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JEWISH EFFORTS TO INFLUENCE AMERICAN IMMIGRATION POLICY IN THE YEARS BEFORE THE HOLOCAUST, 1936–1939

*“Love ye therefore the stranger: for ye were strangers in
the land of Egypt.”*
– Deuteronomy, 10:19

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INTRODUCTION

FROM THE 1882 Chinese Exclusion Act to the 1924 National Quota act, American Jews had been some of the nation's fiercest advocates for the liberalization of American immigration policy. Yet in the years leading up to the Holocaust, as Jews in Europe faced increasing violence and criminalization, few American Jewish leaders publicly advocated for raising immigration quotas for Jewish refugees. America's failure to save large numbers of Jews from the Holocaust has long haunted humanitarians and the nation at large. In his famous 1977 book *Were We Our Brother's Keepers?* Rabbi Haskel Lookstein expresses the deep disappointment that many American Jews feel towards their own community's lack of action during this time. "The Final Solution may have been unstoppable by American Jewry," he writes, "but it should have been unbearable for them. And it wasn't." This is a serious accusation, based on the American Jewish community's unwillingness to aggressively lobby for looser immigration restrictions during the late 1930s. Yet individuals must be judged in the context of their time, and the environment that American Jews faced was one of great uncertainty and political opposition. In these circumstances, to what extent can we fairly criticize American Jewry for their failure to change American immigration law?

In this essay, I will explore this question by examining the factors influencing American Jews' muted advocacy for the expanded admission of Jewish refugees to the United States in the years leading up to the Holocaust, from 1936 to 1939. I will specifically analyze three instances in which the Jewish community tried and failed to carve out exceptions to America's strict immigration policies: the 1936 Kerr-Coolidge bill to stop deportations, the 1938 Celler and Dickstein bills to increase refugee admissions, and the 1939 Wagner-Rogers bill to accept 20,000 German refugee children. To provide historical context for the political and philosophical debates that American Jewry engaged in at this

time, I will first offer a brief overview of the nature of American antisemitism in the late 1930s. My research draws heavily from the Library of Israel's extensive archive of American Jewish newspapers, as well as the large archive of the American Jewish Committee, one of the nation's oldest Jewish advocacy groups. Through an analysis of the reports, articles, and meeting notes held in these archives, I will show how American Jewish leaders' fear of exacerbating anti-Jewish prejudice and their desire to prove their patriotism undermined their attempts to save their European brethren. Ultimately, I will argue that at a time when Jews' belonging in the United States was more in question than ever before, American Jewish leaders believed they could not afford to more forcefully argue against the vast majority of Americans and government officials who supported continued restrictions on American immigration, even in light of the atrocities of Nazi Germany.

THE NAZI MENACE IN AMERICA

ON MAY 6TH, 1939, Frances Cohen, a Jewish public school teacher in Brooklyn, New York, stepped out of Erasmus High School to witness an increasingly common sight. In front of the school, a man stood peddling copies of *Social Justice*, the magazine of the infamous radio priest and rabid anti-semitic, Father Charles Coughlin. Attempting to draw customers, the man shouted the slogans of Father Coughlin's movement: "Send the Jews back to Russia where they belong! The Jews are communists!" Mrs. Cohen, disturbed, accused the vendor of abusing his privileges as a citizen. He lobbed insults at her, and a physical fight ensued. After another man came to Mrs. Cohen's aid, the vendor chased after them both, shouting: "Lynch the Jew!"¹

Mrs. Cohen's encounter with violent antisemitism was not an isolated incident. Across New York

1 Report on Anti-Semitic Activity in New York. American Jewish Committee, 25 Sept. 1939. **This story comes from a report on Mrs. Cohen's arrest for pushing the vendor, published in a 1939 AJC report. The police arrested the**

City and the entire nation, reports of anti-semitic street meetings, soap-box speakers, and publications skyrocketed in the years leading up to the Holocaust. At its height, Father Coughlin's weekly radio broadcast attracted an estimated thirty million listeners, disseminating antisemitic conspiracies to masses of people across the nation.² At the same time, outwardly pro-Nazi groups like the New York City-based German American Bund held rallies calling for "an All-American front" to combat the nefarious activities of "alien races," culminating in 1939 with a 20,000 person Nazi rally in Madison Square Garden.³ According to one report by the American Jewish Committee, the fall of that year witnessed upwards of fifty anti-Jewish meetings held on the streets of New York each week, amassing a weekly audience of over 20,000 people."⁴

Conspiracy theories against Jews were wide-ranging, but a common theme that united late 1930s anti-semitic literature was the belief that Jews could not be true Americans. An increasingly visible "Buy Christian" campaign, spawned by Father Coughlin's broadcasts, encouraged Americans to boycott Jewish stores. At the same time, anti-semitic articles distributed to New Yorkers decried the corrosive effects of "Jewish internationalists" and "Refu-Jews."⁵ One representative pamphlet entitled "Why are Jews Persecuted for their Religion?,"

asked its readers: "Why should a Jew, being an Oriental, be given any more rights than are being given the Japanese or Chinese?"⁶ The classification of the Jew as "Asiatic" (a claim stemming from the Russian origins of many recent Jewish immigrants) was a strategic and increasingly common tactic of antisemitic groups.⁷ Because the Immigration Act of 1924 had almost completely barred Asian immigrants from entering the United States—finishing the work of the 1882 Chinese Exclusion Act—labeling Jews as "Oriental" was one more way to portray Jewish people as permanent foreigners incapable of assimilating to American society.⁸

Perhaps most concerning was the fact that antisemitic beliefs seemed to be gaining ground not just with the most extreme corners of American society, but also with the public at large. In 1938, 55% of public opinion poll respondents either "entirely" or "partially" agreed that "the persecution of the Jews in Europe had been their own fault." And in 1939, 12% of Americans—a small but still significant minority—told Gallup they would support "a widespread campaign against Jews in this country." Most importantly, Americans overwhelmingly opposed the immigration of Jewish refugees to America: 69% responded "No" when Gallup asked in 1938 if "we should allow a larger number of Jewish exiles from Germany to come to the

vendor, too, but only after pleading from Mrs. Cohen.

