

IMMIGRATION REDUCTION: XENOPHOBIA AND RACISM? OR, COMMON SENSE AND PRAGMATISM IN A CROWDED NATION?

An NPG Forum Paper
by Kathleene Parker

Just ask media and other open-border advocates – although that says a lot about the bias (or agenda) of today’s media – according to them, we have always been a nation that welcomed all immigrants. When that was not the case, from their view, the only possible reasons were racism, sexism, xenophobia and, most particularly, the smug superiority of wealthy white males forging exclusionary policies.

They do not acknowledge the backlashes, the economic and other disruptions, the entire political movements spawned in direct reaction to “waves” of immigrants hitting shores unprepared for them, though apparently, open-border advocates believe immigration should be based solely on a “come one, come all” approach, never mind:

- We’re already the world’s 3rd most populated nation behind only China (which is losing population) and India.
- We stand alongside China and India as a “super-carbon nation,” based on high per-capita carbon emissions and large populations. So, how is high immigration “fighting climate change?”¹
- Our impoverished inner cities and resident poor are forgotten, as we instead run immigration as a social program for the world.
- Post-World War II, we numbered about 135 million. According to the U.N., we now approach 337 million², so the unanswered – or **unasked** – question is: Are we to become a China-like billion people and, if so, because Americans want it or because economic powers do?

Exactly how fast we are growing, since the expiration of Title 42 in May 2023, is lost to the

vagaries predominate along our southern border, as we seem more focused on expediting entries than in controlling, counting or limiting entries or, for that matter, limiting drugs (like fentanyl), guns (as we try to regulate them domestically), human trafficking (including children) or whatever else, recently to include two sick lion cubs in New Mexico.

Since Title 42 expired (during COVID, Title 42 limited entries) information is hard to come by or to trust. The same media that, days earlier, predicted surges of millions, now say crossings aren’t nearly as high as expected, though new phone apps given would-be border crossers allow them to go to pre-designated ports-of-entry, enter quasi-legally, thus blurring the numbers.

Yet, with Title 42 gone, entries, as they did before Title 42, again come under Title 8, meaning illegal border crossers can be charged with a felony. Yet, there is no indication the Biden Administration will do so.

Even language about immigration has changed. The term “illegal aliens” (as they are referred to in our laws) in the 1990s – in a seemingly concerted media effort – became “undocumented immigrants.” Then both legal and illegal border crossers were relabeled by media as simply “migrants.” That then evolved to “asylum seekers,” never mind that – for

those who bother to read our immigration laws – only the two percent who actually meet the definition of refugees in our laws, qualify to enter.³ The changes in nomenclature appear carefully crafted to blur distinctions between legal and illegal border crossers. Meanwhile, Joe and Suzie Public – who believe media – think that no matter how many million arrive, no matter what our laws might say, unless we're racists or xenophobes, we must welcome them.

Founder George Washington said, “My opinion with respect to immigration is, that except of useful mechanics and some particular description of men and professions, there is no use of encouragement.” Alexander Hamilton warned against “influxes of foreigners,” who “complicate and compound” public opinion. James Madison said, “... (the purpose) is to increase the wealth and strength of the community; and those who acquire the rights of citizenship without adding to the strength or wealth of the community are not the people we are in want of.”⁴

But rather than measure early immigration policies against often radical 21st century social values, perhaps we should acknowledge that the immigration requirements of the nation 250 years ago were vastly different than those of today.

The population of the 13 former colonies was a paltry 3.9 million (with slaves counted, Native Americans not) at the first census (conducted by the U.S. Marshal Service) in 1790. Today, we are at 337 million – up from 300 million, just 17 years ago – and will likely be 350 million by 2030.⁵ If that happens, it will represent a staggering increase (unacknowledged by media) **of nearly 50 million, though, more dramatically, we added 33 million (births and immigration) in just the 1990s, or over 80 million in 43 years.**

STATUE OF LIBERTY OR STATUE OF IMMIGRATION?

Let's start with the myth that the Statue of Liberty was built to welcome immigrants.

The Statue of Liberty – not the Statue of Immigration – was given to the people of the United States by the people of France as a symbol of friendship and to celebrate our having recently freed slaves. The plaque held by Lady Liberty has July 4, 1776, engraved upon it, while a broken chain at her feet symbolizes the breaking of the chains of slavery.

