave higher priority to relatives than to skilled persons. So Ervin should have said: “Instead of taking the tired

2* Prior to 1965, there was no quota limitation on Western Hemisphere countries, since immigration from the Americas was still relatively low. Non-quota immigration from the Western Hemisphere in 1964 was 150,000, a far higher number than was coming in under the incompletely filled quota for the Eastern Hemisphere at that time. Following the 1965 Act, a new worldwide quota of 270,000 was established.

and the poor, we take those with the right family connections.” In any case, all kinds of unexpected forms of discrimination have developed under the 1965 law, yet even a token reform of these practices has become almost impossible because of overwhelming political pressure from the groups which are benefiting the most—as was made clear by the sorry fate of Congressional immigration reform efforts in recent years.

Specifically, Ervin contended that the bill did not eliminate national and racial discrimination from our immigration law, but only instituted a new form of discrimination against our traditional immigrant groups from Europe. In effect, we were replacing a sensible—though arguably too restrictive—type of discrimination favoring our historic source nations and skilled persons, by a senseless type of discrimination favoring extended families from Third-World countries. Ervin defended the idea of positive discrimination in favor of certain groups, namely the European peoples who had built America and created its civilization. Ervin’s underlying assumption—an assumption taken for granted by most Americans throughout our history, but cast aside by 1960s liberalism—was that our nation has the right to determine its own destiny, including its ethnic and cultural destiny, and therefore it has the right to select among prospective immigrants on that basis.

Ervin: That racial and national origin discrimination, I think, is a very important thing for us to pursue.... The fact that the McCarran-Walter Act gives a preference...to those ethnic groups I have mentioned [northern Europeans], is the objection to it, isn’t it?

Secretary of State Rusk: Yes; as opposed to the others all over the world.

Ervin: Mr. Secretary...do you know of any people in the world that have contributed more to making America than those particular groups?... In other words, you take the English-speaking people, they gave us our language, they gave us our common law, they gave us a large part of our political philosophy.... The reason I say this bill is discriminatory against those people is because it puts them on exactly the same plane as the people of Ethiopia are put, where the people of Ethiopia have the same right to come to the United States under this bill as the people from England, the people of France, the people of Germany, the people of Holland, and I don’t think...I don’t know of any contributions that Ethiopia has made to the making of America.

The point I am making is, we discriminate every day in every phase of life, we make

discriminations in law, we make them in our personal actions, we discriminate in our opinions...we discriminate by the girls we marry, choose one and object to the choice of another, or they object to us.

The only possible charge of discrimination in the McCarran-Walter Act is that it discriminates in favor of the people who made the greatest contribution to America, and this bill puts them on the same plane as everybody else on earth.

Finally:

Ervin: I do not think you could draft an immigration bill in which you do not discriminate. I think discrimination is ordinarily the exercise of intelligence to make conscious choices.... we always discriminate, only the basis of it is different, each of us think[s] our own way is wise and right.... I think there is a rational basis and a reasonable basis to give a preference to Holland over Afganistan, and I hope I am not entertaining a very iniquitous thought when I entertain that honest opinion.

NO INTENTION TO TRANSFORM U.S. CULTURALLY

It is clear that Sam Ervin’s intent was to preserve, or at least not depart precipitously from, the existing cultural and ethnic character of the United States. Before we dismiss Ervin as a Southern reactionary, we ought to realize that the liberal supporters of the 1965 Act professed much the same concerns. Senators and Administration officials repeatedly affirmed that they had no intention to transform the American people, but only to bring procedural equity to our immigration law. How modest their expectations were can be seen by an illustration that Robert Kennedy gave during his testimony. Suppose, said Kennedy, that all the immigrants under the new law were Italians. That figure, about 166,000, would be less than one tenth of one percent of the 1965 U.S. population. (Note once again the use of the small quota number, 166,000, as though it represented the total number of immigrants.) Italians, said Kennedy, comprised four percent of the population; by the year 2000 (in his hypothetical) they would comprise six percent. “Of course,” Kennedy went on to say, “*500 would make no such radical changes.... But the extreme case should set to rest any fears that this bill will change the ethnic, political, or economic make-up of the United States.*” Here we see legislative intent writ large in the words of the leading legislator. In Robert Kennedy’s mind, an increase in the size of a single European group from four percent to six percent of the U.S. population over a period of 35 years—a 50 percent increase—would be a

“radical” change, and he told the committee that *no such thing would happen*.

