BARRING THE GATES

A History of Political Exclusion and Family Separation in Cold War America

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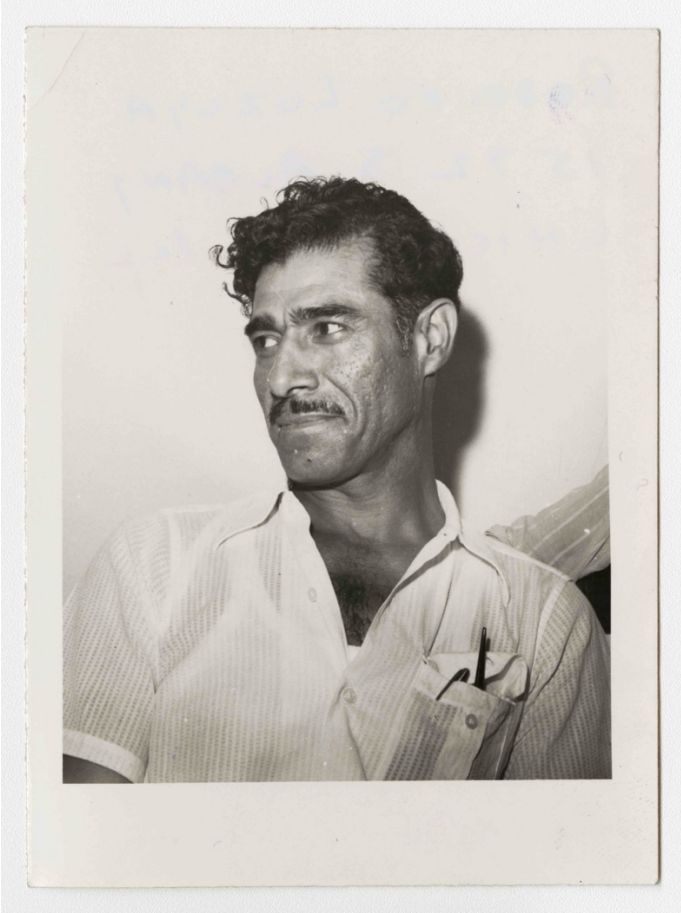

Rodolfo Lozoya. Courtesy of the Chicago History Museum.

When Rodolfo Lozoya left Chicago for Mexico in January 1957 to visit his mother, who had just had a heart attack, he probably did not think that he would face the threat of permanent separation from his family. Lozoya, forty-eight at the time, had lived in the United States for nearly three decades and had served in the U.S. Air Force during World War II. His wife Consuelo and his seven children were all U.S. citizens. But when it became clear that Lozoya's mother would recover and he tried to reenter the United States, immigration authorities at the bridge joining Ciudad Juárez, Chihuahua, and El Paso, Texas, excluded him and threatened to press criminal charges if he crossed the border without authorization.[1]

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Federal officials did not target Lozoya for immigration infractions; they singled him out for his radical politics, his trade union activism, and his alleged past membership in the Communist Party. This was more than sufficient reason, under the McCarran-Walter Act of 1952, for the U.S. Immigration and Naturalization Service (INS) to classify him as a security threat and to prevent him from returning home to Chicago.

Although ideological exclusions and deportations paled in comparison to the millions of people singled out for entering the country without inspection during the 1950s, the saga of Rodolfo Lozoya offers insights into the hypocrisy and the human costs of Cold War-era laws.[2] His story highlights the limited nature of democracy in a nation that had long depended on foreign labor and welcomed immigrants into the armed forces, while denying those same people access to the four freedoms—freedom of speech, freedom of worship, freedom from want, and freedom from fear—that President Franklin D. Roosevelt declared everyone should enjoy. And it shows that to fully grasp how the toxic combination of broad immigration restrictions and pervasive anticommunism shaped the United States in the 1950s, we must move beyond any one individual caught in the crosshairs and instead examine the intertwined lives of husbands and wives, parents and children, citizens and noncitizens.