Lady Liberty was an officially certified

lighthouse, guiding ships into New York Harbor, for her first 17 years.⁶

With no mention of immigration, President Grover Cleveland dedicated the statue on October 8, 1886, saying, “...a stream of light shall pierce the darkness of ignorance and man's oppression until Liberty lights the world.”⁷

Emma Lazarus' poem, “Give me your tired, your poor, your huddled masses yearning to breathe free” was written in 1883, for reasons having nothing to do with the statue. Lazarus donated the poem to an auction to raise funds for the statue's foundation, but not until 1903 was a copy placed inside the statue's base as immigration advocates of the day re-imagined the statue, no longer a lighthouse, as something to welcome immigrants.⁸

INDEPENDENCE AND PRAGMATISM

We won the Revolutionary War at great cost in lives and in treasure. We had huge war debts and the urgent need to repair, maintain and build infrastructure. After their dissolution after the Revolutionary War, the U.S. Navy was re-established in 1794 (with only six frigates) and the U.S. Army in 1784, both on shoestring budgets. We were a nation with a lot on its plate – like survival – without worrying about the world's downtrodden, though a need for immigrants to help settle the “western frontier” (today's Midwest) was recognized.

Leaders had two overriding concerns: assimilation and self-sufficiency, partly to stop “transportation,” or European leaders' tendency to send us their debtors, hardened criminals and political troublemakers.⁹

As to assimilation, George Washington, Alexander Hamilton and James Madison warned, prophetically, against allowing too many of any ethnic group to enter. They feared conflicts, based on prejudices and grievances out of Europe.

As to self-sufficiency, the early nation focused on “naturalization” to define what applicants had to do to be worthy of citizenship, with – as politically incorrect as our times might consider it – that fundamentally meaning “white men of good character.” Women became citizens only if married and their husbands became or were citizens.

The Naturalization Act of 1790 required two years residency before citizenship – with the applicant required to pledge allegiance to the United

States – after which they received Constitutional protections, could vote, own property or serve on a jury. The Naturalization Act of 1795 raised residency requirements to five years, the Naturalization Act of 1798 extended them to 14 years. The Naturalization Act of 1802 restored them to five years.¹⁰

