



## EDWARD M. KENNEDY ORAL HISTORY PROJECT

### **Interviewer's Briefing Materials** **Michael Myers Interview, 08/28/2006, 10/16/2009**

Robert A. Martin, Research Director

#### **Miller Center Documents<sup>1</sup>**

- EMK Immigration Overview.
- Michael Myers Fact Sheet.

#### **Secondary Source Materials**

- Michael Myers bio, WhoRunsGov.com.
- James G. Gimpel and James R. Edwards, Jr., *The Congressional Politics of Immigration Reform* (Allyn and Bacon: Boston, 1999) pp. 185-199, 239-253, 264-283.
- *1998 Congressional Quarterly Almanac* (Washington, D.C.: Congressional Quarterly Inc., 1999) pp. 17-3 to 17-9.
- Nicholas Confessore, "Aide to Senator Kennedy is said to Make Contacts on Ms. Kennedy's Behalf," *The New York Times*, 12/20/2008.
- Vincent Byzdek, ed., *The Kennedy Legacy: Jack, Bobby and Ted and a Family Dream Fulfilled* (New York: Macmillan, 2009) pp. 227-237.
- "Kennedy, HELP Committee Democrats Announce the 'Affordable Health Choices Act,'" press release, 06/09/2009.

#### **Oral History Interviews**

- Edward M. Kennedy interview, Kennedy Oral History Project, Miller Center, University of Virginia, 10/09/2007.
- Mary Beth Cahill interview, Kennedy Oral History Project, Miller Center, University of Virginia, 03/24/2009.
- Phil Caper interview, Kennedy Oral History Project, Miller Center, University of Virginia, 03/20/2007.
- Ranny Cooper interview, Kennedy Oral History Project, Miller Center, University of Virginia, 12/14/2007.

---

<sup>1</sup> These are original documents created by Miller Center researchers for the Edward M. Kennedy Oral History Project. Please acknowledge credit for any use of these materials.

- Paul Donovan interview, Kennedy Oral History Project, Miller Center, University of Virginia, 02/17/2009.
- Nick Littlefield interview, Kennedy Oral History Project, Miller Center, University of Virginia, 02/14/2009.
- Esther Olavarria interview, Kennedy Oral History Project, Miller Center, University of Virginia, 08/28/2006.
- Carey Parker interview, Kennedy Oral History Project, Miller Center, University of Virginia, 09/22/2008.
- Danica Petroschius interview, Kennedy Oral History Project, Miller Center, University of Virginia, 05/13/2008.
- David Sutphen interview, Kennedy Oral History Project, Miller Center, University of Virginia, 03/29/2007.
- Ron Weich interview, Kennedy Oral History Project, Miller Center, University of Virginia, 03/30/2007.
- Angela Williams interview, Kennedy Oral History Project, Miller Center, University of Virginia, 03/07/2008.

## EMK IMMIGRATION OVERVIEW

*Prepared by Rob Martin*

*Miller Center, University of Virginia, 09/25/2007*

---

- 1963** *EMK is placed on the Judiciary's immigration and naturalization subcommittee, as well as Labor and Public Welfare's migratory labor subcommittee; (he remains on the migratory labor subcommittee through the mid-1970s).*
- 1965** *EMK becomes chairman of the Judiciary's subcommittee on refugees and escapees; (he serves as chair until Congress reorganizes its committee system in 1977).*

**The Immigration and Nationality Act Amendments of 1965:** EMK cosponsors and manages LBJ's immigration bill (introduced by Hart) on the Senate floor. To help end discriminatory U.S. immigration practices, the bill amends the 1952 Immigration and Nationality Act (the McCarran-Walter Act) to repeal the national origins quota system, which favored Western European countries. The issue had been a cause of JFK and Honey Fitz. The act creates a new system emphasizing family reunification and new refugee admissions categories, both of which have the unintended effect of creating an unprecedented surge in immigration by the 70s. This is compounded by the lack of enforcement provisions to limit illegal immigration. Others criticize the 1965 act for going too far in restricting European immigration.