A similar divorce from reality can be seen in the lawmakers’ approach to Asian immigration. Starting in the late 19th century, Asians had been kept out of the U.S. by a series of Asian exclusion acts. The exclusion acts were replaced in 1943 by tiny quotas of about 100 persons per country. The McCarran-Walter Act of 1952 placed a ceiling of 2,000 on the entire Asia-Pacific area. Despite various exemptions such as refugee status, under which 119,677 immigrants had been admitted from China, Japan, and the Philippines between 1953 and 1963, Asians were still virtually barred from the U.S. In addition, Asians were excluded by race, rather than by country of origin; an ethnic Chinese residing in Latin America could not immigrate to the U.S. despite the lack of quota restrictions for the Western Hemisphere.

Secretary of State Dean Rusk told the subcommittee that the exclusion of Asians damaged America’s relations with Asia. The Asians, Rusk said, “were not complaining about numbers but about the principle [of total exclusion] which they considered discriminatory.” Rusk assured the committee that the bill would not result in mass immigration from that part of the world. In the first five years under the new law, he expected only 5,000 Japanese to enter the U.S.; of the 166,000 worldwide annual total immigration under the bill (once again, that misleading quota number), only 10 percent, or 16,000 immigrants, would come from the Asian-Pacific Triangle.

Robert Kennedy’s estimate was even more conservative: he said that 5,000 Asian immigrants might come the first year (mainly family reunification cases), “after which immigration from that source would virtually disappear.” These low estimates made it easy for the Senators to conclude that Asian immigration under the bill would not, in the words of Sen. Hiram Fong of Hawaii, “change the whole cultural pattern of the U.S.” Fong told Labor Secretary Willard Wirtz, who was testifying before the committee, that under the bill the Asian population would never surpass *one percent* of the U.S. population. “I just want to make this point because the argument that the cultural pattern of the U.S. will change needs to be answered. Our cultural pattern will never be changed as far as America is concerned.”

Secretary Wirtz said, “Right.” Then he added, “It will become more cosmopolitan.” Senator Fong rejoined, “*It will become more cosmopolitan but still there is that fundamental adherence to European culture.*” To this, Secretary Wirtz agreed.^{3*}

3* Canada and Australia, like the U.S., admit immigrants without regard to national origin, but, unlike the U.S., demonstrate some reasonable regard for their national interest by favoring applicants on the basis of skills, education, investment capital, and knowledge of English. It would seem that America, in placing compassion and

It was on the basis of these calming assurances—that the number of Asian immigrants would be too small to change America’s cultural pattern or remove its “fundamental adherence” to its European roots—that the Immigration Act was passed. But what have been the actual results? In 1965 Dean Rusk said there would be 16,000 Asian immigrants per year; by the mid-1980s there were about 250,000 Asian immigrants per year—one million Asians every four years. In 1960 the American population of 190 million included 900,000 persons of Asian descent, less than one half of one percent of the whole. By 1980, there were 3.3 million Asians, or 1.5 percent of the whole, an increase of over 200 percent in 20 years. Hiram Fong had said that the Asian population would never be more than one percent of the total; yet within only 15 years, that prediction had already been exceeded. By 2000 the Asian population had reached 10.6 million, over triple the 1980 Asian population of 3.3 million and almost triple the 1980 Asian percentage of the population (an increase from 1.5 percent of the population in 1980 to 3.9 percent in 2000⁹); this adds up to a 700 percent increase in 35 years (i.e., from 1/2 percent of the U.S. population to four percent), an amazing figure in light of RFK’s pronouncement that a mere 50 percent increase in the size of *one European group* over 35 years would be “radical.”

The concentration of Asians in a handful of states as well as their exceptional success in higher education and the professions have already made them a far more visible component in society than the current national figures would indicate. Asians made up eight percent of California’s 1988 high school graduating class, yet because of a combination of academic achievement and racial quotas they filled 26 percent of Berkeley’s 1988 freshman class; whites comprised 62 percent of the same state-wide high school class but only 39 percent of Berkeley’s freshman class. In New York City between 1980 and 2000 the Asian/Pacific population increased from 239,338 to 792,447, more than tripling in a mere 20 years.¹⁰ Instead of the handful of family reunification cases foreseen by the 1965 legislators, we are witnessing the rapid Asianization of America’s key universities and cities—the centers of the nation’s intellectual and cultural life.

