“PROMISED REFUGE”

On February 2, 1917, the first of more than 2,700 civilians accompanying the return of the United States’ Punitive Expedition crossed the U.S.-Mexico border and arrived in Columbus, New Mexico. The troops of the Punitive Expedition had entered Mexico in March 1916 with the goal of defeating Francisco “Pancho” Villa and putting a stop to his raids along the border. Unable to capture or kill Villa, during the course of its operations in Mexico the Expedition had gained a substantial following of civilians who sought to enter the United States with the army. Among those who had become attached to the expedition were a group of 524 Chinese laborers and merchants who had sold goods to American troops, and worked for the army as servants and cooks.1 Fearing reprisals against their lives and property as a consequence of having worked with the Punitive Expedition, the Columbus refugees—as they would come to be called by the media and American officials—sought safety in the United States. Because the majority of the individuals who comprised the Columbus refugees were barred from entering the United States by the Chinese Exclusion Acts, their situation provoked a contentious and protracted debate as to whether they deserved asylum and, if so, what form asylum would take.2
The Columbus refugees’ arrival in the United States occurred amid an extensive policy discussion on how to uphold legal restrictions against Chinese immigration in the face of an influx of displaced Chinese migrants fleeing persecution and violence in Mexico. During the Mexican Revolution, which lasted from roughly 1910 to 1920, immigration stations in Arizona, California, New Mexico, and Texas played frequent, albeit temporary, host to Chinese residents of Mexico seeking refuge from violence across the border. Immigration officials, following orders from the State Department in Washington, adopted a policy in which Chinese residents of Mexico threatened by immediate violence were allowed temporary asylum in immigration detention centers. Kept under guard in order to ensure that they did not attempt to escape into the interior of the United States, American officials provided accommodation to Chinese residents of Mexico only as long as they deemed conditions across the border unsafe. Since the passage of the first Chinese Exclusion Act in 1882, Chinese immigrants had regularly entered the United States from Mexico, taking advantage of the government’s inability to control and police the vast and largely remote border region. Concerned that the Chinese would seize any available opportunity to circumvent exclusion laws, officials promoted policies that they argued were necessary in preventing Chinese asylum seekers and immigrants posing as asylum seekers from taking advantage of temporary refuge and maneuvering to stay in the United States permanently.

From the second half of the nineteenth century to the end of World War II, the U.S. immigration laws focused almost exclusively on legislating and establishing territorial sovereignty, a process that was fundamental to the creation of the modern nation-state. Immigration policy, and racial arguments about which immigrant groups represented desirable or undesirable additions to the nation, were consciously isolated from universal and global concerns such as guaranteeing the safety of dispossessed and at-risk populations. Following World War I, the term “refugee” became a common means of distinguishing involuntary migrants and stateless populations from immigrants, yet this understanding did not win refugees any special concessions when it came to entering the United States—except in rare and anomalous instances like the one discussed in this article.

Although scholars have acknowledged the humanitarian consequences of U.S. inaction regarding refugees in the interwar period, and the racial origins of this policy, the earlier denial of Chinese refugees from Mexico during the 1910s has gone largely unnoticed. The denial of permanent
asylum to the overwhelming majority of Chinese migrants fleeing Mexico for the United States during the Mexican Revolution reveals that the Chinese, as the first immigrants subject to restrictions, also preceded European immigrants in being barred from entering as refugees. Chinese refugees attempting to leave Mexico often found themselves to be virtually stateless. Lacking protection from the Mexican government (and at times actively targeted by it), Chinese refugees relied on the distant and weak Chinese government to cover the costs of their temporary asylum in the United States, which it frequently struggled to fulfill. Destabilized by Western imperialism and internal fighting stemming from the creation of the Republic of China in 1911, the Chinese government could do very little on behalf of its overseas population.

Had the Columbus refugees not earned the personal advocacy of General John J. Pershing, the commander of the Punitive Expedition, and the officers under him, it is unlikely that they would have been granted their unique status. "A little thing, merely the honor of the Punitive Expedition and of the United States," commented Major John W. Parker, the army officer who oversaw Camp Furlong in Columbus, where the Chinese refugees were first detained, "requires that protection be given to these faithful camp followers." One of the nicknames that newspapers and magazines assigned to the refugees, "Pershing's Chinese," and the sense of personal obligation and ownership that this language invokes, reveals just how linked the refugees were to the famous military commander. Immigration officials had to contend with the fact that Pershing had explicitly promised the refugees asylum, even though this decision did not fall under his authority. Anthony Caminetti, the commissioner general of immigration in Washington, complained to Louis Post, the assistant secretary in the Department of Labor, that, "If it were not for the fact that these Chinese were promised refuge by General Pershing, the Bureau would be disposed to take the position absolutely that these [sic] is no obligation upon the United States Government to pay the expense of taking care of the nationals of another government that have obliged to seek refuge in this country in order to avoid danger in a contiguous country." Frustrated immigration officials observed that Pershing had caused the refugees to be "imbued with the idea that some way was to be found whereby they would be admitted to the United States."

In June 1917, four months after the Columbus refugees' arrival in the United States, and only after all of the options for removing them from the country had seemingly been exhausted, the Department of War, the Department of Labor, and representatives of the Chinese government were able to
broker an agreement allowing the Columbus refugees to remain in the country as workers under the exclusive employment of the U.S. military. Officials from the Department of War claimed that the Columbus refugees’ labor could be put to good use, and, removed from the private labor market, that they would not be competing with Americans for jobs.

This arrangement lasted until 1919, when the Columbus refugees became the subject of a renewed debate regarding their status with the war’s end and the military no longer able to provide them with sufficient employment. Based on the body of work that the Columbus refugees had performed as servants, waiters, and cooks for the U.S. army during World War I, their supporters in the military mounted a campaign to convince Congress that they should be allowed to remain in the country. In November 1921, Congress passed Public Resolution 29, which granted the Columbus refugees permanent residency in the United States, under the conditions laid out for Chinese resident aliens by the Exclusion Acts.11

Before Congress, the contributions of the Columbus refugees were framed in the positive light of wartime patriotism and not in the harsh glare of racial competition between native whites and “coolie” Chinese. Officers who had supervised the Columbus refugees effusively praised their dedication, loyalty, and service. Lost in all of this, as the conclusion to this article addresses, was the fate of Chinese refugees in Mexico who had not been granted asylum as a result of the enforcement of the Chinese Exclusion Acts, and the implications of upholding rigid immigration laws when confronted with a humanitarian crisis.