LBJ names EMK to the **Select Commission on Western Hemisphere Immigration**, which was created by the 1965 immigration legislation to study whether numerical limitations should be imposed upon immigration from the Western Hemisphere. According to the 1965 law, the U.S.'s traditional open door policy towards immigration from the Western Hemisphere will continue until 1968, at which point a ceiling of 120,000 will be imposed unless: a) the commission recommends against the ceiling; and b) Congress passes legislation to carry out the recommendation. The commission's mandate expires in 1968 without making a recommendation, and the 120,000 ceiling is imposed. EMK unsuccessfully attempts to raise the ceiling the following year.

- 1978** **The Select Commission on Immigration and Refugee Policy (the Hesburgh Commission)** is created by Congress in 1978 to address the rise in immigration levels that has occurred since the passage of the 1965 bill. Carter had asked Congress to address immigration the year before. EMK serves on the commission, which is chaired by Hesburgh. It releases its report in 1981. (See 1981)
- 1979** *EMK becomes Judiciary chairman; he briefly leaves the immigration subcommittee.*
- 1980** **The Refugee Act of 1980**, which is sponsored by EMK, separates refugee admissions from the rest of the U.S. immigration system. It establishes systematic procedures for admitting refugees (refugees had previously been admitted piecemeal on a case by case basis) and creates a refugee resettlement program. The act implements some of the preliminary findings of the Hesburgh Commission.

- 1981** *EMK is named to the Immigration and Refugee subcommittee, which is chaired by Simpson; EMK loses the Judiciary chair when the GOP takes the Senate in 1980.*

The Hesburgh Commission releases its report in 1981. While supporting the principle that legal immigration should be continued regardless of race, it cautions that immigration levels have been rising “out of control.” It calls for a “modest increase” in legal immigration and a limited legalization program for many illegal immigrants already in the U.S., coupled with tougher border controls and employer sanctions for hiring illegal immigrants. EMK largely supports the report but criticizes its recommendation that tougher enforcement mechanisms must be in place before legalization could begin.

- 1986** **The 1986 Immigration Reform and Control Act** addresses illegal immigration by imposing employer sanctions for hiring illegal aliens, creating an limited amnesty program, and tightening border enforcement. Simpson sponsored the bill after previous efforts in 1982 and 1984 to pass comprehensive legislation covering both legal and illegal immigration had been unsuccessful. EMK supports many of Simpson’s initiatives but had consistently fought to add provisions to end employer sanctions should they later prove to be discriminatory and to further liberalize the amnesty program. The act implements many of the findings of the Hesburgh Commission.

- 1987** *EMK becomes chairman of the Judiciary’s Immigration and Refugee subcommittee.*

- 1990** EMK sponsors **the Immigration Act of 1990** which addresses legal immigration by raising legal immigration levels, particularly for Europeans (who had been adversely affected by the 1965 law) and for skilled labor. EMK works closely with Simpson on the bill, which implements many of the findings of the Hesburgh Commission. The act also creates the Commission on Immigration Reform (the Jordan Commission) to study the impact of the new legislation and the effectiveness of current immigration laws.

- 1993** Clinton appoints Rep. Barbara Jordan (D-TX) to chair the **Commission on Immigration Reform**. The Jordan Commission was created by the 1990 Immigration Act to study illegal immigration, but its mission is later broadened in 1991 by a Simpson amendment to study conduct a “comprehensive” study of immigration issues. The commission’s first report on illegal immigration in 1994 most notably calls for the creation of a national worker ID program to verify work eligibility. Its second report on legal immigration in 1995 calls for cuts in immigration levels, particularly for unskilled labor, and for the elimination of non-nuclear preference categories to give greater preference to immediate family members. The commission’s recommendations are largely supported by the Clinton Administration, as well as Simpson and Rep. Lamar Smith (R-TX).