THE “FIRST WAVE” OF IMMIGRATION

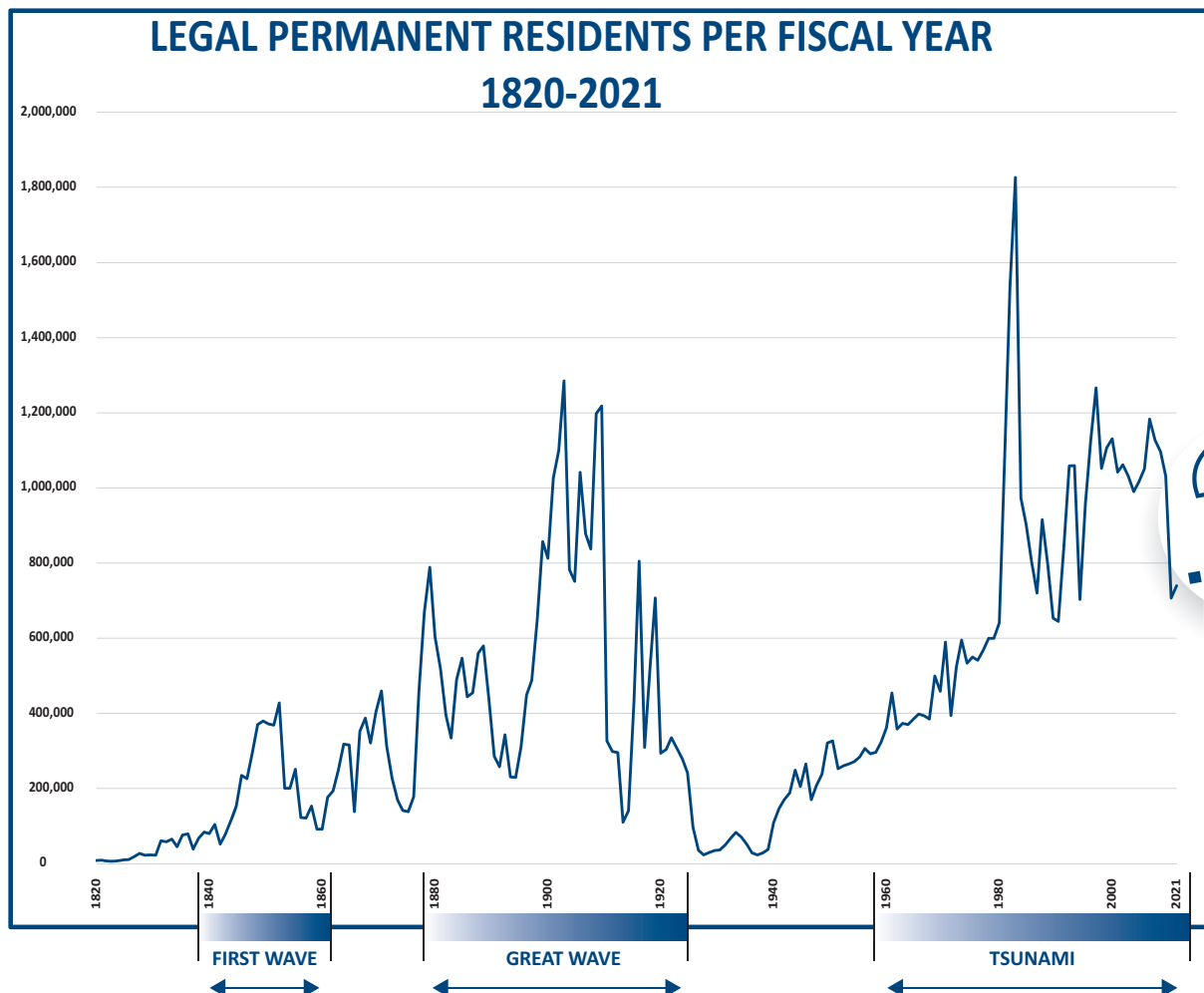
Modern-day graphs reflecting immigration from 1783 to roughly the present, show that during our first 60 years there was little immigration. (See graph.) By 1840 (50 years after the first census), the population was **17 million**, mostly from natural increase (births).

But the troubled 1840s – in Ireland, famine and tyranny under the British; in Germany, political unrest, fear of conscription and hunger – brought the “first wave” of immigration. Over 37,000 starving, sick Irish, for example, arrived into a Boston of a mere 100,000 residents. These waves – two million Irish and one million Germans (miniscule numbers by today’s standards) – triggered backlashes.

In Ireland, when potatoes – effectively, most peoples’ entire diet – rotted in the ground from a blight, so many Irish starved that the dead were simply shoved into trenches. Typhus, dysentery, tuberculosis, and cholera added to the horror. At one point, an armada of 5,000 ships – many were former slave ships, all were dirty, dangerous and so crowded that each adult had only an 18-inches-wide sleeping space on a filthy floor – sailed for America carrying 85,000 Irish. By journey’s end, over 20,000 had died.

The Irish arrived to find Boston, New York City and other port cities unprepared – and unwelcoming – of their numbers, their abject poverty and the highly contagious diseases they might carry.¹¹ (Between 1832 and 1866 three waves of cholera swept the U.S., killing thousands, particularly in New York City.)¹²

It is easy to label the resulting anti-immigration feelings as “xenophobia,” but when men are struggling to feed their families, without added job competition from immigrants, or people fear another deadly cholera outbreak, is that “xenophobia” or pragmatism and common sense?



The resulting immigrant-flooded labor pool created a field day for cheap-labor profiteers. More, unlike Protestant Scots and Irish before the revolution, these were, heaven forbid, Irish Catholics, thousands of them pouring into a nation that was, due to its origins out of largely Protestant England, strongly anti-Catholic – exactly the kind of European political baggage the founders had feared.