Part I. Making a Life in the United States

Rodolfo Lozoya was born in 1908, two years before the start of the Mexican Revolution, and raised on a small ranch in the western Mexican state of Durango. He first went to the United States at age nineteen, at a time when Mexicans searching for work could get visas relatively easily. This was possible because, although the Johnson-Reed Immigration Act of 1924 placed numerical restrictions on immigration from Europe and barred immigration from Asia, the legislation did not apply to the Western Hemisphere. As a result, in the decades ahead, employers increasingly looked south to fulfill foreign labor demands at the same time that Mexican migrants looked north for higher wages.[3]

Lozoya labored in a variety of jobs during his first fourteen years in the United States. Soon after crossing the border, in 1928, he secured a position on the Santa Fe Railroad in Colorado. He worked for another line in Oklahoma the following year, and, after that, the Rock Island Railroad in Chicago. Lozoya stayed in the Second City and toiled for a metal casting company during the early years of the Great Depression. But, like so many others, he found himself unemployed as the economic crisis deepened and spent the next few years moving between "flop houses." For a while, he tried by make ends meet selling flour tortillas out of a semi-basement room near Halsted and Taylor Streets on the city's Near West Side. In 1936, the New Deal-era Works Progress Administration offered Lozoya steady employment again, and the following year he landed a stable job at Carnegie Illinois Steel Company.[4]

By the 1930s, when Lozoya arrived, Chicago already had a sizable Mexican community, composed mostly of working people. Some were card-carrying union members and a smaller, though not insignificant, number embraced popular front politics. Lozoya was a member of the Steel Workers Organizing Committee of the Congress of Industrial Organizations, and also belonged to a number of labor and mutual aid groups, including the Liga Obrera, which conducted meetings in Spanish, and the International Workers Order, which was forced to disband in the mid 1950s after the government declared it a subversive group. His political commitments and affiliations with these organizations would later prove consequential.[5]

In January 1943, Lozoya enlisted in the U.S. Army. Five weeks later, during basic training in Atlantic City, New Jersey, he rebuffed pressure from the military to naturalize. The archival record leaves no trace of why, but it makes clear that the INS soon began investigating Lozoya's immigration history. Officials did not believe him when he told them that he had reentered the United States with a head tax certificate in September 1942 after visiting family in Mexico. Since he could not produce any documentary evidence, authorities concluded that he had "entered the United States illegally" and was therefore subject to deportation. Although Commissioner of the INS Earl G. Harrison brought this to the attention of the War Department, he stated that "further action in this case will not be taken while Mr. Lozoya is a member of the armed forces of this country." He added, however, that the agency would

appreciate being notified prior to Lozoya's discharge "so that such action as may be appropriate at that time may be taken." Harrison also instructed the War Department to share "the address to which [Lozoya] will proceed," in hopes of streamlining the INS's work. U.S. officials may have appreciated Lozoya and other Mexicans risking their lives for the country, but they felt no sense of reciprocity once the war ended.[6]

For reasons unknown, INS agents did not deport Lozoya immediately upon his honorable discharge two-and-a-half years later, and he returned to Chicago. In 1950, he married Consuelo Villanueva, who he had first met nearly two decades earlier. She had three children from a former marriage (Armida, Corina, and Alberto) and in the years ahead the couple would have four more kids (Rodolfo, Angela, Cipriano, and Libertad). The family lived on the city's Near West and West Sides, moving at least four times in their first seven years together. By then, Lozoya worked at Grand Sheet Metal Products Co. in Melrose Park, a western suburb. He sometimes missed a few months of work each year because "chemical burns suffered in the Air Force cause[d] a rash to break out on his body at frequent intervals." He was also a shop steward and an active member of the Local 1150, United Electrical Radio and Machine Workers union.[7]

After the war, growing tensions between the United States and the Soviet Union led authorities to shift their energies and resources to excluding and deporting suspected Communists. While the House Un-American Activities Committee's high-profile public hearings of prominent Hollywood actors received much attention, officials also increasingly targeted ordinary people like Lozoya. In 1946, a confidential informant tied him to a Communist Party lodge in Chicago. His previous declaration of membership in the International Workers Order on an Alien Registration Form prompted further investigations in 1951, during which the Federal Bureau of Investigation (FBI) reported that Lozoya subscribed to *Voz de México*, which they called "an organ of the Communist Party in Mexico." Officials soon started looking into deporting Lozoya under the Internal Security Act of 1950, which singled out Communists and anyone who had ever been affiliated with an organization that had Communist leanings, but they did not act.[8]

Five years later, authorities realized there might be another way to achieve their goal. On January 11, 1957, Lozoya went to the INS and told them that he

would be visiting his ailing mother in Mexico. He did so in hopes of avoiding any problems when seeking to reenter the country. But INS officials in Chicago sent a profile and physical description of Lozoya, along with details about his travel plans from an informant, to their counterparts in El Paso, who then posted a lookout at the bridge. When Lozoya showed up on January 16 to purchase a return train ticket, agents were waiting for him.[9]