**Chinese Exclusion and the Crisis on the Border**

On March 9, 1916, Villa, commanding a force of 485 men, attacked Columbus, New Mexico, a small border city in the desert located about eighty miles west of El Paso. In the process of searching the town for weapons and valuables, Villa’s men set fire to buildings and homes and engaged in a lengthy battle with American forces.14 Although Villa’s troops suffered the bulk of human loss as they were pursued by the 13th Cavalry stationed in the area, Villa and his men killed eighteen American soldiers and civilians during the raid on Columbus. Following the raid, President Woodrow Wilson ordered Brigadier General Pershing to lead a ten-thousand-men “Punitive Expedition” into Mexico to track Villa down and capture or kill him.

Since the start of the Mexican Revolution, Mexico’s Chinese population, which numbered at least thirty thousand in 1910, had endured as the target of
sporadic violence. Mexico’s Chinese population was concentrated mainly in the northern, frontier states of Sonora, Chihuahua, and Coahuila, areas that also provided significant resistance to the continued rule of the autocratic Mexican President, Porfirio Díaz, during the early period of the Revolution. Unlike in the United States, where antipathy against the Chinese reflected the popular belief that it was impossible for white laborers to compete with “coolie” Chinese workers, who could survive inhumane working conditions, in Mexico, anti-Chinese sentiments, while racial as well, focused on Chinese merchants and the widely held opinion that they played an exploitative role in the economy. In the Mexican city of Torreón, Coahuila, which was captured by Maderista troops opposed to Díaz in May 1911, victorious rebel troops killed 303 Chinese residents and caused property damage in excess of one million dollars.

Although violence on the scale of Torreón was not repeated, general persecution of the Chinese in northern Mexico continued, especially in the form of individual robberies and assaults. In the fall of 1916, with American troops establishing bases and camps to support the Punitive Expedition, Villa, who at that point was at war with the Constitutionalist troops loyal to Venustiano Carranza, issued a declaration calling for the expulsion of all foreign property owners—specifically singling out Americans and the Chinese. After Carranza became president in 1917, while his government ostensibly ordered police to protect foreign citizens, this was rarely enforced on a local level, especially when the foreigners were Chinese.

With the Punitive Expedition’s entry into Mexico, “it became increasingly evident that the Mexican people, as well as the government, had no love for their northern neighbors.” Not only did the U.S. army fail to receive support from hostile local populations, it ended up battling Mexican regular troops as well as rebels. Angered that President Wilson had failed to seek permission to enter Mexico with the U.S. army, government troops engaged the Punitive Expedition and defeated a unit of Pershing’s troops at a skirmish in Carrizal on June 21. Although Pershing’s troops were able to wound Villa in one battle, he eluded capture. On January 18, 1917, with American involvement in World War I imminent, President Wilson became fearful of a full-blown conflict with Mexico and ordered General Pershing to withdraw his troops from Mexico. During its march north to the border, the Punitive Expedition gained additional civilian “camp followers.” The refugee caravan that entered the United States with the Punitive Expedition included 2,030 Mexicans, 197 Americans (consisting almost entirely of Mormon colonists), and 524 Chinese men.
The more than two thousand Mexican refugees who entered the United States with the Punitive Expedition in February 1917 were detained only briefly in Camp Furlong, where they were subjected to medical tests and then released to find agricultural work and housing among the region’s large Mexican American community. Throughout the 1910s, Mexicans caught up in the violence of the Revolution entered the United States as both temporary and permanent immigrants. Mexican immigrants and Mexican Americans had long been part of the racialized economy of the Southwest, and had historically performed low-paying jobs in the region. As a transnational workforce, unlike Chinese immigrants, they were seen as beyond the “purview” of immigration officials.

The 524 Chinese refugees in Camp Furlong were detained under guard, so that they would not try to flee to the United States while government officials determined how to handle this new situation. By 1917, immigration officials were fully committed to restricting Chinese immigration, and a key component in their approach was ensuring that no “loopholes” emerged that would allow Chinese to enter. As Erika Lee has documented, as the United States’ first “illegal” immigrants, “the mere presence of Chinese along the border was enough to raise suspicions among government officials.” Chinese immigrants attempting to enter the United States adopted a variety of different strategies, ranging from surreptitious border crossings to legal challenges against the convoluted and vague laws that determined what classes of Chinese immigrants were excluded. Thousands of Chinese immigrants had entered illegally between 1880 and 1920, and despite increases in surveillance and enforcement along the U.S.-Mexico border, the remote and expansive region proved difficult to police.

At the outset of conflict in Mexico, when it rapidly became apparent that Chinese residents of Mexico would be targeted by both rebel armies and sporadic mob violence, and that the Mexican government would be either indifferent or powerless to protect the Chinese community there. American immigration officials came up with a range of ad hoc policies in order to respond to the situation. Lacking legislative guidelines that made special provisions for refugees, officials sought to devise solutions that upheld the existing immigration laws. As the Mexican revolution and the refugee crisis along the border persisted, the Department of Labor adopted a more formal policy on how to proceed with Chinese refugees, albeit one that it developed internally and without specific legislation.

On May 13, 1911, C. L. Keep, the chief immigration inspector in San Diego, noted to the supervising inspector of the Mexican Border District,
F. W. Berkshire, in El Paso, that in anticipation of rebel forces capturing Tijuana, thirteen Chinese residents of the city had appealed for permission to enter the United States as refugees. Keep had instructed his officers “to receive them provided they would furnish and pay for their own guards, [and] provide their own food and pay for their quarters while so guarded.” He assured Berkshire that his officers would photograph the refugees and record their physical descriptions, to facilitate their capture if they tried to escape.

Ten months later, on March 19, 1912, with fighting in Ciudad Juárez, immediately across from El Paso, immigration officials reported that sixty-eight Chinese residents of the city were being held as refugees from the war in the immigration detention station on the American side of the border.

Even as government officials took steps to allow Chinese refugees temporary asylum in immigration detention centers, they made sure that the United States would not have to incur the costs of this humanitarian gesture. In cases where refugees could not pay for their own detention, the Department of Labor worked out an arrangement with the Department of State where it provided the State Department invoices covering the costs of guarding, feeding, and housing Chinese refugees from Mexico. These invoices were then passed on to the Chinese diplomatic legation in Washington for reimbursement.

Although they agreed to accommodate Chinese refugees on a temporary basis and at the expense of the Chinese government, immigration officials harbored concerns that their system of temporary asylum would be abused. William Jennings Bryan, who served as secretary of state until 1915, requested that Kai Fu Shah, the Chinese minister in Washington, acknowledge that the Chinese government understood that asylum was only a temporary offering, and that “the law relating to the admission of Chinese into the United States may be so relaxed as to allow all Chinese refugees from that country to enter the United States on parole on condition that they return to Mexico when conditions become normal.” Bryan’s wish to document in writing the nature of asylum was intended to formalize what had previously been between China and the United States only an implicit understanding.