This quickly spawned the anti-immigration American, or Know Nothing Party, with roots in fraternal societies that embraced “Temperance, Liberty and Protestantism.” The party grew like wildfire, at its apex, claiming eight state governors, 100 members of Congress and multiple city mayors. However, the party fizzled rapidly as immigrants left crowded ports for distant frontiers, as a national recession ended, as cities grew more able to cope, as immigrants – such as the Irish Catholics of Boston – grew wealthy and as improving conditions slowed European immigration. Also, new regulations, requiring safer conditions on ships, increased transport costs, making passage unaffordable to many.¹³

THE GREAT WAVE OF IMMIGRATION

Gold was discovered at Sutter’s Mill in California in 1848, with two huge strikes in the Colorado Territory in the 1860s, driving the urgent need to link the nation with railroads. The Transcontinental Railroad was completed in a post-Civil War America in 1869, though two more transcontinental lines – one across the northern U.S., one across the southern tier – were also seen as urgently needed, as were lines linking the northern tier with the southern tier in multiple places.

Once unimaginable, a nation from “sea to shining sea” was happening, even as in the East, the U.S. was becoming an industrial giant. And, as Voltaire said, “The rich will always require a plentiful supply of the poor.”

Suddenly there was the need for millions of workers to build thousands of miles of railroads and roadways; thousands of miles of power lines, with “electrification;” and thousands of miles of water and sewer lines, as modern engineering, water systems

and sanitation promised to end typhus and cholera epidemics. More hundreds of thousands were needed to produce goods in factories, with labor needs so great that the U.S. government convinced China to lift a ban on emigration so that Chinese could come to America.¹⁴

Thus began the second, or Great Wave of Immigration, bringing – though lesser numbers than now – over 20 million to U.S. shores in 40 years.¹⁵ In just 1880, an astounding 800,000 immigrants arrived into a nation of only **55 million**. That flood decreased during the recession-plagued 1890s, though entries still hovered around 500,000 a year. But in the 1900s and 1910s, immigration surged to more than a million annually into a nation of **92 million**, the product of high immigration, a high birth rate and a falling death rate, thanks to improved sanitation and the advent of vaccines, such as for smallpox.

But we must understand what the “need” for labor meant. It meant numbers sufficient to ensure that if labor demanded better pay or safer working conditions, or if labor’s demands threatened profit margins, or if labor simply became too irksome, trainloads of immigrants could be rushed in. Existing workers would be fired, and new ones hired and strikes broken, thereby keeping labor cheap, compliant and non-irksome. Upton Sinclair’s *The Jungle*, about Chicago slaughterhouses, eloquently defined immigrants’ eagerness for jobs no matter how horrible or dangerous. American Federation of Labor founder Samuel Gompers, himself originally an impoverished English immigrant, aligned labor firmly against all immigration. The politically correct of our times call him racist, but he knew labor could not advance during times of high immigration.¹⁶

Imagine the impact on cities, then of a few hundred thousand, as immigrant waves hit our shores. Imagine housing shortages – never mind rats, cockroaches, no heat or running water – so severe that anything would rent. Imagine friction between people speaking different languages and of different cultures. Imagine the realization that only the rich were profiting, such as the wealthy Colorado mine owner who bought the Hope Diamond.

But, in 1895, at the Atlanta Expedition, the

founder of the Tuskegee Institute and black activist Booker T. Washington begged business and industry, rather than hire immigrants from distant shores, to “cast down your bucket where you are” and hire freed slaves – pleas that fell on deaf ears, a form of racism continuing to this day.¹⁷

ENOUGH!

The 1891 Immigration Act established immigration-inspection stations, like Ellis Island, at major ports to manage immigrant arrivals and to watch for contagious diseases.¹⁸

By the early 1900s, Americans were fed up with cities rife with slums, tenements, and crime; tired of 1.3 million immigrants through just Ellis Island port in 1907. By 1910, three-quarters of New York City’s population were immigrants or first-generation immigrants.¹⁹ In 1907, Republican President Theodore Roosevelt – who had pioneered child-labor and labor-protection laws, in his words, “to control the excesses of business” – forged the Gentleman’s Agreement, to stop immigrants from Japan except for men from specific professions.²⁰

Today’s open-border advocates call that “racist,” as they ignore that there were also overriding economic and social factors, to the extent that state and city leaders, by the 1910s, were also demanding immigration reduction. That resulted in the Immigration Act of 1917, which established literacy requirements and banned all immigration from Asia, part of America’s desire to maintain a mostly European identity.²¹ Then, World War I ended, and servicemen returned – including immigrants who had fought to earn their citizenship – to find a recession raging, too few jobs and more thousands of immigrants streaming in.