Part II. Fighting to Return Home

A few days after authorities turned away Rodolfo Lozoya and served him with an exclusion order, his wife Consuelo wrote to the acting chief of the INS in El Paso, imploring him to allow her husband to reenter the United States. "I only want you to know that I have no means of support. I or shall I say my husband + I have seven (7) children. One is constantly sick and if my husband does not return home soon he will lose his job here," she wrote. "In the mean time my children are here suffering because we need him very much. … Again I am pleading with you, please let my husband return to his family. I assure you he is a good man. We are poor people and cannot afford an attorney." She appended a P.S. to the end of the letter stating that she and her seven children were all U.S. citizens. (The U.S. Citizenship and Immigration Service FOIA office, within the Department of Homeland Security, censored part of Consuelo's P.S., omitting the line where she states that she is a U.S. citizen, which can clearly be inferred from what was left uncensored: "+ so are my children. All from Chicago, Ill.")[10]

But convincing U.S. officials to grant entry to a suspected Communist was a fraught proposition in Cold War America, regardless of Lozoya's personal ties, military service, or the fact that he had lived in the country for twenty-eight years. Although the United States had a long history of persecuting political radicals, the McCarran-Walter Act of 1952 marked, in the words of historian Julia Rose Kraut, "the culmination of ideological exclusion and deportation." Congress passed the law, which extended the government's ability to target Communists and granted the Attorney General absolute discretionary power in exclusion and deportation cases, during the middle of the Korean War and over the veto of President Harry S.

Truman, who denounced the legislation as "inconsistent with our democratic ideals."[11] The fight to reunite Rodolfo Lozoya with his wife and children unfolded in this historical and political context. Examining their struggle sheds light on the tension in mid-century immigration policy between an unqualified anticommunism in the name of national security, on the one hand, and the defense of human rights and core postwar liberal values like freedom of speech and family unity, on the other.

The Lozoya case also provides insights into the mobilization of immigrant rights groups like the Midwest Committee for Protection of Foreign Born (MCPFB) in response to the McCarran-Walter Act. The MCPFB was a branch of the American Committee for Protection of Foreign Born (ACPFB), a New York-based popular front organization that emerged out of the liberal American Civil Liberties Union and the Communist Party-allied International Labor Defense in 1932. The ACPFB's origins led the U.S. government to classify the group as a subversive organization in 1948, and to view it as a Communist front in the years ahead. The ACPFB denied such accusations, arguing that they were but the latest in a long series of attacks on people's civil rights and liberties that dated back to the Alien and Sedition Laws of 1798, and also included the anti-Irish and anti-Catholic Know Nothing movement of the 1850s and the Palmer Raids of 1920 during the first Red Scare. The ACPFB and its local and regional branches never stopped fighting against unjust and inhumane exclusions, denaturalizations, detentions, or deportations during the groups' fifty-year existence.[12]

The MCPFB started organizing on the Lozoyas' behalf within days of Rodolfo's exclusion at El Paso. The group helped find and pay for legal representation, formed a Committee to Reunite the Lozoya Family, used the media to publicize the case, and even got blacklisted Hollywood director Herbert Biberman to write a letter on the family's behalf. Biberman had heard Lozoya speak in El Paso a few years before and was so impressed that he almost cast him as Ramón, one of the leads in "Salt of the Earth," his classic film about a strike at a zinc mine in New Mexico. "Mr. and Mrs. Lozoya are the kind of Americans upon whom all that is glorious in our country is built, is being built and will be built," Biberman wrote. "Their separation under the conditions you describe will hurt our country and our people—we need every loving, decent, whole family we have bred."[13]

The Lozoyas and the MCPFB also spoke out against and published articles and pamphlets criticizing the draconian and arbitrary nature of the McCarran-Walter Act. Consuelo wrote an open letter to Attorney General Herbert Brownell, urging him "to put an end to such fascist laws" and "to return my husband to his family where he belongs and thereby showing, that that democracy which my husband, Rodolfo Lozoya, fought for, along with many other Mexican and Mexican Americans, is still alive." And the MCPFB argued that the legislation "not only denied to foreign born Americans their fundamental rights under the Constitution, but directly and indirectly affect[ed] the whole American people." The committee later called on Congress to amend the McCarran-Walter Act to exempt anyone who had been in the country for five years or longer from exclusion, denaturalization, and expulsion. This would have eliminated cases like Lozoya's, which represented the "meanness and cruelty of the whole witch hunt in America, especially as it applies to Mexican-Americans."[14]

