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Draft Bill to Prevent the Disturbance by Undue Immigration of the Scale of Wages and of the Social and Economic Conditions of the Population of the United States and to Prevent the Evasion of the Immigration, Naturalization, and Sanitary Laws and Regulations, 1910

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A Bill to prevent the disturbance by undue immigration of the scale of wages and of the social and economic conditions of the population of the United States and to prevent the evasion of the Immigration, Naturalization, and Sanitary Laws and Regulations.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That no alien who is dependent for his support upon his own manual labor shall be admitted to the United States until he has so supported himself in his own country for at least one year and at a wage, paid him only in compensation for such manual labor and under bona fide arrangement, within thirty per centum of the average scale of wages prevailing in the United States for similar labor for one year prior to the time of his emigration and unless he be an alien who is by law otherwise admissible into the United States.

Sec. 2. That the immigration tax collected from alien passengers under the Act of March third, nineteen hundred and three, to regulate the immigration of aliens, shall be ten dollars instead of two dollars, as provided in said Act.

Sec. 3. That emigrants to the United States admissible under Section one of this Act shall be provided

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with certificates of such admissibility written on distinctive, durable paper, dated the day of issue, signed and sealed by a regularly designated official at a consular office of the United States in the emigrant's country, describing the person to whom granted in such detail as to appearance, physical condition and peculiarities as to make his identification as the rightful holder thereof both easy and certain and fully setting forth the facts called for by Section one hereof. The certificate shall be counter-signed by a consular officer at the port or point of departure, and above such counter-signature shall be stated the proposed date and route of departure and of arrival in the United States.

Sec. 4. That on the arrival of an immigrant as provided for herein, the above described certificate shall be produced as a condition of his admission, and upon such admission shall be stamped and counter-signed by the proper official at the port or place of arrival in the United States, and shall then be returned to the immigrant; and thereafter this certificate, which shall be produced on demand of the proper officials, shall be the only evidence of the legality of the immigrant's entry into the United States.

Sec. 5. That aliens who enter in contravention of Section one of this Act, or of other Immigration or Sanitary Laws or Regulations of the United States, shall be deported, and steamship or other transportation lines which bring to the United States alien persons not admissible under Section one hereof, shall be liable to a fine of one hundred dollars for every person so transported and shall be compelled, at any time within three years, to return such persons so transported to the places from which such companies have brought them.

Sec. 6. That to make possible the detection of such persons, the question of whose admissibility is determined by Section one, who enter the United States in contravention of this Act, or of other Immigration or Sanitary Laws or Regulations of the United States, all aliens engaged in manual labor who were lawfully within the United States at the date of the passage of this Act shall within one year of that date apply to the proper officials for certificates, and failure of such a one so to apply for such certificate shall be a misdemeanor and shall render him liable to a fine of not to exceed twenty-five dollars and thereupon, after reasonable opportunity so to apply for the certificate he shall be again liable to the same fine and

so on until such application has been made. These certificates will be designed to afford an easy and certain means of identification; and will be of the same character as the certificates described in Section three hereof insofar as their object is the same, and will be the sole and indispensable evidence of the legality of the presence in the United States of alien persons engaged in manual labor, Provided, however, That upon legal proof of the loss or destruction of either of the certificates mentioned in this Act another may be issued.

Sec. 7. That aliens lawfully within the United States and not engaged in manual labor and who shall at any time one year after the passage of this Act intend to engage in manual labor as the means of their support, shall apply to the proper officials for the certificates indicated in the preceding Section.

Sec. 8. That any alien laborer within the United States who fails upon demand to produce to the proper authorities the certificate of identification required by this Act shall be presumed to be within the United States in violation of law and shall be liable to deportation unless he can prove affirmatively that he is legally within the United States; and if after a judicial trial before the proper

proper United States Court, he is adjudged to be within the United States in contravention of law or regulation, he shall be liable to a fine of not less than twenty-five dollars nor more than one hundred dollars, or to imprisonment for not less than one month nor more than six month, or both.

Sec. 9. That all aliens including those not otherwise provided for in this Act shall be registered upon entry into the United States and to those not otherwise provided for in this Act shall be issued certificates of their entry, setting forth the particulars similar to those of the other certificates herein described. These certificates shall be taken up upon departure from the United States.

Sec. 10. That all aliens not otherwise provided for in this Act who are already resident in the United States at the date of the passage hereof shall within one year thereafter register and shall receive certificates of residence corresponding to those described in Section six hereof. The penalty for failure to apply for such certificates shall be the same as provided in Section six hereof.

Sec. 11. That the Secretary of Commerce and Labor is authorized to appoint the requisite number of officials to be attached to the consular offices in foreign countries

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and to be stationed in the United States for the purposes of enforcing the provisions hereof, and appropriation is hereby made from any monies remaining unexpended in the Treasury to defray the necessary expenses, the total sum not to exceed two hundred thousand dollars per annum.

Sec. 12. That the President is authorized from time to time to fix the percentage mentioned in Section one in order that the effect of this Act may remain in accord with its intention and its effect upon going into operation.

Sec. 13. That the provisions hereof may by Executive Order be made applicable to the Hawaiian Islands or to any of the insular possessions of the United States whenever the President shall deem such application necessary in view of the industrial, social, and economic conditions in such territories. No alien laborer resident in the Territory of Hawaii or in the insular possessions of the United States, nor any laborer, not an American citizen, who is under the protection of the United States, shall be admitted to the United States unless he shall have established his admissibility under Section one hereof. The President is authorized, in case of the application of this Act to the Hawaiian Islands or to any of the insular possessions of the United States, to fix the percentage mentioned in Section one

hereof

hereof so as to meet the purposes of the application of the Act to such territories.

Sec. 14. ^{That} The wives, parents, and minor children of persons admissible under Section one are admissible.

Sec. 15. That for the issuance of certificates provided for in this Act there shall be collected a fee of one dollar for each certificate. Each alien person engaged in manual labor shall have a separate certificate, provided that the wife and minor children not so engaged shall be included in the certificate of the father or head of the family.

Sec. 16. That the Secretary of Commerce and Labor is authorized to make all regulations necessary to the enforcement of this Act.

Sec. 17. That this Act shall take effect ninety days after the passage hereof.