2 Wang, Tianyi. 2021. "Media, Pulpit, and Populist Persuasion: Evidence from Father Coughlin." *American Economic Review*, 111 (9): 3064-92.

3 The Anti-Jewish Propaganda Front, A Bulletin of Information of Anti-Jewish Agitation and Counter Activities, American Jewish Committee, No. 1-5.

4 *Report on Anti-Semitic Activity in New York*. American Jewish Committee, 25 Sept. 1939.

5 *Report on Anti-Semitic Activity in New York*. American Jewish Committee, 25 Sept. 1939.

6 Ibid.

7 **The debate over whether Jews should be considered a separate racial category for purposes of American immigration law began twenty years before, when the Dillingham Commission, the investigative body which would ultimately inform the national quota system, began using "Hebrew" as a racial category in its surveys and statistics. Many reform Jewish leaders objected to this label, both because they believed that Judaism should be considered a religious, rather than racial, category, and because they were fearful that this label would make it easier to later group Jews in with Asians, who--since the 1882 Chinese Exclusion act--had been barred from immigrating to the United States. For more on this, see:** Benton-Cohen, Katherine. "Chapter 2." *Inventing the Immigration Problem: The Dillingham Commission and Its Legacy*, Harvard University Press, Cambridge, MA, 2018.

8 Garland, Libby. "Fighting to Be Insiders: American Jewish Leaders and the Michian Alien Registration Law of 1931." *American Jewish History*, vol. 96, no. 2, 2010, pp. 109-40, <http://www.jstor.org/stable/23887635>. Accessed 13 Apr. 2022.

United States to live.”⁹

Amidst the sharp rise in rhetoric questioning the patriotic bonafides and desirability of American Jews, leaders of the American Jewish Committee (AJC), one of America’s oldest Jewish advocacy groups, agonized over the best strategies to combat antisemitism and prevent the rise of a Nazi movement within the United States. One 1939 AJC memo warned that “nothing should be done... in an apologetic or defensive way.”¹⁰ The group recommended running articles in national newspapers showing Jews as “fine, decent citizens,” who served in large numbers during World War One, fought communism, and made great scientific and artistic advances. They also recommended emphasizing the way in which Nazis threatened American democracy and peace at large—not solely European Jews. Most

importantly, the document warned that American Jews must maintain a low political profile to avoid confirming stereotypes of Jewish power or insularity. “Jewish mass meetings for the defense of Jewish rights, parades and public protests,” the plan argued, “are...the sorts of things which are enormously harmful.”

By the late 1930s, Jewish leaders were keenly aware that public efforts to influence American politics—particularly with regard to immigration—had the potential to backfire on the Jewish community by further increasing anti-Jewish prejudice. Already, the rapid rise of Eastern-European immigration in the late 1800s and the early twentieth century had resulted in increased nativist ire against all Jews, not just those who recently immigrated.¹¹ In the years leading up to the First World War, resorts, private schools, and elite

universities increasingly placed official and unofficial restrictions on Jewish admissions; by the twenties, restrictive housing covenants to keep Jewish families out of white, Christian neighborhoods began to proliferate across the country.¹²



In 1924, the Johnson-Reed Immigration Act

Nazi Rally in Madison Square Garden on February 20, 1939, organized by the German American Bund. More than 20,000 individuals were in attendance. (ARC Identifier 36068 / Local Identifier 111-OF-2 1943) [1]

9 Welch, S. (2014). American Opinion Toward Jews During the Nazi Era: Results from Quota Sample Polling During the 1930s and 1940s. *Social Science Quarterly*, 95(3), 615–635. <https://www.jstor.org/stable/26612184>.

10 *Reports and Memoranda on antisemitism in America and AJC's Work to Combat It, 1939*. American Jewish Committee, 1939.

11 **The Library of Congress estimates that as many as 3 million Eastern European Jews immigrated between 1880 and 1924. Most of these Jews settled in New York City; by 1900, New York would contain almost half of American Jews. For more see:** “A People at Risk: Polish/Russian: Immigration and Relocation in U.S. History: Classroom Materials at the Library of Congress.” Library of Congress.

12 Higham, John. “Social Discrimination Against Jews in America, 1830-1930.” *Publications of the American*

THE KERR-COOLIDGE BILL

instituted national origins quotas that severely restricted the number of Jews allowed to immigrate to the United States. Each country received immigration visas equivalent to two percent of the total population of that nationality living in the United States at the time of the 1890 census—if there were 100,000 Americans of Norwegian descent in 1890, Norway would be allotted 2,000 visas. Because a large part of Eastern European immigration occurred after 1890, this bill radically reduced the number of visas allotted to Eastern Europe, where the majority of European Jews resided. Romania, which had over 750,000 Jews, received just 295 visas.¹³ Jewish groups like the AJC strongly protested the law; in one 1924 hearing, AJC President Louis Marshall protested the very idea of a quota, arguing that the United States had room for “ten times the population we have.”¹⁴ Yet the Jewish community’s fierce opposition was ultimately unsuccessful; restrictive quotas for Eastern and Southern Europe became the law of the land.

Later, as the “Roosevelt Recession” brought unemployment to 20% between 1937 and 1938, immigrants once again found themselves in the crosshairs of those looking for someone to blame for the faltering economy. With national politics shifting to the right, Jewish leaders had reason to believe that any attempts to increase refugee admissions would result in backlash similar to that which followed earlier waves of Jewish immigration. While they attempted to avoid this outcome by centering gentile support and emphasizing the patriotic loyalty of American Jews, the American public’s opposition to the admission of Jewish refugees would be difficult—perhaps near impossible—to surmount.

THE KERR-COOLIDGE BILL, introduced to Congress in 1936, was the first real test of American Jewry’s capacity for immigration advocacy during the years leading up to the Holocaust. More than ten years had passed since the Immigration Act of 1924 had instituted greatly unequal national quotas for annual visas. In the midst of the Depression, the American public grew increasingly hostile to new immigration and to the foreigners in their midst. At the same time, the situation for Jews both in Europe and America was deteriorating. In Germany, one year after the passage of the Nuremberg Laws, letters and reports from the State Department showed the proliferation of extreme violence and the rapid deterioration of living conditions for German Jews.¹⁵ In America, rising antisemitism at home and a small but growing American Nazi movement forced American Jewry to reevaluate how best to stem anti-Jewish prejudice. These two concurrent realities—the violent persecution of European Jews and the growing fear of antisemitism in America—were surely on the minds of Jewish leadership as they crafted their strategy on immigration issues. The Kerr-Coolidge Bill, a newly proposed measure to prevent the deportation of immigrants already in the United States, provided an opportunity for American Jewry to test the waters on immigration reform.