That resulted in the Emergency Quota Act of 1921, as the name implied, enacted on an emergency basis. That act redefined immigration by establishing quotas. No more than three percent of the total of any given ethnic group living in the U.S. in 1910 could enter. It gave preference to those from Western and Northern Europe, over those from Southern and Eastern Europe, today labeled racist. Yet, there was no ban on those from Mexico, Cuba, Central and South America, Canada, Newfoundland, or professionals from any country.²²

Then came the Immigration Act of 1924 that reduced quotas to two percent and implemented a visa system that required immigrants, rather than to just arrive at our shores, to first go to a U.S. consulate or embassy in their native country for an entry visa.²³ The U.S. Border Patrol was later established to stop people from dodging the visa requirement by entering through Canada or Mexico, rather than through port cities.²⁴

The Great Wave quickly slowed to a manageable stream. Immigration was soon sufficiently low that it created labor shortages of a type that exploiters of labor hated. Immigration that was 800,000 in 1920, became 309,556 in 1922, though the (of course, depicted today as racist) Immigration Act of 1924 reduced that further, to 165,000 a year, a number that then settled in at between 200,000 and 250,000 a year. If immigration was at such rates today, it would not be fueling growth. (Though, during the Great Depression, there was almost no immigration.)

What was to follow, despite the Great Depression, was a time of the growing financial and political power of labor and of blacks and other minorities. Many a well-off white family (North and South) found themselves sans “domestics,” chauffeurs and gardeners, as labor shortages grew sufficiently that industry hired “even” minorities. That financial and, resulting, political empowerment helped spawn the civil-rights movement, even as it nurtured a growing and increasingly prosperous middle class. Labor shortages – versus immigration-fueled labor surfeits – forced (along with better laws) business and industry to pay better, provide benefits and safer working conditions. Though, to attenuate World War II labor shortages, the 1942 Bracero Act was passed to allow California’s “Big Ag” to hire workers from Mexico, unfortunately establishing labor-migration patterns that continued long after the act was repealed.²⁵

More, rather than just break strikes, business was forced to negotiate with labor unions, which undeniably grew overly powerful and corrupt, with affiliations to organized crime. Unions substantively extorted, rather than negotiated, contracts, as we became a nation used to strikes halting auto production, grounding airlines and leaving garbage uncollected.

TODAY'S GREAT TSUNAMI OF IMMIGRATION

I believe that the 1965 Immigration Act was the direct response of a dutiful Congress to American business tired of strikes, tired of paying high wages and – as the birthrate plummeted with the availability of contraceptives – fearing far greater labor shortages (and even greater labor power) to come.

Many of today's historical accounts claim the 1965 law as a response to the public demanding that the standards of the civil-rights movement be applied to immigration, but I recall no such thing.

I do recall a nation – in the wake Paul Ehrlich's *The Population Bomb* and Rachel Carson's *Silent Spring* – concerned about rapid population growth (then mostly from births) and about our nation's impacts on ours and the world's environment – that in an era when media, then owned by thousands of highly competitive news-gathering agencies, still reported fully and honestly about population. Yes, many of us wanted civil-rights progress, particularly against lingering poverty in Appalachia, on Native American reservations and in inner cities often wracked by riots, but we knew that if people aren't economically empowered, they aren't politically empowered.

But powerful forces – civil-rights groups and business interests – were demanding their version of “immigration reform,” with supporters swearing the 1965 act would not increase immigration. President Lyndon Johnson said, “(This bill) will not be a revolutionary bill. It does not affect the lives of millions.” Yet, that's exactly what it did, by:

- Removing quotas, a change from the nation's tradition of allowing more of those of Northern and Western European ancestry to enter.²⁶
- Emphasizing “family reunification,” as Legal Permanent Residents could petition to bring in immediate family, then, if naturalized, could petition to bring in their extended family, who could do likewise. “Chain migration” began.