U.S. immigration officials' decision to exclude Lozoya bewildered him. "I can't help but to come myself with this question: If they knew that I was a real dangerous man, why didn't they call my attention in Chicago?" he asked. "They would find me in my house or at the shop where I have been working for more than seven years. Every January I miss half a day's work in order to go and register as an alien. I file my income tax every year. … I have never been jailed nor convicted of anything." He may have had a clean record "as an alien and worker," but he was also a proud union leader and, according to authorities, a former member of the Communist Party.[15]

Lozoya's alleged past membership in the Communist Party complicated his case. Joseph Camelia, his El Paso-based lawyer, suggested that his best chance of gaining entry was to name names, but Lozoya refused to do so. "I know that there are many Mexican people who will be put in jail. Some of them you know they have large families," he wrote to Consuelo. "These agents want to convert me into a finger man, like the famous Matusso [Harvey Matusow] who landed in jail anyways … But I do not and will not point out any of my friends just because this lawyer wants me to or says that I should. I know better."[16] Lozoya also denounced the McCarran-Walter Act and the state of democracy in Cold War America.

> It is known that in a democratic Republic like the United States there is always and there should be some members of such families that do not agree with the majority and their opinion of minority should be respected by the majority. In democracy there is and there should always be tolerance and respect in the family that composes it, but if this is eliminated by force on the minority without discussion, then this is no democracy.
>
> Speaking of the family that forms this great Republic, I am tempted to ask Sen. McCarran and Sen. Walter and all those Senators that approve this 'law' what would they do if one of their children does not agree on something that the majority agree on? Would they wait until they leave their home (on an errand) and then send them a note telling them they are 'Excluded from their families' home' on charges of not agreeing with the majority of the family? … I am very much tempted to ask these men of politics if this is what they would do to their children, without an open discussion, with the necessity to make 'laws' that cut their speech and leave their mouths open for not agreeing with the majority?
>
> That type of law does not belong to a democracy, those laws are for nations with dictators."[17]

The MCPFB zeroed in on family separation as the best strategy to win public support for Lozoya. They decided to "proceed on the premise that Lozoya's politics has nothing to do with the real issues in the case—deprival of a foreign-born resident of his rights no matter how long he has live[d] in this country and deprival of eight native-born citizens of their means of livelihood." The committee knew his legal case was a long shot, "unless people generally are aroused to the injustice involved, or to the attack on their pocketbooks as taxpayers." So they put out a press release: "A woman and seven children have been forced onto the relief rolls in this city because their breadwinner is barred from reentering the United States." And while the U.S. government forced Lozoya to stay in Mexico, the statement continued, "his family is fed, clothed, and housed by the Chicago Welfare Department and friends." When Consuelo Lozoya first applied for aid some people recommended she take the children to Mexico instead. "I made it plain that I would do no such thing," she said. The first monthly relief payment was for eighty-nine dollaras, hardly adequate for a family reported to spend fifty dollars a month on milk alone. The MCPFB organized fundraisers and benefits (including one on Mother's Day) to

supplement the family's income, and Rodolfo and his relatives in Ciudad Juárez sent as much as they could, but Consuelo struggled to provide for their seven children.[18]

In addition to the material impact, Rodolfo's exclusion also took a significant physical and psychological toll on the family. In mid February, Rodolfo wrote to the INS in El Paso notifying them that he had to miss his scheduled hearing due to his "chronic skin condition." "Perhaps," he wrote, "it's a result of what's worrying me—my family … I'm the only one that provides for everyone."[19] As time passed, the couple's younger children "asked about their father every day."[20] And after four months apart, Consuelo wrote to Rodolfo to let him know she was nervous and not well, and had started going to a doctor.[21] His response a couple weeks later revealed that he was in a similar emotional state:

> "Well, negra, you should know that I'm a bit desperate since I haven't received a letter from you since May 30th and I cannot help but think—not wanting to, that you aren't well, that you'll be nervous from thinking a lot about something that thinking will not be able to resolve. Well, the more one thinks and rehashes the issue, the more tense and hopeless one sees the situation. There's no point in thinking about it, because they have forced us to live in this situation that we didn't seek out, we haven't wanted nor want, but that for 'virtue' of the 'law' we have to swallow this bitter pill in our life that is no life at all."[22]

When Consuelo still had not responded to him a week and a half later, and three weeks since her last letter, Rodolfo wrote again in despair:

> "I continue to wait for some news from you to know how all of you are—what's happening, why you don't write. … You should understand that after long weeks in which you haven't written me, it makes me think things that perhaps I shouldn't think. Your silence has made me so nervous to the point that I read the newspaper and have no clue what the articles I read are about—I'm thinking about, about what will happen to you—about what will happen to one of the kids or what will happen to everyone. In the end I think about the beginning and development of the older ones—the impulses that they may not be able to control, in the young ones who always learn from the older ones, who also will feel nervous and confused. I especially think about Angela [their epileptic daughter], la pobrecita, seeing the folly and chaos of everyone else will have a greater effect on her epileptic suffering … and you dealing with all of this mess that your silence has made me think about."[23]

Consuelo's June 18 response must have put Rodolfo somewhat at ease, since his next letter included descriptions of the hot weather in Juárez and the fact he heard that a recent rainstorm in Chicago had brought traffic to a halt. Still, the lack of communication left tension between them, and Rodolfo let her know that "here everyone asks me why you don't write and I have tried to excuse you, telling them that you've been sick and hungry." He closed the letter by telling her that although he could not force her to write, "if you're not feeling well, somebody can write for you if you ask them."[24]

As the months passed, Lozoya's case dragged on and the family's situation did not improve. Finally, in the fall of 1957, after eight months apart, Consuelo took the kids to Ciudad Juárez to see Rodolfo. Soon after arriving she wrote a short note to Patricia Ellis, secretary of the MCPFB, asking for money. At the end she added, "P.S. Send it now."[25]

The Lozoya children with their mother Consuelo (front row, at left). Courtesy of the Chicago History Museum.

By January 1958, a year into the family's nightmare, Consuelo and the children had returned to Chicago. But Rodolfo remained in Ciudad Juárez. While

they were gone, the INS had placed a sixty-day "mail cover" on their address to monitor any correspondence they received. Around the same time, immigration officials lost track of Lozoya and called on the FBI to investigate his whereabouts. (An informant reported that he was still in Mexico). Authorities continued working on the case through September 1958, if not later.[26]

That is when the archival trail runs dry, leaving no indication of what happened to the Lozoya family. Although multiple Freedom of Information Act requests between 2012 and 2015 turned up useful information, Department of Homeland Security censors withheld more than half of the nearly four hundred pages related to Rodolfo Lozoya, and partially or heavily redacted many others. His inclusion in the U.S. Social Security Death Index in April 1984 proves that, at some point, he reentered the United States. Why the federal government felt the need to repress fifty-year-old materials nearly thirty years after Lozoya's death is another question, the answer to which can be explained by outdated and restrictive transparency laws, but also by the enduring legacy of the Cold War and the pervasive fear of radical politics in the twenty-first century.[27]

Though much remains unknown about Rodolfo Lozoya's case, what we do know offers important insights into the histories of immigration, labor, and politics in postwar America. U.S. officials welcomed Lozoya as a worker and as a soldier, but they targeted him for deportation and exclusion because of his political beliefs, despite his decades-long ties and contributions to the country. The Allies' defeat of Nazism and fascism may have allowed them to protect the fundamental freedoms celebrated in postwar America, but these essential civil liberties never extended to people like Rodolfo Lozoya or, in turn, to the eight U.S. citizens in his family.

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NOTES

[1] "Questionnaire."; Ruth Heit, Executive Secretary Chicago MCPFB, to Rose, 7 February 1957; B.R. Oates, Acting Chief, Entry & Departure Section, Excluding Officer, to Rodolfo Lozoya-Castaneda, 21 January 1957; MCPFB Press Release, undated; Rodolfo Lozoya to Carl Braden, 2 May 1957, all from Box 7, Folder 13, Midwest Committee for Protection of Foreign Born papers (hereafter, MCPFB), Chicago History Museum (hereafter, CHM), Chicago, IL; "Lozoya, Rodolfo (Deportation Case File) 1957 [1958]," MCPFB, CHM.

[2] During the 1950s, U.S. authorities excluded 1,093 people deemed "subversive or anarchist" and formally deported around 235 people for the same reason. This amounted to fewer than 5 percent of total exclusions and just 0.2 percent of total formal deportations. Marion T. Bennett, *American Immigration Policies: A History* (Washington, D.C.: Public Affairs Press, 1963), 339-41. On the history of politically motivated exclusion and expulsion, from the late eighteenth century to the present, see Julia Rose Kraut's outstanding book *Threat of Dissent: A History of Ideological Exclusion and Deportation in the United States* (Cambridge, MA: Harvard University Press, 2020).

[3] "Rodolfo Castaneda Lozoya," Alien Registration Form, U.S. INS, November 29, 1940, USCIS FOIA Case Number GEN2013000931. In possession of author; received September 4, 2013. On the Johnson-Reed Act and the increasing reliance on Mexican labor after 1924, see Mae M. Ngai, *Impossible Subjects: Illegal Aliens and The Making of Modern America* (Princeton, NJ: Princeton University Press, 2004), 21-55.