Despite the Columbus refugees’ eventual admission into the United States, prior to the return of the Punitive Expedition, immigration officials attempted to convince Pershing to dissuade Chinese members of the party from following the troops all the way to the border. In January 1917, as the Punitive Expedition prepared to depart Mexico, Berkshire wrote to Pershing—in a deferent tone befitting his less prestigious office—that “it would be greatly appreciated if you could discourage or prohibit, if proper to do so, all Chinese from following the expedition.” If this was not possible, Pershing
could at least “encourage all Chinese who plan to come to the border to proceed through Mexico to the border at Juarez [sic],” where the service had better facilities, more available officers, and a detention center in place. According to Berkshire, such precautions were called for because immigration officials had received intelligence from agency spies in Mexico stating that the Chinese refugees accompanying the troops had planned on using the occasion of the Punitive Expedition’s return to enter the United States illegally.31

Pershing, in his response to Berkshire, explained why he felt asylum was necessary. “It is a matter of fact that these Chinamen have accumulated considerable money since we have been here and I do not think it safe for them either to stay behind or to go to Juarez on the train,” he wrote. “Being ignorant coolies, most of them, they are as likely to be robbed by the Carrancistas as by the Villistas.” Despite his patronizing attitude, Pershing realized that Chinese residents of Mexico were menaced by the official government as well as the armed groups that opposed it. Pershing also felt bound by honor: “As I have promised them protection, I very much desire to carry out my word.”32 In 1917, Pershing did not advocate permanent asylum but felt that the refugees could be kept in the United States under military supervision until immediate threats had passed, and then sent back to Mexico—as had been the case with Chinese refugees detained in the past. By the time of their arrival in the United States, the plight of the Columbus refugees had already caught the attention of the national media, which made the situation more delicate for immigration officials, whose actions would now be discussed before the public.33

Following the entry of the Columbus refugees on February 2, 3, and 4, Post, the assistant secretary of labor, was given the difficult task of explaining to a number of different congressmen why immigration officials had violated the letter of the Exclusion laws, and what it planned to do with the refugees now that they were in the United States. For example, Jacob Meeker, a Republican member of the House of Representatives from St. Louis, Missouri, shared with William B. Wilson, the secretary of labor, a letter he had received from the Missouri Laundry Owners’ Association, which submitted “emphatic protest to this unlawful suspension of the Chinese Exclusion Law.” “If we are bound to play the magnanimous part as a nation,” the letter stated, “then we should see to it that these refugees are so segregated that the identity of each individual refugee is not lost or obscured, and that they can be deported from this country at some proper time in the future without a lot of vexatious litigation and expense to our Government.”34 The Boston-based counsel for the
Laundry Owners’ National Association and a representative of the California Laundry Owners organization made similar inquiries to Wilson as well.  

In response to the concern over the Columbus refugees, the Department of Labor declared that it would follow its standard procedure. As Post explained in a letter to Adolph Sabath, a Democratic congressman from Chicago, “You can be assured that such Chinese as are allowed to cross the international boundary as refugees will be kept under proper surveillance with a view to their immediate return to Mexico when conditions permit.” Internally, within the Department of Labor, Caminetti confirmed to Wilson that the Department of War had agreed to cover all expenses for the care of the refugees not paid by the Chinese legation.

On February 6, less than a week after the Punitive Expedition had arrived in Columbus, Berkshire attempted to send the entire group to Juárez. The refugees refused to go until the Chinese consul, T. K. Fong, who was on his way from San Francisco to El Paso, appraised the situation. On February 16, Caminetti developed a new plan and instructed Berkshire to propose to Fong that the refugees could be sent to Baja, since “Chinese business interests” were allegedly planning to bring two to three thousand immigrants from China there to employ as laborers already, and to have those same “interests” pay the $100 head tax that the Mexican government required at the time. This plan fell apart, however, when Governor Esteban Cantu raised the head tax for each migrant to $150.

In mid-March, Berkshire, acting at the behest of Fong, instructed immigration officials stationed in Nogales, Arizona, to determine whether Mexican authorities in the state of Sonora, across the border, would accept the Columbus refugees. The refugees were scheduled to depart from Columbus for Nogales on March 20, but in the days immediately beforehand inquiries made by Fong had caused the Sonora government to withdraw permission. As Berkshire explained angrily, despite initially agreeing to the Sonora plan, Fong had intentionally undermined it after coming to the conclusion that under no condition did he want the Columbus refugees to have to return to Mexico. “The situation in a nutshell,” Berkshire complained to Caminetti, “seems to be that the Consul General wishes this Government to unconditionally admit the Chinese laborers into the United States and he in turn does not desire in any manner to obligate himself or his Government as to their future conduct or disposition.” Although Berkshire acknowledged that, “If the Columbus refugees were the only Chinese to be considered it would perhaps not be very serious if they were admitted,” he felt that an exception in their case would create a dangerous precedent. “When consideration is had of
the fact that there are several thousand Chinese in Mexico,” Berkshire noted, who could claim similar duress. “It seems to the writer that in any circumstance it would inadvisable to relieve the officials of the Chinese government of responsibility.”

The Columbus refugees found themselves in a type of borderland limbo, unable to return to Mexico, and legally not allowed to stay in the United States. Immigration officials found themselves in uncharted territory with both the size of refugee group and the difficulties they encountered trying to return them to Mexico. Representatives of the Six Companies, a Chinese merchant and mutual aid organization based in San Francisco, raised charity funds and along with the Chinese legation were able to finance the return of a select number of the refugees to China. Approximately forty Chinese refugees were able to establish their credentials as merchants, allowing them to enter legally after they paid the required immigrant head tax. An additional number of refugees either decided to take their chances by returning to Mexico or were able to finance a return trip to China with their own money. This left 450 Chinese refugees in the Columbus camp. On April 21, Berkshire reported to Caminetti that the Chinese legation was spending $180 a day to take care of both the remaining Columbus refugees and six hundred Chinese refugees in Juárez, who had fled to the city from other parts of Mexico. Fong stated that the Chinese government only had funds to support the refugees on both sides of the border for an additional three to four weeks, and that additional funds from private Chinese interests were not forthcoming.

**Brokering a Resolution**

During the initial period in which the Columbus refugees were detained at Camp Furlong, American immigration officials acted in a manner consistent with the policies they had established at the outbreak of the Mexican Revolution. Yet the plight of the Columbus refugees—and the publicity that their situation generated—brought to the surface opposition to the stated intent of Chinese Exclusion as a policy. As the stalemate over what to do with the Columbus refugees dragged on, politicians and businessmen familiar with the situation offered their own solutions, which directly challenged Chinese Exclusion.