With the 1965 law, LPRs increased from 297,000

in 1965 to a million annually post-2000, plus an amnesty for three million illegals under the 1986 Immigration Reform and Control Act, further increased LPRs, who could then petition for their families (and their extended families) to enter.²⁷ Also came “birth tourism,” whereby pregnant women knew to enter near their due date, because any child born on U.S. soil – even if his or her parents are here illegally – would become a citizen.²⁸

Because of things like the 1986 act and migration patterns established by the Bracero Act, exploding **illegal immigration** became the new hot-button issue, as immigration – legal and illegal – soon far exceeded a million a year, while immigration from 1990 to 2020 exceeded the Great Wave, including 14 million just between 2000 and 2010, versus the 20 million of the entire Great Wave. What immigration, most of it illegal, will be post-Title 42, only time (and the next census) will determine, but we're experiencing what I call the “Great Tsunami of Immigration.” That tsunami washes over a now highly populated nation, wracked by megadrought, wildfires, hurricanes and other natural disasters, a huge national debt, decaying infrastructure and exploding crime rates (often of open-borders origins). But there were warnings:

- In 1972, the Nixon-appointed bipartisan Commission on Population and the American Future, after a two-year study, determined, “...no substantial benefits will result from further growth of the Nation's population” and recommended, “the gradual stabilization of our population through voluntary means.” They warned against becoming 300 million people, saying that our quality-of-life would suffer as we became like “other” overpopulated countries. They urged passage of a national population policy to guide decisions affecting population (such as the 1965 Immigration Act). They advised that we cap legal immigration at 400,000 a year, stop illegal immigration and implement criminal penalties for hiring “aliens.” But theirs – in 1972 – was not a focus on immigration, but births, then the main growth-driver, something to quickly change with a falling

birth rate and mushrooming immigration.²⁹

- Sen. Gaylord Nelson (D.-Wisc.), also in 1972, founded Earth Day, not as some woo-woo celebration of Mother Earth, but to put focus on U.S. population, then at **206 million**, which he considered harmful to ours and the world's environments.³⁰
- In the 1990s, President Clinton's Council on Sustainable Development said that immigration should not be allowed to drive growth. Yet, the goofy idea of "sustainable growth" (an oxymoron) was embraced by the nation instead.³¹

In late 2006, we became the **300 million** people the Rockefeller Commission had warned against, a whooping increase of 100 million (births and immigration) just since 1969.

"ANY NATION WORTH ITS SALT..."

There was also the 1994 Clinton-appointed bipartisan Commission on Immigration Reform, chaired by iconic Congresswoman Barbara Jordan (D.-Texas). Jordan, a staunch liberal, nonetheless insisted, "Any nation worth its salt must control its borders." As a black, as one risen from poverty and as one long a civil-rights leader, she represented a particular impasse for those used to routinely silencing debate on immigration with shrill cries of "racist!"

By the 1990s, as illegal immigration dwarfed legal immigration, Jordan said, "Our patience is growing thin toward those attempting to overwhelm the will of the American people by acts that ignore, manipulate or circumvent our immigration laws." She also warned, prophetically, that we risked losing control of immigration. Calling deportation "crucial," Jordan said, "Credibility of any immigration policy can be summed up in one sentence: Those who should get in, get in; those who should be kept out, are kept out; and those who should not be here are required to leave." Chain migration should be cut by restricting entrants to nuclear families, and we needed stiff penalties for hiring illegals, she insisted.³²

Then, in 1991 – as black, teenage unemployment hovered at 80 percent – Coretta Scott King joined

eight CEOs of African-American organizations to oppose a bill by Sen. Orin Hatch (R.-Utah) to end employer sanctions for hiring illegal border crossers, legislation sought by the open-borders group, La Raza. Hatch's bill failed. Yet, media today ensure that we forget such immigration-reduction efforts by iconic blacks.³³ Meanwhile, late labor activist Cesar Chavez is labeled by media as an "immigrant-rights advocate," when in fact, he marched, in the 1990s, with Sen. Walter Mondale (D.-Minn.) and the Reverend Ralph Abernathy, demanding employers stop hiring cheap Mexican labor. Finally, fed up, Chavez sent his United Farm Workers to patrol the southern border to stop the illegal border crossers that Big Ag used to break strikes.³⁴

On a personal note, about the same time, I ran an ad in the newspaper in impoverished Espanola, New Mexico, seeking "someone with a truck to do a landscaping project." I received dozens of calls – apparently those unaware that illegals "only take jobs no one else wants" – and I asked one caller, "Richard," a native-born Hispanic, to come quote a job that would require several days. When he quoted a paltry \$50, flabbergasted, I asked why. He replied, "I need groceries for my family and can't risk this job going to an illegal." I hired him, paid him many times \$50, but to this day see that as an example, unreported by media, of the harm done when our borders aren't enforced.