Introduced by Representative John Kerr (D-NC) and Senator Marcus Coolidge (D-Mass), the Kerr-Coolidge Bill was designed to stop “cruel family separations” and to avoid sending European immigrants without criminal records back to a continent

Jewish Historical Society, vol. 47, no. 1, 1957, pp. 1–33.

13 “Immigration Act of 1924 (Johnson-Reed Act).” *Immigration History*, 1 Feb. 2020, <https://immigrationhistory.org/item/1924-immigration-act-johnson-reed-act/>.

14 MacDonald, Kevin. “Jewish Involvement in Shaping American Immigration Policy, 1881-1965: A Historical Review.” *Population and Environment*, vol. 19, no. 4, 1998, pp. 295–356. JSTOR, <http://www.jstor.org/stable/27503587>. Accessed 1 Mar. 2023.

15 “The Jews in Nazi Germany,” White Book, American Jewish Committee, New York 1933.

on the brink of war.¹⁶ In practice, the bill proposed an interdepartmental government committee that could overrule deportations in cases of significant hardship. The law would immediately prevent the deportation of 2,084 illegal immigrants in removal proceedings and potentially many more into the future.¹⁷ Secretary of Labor Francis Perkins and First Lady Eleanor Roosevelt strongly supported the bill. Mrs. Roosevelt wrote in her private papers: "I shall never think of the Kerr-Coolidge Bill without seeing the Italian woman pleading for her right to stay in this country with her American born children, because she was not a criminal."¹⁸

While the emotional weight of family separations gave Kerr-Coolidge a degree of momentum in Congress, the bill was nonetheless out of step with the restrictionist direction of inter-war American immigration politics. In evidence of this fact, the same year that the Kerr-Coolidge Act was introduced, Congress also began to consider the Reynolds-Starnes Bill, an immigration proposal of a deeply antithetical character. Introduced in 1936 by Southern congressmen Senator Robert Reynolds (NC-D) and Representative Joe Starnes (AL-D), the Reynolds-Starnes Bill proposed the reduction of immigration quotas by 90 percent, an intelligence test requirement, the registration and fingerprinting of all aliens, and the deportation of "pauper aliens" and "alien criminals."¹⁹ In their eyes, the bill aimed to deal with the "undesirable alien problem" once and for all.²⁰

Jewish groups immediately rallied against the restrictionist efforts embodied by the Reynolds-Starnes Bill, speaking out in support of Kerr-Coolidge through large gatherings and in speeches to Congress. In March of 1936, 2,000 people met at the annual conference of the Hebrew Sheltering and Immigrant Aid Society to

urge Congress to "humanize" U.S immigration law by enacting the Kerr-Coolidge Bill.²¹ In light of the AJC's future warning against "Jewish mass meetings," this event was notable. In 1936, American antisemitism was rising but not yet at its height. As a result, Jewish leaders may have felt more comfortable openly supporting legislation to liberalize immigration policy by preventing deportations, even when that legislation was unpopular. Still, not all arguments made in support of the bill were purely humanitarian in nature. The following spring, M. M. Fagen, executive director of the Conference on Jewish Relations, employed an economic strategy in his testimony before Congress on behalf of Kerr-Coolidge. Taking a page from the playbook of other immigration liberals operating in an age of restriction, he reminded members of the House Committee on Immigration that by deporting aliens, they would be leaving their American children dependent on state welfare.²² Fagen's more pragmatic approach shows how Jewish leaders struggled to push forward liberal immigration laws while playing to the sentiment of the times.

Thus while the American Jewish response to the Kerr-Coolidge Bill was far from apathetic, it was also not particularly radical. In the *B'nai B'rith Messenger*, Los Angeles' Jewish newspaper, Cecilia Razowsky of the National Council of Jewish Women expressed concern that the bill was too conservative given its provisions for the rapid deportation of immigrants with criminal records. "If ever the alien needed a friend," she reminded the reader, "he needs one now." Yet Mrs. Razowsky's pleas made her the exception to the rule. Many American Jewish organizations at the time were careful to emphasize that the Kerr-Coolidge Bill was viable precisely because it did not pose a threat to the national quota system. In a letter to the Senate Immigration

16 Spear, Sheldon. "The United States and the Persecution of the Jews in Germany, 1933-1939."

17 United States, Congress, Congressional Record. Senate, 74AD, pp. 2902-2903. Feb. 27 1936.

18 "My Day by Eleanor Roosevelt, April 9, 1936." *The Eleanor Roosevelt Papers*, The George Washington University, https://www2.gwu.edu/~erpapers/myday/displaydoc.cfm?_y=1936&_f=md054301.

19 Lookstein, Haskel. *Were We Our Brothers' Keepers?: The Public Response of American Jews to the Holocaust, 1938-1944*. GRM Associates, 2002.

20 United States, Congress, Congressional Record. Senate, 74AD, pp. 2902-2903, Feb. 27 1936.

21 'Humanized' Laws for Aliens Urged; 2,000 at Meeting of Hebrew Aid Society Endorse the Kerr-Coolidge Bill. *The New York Times*, 2 Mar. 1936.