For example, in a letter to Newton Baker, the secretary of war, Albert Fall, a senator from New Mexico, mentioned that his wife had recently conversed with a military officer in Three Rivers, New Mexico, about whether she and her husband could pay a bond to use the labor of some ten to twenty-five
Chinese refugees on their ranch and farm. Fall had operated a ranch in Madera, Mexico, where he had used Chinese labor and praised their quality as agricultural workers. “It would be much better for them to be allowed their freedom within the State of New Mexico,” he argued, “where they could immediately be placed in the fields and gardens at work.” Fall offered his personal support of legislation that would enable such an arrangement. P.A. Simpson, a landowner in Luna County, proposed in a letter to Washington Lindsey, the governor of New Mexico, that rather than seeing the refugees kept idle and detained at Camp Furlong, he would welcome the opportunity to put Chinese labor to use on his farms. Simpson pointed out that this solution for the Columbus refugees dovetailed perfectly with President Wilson’s recent promise to farmers that military conscription would not leave them short of farm labor at harvest time. On April 2, Simpson sent the same proposal to Fong, and on March 28 to Parker, who was in charge of Camp Furlong.

Fall and Simpson’s proposals to put the Columbus refugees to work took place in the context of a more general challenge to Chinese exclusion that had arisen, especially among agricultural interests, in response to the labor shortage in the Southwest. The United States’ entry into World War I in April 1917 and the conscription that followed had left a dearth of available workers in the region. On May 1, 1917, the 1917 Immigration Act went into effect, which meant that for the first time Mexicans entering the United States had to pay a head tax of eight dollars, pass a literacy test, and meet other requirements. On May 22, however, by the order of the secretary of labor, William B. Wilson, the head tax, literacy test, and contract labor provision that were part of the Act were waived for Mexican immigrants. As Wilson explained to John Burnett, a Democratic congressman from Alabama, “This action taken may or may not result in the admission of many Mexicans, but it has already removed the feeling of uncertainty amongst the farmers on our Southwest Border, and has headed off the propaganda for the suspension of the Chinese Exclusion Law.” He added, “We have all the race problems in the United States that it is advisable for us to undertake to deal with at the present time, which in itself is sufficient reason for continuing the exclusion, without taking into consideration the economic problems involved.”

Wilson’s statements make clear that the U.S. government viewed Chinese exclusion as an intractable policy, and one that would not be altered to meet contingent needs. Even though the demand for Chinese labor in the Southwest coincided with the desire of Chinese refugees in Mexico to escape violence, neither humanitarian nor economic reasons were to persuade
American officials. In 1921, with the labor shortage abated, immigration officials in the United States reinstated the head tax and literacy test for Mexican immigrants. Although for many white Americans, Mexican workers did become an additional “race problem,” especially by the time of the Great Depression, the United States’ proximity to Mexico—and the relative ease of deportation—made Mexican immigrants and migrant laborers an easier “problem” to govern.50

As was the case with their initial entry into the United States, Pershing played a key role in brokering a resolution that satisfied all of the parties with a stake in the future of the Columbus refugees. Pershing suggested to Secretary of War Baker that the Quartermaster Department of the Army, based at Fort Sam Houston in San Antonio, arrange for the refugees to perform similar jobs to the ones that they had held with the Punitive Expedition, working primarily as cooks and servants. Accepting the opposition of immigration officials to the Columbus refugees working for private employers, the military agreed to contract their work exclusively. This arrangement won the approval of the Chinese legation, since it meant that the refugees would not have to return to Mexico. In a letter registering the Chinese government’s official sanction of this arrangement, Fong pledged Chinese officials’ support in tracking down any of the refugees should they attempt to violate their parole.51

On June 6, 1917, a private Southern Pacific Railroad train left Columbus for San Antonio with the Columbus refugees aboard. In order to ensure their safe arrival and fair treatment, the refugees were accompanied on the trip by Fong and Fung Ching, the representative for the Six Companies. Fong stayed in San Antonio for a week to monitor the conditions at the refugees’ new place of work.52

The arrival of the Columbus refugees in San Antonio generated public interest and curiosity, especially around the possibility—held by the city’s wealthier residents—that the refugees might be employed as domestic servants by civilian families. An article in the San Antonio Light reported that Commanding Brigadier General James Parker (unrelated to the Parker in charge of Camp Furlong) felt it necessary to communicate to area civilians that the Chinese were to be employed only by the military and that he was adamant that “not one of the Chinese will be permitted to take private service.”54 Clearly military officials did not want to engage in the business of placing Chinese servants into private situations, since this would have violated federal law and the specific promises made to officials in the Department of Labor. The Department of Labor closely monitored whether the
Columbus refugees were being employed in the private sector. In September 1917, for example, immigration officials in San Antonio expressed concern that the Columbus refugees were receiving pay from a private construction company, Smith and Webster, which had been contracted to build a cantonment at Fort Sam Houston and were employing the refugees as cooks for their work crews. William Tracy Page, the civilian adviser to the Columbus refugees and an acquaintance of Pershing’s from when they were both stationed in the Philippines, explained to immigration officials that, “had there been an element of doubt that they were in any way in competition with the labor of this country or were being employed in violation of the terms of their certificates they would not have been permitted to be so employed.” Nonetheless, “there was not time during the construction of the cantonment where all the labor required could be secured and the requisitioning of these Chinese for this work was, at the time, a Military necessity and their services proved invaluable to the Government.”55 Page pledged to get express permission from immigration officials in the future should a similar situation arise.

Questions about the true motives of the Columbus refugees also followed them to San Antonio. E. W. Smith, the inspector in charge of the bureau’s office in San Antonio, wrote to the office in El Paso on June 25 that Ng Gow, “a prosperous Chinaman of Austin” and the brother of a known smuggler, had attempted to visit the camp. Smith speculated that had immigration officials not let Ng know that he was under surveillance, he would have given “instructions to these refugees as to the best means and methods of getting away from the camp and making their gateway to the interior of the country.”56 Two days earlier, Smith reported, officials had caught four refugees allegedly attempting to stow away on freight cars of the Southern Pacific Railroad, which led Smith to implement a daily head count of the refugees to check for desertions.57 Smith also expressed concern that since Columbus refugees were allowed passes to visit downtown San Antonio, Chinese immigrants smuggled into the city might attempt to pass themselves off as refugees, and that it would be “impracticable to keep track of them when in the city, or to always stop them for inspection of their special certificates of identity when they are seen in considerable numbers on the streets.”58 Although the loyal reputation of the Columbus refugees would later be championed by military officers in their congressional testimony, immigration officials, hardened to enforce Chinese immigration in a relentlessly suspicious manner, did not give them the benefit of doubt.
WARTIME SERVICE AND LEGISLATING AMNESTY

During World War I, the Columbus refugees were mainly assigned to camp service jobs, such as cooking, cleaning, and working as personal servants to officers. The placement of the refugees in these particular positions was rooted in the racial belief that Chinese men were naturally suited to do such work, and in the fact that in the United States, Chinese immigrants had historically performed these jobs in the private sector. At Camp Wilson (later renamed Camp Travis) in San Antonio, and in smaller numbers at other military bases in Texas, New Mexico, Louisiana, and Kansas, the Chinese refugees became a permanent, floating staff of janitors, mess cooks, waiters, and domestic servants.