[4] Statement of Rodolfo Lozoya-Castaneda Made Before Investigator [Redacted] in The Office of The Investigations Branch, El Paso, Texas on January 16, 1957; Truman O. Paulson, Investigator, Memorandum for File, Sept. 30, 1958, both from ICE FOIA Case Number 2015-ICFO-52034. In author's possession; received August 16, 2015; Rodolfo Lozoya, Nonquota Immigration Visa, American Consular Service at Ciudad Juárez, Mexico, March 29, 1928. USCIS FOIA Case Number GEN2013000931. On the lives and labor of Mexicans in Chicago during the first half of the twentieth century, see Gabriela F. Arredondo, *Mexican Chicago: Race, Identity, and Nation, 1916-1939* (Urbana, IL: University of Illinois Press, 2008); Michael Innis-Jiménez, *Steel Barrio: The Great Mexican Migration to South Chicago, 1915-1940* (New York: NYU Press, 2013); John Flores, *The Mexican Revolution in Chicago: Immigration Politics from the Early Twentieth Century to the Cold War* (Urbana, IL: University of Illinois Press, 2018).

[5] The Steel Workers Organizing Committee later became the United Steel Workers of America. Flores, *The Mexican Revolution in Chicago*, 93-136; Statement of Rodolfo Lozoya-Castaneda Made Before Investigator [Redacted] in The Office of The Investigations Branch, El Paso, Texas on January 16, 1957; Supplemental Statement of Rodolfo Lozoya-Castaneda, Made Before Investigator Frank Gardner in the Office of the Investigations Branch, El Paso, Texas on January 17, 1957. On the history of the Mexican American labor movement, see Zaragosa Vargas, *Labor Rights Are Civil Rights: Mexican American Workers in Twentieth-Century America* (Princeton University Press, 2005); Vicki L. Ruiz, *Cannery Women, Cannery Lives: Mexican Women, Unionization, and the California Food Processing Industry,*

1930-1950 (Albuquerque: University of New Mexico Press, 1987).

[6] Statement of Rodolfo Lozoya-Castaneda Made Before Investigator [Redacted] in The Office of The Investigations Branch, El Paso, Texas on January 16, 1957. ICE FOIA Case Number 2015-ICFO-52034; Rodolfo Castaneda Lozoya, "Preliminary Form for Petition for Naturalization Under Section 701 or 702 of the Nationality Act of 1940." March 1, 1943; R. P. Harris, Supervisor, Verification of Arrival Unit, INS to Chief, Exclusion and Expulsion Section, May 6 1943; J.B. Shoemaker, Assistant Commissioner, to District Director, May 6 1943; Earl G. Harrison, Commissioner INS, to The Adjutant General, War Department, Washington, D.C., June 15, 1943, all found in USCIS FOIA Case Number GEN2013000931. n possession of author; received September 4, 2013. On Mexican Americans' wartime contributions and the subsequent discrimination they faced in the postwar United States, see, among others, Maggie Rivas-Rodríguez, ed., *Mexican Americans and World War II* (Austin: University of Texas Press, 2005); Emilio Zamora, *Claiming Rights and Righting Wrongs in Texas: Mexican Workers and Job Politics during World War II* (College Station, TX: Texas A&M University Press, 2008); Elizabeth R. Escobedo, *From Coveralls to Boot Suits: The Lives of Mexican American Women on the World War II Home Front* (Chapel Hill: University of North Carolina Press, 2013).

[7] "Questionnaire," Box 7, Folder 13, MCPFB, CHM.

[8] The Smith Act of 1940 required all noncitizens age fourteen or older who were in the country for more than thirty days to complete an Alien Registration Form (AR-2). Question ten asked people about membership in "clubs, organizations, or societies" during the past five years. Kraut, *Threat of Dissent*, 109, 120-22; Statement of Rodolfo Lozoya-Castaneda Made Before Investigator [Redacted] in The Office of The Investigations Branch, El Paso, Texas on January 16, 1957; Assistant Commissioner, Enforcement Division, Central Office to District Director, El Paso, Texas, July 18, 1951; Assistant Director for Investigations, INS, Chicago, IL to Special Agent in Charge, FBI, Chicago, IL, December 16, 1957; Handwritten note about report of Special Agent Clarence L. Crandall from January 17, 1947, all found in ICE FOIA Case Number 2015-ICFO-52034; John F. Malone, Special Agent in Charge, FBI, Chicago to C.C. Davis, Chief, Investigation and Deportation Section, INS, Chicago, August 4, 1952, FBI FOIA Case Number 1291102-000, in possession of author; received September 16, 2014; Rodolfo Castaneda Lozoya, Alien Registration Form, INS, November 29, 1940, USCIS FOIA Case Number GEN2013000931;