22 AJC Minutes, Executive Committee, Jan.-June 1937. American Jewish Committee, 9 Jun. 1937.

Committee, B'nai Brith endorsed the Kerr-Coolidge law on the very basis that the immigrants who would be allowed to stay under the law would be deducted from their country's annual quotas,²³ preventing any increase of overall quota numbers.²⁴ B'nai Brith's deference to the quota laws reflected a major change from the 1920s, when both the AJC and B'nai Brith organized mass campaigns to call on Congress to dismantle the national quota system.²⁵

At its core, the decision of groups like the AJC and B'nai Brith to prioritize Kerr-Coolidge was a practical one, based on the need to prevent further immigration restrictions. When Cecilia Razowsky complained to the Commissioner of Immigration Daniel MacCormack that more than twelve thousand German Jews had been denied visas due to the State Department's enforcement of the public charge laws,²⁶ the commissioner argued that he could not risk derailing Kerr-Coolidge by liberalizing visa requirements.²⁷ Were he to publicly take up the cause of German Jews, MacCormack feared he would alienate the antisemitic bloc of Southern congressmen needed to pass the Kerr-Coolidge Bill. Jewish leaders would be forced into similar tradeoffs again and again, as State Department officials used the prospect of legislative backlash to discourage

and undermine Jewish advocacy for refugees. Still, the reality MacCormack spoke to was not entirely unrealistic. The prospect of the Reynolds-Starnes Bill and its 90% reductions in immigrant quotas loomed large over Jewish advocacy for the Kerr-Coolidge Bill. American Jewish leaders cooperated with the tradeoff presented by Commissioner MacCormack because they knew that the sway of American public opinion was not on their side. Indeed, Jewish leaders may have assumed that the spots taken by beneficiaries of the Kerr-Coolidge Bill would never have been filled anyways. At the time, less than half of all available visas to German Jews were actually granted each year.²⁸

More broadly, Jewish leadership's prioritization of Kerr-Coolidge was part of a strategy which focused on naturalizing and assimilating Jewish immigrants already in the country. The effort to Americanize these newcomers, though not a new phenomenon, took on different forms during the 1930s. In hopes of tempering a growing wave of anti-immigrant and anti-Jewish sentiment, German Jewish clubs across the United States began to publish bulletins with advice to the incoming refugees on how to adjust to American life and culture.²⁹ Many Jewish organizations offered English classes and helped the new immigrants find employment. All of

23 It should be noted that B'nai Brith here refers to the New York-based Jewish organization, a separate entity from the Los Angeles based publication, the *B'nai Brith Messenger*.

24 Brody, David. "American Jewry, the Refugees and Immigration Restriction (1932-1942)." *Publications of the American Jewish Historical Society*, vol. 45, no. 4, June 1956, pp. 219-247.

25 Bavery, Ashley Johnson. *Bootlegged Aliens: Immigration Politics on America's Northern Border*. University of Pennsylvania Press.

26 **Public Charge laws banned immigrants who were unable to take care of themselves financially, and therefore might need to rely on the State. To understand the profound cruelty of the use of these laws in denying visas to German Jews, consider that a 1934 law banned German emigrés from withdrawing more than ten marks, or around four dollars, without written permission from the Nazi government. As historian Carl Bon Tempo writes, many of these denials were the consequence of anti-semitic American consular officers in Europe who applied overly restrictive interpretations of visa laws, even when ordered by the president to interpret laws more liberally.**

27 The State Department, the Labor Department, and German Jewish Immigration, 1930-1940 Kraut, Breitman, and Thomas W. Imhoof.

28 "How Many Refugees Came to the United States from 1933-1945?" United States Holocaust Memorial Museum, <https://exhibitions.ushmm.org/americans-and-the-holocaust/how-many-refugees-came-to-the-united-states-from-1933-1945>.

29 Schenderlein, Anne C. "Americanization before 1941." *Germany on Their Minds: German Jewish Refugees in the United States and Their Relationships with Germany, 1938-1988*, Berghahn Books, 2020, pp. 22-52, <https://doi.org/10.2307/j.ctvvb7n7f.6>. Accessed 13 Apr. 2022.

THE DICKSTEIN & CELLER BILLS

these efforts depended on the stable immigration status of Jewish refugees, including the thousands who had arrived on tourist visas and were liable to be deported for overstaying their welcome.³⁰ Thus Kerr-Coolidge served the dual goals of liberalizing immigration laws and ensuring incoming Jews had the opportunity to assimilate. Ultimately, the latter project proved more successful, as Kerr-Coolidge's support petered out in Congress and immigration liberalization became increasingly unlikely.

Neither the Reynolds bills nor the Kerr-Coolidge bills became law. While Kerr-Coolidge passed the House, it died with the final adjournment of the Senate in June 1936.³¹ In an election year, controversial immigration bills enjoyed little chance of success. Quotas and deportation policies were neither loosened nor restricted. Jewish activism for Kerr-Coolidge, while in some ways louder and more public than future campaigns, was strikingly muted compared to the Jewish community's pro-immigration advocacy just a decade before.

IN THE TWO YEARS following the tabling of Kerr-Coolidge, the situation for European Jewry greatly deteriorated. On the heels of Hitler's annexation of Austria and the anti-Jewish pogroms of Kristallnacht, more than 140,000 desperate Germans—primarily Jews—were on the waiting list for American visas. By 1939, that number would skyrocket to almost 250,000.³² Even the luckiest and most well-connected German Jews had little chance of getting off the waitlist; the quotas had already been filled nearly two years in advance.³³ Unlike in 1936, when three-quarters of available visas went ungranted, American Jewish leaders could no longer increase the number of refugees by merely advocating for the looser application of public charge laws or other visa requirements. Any efforts to aid the Jews' escape from Europe to the United States would now require that quotas be either increased or overturned altogether.

Hope for increasing refugee quotas hinged on the actions of two Jewish Congressmen: Emmanuel Celler, the head of the House Judiciary Committee, and Samuel Dickstein, the head of the House Committee on Immigration and Naturalization. In many ways, Celler and Dickstein represented the two sides of American Jewry. On one end were secular and assimilated Central Europeans like Celler, a third generation German-Jewish American and son of a shop owner who represented the wealthy and heavily

30 Zucker, Bat-Ami. "Frances Perkins and the German-Jewish Refugees, 1933-1940." *American Jewish History*, vol. 89, no. 1, 2001, pp. 35-59, <http://www.jstor.org/stable/23886205>. **In 1938, President Roosevelt would extend indefinitely the tourist visas of thousands of German Jews, in one of his most effective administrative work-arounds of the quota laws during the early years of the Holocaust.**

31 Record of the 74th Congress, second session. (1936). *Editorial Research Reports 1936* (Vol. I). <http://library.cqpress.com/cqresearcher/cqresrre1936062200>

32 "How Many Refugees Came to the United States from 1933-1945?" United States Holocaust Memorial Museum, <https://exhibitions.ushmm.org/americans-and-the-holocaust/how-many-refugees-came-to-the-united-states-from-1933-1945>.