Anecdotes about the “racial” efficiency of Chinese workers and their willingness to perform the low-wage, servile labor that Americans saw as degraded, would figure prominently in the congressional debates preceding the passage of Public Resolution 29. In public debates regarding the exclusion of Chinese laborers, these purported qualities were often portrayed as a threat to the white worker. For example, in “Some Reasons for Chinese Exclusion,” the widely circulated pamphlet published by the American Federation of Labor in 1902 and better known by its subtitle, “Meat vs. Rice,” Samuel Gompers argued that the legacy of Chinese employment in domestic service and agricultural work was not something that could be quickly eradicated, since “absolute servility was expected from those who took the place of the Chinaman, and it will take years to obliterate these traces of inferiority and reestablish the proper relations of employer and employee.”

In the context of aiding the cause of the military, however, “absolute servility” was not viewed as a problem. Under military supervision, and buffered from the private market, servility was seen as a positive attribute of the Chinese race, and one that could be put to ready use. Colonel W. D. Chitty, who supervised Chinese refugees working as cooks and waiters at Kelly Field, an airbase in San Antonio, noted that “in all cases the wages paid were small, but at no time was any question raised by them on that score.” Major Frank Monroe of Fort Leavenworth in Kansas made a similar point, claiming that the labor provided by the Columbus refugees assigned to him had allowed him to operate his mess at a cost of $40 per month, whereas hiring white men would have cost $5 to $10 per month more. Colonel F. E. Fetchet of the Air Force estimated that the Chinese refugees employed at various airfields throughout Texas and Louisiana “released a great many men for war duty, probably not less than 1,000.”
The willingness of the Columbus refugees to work in situations that posed high health risks, and that had been shunned by American workers, also endeared them to military officers. The army was forced "to assign [the Chinese refugees] to duty in the tuberculosis hospitals in Fort Stanton and Fort Bayard, New Mexico, where it had been found impossible to obtain satisfactory help for the conduct of the messes." Page would explain to Johnson during the congressional hearing on the Columbus refugees that "these Chinese have tried in every way possible to show their appreciation of the asylum which has been granted them and have worked, with few exceptions, longer hours than civilian labor would have been willing to work." Accounts of the refugees' labor emphasized its racial status in a more explicit fashion as well, and how the Chinese specifically excelled in comparison to other racial groups. One officer wrote to Page that the Chinese were better workers than the "white and colored workers" that had preceded them, while another commented that the Chinese were "much superior to the Negro and Mexican in this section."

D. H. Currie, commander of the Field Artillery Board at Fort Sill, Oklahoma, was one of the few officers who tried to rationalize what he considered to be the highly beneficial characteristics of the Chinese workers he encountered with their legal status as a dangerous race that had to be prevented from entering the country. Currie argued that "when the law against the admission of Chinese to this country was enacted it was to prevent the competition of coolie labor with our own native laborers, and there was undoubtedly danger to our own laborers in the Pacific States from unrestricted immigration of Chinese." However, in the specific context in which the army was operating, "There could be no danger in permitting these refugees to remain here. There is no wage competition between these men and any class of laborers in this country. Many of them have already gone into service as family servants at a time when the available supply of native servants is far below the demand. Moreover, these Chinese work at wages materially above those usually paid our own native servants, but their work is of such a high class that all who employ them consider their services well worth the extra wage." Currie spoke with personal interest—he wished to retain a Chinese servant that was employed by his family.

To Congress, Page also highlighted how the United States' entry into the war had led the Columbus refugees to embrace the nation's patriotic cause. This strategy was likely designed to counter the broader logic of Chinese exclusion, which portrayed Chinese immigrants as sojourners whose true allegiance remained with their native China. Page presented the Columbus
refugees as "good, loyal, honest servants of the Government," who not only raised funds for the local chapter of the Red Cross and participated in patriotic parades during the war, but had also endowed a hospital bed for wounded American soldiers in France by hosting a charity chop suey dinner at San Antonio's Menger Hotel. Page stated—conveniently overlooking the four refugees allegedly caught attempting to stow away on a train—that the only Chinese refugee to violate parole was Jung Hoy, who did so because the Seventh Field Artillery, which he was attached to, had shipped out to France. Upon his return to the United States, Page commented with evident satisfaction, "It is needless to state that he was not punished, but rather admired for his patriotic desire to follow his employers to the fields of battle, where he received wounds in action." Even though military officials were willing to provide the Columbus refugees with stellar references attesting to their contributions as workers and to the patriotic sacrifices they had made, legal barriers were still in place. At the end of World War I, the Columbus refugees were still barred from searching for jobs in the private sector even though sufficient work no longer existed for them with the military, leaving many unemployed. In August 1919, the War Department, at the behest of the State Department and the Department of Labor, prepared a request to the 66th Congress asking for $86,000 in order to pay to send the Columbus refugees to China. Baker, the secretary of war, noted in his letter to the House of Representatives that it was "doubtful" that the military could continue to find enough employment for the 409 Chinese refugees who remained under their supervision. More than two years after their arrival, the refugees' ability to stay in the United States was still uncertain.

Although Congress agreed to allocate the $86,000, the plan to repatriate the Chinese refugees was never put into effect. Page had resigned as civilian adviser in July 1919 in order to focus exclusively on his private business interests, yet he remained genuinely concerned with the fate of the Columbus refugees. Hearing that the Columbus refugees faced deportation, Page intervened on their behalf by rallying Pershing, as well as the military officers discussed in the previous section, to write letters of support for the Columbus refugees to stay in the United States.

At the end of 1920, a bill was introduced that would have allowed the refugees to claim resident alien status. The bill was tabled before it reached committee, however, when a Chicago lawyer, Charles F. Hille, alleged that Page and his cohorts stood to gain financially from brokering this agreement. According to Hille, the Columbus refugees were going to pay Page a fee in
exchange for his lobbying efforts. This allegation was never substantiated, and Page in turn accused Hille of delaying the legislation because he was maneuvering to serve as the lawyer for the refugees in exchange for payment. Nonetheless, in the midst of these exchanges, the bill languished as the 66th Congress came to an end with the elections of November 1920. When it was passed, Public Resolution 29 included language, in response to the Hille controversy, that stated that no one was to earn money off the registration of the Columbus Refugees.