A further irony is that with respect to the Secretary of State’s desire to remove discrimination against Asians, these huge numbers of Asian immigrants were entirely unnecessary. Rusk said it was not numbers that mattered to the Asians, but eliminating the *principle* of racial exclusion, and he felt his projected figure of 16,000 Asian immigrants per year would fulfil that purpose. Yet, within twenty years of the Act’s passage, the U.S. was admitting about *fifteen times* that number. Let

equality above all other values, is incapable of even this modest degree of prudence.

us suppose that Dean Rusk had told the 1965 Congress that in order to improve our relations with the emerging peoples of Asia, the U.S. had to admit, in perpetuity, 250,000 Asian immigrants per year. Whether Congress would have approved such a bill is a question I leave to the reader's imagination.

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Since the above account of the 1965 Act was first published in my 1990 booklet *The Path to National Suicide*, my description of it as the “accidental” revolution has been challenged. In a book-length law review article, law professor Gabriel Chin argues that the 1965 legislators fully expected and desired a large increase in nonwhite immigration and the resulting transformation in America's racial make-up. He concludes that since the immigration law was not passed under false or mistaken pretences, it is wrong to suggest that the law is illegitimate.

To back up his thesis, Chin contacted several former congressmen and asked them about their intentions back in 1965. Their responses, made in telephone interviews and letters, are most revealing—but not in the way Chin would have us believe. Former President Gerald Ford, who had been the House Minority Leader in 1965, told Chin: “As I recall, it was anticipated that the 1965 Amendments would substantially increase the number of Asian immigrants.... I favored that result.” Former Judiciary Committee member Robert Kastenmeier expected that “many more Asians would be coming to the United States.” Immigration Subcommittee member Don Edwards recalled that he knew “there would be more” Asian immigrants.

Far from discrediting the view that the revolutionary increase of Asians and other non-European immigrants was unintended, the quotations Chin has collected from the 1965 legislators support it. Their expectation of “substantially” more Asian immigrants or “many” more Asian immigrants (especially given the fact that they were speaking of “substantially more” than the then current number of Asian immigrants, which was almost zero), can hardly be taken to mean, as Chin would have us believe, that the legislators consciously intended to admit hundreds of thousands of Asians per year and a million nonwhites overall, thus placing America on the path to becoming a white-minority country in less than a century. Chin himself admits as much when he writes that “Jack Brooks, Charles Mathias, and Arch Moore, all members of the Immigration Subcommittee, also anticipated increased Asian immigration, *although not at the level that actually occurred.*”¹¹ [Italics added.] In other words, the legislators expected a certain increase in Asian immigration, not the racial reconstruction of America.

An additional flaw in Chin's argument is suggested by the circumstance that the former congressmen made these comments to him in the mid-1990s, thirty years after the passage of the Act. If the former legislators' remarks in 1996 about an expected “substantial” increase in Asian and other nonwhite immigration accurately reflect what they were thinking in 1965, then why were these expectations and intentions not publicly stated at the time? If the supporters of the Act were, as Chin argues, not deceived, then they were deceivers. Either way the Act was passed under false pretences. Adam Walinsky, an influential liberal aide to Attorney General Robert Kennedy who worked on the original draft of the bill, inadvertently admitted as much when he told Chin in 1995: “[Y]ou'd have to be a real dope not to know that the number [of Asians] would go up.”¹² Well, in that case, Robert Kennedy was either a dope or a liar when he denied that there would be any substantial increase.

In his strongest bid against my “accidental revolution” theory, Chin claims to have found a few participants of the 1965 hearings who predicted that there would be, not just some undefined “substantial” increase in Asian immigration, but a revolutionary increase that would result, said one of these witnesses, in a Chinese-American population of 114 million (!) within 40 years of the Act's passage. What Chin fails to tell his readers is that these prophets of racial transformation to whom he is referring, far from being the Administration officials and congressmen who *supported* the Act, *were the outspoken opponents of the Act, including Myra Hacker, whose dire warnings were dismissed by the Congress and ignored by mainstream public opinion.*¹³

Chin's flimsy efforts to make it appear otherwise only strengthen the view that the 1965 Act was passed through a combination of thoughtlessness and deceit. Given the then-prevailing consensus that America was and should remain a European-stock nation with a European culture, it could have happened in no other way. Yet, even as reassuring predictions of continuing ethnic stability were used to secure the bill's passage, its “race blind”—but really anti-European—provisions pointed toward a new, multiracial America in which the old assumptions and allegiances of nationhood would be massively discredited, and in which former congressmen would conveniently recall—30 years after the fact—that “of course” they had expected and desired a vast increase in America's non-white population. An intention that had to be concealed in 1965 had become, by 1995, the national orthodoxy that no respectable person would question.