33 Brody, David. "American Jewry, the Refugees and Immigration Restriction (1932-1942)." *Publications of the American Jewish Historical Society*, vol. 45, no. 4, June 1956, pp. 219-247.

Jewish areas of the financial district and the Upper West Side. On the other were newcomers from the shtetls of Eastern Europe; Dickstein, himself a Jewish immigrant from Russia, represented New York City's 12th district, an area of the Lower East Side filled with poor Jewish immigrants crowded into dirty tenements. These two segments of Jewish society were linguistically and culturally distinct; yet as Katherine Benton-Cohen explains, the previous wave of Russian Jewish immigration and the horrors of the Russian pogroms had transformed the upper echelons of Jewish American society "from reluctant alms givers and reformers to full-fledged lobbyists for civil rights," leading to the formation of groups like the AJC which sought to advocate for a divided but still genuine American Jewish community.³⁴ Thus, though coming from different backgrounds, both Dickstein and Celler could credibly claim to represent American Jewry.

As the reality of the situation in Europe became clear, Celler and Dickstein introduced two pieces of emergency legislation to increase visas for refugees. The Celler Bill, the most progressive of the immigration legislation proposed during this period, would have given the president the power to expand quotas while doing away with the public charge law and allowing for visas for unaccompanied minors.³⁵ A later amended version of the Celler Bill would have automatically lifted quotas for all refugees, barring only those with physical or moral defects, as was the standard for all immigration legislation at the time. On the other hand, Dickstein's bill proposed that all unused national quotas, numbering 120,000 in total, be re-appropriated and made available to European asylum seekers.³⁶ While Dickstein's bill did not challenge the overall quota system, the net effect would have

more than quadrupled the number of visas available to German and Austrian Jews.

While American Jewish groups initially showed some support for the Dickstein and Celler Bills, their reaction was relatively muted and quickly fizzled out into resignation. In January of 1938, the American Committee for the Protection of the Foreign Born endorsed the Celler Bill at a large conference in which many Jewish groups were represented.³⁷ And in June, the communist Jewish People's Committee sent over one thousand petitions to Congress urging it to pass the Dickstein Bill, many with hundreds of signatures, coming from nearly every major city.³⁸ A March 1938 *New York Times* report noted that the Roosevelt Administration was not expected to oppose the refugee bills; for a short time, it seemed like the legislation might have a chance.³⁹ Yet despite these pockets of support, the major Jewish newspapers of the time barely reported on the bills, and by 1939, almost all American Jewish organizations had already entirely discounted the possibility of their success. One of B'nai Brith Magazine's first and only editorials on the Celler Bill, published in March of 1939, concluded that the legislation had "no chance of passage."⁴⁰ The author, well-known radio commentator H. V. Kaltenborn, noted that William Green, AFL president and a key Roosevelt ally, had come out against the bill on the basis that it would be unfair to unemployed Americans who would have to compete with the refugees for jobs. Having already admitted defeat, Kaltenborn ends with a curious reminder. The refugee issue, he said, was "in no sense a Jewish question," as there were "many more Catholics and Protestants than Jews who desire to leave the dictator countries." In retrospect, it is obvious that the issue of German refugees fleeing Nazi Germany was, indeed, a Jewish question, though not exclusively

34 Benton-Cohen, Katherine. "Chapter 2." *Inventing the Immigration Problem: The Dillingham Commission and Its Legacy*, Harvard University Press, Cambridge, MA, 2018.

35 Wyman, David S. *Paper Walls: America and the Refugee Crisis, 1938-1941*. Pantheon Books, 1986.

36 Ibid.

37 "Congress Asked to Amend Naturalization Laws." *The Sentinel*, 13 Jan. 1938, p. 23.

38 "U.S., Petitions of the Jewish People's Committee, 1938." *Ancestry.com*.

39 "U. S. Asks Powers to Help Refugees Flee From Nazis." *The New York Times*, 25 Mar. 1938, p 1.

40 Kaltenborn, H. V. "Christian and Jewish Refugees." *B'nai B'rith Messenger*, 31 Mar. 1939, p. 32.

so. Yet by then, Jewish groups and their allies had come to believe that any bill heavily associated with the rescue of Jews would inevitably fail to gain support in Congress.

This was no coincidence; Jewish groups' reticence to heavily associate themselves with the refugee bills came partly as the result of explicit warnings from government officials to Jewish leaders. In the months leading up to the Evian conference, an international meeting held in the summer of 1938 to address the refugee crisis, Assistant Secretary of State George S. Messersmith sent a memo warning Emmanuel Celler and five other Jewish congressmen that any efforts to increase immigration to the United States would result in reactionary immigration restriction bills to cut immigration in half or stop it altogether.⁴¹ Yet again, the State Department was signaling to Jewish leaders that it would not be willing to take a political risk by supporting Jewish resettlement efforts in America. The following winter, Celler repeated Messersmith's warning to a conference of the American Committee for the Protection of the Foreign Born. He argued that because of political opposition to immigration in the South and West, pushing forward the refugee bills would simply be too risky in the lead up to the midterms.⁴²

Yet fear of political backlash was only half the story. Jewish leaders were also acting on their own concerns that the economic impact of a sudden influx of poor refugees would overwhelm community resources, inflaming prejudice against American Jews in general. The Jewish concept of *Tzedakah*, or charity, meant that Jewish communities, particularly in large cities, frequently tasked themselves with taking care of their own. By bringing in more refugees than the community could care for, Jewish leaders—particularly the wealthy—feared the further “ghettoization” of the immigrant contingent of the American Jewish

population.⁴³ Moreover, AJC documents show that Jewish leadership at the time saw antisemitism as a reactionary force with a strong economic basis. In their analysis, Jews had merely become the unfortunate scapegoats of hordes of jobless men frustrated by their economic condition.⁴⁴ Crowding poor refugees into cities like New York at a moment when unemployment was still at 17% risked aggravating economic pressures and worsening anti-Jewish prejudice. Perhaps this explains why, a few months after Dickstein introduced his bill to quadruple the number of refugee visas available to German Jews, he drafted another bill to resettle said refugees in Alaska, where he claimed over one million Jews could be accommodated.⁴⁵ Although this bill went nowhere, it was representative of the American Jewish community's evolving focus on resettlement efforts farther away, in South America, Africa, and the British Mandate for Palestine.⁴⁶ While these efforts were influenced by Zionist philosophy—the movement to establish a Jewish homeland—they were also in part a recognition of the futility of efforts to loosen restrictions on Jewish refugees to the United States.