In April 1921, when the 67th Congress met for its first session, Senator James W. Wadsworth Jr., a Republican from New York, introduced a new bill seeking to secure legal status for the Columbus refugees as immigrants. Wadsworth’s bill passed the Senate but came to a halt in the House of Representatives. In October 1921, Page traveled to Washington to help further its cause. To assist the Columbus refugees, prior to resigning as civilian adviser, Page had called upon the Washington law firm of Clement Bouve and A. Warner Parker to prepare a report on their contributions. Having served in the Philippines with Bouve, Page was able to get the law firm and Parker, who had previously served as legal counsel for the Immigration Service, to take up the case pro bono. Parker’s report would feature prominently during the November 1921 hearing on Wadsworth’s bill, which took place before the House Committee on Immigration and Naturalization. At the hearing, Parker not only presented his firm’s findings on the Columbus refugees but also served as an expert witness, answering the various questions that committee members posed.

Although it had no legal ramifications, the question of whether the Columbus refugees had truly faced retribution because of their association with the Punitive Expedition, or whether they were opportunistic immigrants, emerged as a key theme in the congressional hearing. For example, Parker explained to John C. Box, a Democratic congressman from Texas, and John E. Raker, a Democratic congressman from California, that it was his understanding that the Chinese in Mexico did not originally attach themselves to the Punitive Expedition in order to enter the United States, but had done this only after it became evident that those who assisted the United States Army would be at risk if they stayed in Mexico. Parker cited a letter from Pershing where the general argued that while the Chinese in Mexico had begun offering services to the Punitive Expedition based on their self-interest as businessmen, their decision to leave Mexico was not an opportunistic one but reflected the real risks they faced in staying. Congress’s reliance on the testimony of Pershing and other military officers, and the fact
that the Columbus refugees had no direct voice in the hearing, indicates that asylum, if it was to be granted, was seen largely as a negotiation between competing American interests, and not a procedure where the refugees could state personally their cases.

On November 16, 1921, based on the committee’s recommendations, Congress passed Public Resolution 29, which authorized the Commissioner General of Immigration to issue certificates of identity to 365 Chinese refugees. During the committee meeting that finalized the language of the resolution, the Department of Labor did take measures to make sure that Columbus refugees received the “privilege” to stay only if they adhered to the rules and regulations that governed Chinese aliens more generally. Edward Henning, the deputy secretary of labor, took the lead role in redrafting the language of what would become law. The bill that had first passed the Senate, for example, made no mention of how the Columbus refugees were to be registered. Filling in the blanks, Henning created language stating that the refugees be registered in accordance with the Geary Act and the McCreary Amendment of 1892 and 1893, which required them to carry with them at all times a photographic certificate of registration. If the refugees departed the United States as laborers, under the 1888 Scott Act, like all foreign-born Chinese living in the United States they would be barred from reentering unless they could prove that they were worth $1000 or owed that amount in debts by residents of the United States, Henning argued that “if they once leave this country that privilege should cease. I do not think we are called upon to give the privilege of coming and going.”

Since Public Resolution 29 also required adherence to the 1917 Immigration Act alongside the Chinese Exclusion Acts, the Columbus refugees had to pay an eight-dollar tax as immigrants “entering” the country. In addition, as Henning outlined during the hearing: “If within five years one of them gets in jail, becomes a bum or loafer, or public charge, engages in prostitution or profits from prostitution,” he noted, “all of these things we would have the power to deport them for.” Public Resolution 29 did exempt the Columbus Refugees from the literacy requirement of the 1917 Act, which otherwise would have required them to pass a reading and writing test in their native language.

CONCLUSION

The plight of Chinese refugees seeking to escape violence in Mexico, and the refusal of the United States to admit them (the Columbus refugees being a
singular exception), represents the start of a pattern that would be repeated numerous times in the next two decades. Under the immigration quota system instituted first in 1921 and formalized in 1924, refugees from Europe were officially barred from immigrating unless they received one of the designated slots allotted to their nation. Christian Syrians, Armenians, and Greeks, who were subject to persecution and dispossession by the Turkish government, for example, could immigrate only in slots reserved for Turks. Although the 1917 Immigration Act waived the literacy test for immigrants fleeing religious persecution, no other exceptions were granted. A further ramification of the United States' failure to create distinctions between immigrants and refugees in the years that followed World War I was its subsequent refusal to accept Jews attempting to flee Nazism in the 1930s.

Anti-Chinese sentiment would persist in Mexico even after the Revolution there concluded. Most notably, in 1930, authorities in Sonora began enforcing discriminatory laws designed to drive Chinese residents from the state. In August 1931, Governor Rodolfo Elías Calles expelled more than three thousand Chinese residents of the state after forcing them to liquidate their financial holdings. A wave of Chinese refugees attempted to enter the United States. As was the case in the 1910s, immigration officials denied the Chinese refugees permanent asylum, holding them in temporary detention along the border. Immigration officials granted the Sonora refugees permission to travel to San Francisco in order to depart for China, but only if they paid a forfeitable bond.

It was not until 1945, when President Truman issued an executive order that allowed displaced persons in Europe to use unclaimed immigration quotas from other nationalities in order to come to the United States that the government attempted to implement a more extensive refugee policy (Asian refugees of the war did not receive the same exception). Although the Walter-McCarron Act of 1952 allowed for the admittance of dissidents from Soviet Bloc nations, it was not until 1980, in the aftermath of the refugee crisis resulting from the Vietnam War, that the federal government passed the first Refugee Act that formally distinguished the United States' refugee policies from its immigration policies.

The Columbus refugees entered Texas at a time when the state's Chinese population was minimal, and they were remembered as a distinct cohort well into the second half of the century. For example, Eugene Briscoe, the author of the article "Pershing's Chinese," which appeared in the *Southwestern Historical Quarterly* in 1959, noted that his account had a personal angle, having attended public school with some of the refugees' descendants in San Antonio.
Of the Chinese Americans that he had interacted with, "almost invariably, through attitude and behavior, the children revealed the excellence of their family life, and they usually made superior students." Briscoe felt obliged to defend the Chinese refugees not only by referring extensively to their productive legacy as workers who aided the military during World War I—as his article argued—but by citing their descendants as loyal Americans raised in good families, who had made the most of the government's beneficence in allowing their earlier relatives to stay.

On a certain level, the unique experience of the Columbus refugees does offer what can perhaps be described as a heartening narrative, especially since so many other Chinese refugees were not extended the same opportunity. The Columbus refugees directly aided Pershing's Punitive Expedition in Mexico and put their lives at risk at a time when assisting the United States Army carried direct and dire consequences. That they were eventually able to settle in Texas and other states suggests (as Briscoe's account illustrates) that there was at least a modicum of justice to be found in immigration laws that otherwise viewed Chinese laborers as racial and economic threats.