Nor do media manage to report that:

- From 1972 to 2022, per-capita corporate profits rose **141 percent**.
- From 1972 to 2022, the average hourly wage for production workers rose only **one percent**.
- A shift from wage-earners to corporations representing **the greatest transfer of wealth in U.S. history!**³⁵

While that, at first glance, might seem wrong or improbable, consider that before the immigration surge of the 1990s, many low-end workers were earning wages of \$25 to \$35 an hour for dirty, sometimes dangerous work like meatpacking, roofing and landscaping. Few of us noticed as legal, resident

workers were quietly laid off and replaced by minimum wage or (if hired “off the books”) below-minimum-wage illegal border crossers, who, incidentally, were also not eligible for compensation if they were injured or killed on the job.

In 1942, Congress passed the Fairness Doctrine, in response to seeing what fascists had done to media in Europe. The Fairness Doctrine required broadcasters to remain politically neutral (the antithesis of today), that they report without bias and never “blackout” or censor news stories (now common) and that they “use the public airways to serve the public good.” That law was revoked in 1987, and with the passage of the 1996 Telecommunications Act, just six corporations (Big 6 Media) – Sony, Comcast, National Amusements, News Corp, Time-Warner, Disney – now control almost all forms of media, just as they now control the national conversation, particularly on immigration, as well, with (contrary to what you might think) little real difference between Fox and CNN.³⁶

The Big 6 use numbers deceptively. For example, they depicted the .6 percent growth rate between 2010 to 2020 as “low.” Consider, the 3.9 million population in 1790. If growth then was .6 percent, the increase would be roughly 23,000 a year. But apply .6 to 331 million in 2020 and that equals an increase of roughly 1,980,000 a year (Or, every two years, the equivalent of another Los Angeles!³⁷), an example of how large populations produce huge increases at, by appearances, tiny percentage rates. (The actual 10-year increase was 21,991,176, because growth, some years, was nearly one percent. One percent represents a population-doubling time of 70 years (in a nation then of over 331 million, representing a huge increase in net numbers), while a low-sounding three-percent rate (what the American West has often experienced post-1965) will double the population in 24 years.)

CONCLUSION:

Three times our nation has experienced immigration at rates sufficient to cause problems. The “first wave” resolved itself. The second, the Great Wave, resolved due to an informed American people demanding reform and President Harding and

Congress compliant with their wishes. But now, as we confront the third time, or the Great Tsunami, no one has moved to reregulate a media obviously run amok. Therefore, media are free to propagandize and deceive us, meaning there is no “informed American people” to demand reform, no Congress (or president) compliant with our wishes.

More, as the Third Wave continues and grows, we have become a nation where, rather than reasoned, informed, **respectful** discussion on immigration, “dissenting” views are silenced with invectives and shouts of “racism.” We are, thanks largely to media, a nation where only one conversation – the one championing open borders – is allowed, something that’s supposed to happen only in dictatorships.

And also thanks to media no longer required to “serve the public good” with honest, unbiased reporting, we are a nation so greatly misinformed, and therefore, divided, that there is no progress on any issue, much less the hot-button issue of immigration. But perhaps we can derive some hope from polls showing that increasing numbers of communities are realizing and speaking out against the negative impacts of the “Great Tsunami of Immigration.”

Yet, immigration is so out of control – as Barbara Jordan warned might happen – combined with our already high population, that as media depict “low growth rates,” those rates nonetheless represent astronomical population increases, with the harm to resident poor, the environment and the nation in general growing greater – more out-of-control – by the day.

Perhaps our immigration tsunami is just as dangerous and harmful in its own way as any ocean tsunami sweeping across distant shores.

AUTHOR’S NOTE:

I have mostly not discussed specifics about recent border policies, but I urge everyone to read, “The Biden Administration Blueprint for a Fair, Orderly and Humane Immigration System,”³⁸ or border policies put in place to do that which Barack Obama refused to do, saying it would exceed his Constitutional authority.³⁹

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