The saga of the Dickstein and Celler Bills, both of which died in committee, show American Jewry had almost entirely given up on any efforts to raise quotas by 1939, even temporarily. Jewish leadership's resignation came in response to both the overwhelming opposition of public opinion, which lowered the potential for legislative success and raised the risk of political backlash, and their fear that an influx of poor refugees would worsen the situation of Jews in urban areas. In retrospect, the failure of the Celler and Dickstein Bills represented a major blow to any hope that the post-1924 framework of U. S. immigration law would reform itself in time to save European Jewry. While Jews like Celler and Dickstein would continue to hold significant political power, they felt insecure enough about their place

41 Laffer, Dennis Ross, et al. “Jewish Trail of Tears II: Children Refugee Bills of 1939 and 1940.”

42 *Warns on Measures to Admit Refugees*. The New York Times, 27 Feb. 1939, p. 1.

43 *Plans for Combating Antisemitism in 1942*. American Jewish Committee, 1942.

44 *Reports and Memoranda on antisemitism in America and AJC's Work to Combat It, 1939*. American Jewish Committee, 1939.

45 “In the News.” *The Sentinel*, 9 Feb. 1939, p. 2.

46 Duker, Abraham G. *Political and Cultural Aspects of Jewish Post War Problems*, The Jewish Social Service Quarterly, New York, New York, 1942.

in American society to fear the effects of merely suggesting a liberalization of immigration policy. Though smaller-scale administrative loopholes in quota laws (like Roosevelt's 1938 decisions to combine the quotas for Germany and Austria and to extend the visas of European Jews who had overstayed their tourist visas) remained a possibility, it was clear that the general quota system was there to stay, presenting a major roadblock to future efforts to rescue Jews from Hitler's grasp.

WARE OF THE STARK challenges facing the ge-

THE WAGNER ROGERS BILL

A general refugee bills, the Minnesota-based *American Jewish World* (AJW) newspaper called for a shift in strategy. In one of the most radical editorials printed by the Jewish press at the time, the AJW argued that although President Roosevelt had discounted the possibility of raising quotas, it was imperative to keep trying. "Possibly such a demand [raising the quotas] cannot at this time come from the President," the article observed. "It can and should come, however, from the conscience of the American people."⁴⁷ Instead of calling for increased adult admissions, which had little chance for success, the AJW exhorted its audience to lobby for the admission and private sponsorship of 25,000 German refugee children, modeled after the British Kindertransport. "The public is ready," said the article. "Are there leaders to organize the task?"

In February of 1939, Senator Robert Wagner of New York (Dem.) and Representative Edith Rogers of Massachusetts (Rep.) took up the challenge, sponsoring the Wagner-Rogers Bill to bring in 20,000 German refugee children above the current national quotas. The bill proposed that the children be under fourteen years

of age, mentally and physically fit, and guaranteed not to be a public charge. They would be brought in over the following two years, at a rate of 10,000 children per year. Furthermore, the children would be hand-picked by consular officials and welfare workers, who would be tasked with choosing the refugee children most qualified and most in need of rescue.⁴⁸ Given the horror of the situation in Germany at the time, there was no shortage of parents who would have made the heart-wrenching decision to be indefinitely separated from their sons and daughters—and no shortage of young children who had already been left alone, their parents imprisoned or killed in Hitler's concentration camps.

From its start, the Wagner-Rogers Bill was designed to overcome the economic and social arguments of the restrictionists who had killed the Dickstein and Celler Bills. The under-fourteen age restriction ensured that the refugee children would not be allowed to compete with American-born workers for at least half a decade; the Jewish and mainstream press often repeated that such children would be "consumers rather than producers," a net economic benefit to a nation still recovering from the Depression.⁴⁹ Moreover, the refugees' young age lessened fears that the children would bring with them subversive ideologies. At the congressional hearing for the bill, supporters emphasized that, unlike their adult counterparts, child refugees would easily assimilate into their new American families, learning English and adopting American culture and values. As a result of these strategic arguments, Wagner-Rogers received a broader coalition of support than any other contemporary liberal immigration bill. Even the AFL, which had opposed the Dickstein and Celler Bills, came out in support of Wagner-Rogers. The bill was further supported by representatives from every major American religious group, including a large number of Catholic and Protestant national organizations led by the American Friends Service Committee, a Quaker group. At least 85 major newspapers came out in support of the bill, including the *New York Times*, the *Washington Post*, and 26 Southern publications.⁵⁰

47 "Homes for 25,000 Children." *American Jewish World*, 25 Nov. 1938, p. 2.

48 *Joint Hearings before Senate and House Committees on Immigration*, April 20-24, 1939, p. 127.

49 "Homes for 25,000 Children." *American Jewish World*, 25 Nov. 1938, p. 2.

50 Wyman, David S. *Paper Walls: America and the Refugee Crisis, 1938-1941*. Pantheon Books, 1986.

The Jewish mobilization in support of the bill attempted to pre-empt any further economic arguments against Wagner-Rogers by ensuring that no child accepted for entry to the United States would become a public charge to the American taxpayer. Given that the refugee children were too young to provide for themselves, this task required the pre-emptive construction of a large welfare infrastructure that could place these children in volunteer foster homes and pay for their upkeep. An appeal for volunteer homes in the American Jewish World elicited over 1,000 responses even before the bill had been put before Congress.⁵¹ On a larger scale, Jewish, Catholic, and Protestant American faith leaders joined together to form the Non-Sectarian Committee for German Refugee Children, run by the Quaker American Friends Service.⁵² The Committee tasked itself with identifying homes for the potential children before their entry into the United States. Their work was a key example of broad interfaith collaboration to aid the plight of the refugees and a response to pleas from the Jewish press for Christian allyship in helping the most vulnerable victims of Hitler's regime.