AMERICA'S DESTINY REVEALED

To grasp the true demographic impact of the post-1965 immigration, we need to look decades or even a

century into the future. The U.S. Census Bureau has projected the changes that will occur in the size and ethnic make-up of the U.S. population from 2000 all the way up to the year 2100, based on several possible rates of immigration and fertility.¹⁴ Assuming that total U.S. immigration will rise slightly from the present 1.24 million per year to 1.45 million in the year 2100, with total fertility rate increasing slightly to a rate of 2.18 in the year 2100,^{4*} the ethnic make-up of the United States for the years 2050 and 2100 will be as shown. In the material that follows, the reader will find, in a few columns of numbers, America's destiny revealed.

**ETHNIC MAKE-UP OF U.S. POPULATION
(2000 TO 2100 — "MIDDLE" SERIES)**

	2000	2050	2100
White non-Hispanic	71.4%	52.8%	40.3%
Black non-Hispanic	12.2	13.2	13.0
Hispanic	11.8	24.3	33.3
Asian and Other ^{1**}	4.6	9.7	13.3
Total U.S. population	275 million	404 million	571 million

Asians, having already increased from 4.5 million persons in 1980 to 10.6 million in 2000, will more than triple to 35.7 million in 2050, then double again to 71.2 million in 2100. The numbers for Hispanics are even more astounding. Having more than doubled from 15 million in 1980 to 32.4 million in 2000, the Hispanic U.S. population will explode to 98.2 million in 2050, then double again to 190 million in 2100. What this means is that one hundred years from now the number of Hispanics will equal *the entire American population as it existed in 1960*, a period at which Hispanics made up one percent of that population. Meanwhile, non-Hispanic whites will decline to just over half of the total U.S. population in 2050, and then continue downward to only 40 percent in 2100.

Notwithstanding the common belief that low white fertility is the cause, the drastic decline of whites' projected share of the population is not due to a failure to reproduce. The projections assume that whites will actually increase from 197 million in 2000 to 213 million in 2050, and then to 230 million in 2100. Rather, the whites will be overwhelmed by the staggering increase in the numbers of non-Europeans. Thus, while moderately *increasing* in absolute numbers, whites will shrink dramatically as a *proportion* of the population.

The above projections constitute the Census Bureau's Middle Series, which the Bureau considered

^{4*} Note that Fong and Wirtz did not define America in terms of a fundamental adherence to "democracy" and "freedom," but in terms of a fundamental adherence to European culture. In 1965, American leaders—in this case, a Chinese-American and a Jew—could still speak unabashedly of such particularities.

the most likely of three sets of projections. Yet the Middle Series is too conservative, since it assumes that immigration will hardly increase at all over the coming decades, even while the U.S. and world population will be expanding. By contrast, the Highest Series, which the Census Bureau considers too extreme to be realistic, assumes a steady *increase* of immigration over the coming century from 1.43 million to 3.6 million, as well as an increase in total fertility rates from 2.06 to 2.74. Before we dismiss the possibility of ever-higher U.S. immigration, we should note that it actually reflects the longtime views of immigration advocates, who have always argued that immigration should increase proportionally with the growth of the population. In any case, a result somewhere between the Middle and the Highest series is not at all impossible.

According to the Highest Series projections, the ethnic make-up of the American population for the years 2050 and 2100 will be as shown:

**GROUP PERCENTAGES OF U.S. POPULATION
(2000 TO 2100 — "HIGHEST" SERIES)**

	2000	2050	2100
White non-Hispanic	71.4%	46.7%	33.8%
Black	12.2	13.4	13.6
Hispanic	11.8	26.6	34.9
Asian and Other	4.6	13.3	17.6
Total U.S. population In millions	276 million	553 million	1.18 billion

By the year 2050, Hispanics will have increased to *147 million*, and Asians to *69 million*, while whites will have become an absolute minority in a non-European majority country. The total U.S. population will have doubled from the current 272 million to 535 million, a figure that implies horrendous overcrowding and deterioration in the quality of life, not to mention the loss of ordinary freedoms that will result from the necessity of managing such a large population. Looking further ahead to the year 2100, total U.S. population will be almost 1.2 billion—the current population of China. In this scenario, the United States will have 412 million Hispanics, more than the projected non-Hispanic white population of 400 million, as well as 200 million Asians.