[9] Lozoya may have gone to the INS to file an application for a replacement Alien Registration Receipt Card (AR-3), which he must have lost and knew would need to reenter the United States. The agency approved a replacement card on January 11, 1957. Ruth Heit to Friend, February 1957, Box 5, Folder 5, MCPFB, CHM; Rodolfo Lozoya, Application for New Alien Registration Receipt Card in a Changed Name, or in Lieu of One Lost, Mutilated, Destroyed or on Form AR-3 or AR-103," Replacement Issued, January 11, 1957; INS, Unsigned handwritten case notes, January 14-15, 1957, ICE FOIA Case Number 2015-ICFO-52034; Carl Braden, "The Case of Rodolfo Lozoya," *National Guardian*, May 13, 1957, 3, found in Box 7, Folder 13, MCPFB, CHM.

[10] Emphasis in the original. The government censor's redaction likely has to do with the fact that the text contained personal information about another person, though one can also imagine other reasons why the government would not want to make this known. Consuelo Lozoya to B.R. Oates, Acting Chief, INS, El Paso, Texas, January 26, 1957, USCIS FOIA Case Number NRC2014051239, file in author's possession; received July 2014.

[11] The Immigration and Nationality Act of was named for its sponsors, Senator Patrick McCarran (D-NV) and Congressman Francis E Walter (D-PA). On immigration policy and the targeting of political radicals during the early years of the Cold War, see Ellen Schrecker, "Immigration and Internal Security: Political Deportation during the McCarthy Era," *Science and Society* 60, no.4 (Winter 1996–1997): 393-426; Rachel Ida Buff, *Against the Deportation Terror: Organizing for Immigrant Rights in the Twentieth Century* (Philadelphia: Temple University Press, 2018); Kraut, *Threat of Dissent*, 120-54, quotes from 129. On the McCarran Walter Act's restrictive *and* inclusive nature, see Maddalena Marinari, *Unwanted: Italian and Jewish Mobilization against Restrictive Immigration Laws, 1882-1965* (Chapel Hill, NC: University of North Carolina Press, 2020), 111-23.

[12] Rachel Buff has written the most comprehensive history of the ACPFB to date. Buff, *Against the Deportation Terror*; Abner Green, "In The Shadow of Liberty: The Inhumanity of The Walter-McCarran Law" (New York: New York Committee for Protection of Foreign Born, 1954), 46; Kraut, *Threat of Dissent*, 95-98, 134-141. On the history of the Know Nothing movement, see Tyler Anbinder, *Nativism and Slavery: The Northern Know Nothings and the Politics of the 1850s* (New York: Oxford

University Press, 1992). On the targeting of radicals and anarchists in the early twentieth century, see Kenyon Zimmer, *Immigrants Against the State: Yiddish and Italian Anarchism in America* (Urbana: University of Illinois Press, 2015).

[13] Biberman even carried a photo of Lozoya with him so that he could show people "what the moral fibre of Ramon looked like." Flyer for "Reunión Pública," September 26, 1957; MCPFB, Memorandum on Lozoya Case, May 2, 1957; Ruth Heit to Rose [Chernin], February 7, 1957; Ruth Heit to Joseph A. Calamia, Esq., February 19, 1957; Statement by Herbert Biberman, April 22, 1957, all from Box 7, Folder 13, MCPFB, CHM.

[14] The MCPFB issued another statement months later that expressed a similar sentiment: "The persecution of the Lozoya family proves in the crassest way that the foreign born worker under the Walter McCarran law can be called before the Immigration Department at any time. He can be bullied into becoming a stool pigeon under the threat of deportation, denaturalization or both." Mrs. Consuelo Lozoya, open letter to Attorney General [Herbert] Brownell, July 1957; Midwest Conference to Repeal the Walter-McCarran Law and Defend the Rights of Foreign Born Americans, Chicago, IL, March 17, 1957; MCPFB, Press release, undated; MCPFB, Press release, September 1957, all found in Box 7, Folder 13, MCPFB, CHM.