Yet despite, or perhaps because of, strong Christian support, Jewish leadership believed that the only way for Wagner-Rogers to pass was if they distanced themselves from the issue, allowing non-Jewish groups to take center stage. Reminiscent of their rhetoric around the Celler and Dickstein bills, the American Jewish World frequently attempted to refute the claim that Wagner-Rogers was in any way a "Jewish Question." One article from March 1939 pointed out that a "very large percentage" of the children to be rescued were Christians.⁵³ Larger newspapers like *B'nai B'rith* encouraged their audiences to lobby Congressmen in support of the bill. They reminded readers that the children were "of all religious faiths."⁵⁴

At the Joint Hearings on the bill, only one person, the well-known Rabbi Stephen Wise, attended as an explicit representative of the Jewish community. The vast majority of speakers in support of the bill were gentiles, including three Protestant reverends. Strikingly, while the Christian speakers repeatedly identified themselves as members of the clergy, Stephen Wise, a major American rabbi, opted only for the prefix of "Dr." and introduced himself not as a rabbi but as an "American citizen."⁵⁵

As has been noted by historian David Brody, Dr. Wise's speech in front of the Subcommittee on Immigration was particularly notable for the way Wise juggled two competing goals: the rescue of Jewish children and the vindication of his own American citizenship.⁵⁶ Even as Wise supported the bill, he made clear that this support was secondary to his support for his country. When asked whether it would be a mistake to raise the number of child visas, Wise responded: "I feel that the country...should not be asked to do more than take care of a limited number of children...afterall, we cannot take care of all of them."⁵⁷ Moreover, Wise went out of his way to state that if there was any evidence that the Wagner-Roger Bill would be against American interests, America should come first. "If Children cannot be helped," he lamented, "then they cannot be helped, because we should not undertake to do anything that would be hurtful to the interests of our country." In an effort to prove American Jews' loyalty to the United States at a time when such loyalty was increasingly in question, Wise's speech echoed more the language of restrictionists than of fellow Wagner-Rogers supporters. The words of the next speaker, journalist Dorothy Thompson, put Wise's conciliatory tone into sharp contrast. Thompson reminded the audience that the bill was the very least the United States could do: "a very

51 *Joint Hearings before Senate and House Committees on Immigration*, April 20-24, 1939, p. 50.

52 Sheldon Spear. "The United States and the Persecution of the Jews in Germany, 1933-1939." *Jewish Social Studies*, vol. 30, no. 4, 1968, pp. 215-42.

53 "Support Wagner-Rogers Bill." *American Jewish World*, 31 Mar. 1939, p. 8.

54 "Notify Congressmen On Refugee Children." *B'nai B'rith Messenger*, 28 Apr. 1939.

55 *Joint Hearings before Senate and House Committees on Immigration*, April 20-24, 1939, pp. 155-159.

56 Brody, David. "American Jewry, the Refugees and Immigration Restriction (1932-1942)." *Publications of the American Jewish Historical Society*, vol. 45, no. 4, June 1956, pp. 219-247.

57 *Ibid.*



In 1933, Wise addressed a protest of 250,000 people in New York against antisemitism in Nazi Germany. [2]

small contribution” to a very big problem.⁵⁸

Just as with the Kerr-Coolidge Bill and the Celler and Dickstein Bills, assistant Secretary of State George S. Messersmith warned that the Wagner-Rogers Bill would encourage the further persecution of European Jews and inspire a new round of restrictionist legislation that would cut off the German quotas entirely.⁵⁹ While not explicitly stated, Messersmith’s warnings reflected what many historians have characterized as long-standing, anti-Jewish prejudice in the State Department. The anti-semitism of State Department officials would continue to have wide-ranging and deeply damaging effects, from the unwarranted restrictionist attitude of American consular officers in Europe to the warnings of high-up officials, like Messersmith, who argued that helping the Jews escape Europe was bad foreign policy.⁶⁰ Worse yet, these attitudes extended to many members of Congress who would soon vote on the Wagner-Rogers Bill. In a July *Newsweek* editorial reprinted in the *American Jewish World*, columnist Raymond Moley expressed this reality openly, writing

loose the tongues of certain members of Congress... itching to burn verbal fiery crosses.”⁶¹ Jewish voices therefore aimed to support the bill while keeping a low profile. By emphasizing the Christian children that would be helped by the bill, they hoped to defuse any prejudice that could derail their rescue.

Regardless of the State Department’s motives for warning against the Wagner-Rogers Bill, they were right about one thing: the bill would indeed be hijacked by nativists to propel restrictionist immigration legislation in Congress. Opponents of Wagner-Rogers argued that it was wrong to help German refugee children without helping American children first. They further accused the bill’s supporters of using the children as a foot in the door of the quota system, arguing that it was only inevitable that the program would grow to include other suffering children and their parents, too. Herman Miller, Secretary of the Patriotic Order of the Sons of America, summarized his group’s opposition to the bill in the popular nationalist language of the time: “I am

58 *Joint Hearings before Senate and House Committees on Immigration, April 20-24, 1939*, pp. 160-164.

59 Wyman, David S. *Paper Walls: America and the Refugee Crisis, 1938-1941*. Pantheon Books, 1986.

60 J., Bon Tempo Carl. “‘The Age of the Uprooted Man’: The United States and Refugees, 1900-1952.” *Americans at the Gate: The United States and Refugees during the Cold War (Politics and Society in Twentieth-Century America)*, Princeton University Press.

61 Moley, Raymond. “Let Them In.” *The American Jewish World*, 21 July 1939, p. 14.

for America first, last, and forever. America first.”⁶² Anti-immigration Senator Robert Reynolds threatened a filibuster against the bill in its original form. Then, in a supposed “compromise,” he proposed an amendment to adjoint Wagner-Rogers to five restrictionist bills.⁶³ The net effect of the proposed legislation would be to stop immigration for five years, mandate the fingerprinting of all immigrants in the country, and count the 20,000 refugee children against the national quotas, displacing the adults already on the list.⁶⁴ Wagner withdrew his bill soon after the proposed restrictionist amendments, unwilling to make a compromise so damaging and unfair to the adult refugees equally in need of America’s protection.