The details surrounding the Columbus refugees, however, highlight that even with Chinese lives at stake, immigration officials made the maintenance of exclusionary immigration laws a priority. More accurately, the admission of the Columbus refugees can be characterized as an accidental event caused by Pershing's personal intervention and the subsequent willingness of the military to assume a stake in the refugees' welfare. Had the Columbus refugees not crossed the border with the Punitive Expedition and been placed in Camp Furlong as a discrete and comparably large group, which the Chinese government argued warranted special privileges based on the circumstances of their entry into the United States, in all likelihood immigration officials would have succeeded in their determination to send them back to Mexico. Nevertheless, this type of accidental humanitarianism, and the threat to immigration restriction that it posed, had no precedent and would not be repeated in the future.

_Rutgers University_

**NOTES**

1. The exact number of refugees was reported inconsistently. Immigration officials counted 524 Chinese refugees when they entered the United States in February.
1917, whereas during the congressional hearings on whether the refugees deserved permanent asylum, the number given was 527. F. W. Berkshire, Supervising Inspector, Mexican Border District, El Paso, to Anthony Caminetti, Commissioner General of Immigration, Washington, D.C., 16 February 1917, Casefile 54352/79B in Records of the Immigration and Naturalization Service, Series A: Subject Correspondence Files, pt. 2: Mexican Immigration, 1906–1930 (hereafter cited as RINS) (microfilm, 17 reels, Bethesda, Md., 1993), reel 6; House Committee on Immigration and Naturalization, Registration of Refugee Chinese. Hearings on S.J. Res. 33 Permitting Chinese to Register under Certain Provisions and Conditions (hereafter cited as HCIN, Registration of Refugee Chinese), 67th Cong., 1st sess., 8 November 1921 (serial no. 8), 944. I would like to thank Vincent Chin for first calling my attention to the Columbus refugees during one of our frequent conversations at the National Archives in San Bruno, California. In addition, I would like to thank professors Donna Gabaccia, Erika Lee, Jeffrey Pilcher, and Kevin Murphy at the University of Minnesota; Patrick Jamieson, an undergraduate summer research student at Emory University; and the anonymous reviewers of the Journal of Policy History for their insightful comments.

2. The first Chinese Exclusion Act, passed by Congress in 1882, barred laborers of the Chinese race from entering the United States. The Act was expanded and amended on numerous occasions, and Chinese Exclusion is best understood as a series of laws. For a legal history of the different exclusion laws, see Lucy E. Salyer, Laws Harsh as Tigers: Chinese Immigrants and the Shaping of Modern Immigration Law (Chapel Hill, 1995).

3. The Mexican Revolution began in 1910 after Mexico’s longtime President Porfirio Díaz jailed his opponent, Francisco Madero, in order to avoid potentially losing an election. From Texas, Madero successfully initiated a revolt against Díaz by promising land reform and the end of autocratic rule. During the Revolution, leaders such as Emiliano Zapata and Pancho Villa commanded irregular armies in remote regions of Mexico, while Constitutionalists and military leaders vied for control of the central government. For an overview of the complex history of the Mexican Revolution, see Alan Knight, The Mexican Revolution (New York, 1986).

4. The willingness of states to exercise sovereignty over their populations through immigration restrictions and heightened border controls during this period was not unique to the United States. In Europe, the post–World War I refugee crisis was caused by an increase in racial and ethnic nationalisms, whereby states sought to expel and deny entry to populations defined as different and threatening to the dominant population. John Torpey, The Invention of the Passport: Surveillance, Citizenship, and the State (Cambridge, 2000), 122–42; Aristide Zolberg, A Nation by Design: Immigration Policy in the Fashioning of America (New York, 2006), 243–92.


6. In fact, as Ngai has argued, “The rush after World War I to legislate restriction in Congress,” which ultimately resulted in the Emergency Quota Act of 1921 and the Immigration Act of 1924, and a vast reduction in the number of European immigrants allowed to enter the United States, “while argued in the domestic political language of racial nativism, was a direct response to the specter of millions of destitute European war refugees seeking entry.” Ngai, Impossible Subjects, 10.
7. Although this article focuses on Chinese refugees, Japanese refugees from Mexico—who were subject to immigration restriction through the diplomatic Gentleman’s Agreement—were also a concern for immigration officials during the Mexican Revolution, albeit in much smaller numbers.


9. See, for example, Edward Eugene Briscoe, “Pershing’s Chinese Refugees in Texas,” *Southwestern Historical Quarterly* 62, no. 4 (1959): 457–88. During the initial days of their detention at Camp Furlong in Columbus, it was common for newspapers and government officials to refer to the Chinese who entered with Pershing as the “refugees in Columbus,” which later became the “Columbus refugees.”

10. Caminetti to Louis Post, Assistant Secretary of Labor, 11 April 1917. Casefile 54152/79B in RINS, reel 6. First created in 1891, the Bureau of Immigration (under a different name) was initially part of the Treasury Department until it was transferred to the newly instituted Department of Commerce and Labor in 1903. In March 1913, the redesignated Department of Labor, along with immigration, came under control of the executive office at the cabinet level.


12. As Don Coerver and Linda Hall address, multiple government agencies held some form of jurisdiction over the border during the Mexican Revolution. The State Department was responsible for diplomatic affairs with Mexico and communication with the governments of refugees in the region, the War Department was responsible for border security and the Punitive Expedition, and the Treasury Department oversaw trade and customs, while after 1913 the Department of Labor dealt with immigration. Don Coerver and Linda B. Hall, *Texas and the Mexican Revolution: A Study in State and National Border Policy, 1910–1920* (San Antonio, 1984), 4.

13. For the text of Public Resolution 29, see *United States Statutes at Large*, vol. 42 (1921), 325–26.

14. Villa’s motives for attacking the United States are highly contested among historians. As Friedrich Katz has argued, the most common motive attributed to Villa is that he blamed United States’ military support for the defeat of his División del Norte troops at the hands of Venustiano Carranza in 1915, and knew that a raid across the border would provoke the United States into a military response. For a full account of the different motives attributed to Villa’s raid on Columbus, see Katz, *The Life and Times of Pancho Villa* (Stanford, 1998), 545–82, and, for an alternate reading that focuses on the raid in the context of nation-building in the border region, Alexandra Minna Stern, “Buildings, Boundaries, and Blood: Medicalization and Nation-Building on the U.S.-Mexico Border, 1910–1930,” *Hispanic American Historical Review* 79, no. 1 (1999): 41–81.


16. As Moon-Ho Jung has argued, the Chinese “coolie” represented “a conglomeration of racial imaginings that emerged worldwide in the era of slave emancipation, a product of the imaginers rather than the imagined.” White laborers in the United


18. "Foreigners" in this case was also used to describe the Mexican-born children of Chinese immigrants. Cumberland, "The Sonora Chinese," 192–95.


24. Ibid., 111–46; Patrick Ettenger, "We sometimes wonder what they will spring on us next": Immigrants and Border Enforcement in the American West, 1882–1930," *Western Historical Quarterly* 37 (Summer 2006): 159–81.