Of course, the regional impact of immigration is not evenly distributed; two-thirds of all legal new arrivals currently reside in only five states: California, New York, Texas, Florida, and Illinois. This means that America's most powerful and culturally influential regions will have nonwhite majorities early in this new century; California passed that point in 2000. Making a modest assumption of one million new arrivals per year between 1980 and 2080, of whom 23 percent settle in California,

demographers Leon Bouvier and Cary B. Davis¹⁵ made projections that by the year 2080 the proportions of the four main groups in California will be as follows:

ETHNIC COMPOSITION OF CALIFORNIA (1980-2080)		
	1980	2080
White non-Hispanic	66.4%	28.8%
Black	7.7	4.9
Hispanic	19.2	41.4
Asian and Other	6.6	25.0

The total population of California, a state already choking in its own congestion, will have grown *from 24 million to 56 million*, an increase largely driven by immigration and the higher birthrates of the immigrant groups. New York State, receiving the second greatest number of immigrants, will change as follows:

ETHNIC COMPOSITION OF NEW YORK STATE (1980 TO 2080)		
	1980	2080
White non-Hispanic	74.4%	39.5%
Black	13.7	31.8
Hispanic	9.4	15.4
Asian and Other	2.4	13.3

Another way to understand how America will change, says Bouvier, is to look at immigrants and their descendants as a proportion of the population. In 1980, 27 percent of the U.S. population consisted of post-1880 immigrants and their descendants. Based on the conservative, one-million per year projections until 2080, 36.8 percent of the 2080 population will be post-1980 immigrants and their descendants. By the time the white population falls under 50 percent, the pre-1880 stock from northern Europe—the original racial and cultural base of the United States—will have become, not the disappearing *majority* lamented by so-called nativists, but the disappearing *minority*. Nor will this process of de-Europeanization magically come to an end when whites dip under the 50 percent mark, or when they fall under 40 percent, or under 33 percent. Assuming non-European immigration continues, whites will continue to become an ever smaller part of America. It is not at all inconceivable that in two centuries European Americans will be no larger a part of the American population than Afrikaners are of the South African population today.

In the following chapters [of Auster's proposed book], we will consider the effects that this demographic

revolution has had, is having, and will have on America's national culture—and on the people that created it.

Footnotes

In the population projections published in January 2000, the Census Bureau used a complex model that, in addition to calculating different fertility and immigration rates among the respective ethnic groups, factored in projected changes in the fertility and immigration rates over time. ■

Endnotes

1. Includes Pacific Islanders and American Indians and Eskimos. Senate Committee on the Judiciary, Subcommittee on Immigration, Hearings on Immigration Act of 1965, February 10, 1965, to March 11, 1965.
2. Ibid., p. 8.
3. Ibid., p. 136.
4. Ibid., p. 224.
5. Ibid., p. 29.
6. Ibid., pp. 681-83.
7. Ibid., p. 11.
8. Scott McConnell, "The New Battle over Immigration," *Fortune*, May 1988, p. 98.
9. U.S. Census Bureau, Population Projections Program, Projections of the Resident Population by Race, Hispanic Origin, and Nativity: Middle Series, 1999 and 2000.
10. "Snapshots of New York City: An Overview of Asian American Families," The Coalition for Asian American Children and Families, 2001.
11. 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*, November 1996, pp. 306-307.
12. Ibid., p. 309.
13. See *ibid.*, pp. 311-312. Chin attributes the prediction of "114 million" Chinese in 40 years to witness Rosalind Frame; his citation for that is *Hearings on S. 500*, p. 821.
14. Projected Migration by Race and Hispanic Origin 1999 to 2100; Projected Total Fertility Rates by Race and Hispanic Origin, 1999 to 2100; Projections of the Resident Population by Race, Hispanic Origin, and Nativity: Middle Series, 1999-2100; Projections of the Resident Population by Race, Hispanic Origin, and Nativity: Highest Series, 1999-2100, Population Projections Program, Population Division, U.S. Census Bureau, January 2000.
15. Leon F. Bouvier and Cary B. Davis, *Immigration and the Future Racial Composition of the United States*, Center for Immigration Research and Education, Alexandria, Virginia, 1982.