Ultimately, the tabling of the Wagner-Rogers Bill was perhaps the most striking symbol of America’s abject failure to act to save the innocent victims of Hitler’s Holocaust. While Jewish leaders advocated for the bill’s passage through the press, letter writing, and speeches, their advocacy efforts were heavily tempered by a desire to appear, first and foremost, as American citizens concerned about the welfare of America first. This attitude resulted from a perceived need to prove American Jews’ loyalty to their country and a widely-shared belief that Jewish efforts to support legislation could backfire against the community and doom the laws they hoped to pass.

In September of 1939, B’nai Brith lamented the death of the Wagner-Rogers Bill but suggested that there was little the Jewish community could do in the face of public resistance.⁶⁵ “We are reluctant to close our ears to the desperate cries of human beings in need of help,” wrote the radical anti-fascist columnist Louis Adamnic, “but any program which is set up to aid the refugees must, if it is to be successful, be formulated in the light of our own peculiar problems and institutions.” For the foreseeable future, those institutions would be decidedly anti-immigrant and remarkably unresponsive to the plight of even the most vulnerable

refugees. Having learned this lesson the hard way over the course of four years and four failed immigration bills, American Jewish leaders would increasingly turn their attention away from America, focusing instead on both the war effort and the Zionist project in a hope to save their Jewish brethren.

CONCLUSION

AS THE LAST THREE case studies have shown, American Jews were ultimately unsuccessful in advocating for the large-scale admission of Jewish refugees during the years leading up to the Holocaust. Undoubtedly, they could have spoken out more loudly against the State Department’s cruel enforcement of public charge laws, or protested more forcefully against the quotas that kept so many Jewish refugees out. But in retrospect, it is easy to minimize both the extent of public and administrative opposition to refugee resettlement and American Jews’ fear of growing antisemitism within the United States. At the time, Jews represented only around 3% of the American population. Could their actions alone have made a difference against the great tide of public opinion? Or would their efforts have only further doomed the refugee bills to failure? These considerations undoubtedly played a role in the decision of leaders like Rabbi Wise to remain non-confrontational as hundreds of thousands of European Jews languished waiting for an American visa.

Still, it is important to acknowledge that even in their own time, the strategy of mainstream Jewish leadership had its vocal critics. In a 1942 *Pamphlet on Post-War Migrations*, Dr. Abraham Duker criticized American Jewry for being so “benumbed by the fear of

⁶² *Joint Hearings before Senate and House Committees on Immigration*, April 20-24, 1939, p. 233.

⁶³ Laffer, Dennis Ross, et al. “Jewish Trail of Tears II: Children Refugee Bills of 1939 and 1940.”

⁶⁴ **One year later, after the Nazi Blitz of France, some of Reynold’s propositions—specifically the fingerprinting of all immigrants—were passed into law through the 1940 Alien Registration Act.**

⁶⁵ Adamnic, Louis. “America and the Refugee Problem: U. S. No Longer Asylum Despite Tradition of Founding Fathers.” *B’nai B’rith Messenger*, 29 Sept. 1939, p. 2.

antisemitism, and overwhelmed by the line-up of forces against them,” that many were “incapable of taking a vigorous stand on anything.”⁶⁶ While Duker was largely referring to what he perceived as American Jewish inaction with regards to settlement in Palestine, his critique was equally applicable to the issue of immigration policy at home.

As Duker shows, American Jewish society was not and has never been a monolith. This qualification applies equally to the content of this work. In my writing, I have mostly focused on the actions and words of the English-language Jewish press and the American Jewish Committee—groups that largely represented the assimilated and better-off segments of American Jewry, who were most connected to the levers of power in American government. Yet the Yiddish press and Jewish Labor groups, representative of working class immigrants more closely tied to Eastern European Jewry, often called for more radical and expansive immigration policies during this time.⁶⁷ As these groups challenged their contemporaries, so too can one legitimately look back from the present and critique mainstream American Jewish leaders for their silence.

The great conundrum of history, however, is that it is impossible to know with certainty what would have happened had things gone differently. Between the years of 1933 and 1945, America received between 180,000 and 220,000 European refugees, most of whom were Jewish.⁶⁸ While this was more than any other country, it represented a tiny fraction of pre-quota act immigration rates to the United States. In the ten years prior to the establishment of the 1924 national quota system, an average of 450,000 immigrants were granted entry each year—more than double the number of Jewish refugees

accepted over the entire twelve years of Nazi rule.⁶⁹ For the Eastern European Jews who would be most devastated by Hitler’s “final solution,” the quota system made entry into the United States almost impossible. The annual quota for Lithuania, where 90% of the country’s 160,000 Jews would be killed, was 386.⁷⁰ For Romania, where 250,000 Jews would die, the annual quota was 377.⁷¹

American Jews, many consumed by a desire to establish their patriotism and their place in American society, felt themselves unable to challenge the prevailing anti-immigrant attitude of Congress and the American public. While groups like B’nai Brith and the American Jewish Committee did push for legislation to help refugees, they did so cautiously, quickly backing down in the face of opposition. In the end, the restrictionists won out. America—that refuge for the tired, the poor, “the huddled masses yearning to be free,” the America that welcomed newcomers to its shores with a poem written by a young Jewish emigré—did not open its doors for the vast majority of Jews and others fleeing the Nazi regime. ♦

66 Duker, Abraham G. *Political and Cultural Aspects of Jewish Post War Problems*, The Jewish Social Service Quarterly, New York, New York, 1942.

67 Brody, David. “American Jewry, the Refugees and Immigration Restriction (1932-1942).” *Publications of the American Jewish Historical Society*, vol. 45, no. 4, June 1956, pp. 219–247.

68 “How Many Refugees Came to the United States from 1933-1945?” United States Holocaust Memorial Museum, <https://exhibitions.ushmm.org/americans-and-the-holocaust/how-many-refugees-came-to-the-united-states-from-1933-1945>.

69 Ibid.

70 “Migration Quotas Alloted and Quota Aliens Admitted, by Country of Birth: Years Ended June 30, 1925 to 1938.” Department of Labor, Immigration and Naturalization Service, 1939.

71 Ibid.

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