25. Illegal immigration was of course difficult to measure. Lee estimates that at least seventeen thousand Chinese immigrants entered illegally across the Mexican and Canadian borders between the years 1880 and 1920. Lee, *At America’s Gates*, 171.

26. The Mexican Border District was created in 1907, and encompassed Arizona, New Mexico, and the land border of Texas. Berkshire, who had previously been in charge of enforcing Exclusion laws along the New York–Canada border and in New York City, was appointed its first supervising inspector. Ibid., 186.


29. In 1912, the secretary of state formally requested that immigration officials develop the means and accompanying policies necessary to accommodate Chinese refugees, although individual immigration stations already had their own systems in place. J. B.
Densmore, Acting Secretary of Labor, to William Jennings Bryan, Secretary of State, 22 September 1914, Case file 53108/71L in RINS, reel 4.


31. Despite immigration officials' request, the Punitive Expedition and the refugees came into the United States through Columbus, likely for military reasons. Berkshire to Pershing, 20 January 1917, Case file 54152/79A in RINS, reel 6.


34. Missouri Laundry Owners' Association to Jacob E. Meeker, House of Representatives, 2 February 1917, Case file 54152/79A in RINS, reel 6.

35. E. Mark Sullivan to William B. Wilson, Secretary of Labor, 7 February 1917; and John E. Raker, House of Representatives, to Wilson, 15 February 1917, Case file 54152/79A in RINS, reel 6.

36. Post to Adolph Sabath, House of Representatives, 16 February 1917, Case file 54152/79A in RINS, reel 6. As the correspondence to the Department of Labor reveals, Chinese exclusion was a political cause that received bipartisan support.


40. In a lengthy 21 April letter to Caminetti, Berkshire summarized the various proposals that immigration officials had put forth for the Columbus refugees up to that date. Berkshire to Caminetti, 21 April 1917, Case file 54152/79B in RINS, reel 6.

41. Ibid.

42. This was not without controversy. After the Columbus refugees had been sent to San Antonio, immigration officials reported that accusations had surfaced that Consul Fong had accepted bribes in exchange for merchant certificates. Caminetti claimed that the Chineselegation was investigating these charges. A. W. McKee, Immigrant Inspector to George J. Harris, Acting Supervising Inspector, El Paso, July 31, 1917; and Caminetti to Harris, 11 August 1917, Case file 54152/79C in RINS, reel 6.

43. Worley, "Five Hundred Chinese Refugees," 293.

44. Berkshire to Caminetti, 21 April 1917, Case file 54152/79B in RINS, reel 6.

45. Despite the passage of exclusionary legislation directed at Chinese immigrants, support for their restriction was far from unanimous. In particular, business interests, especially outside California, regularly promoted Chinese immigration and the qualities of Chinese workers. For an important theoretical discussion of how Chinese labor was imagined as an idealized source of compliant yet free labor in the nineteenth century, see Lisa Lowe, "The Intimacies of Four Continents," in Haunted by Empire: Geographies of Intimacy in North American History, ed. Ann Laura Stoler (Durham, 2006), 191–212.

46. Albert Fall, Senator from New Mexico, to Newton Baker, Secretary of War, 2 May 1917, Case file 54152/79B in RINS, reel 6.

47. P. A. Simpson to Governor Lindsay Washington, 19 April 1917; Simpson to Consul T. K. Fong, El Paso, 2 April; and Simpson to Major John W. Parker, Camp Furlong, 28 March. Case file 54152/79B in RINS, reel 6.
48. Wilson interpreted his right to suspend these provisions based on a loose interpretation of Section 3 of the 1917 Act, which he claimed gave the secretary of labor the power to make a “determination of necessity” when suitable labor could not be found within the United States. Wilson to John Burnett, House of Representatives, 8 June 1917, Casefile 54152/79C in RINS, reel 6; for Section 3 of the 1917 Immigration Act, see 39 Stat. 877, 1917.

49. Ibid. Burnett had written to Wilson threatening to raise a judicial challenge to his interpretation of Section 3.

50. In his 1921 annual report, the commissioner general of immigration reported that 72,868 Mexican agricultural workers had been admitted to the United States since the exception was made in May 1917. While the Department of Labor ordered employers to “return to Mexico” laborers under their supervision, the department estimated that some 21,400 Mexicans admitted with the program had “disappeared” and remained in the United States. Bureau of Immigration, Annual Report of the Commissioner General of Immigration (Washington, 1921), 7.

51. When the Great Depression began, local and regional relief agencies in California and the Southwest facilitated the repatriation of approximately four hundred thousand Mexicans. Ngai, Impossible Subjects, 72.


54. Ibid.


60. Samuel Gompers and Hermann Gutstadt, Some Reasons for Chinese Exclusion; Meat vs. Rice, American manhood against Asiatic coolieism, which shall survive? (San Francisco, 1902), 14–15. “Meat vs. Rice” was an allusion to the belief among white workers and labor leaders that the Chinese could subsist on a diet (and wages) that was intolerable to the white race.

61. HCIN, Registration of Refugee Chinese, 950.

62. Ibid., 949.
63. Ibid., 954.
64. Ibid., 965.
65. Ibid., 956–7.
66. HCIN, Registration of Refugee Chinese, 955.
67. Ibid., 972. As a result of his service, Jung was the only refugee who was allowed to naturalize while still living in the camps. Lucy Salyer has shown that if it had been challenged in court prior to 1935, it is unlikely that Jung’s naturalization would have been upheld. Whereas European immigrants who served in the American armed forces during the war became eligible for immediate naturalization, a similar policy for Asian immigrants would have contradicted the Exclusion laws that denied Asians the right to naturalize. It was not until 1935, after a decade of lobbying by Asian American veteran groups and white representatives of the American Legion, that Congress passed legislation that made it possible for Asian veterans of the armed forces to receive citizenship. Lucy Salyer, “Baptism by Fire: Race, Military Service, and U.S. Citizenship Policy, 1918–1935,” Journal of American History 91, no. 3 (December 2004): 848–76, 848.
69. On the allegations made by Hille, see House Committee on Immigration and Naturalization, Inquiry into Activities of Charles E Hille with Relation to Certain Chinese Refugees; Hearing before Subcommittee, January 24, 1922, with Subcommittee Report, 67th Cong., 2nd sess. (serial no. 2–3), 505–6.
70. HCIN, Registration of Refugee Chinese, 945.
71. Ibid., 945.
72. Ibid., 973.
73. Ibid., 971–72.
78. Briscoe, “Pershing’s Chinese,” 488. Briscoe does not examine the legal fact that the Columbus refugees who were able to have brought their wives and children from China, would have only been able to do so after proving their status as merchants. Chinese laborers in the United States were denied this ability.