[15] Whether Lozoya was ever a card-carrying member of the Communist Party is unclear. When authorities at the bridge in El Paso asked Lozoya whether he had ever been a member, he supposedly responded "Not to my knowledge." When they followed up by asking whether he could have been "without having known," he replied, "That, I do not know." Lozoya told officials that he had attended open meetings of the Communist Party and had been asked to join multiple times. Though the transcript of the interrogation does not provide conclusive evidence, a separate INS report claimed that he admitted past membership in the Communist Party. While it is entirely possible Lozoya was a former member, we should view authorities' claims with skepticism, given their motives and the conflicting evidence between the interrogation transcript and the report. Rodolfo Lozoya to Carl Braden, May 2, 1957, Box 7, Folder 13, MCPFB, CHM. (Translated by MCPFB); Statement of Rodolfo Lozoya-Castaneda Made before Investigator [Redacted] in The Office of The Investigations Branch, El Paso, Texas on January 16, 1957; Investigators, El Paso, Texas to Assistant District Director, El Paso, Texas, January 18, 1957, ICE FOIA Case Number 2015-ICFO-52034.

[16] Harvey Matusow was a member of the Communist Party, turned paid FBI informer and witness for the House Un-American Activities Committee. He later recanted many of his statements before the committee and spent time in jail for perjury. MCPFB to Rodolfo Lozoya, May 7, 1957; Rodolfo Lozoya to Mrs. Rodolfo Lozoya, no date, Box 7, Folder 13, MCPFB, CHM. (Translated by MCPFB; author corrected a few typos); "Harvey Matusow, 75, an Anti-Communist Informer, Dies," *New York Times*, February 4, 2002, B7.

[17] Rodolfo Lozoya to Mrs. Rodolfo Lozoya, no date, Box 7, Folder 13, MCPFB, CHM. (Translated by MCPFB; author corrected a few typos.)

[18] MCPFB, Memorandum on Lozoya case, May 2, 1957; MCPFB, Press release, undated; Cena Pro-Defensa de Rodolfo Lozoya, Club Lazaro Cardenas, March 9 1957; Invitation to Mother's Day Party for Mrs. Consuelo Lozoya and Mrs. Rosa Lee Ingram, May 11, 1957; Comite para Reunir La Familia Lozoya, Flyer for a picnic fundraiser, July 7, 1957; Rodolfo Lozoya to Consuelo Lozoya, July 14, 1957, all from Box 7, Folder 13, MCPFB, CHM.

[19] Rodolfo Lozoya to INS, El Paso, Texas, February 14, 1957, USCIS FOIA Case Number NRC2014051239. (Translated by the author.)

[20] MCPFB, Lozoya press release, undated, Box 7, Folder 13, MCPFB, CHM.

[21] Rodolfo Lozoya to Consuelo Lozoya, June 20, 1957, Box 7, Folder 13, MCPFB, CHM. (Translated by the author.)

[22] Rodolfo Lozoya to Consuelo Lozoya, June 10, 1957, Box 7, Folder 13, MCPFB, CHM. (Translated by the author.)

[23] Rodolfo Lozoya to Consuelo Lozoya, June 20, 1957, Box 7, Folder 13, MCPFB, CHM. (Translated by the author.)

[24] In Consuelo's June 18 letter to Rodolfo she told him that she and the kids had been "sick with sore throats and hungry but still alive." Rodolfo Lozoya to Consuelo Lozoya, July 14, 1957, Box 7, Folder 13, MCPFB, CHM. (Translated by the author.)

[25] "The Story of Rodolfo Lozoya," undated; Consuelo Lozoya to Pat Ellis, September 5, 1957, Box 7, Folder 13, MCPFB, CHM.

[26] R.D. Auerbach, Special Agent in Charge, FBI, Chicago to Robert H. Robinson, District Director, INS, Chicago, January 16, 1958, FBI FOIA Case Number 1291102-000, in possession of author; received September 16, 2014; Assistant District Director for Investigations, Chicago District to Postal Inspector in Charge, New Post Office Building, Chicago, Illinois, December 16, 1957; Truman O. Paulson, Investigator, Memorandum for File, Sept. 30, 1958, both from ICE FOIA Case Number 2015-ICFO-52034.

[27] "Rodolfo C. Lozoya," U.S., Social Security Death Index, 1935-Current, Ancestry.com. On how and why the legacy of the Cold War and persistent red-baiting have obscured the histories of people like Lozoya and organizations like the ACPFB, see Buff, *Against the Deportation Terror*, esp. 13-15; Gerald Horne, *Communist Front?: The Civil Rights Congress, 1946-1956* (Rutherford, NJ: Fairleigh Dickinson University Press, 1988).