- 1994** *EMK loses chairmanship of (but remains on) the Judiciary’s Immigration and Refugee subcommittee (now renamed the Immigration subcommittee).*

**1996** EMK works with Simpson on the **Illegal Immigration Reform and Immigrant Responsibility Act**. Simpson, the bill's chief sponsor, was forced to split the controversial legislation cutting legal immigration levels into a separate bill, which does not make it to the Senate floor. (EMK had argued the cuts in legal immigration went too far and supported the move to separate the bills.) The bill increases border enforcement, streamlines the removal process, establishes a pilot electronic employment eligibility verification system, and limits immigrant access to welfare benefits. EMK supported much of the bill, but most notably differed with Simpson on Simpson's attempt to restrict welfare benefits to legal aliens. Some criticize the bill for not doing enough to halt the employment of illegal aliens, as recommended by the Jordan Commission.

**2001** *EMK wins (and loses) chairmanship of the Judiciary's immigration subcommittee as the Democrats win (and lose) control of the Senate in '01 and '02; he loses the chair in '03.*

Congress passes the Patriot Act.

**2002** EMK cosponsors post-9/11 legislation with Brownback and, later, Feinstein and Kyl, to improve the federal government's ability to monitor foreign nationals, including those in the U.S. on student visas, and identify potential terrorists. At the same time, EMK continues to question measures that would suspend the rights of foreign nationals in the U.S. The bill passes after Byrd has a Bush-backed legalization provision removed.

Congress passes legislation creating the Department of Homeland Security. EMK is one of nine senators to vote against the bill. EMK had been working with Lieberman on INS reform and opposed labor regulations aimed at weakening unions in the new department. Earlier in the year, EMK and Brownback had also proposed to break the INS into two bureaus and place them within a new organization similar to the FBI.

**2004** *EMK serves on the Judiciary's Immigration, Border Security, and Citizenship, Terrorism, Technology, and Homeland Security subcommittees.*

**2005** EMK and McCain work with the White House to cosponsor a comprehensive immigration bill that would tighten border patrols and establish a temporary visa and legalization program. The bipartisan legislation clears the Senate in 2006 but meets strong opposition in the House, which has passed its own, more conservative bill focusing on border enforcement. House GOP leaders are particularly critical of what they dub as the Senate's "amnesty" provision. EMK and Kyl work with the White House in 2007 in an effort to revive the immigration bill, agreeing to shift the U.S. visa system from family- to merit-based, in which a point system would evaluate visa candidates on the basis of job skills, education and English language proficiency. However, the bill dies in the Senate.

**2007** *EMK leaves the Immigration subcommittee when he becomes chairman of Health, Education, Labor and Pensions Committee.*

## **MICHAEL MYERS FACT SHEET (1987-1993; 1997-PRESENT)**

*Prepared by Rob Martin*

*Miller Center, University of Virginia, 10/08/2009*

---

### ***Myers' work with EMK:***

- 1987-1993: counsel, Immigration Subcommittee of Senate Judiciary Committee
- 1997-1998: minority staff director, Senate Immigration Subcommittee
- 1998: according to one report, he briefly served as Judiciary chief counsel (unconfirmed)
- 1998-2001: minority staff director and chief counsel, Senate HELP Committee
- 2001-2002: majority staff director and counsel, Senate HELP Committee
- 2002-2006: minority staff director and chief counsel, Senate HELP Committee
- 2007- present: majority staff director and chief counsel, Senate HELP Committee

### ***Education and other experience:***

- 1979: B.A. Columbia University
- 1981: M.A. Columbia University; International Fellow
- 1979-1980: program director for refugees for UNHCR in Hanoi
- 1981-1986: representative for Church World Service
- 1993-96: director of policy, Office of Humanitarian and Refugees Affairs, Defense Department

### ***Foreign trips with EMK:***

- **1989 to Mexico:** EMK travels in April with Steve Smith, William Smith, Eunice Shriver, Jean Kennedy Smith, and staff including Nancy Soderberg, Mark Schneider, Michael Myers, Chris Doherty, John Douglas and Charles Stein.
- **2007 to Northern Ireland:** EMK and Vicki Kennedy attend the opening ceremony of the new power-sharing government at Stormont; they are accompanied on the trip by Michael Myers and Sharon Waxman; EMK and Vicki are seated next Baroness Eileen Paisley, the wife of the incoming First Minister Ian Paisley; EMK, as part of the official U.S. presidential delegation, meets with Tony Blair in Hillsborough; Deputy First Minister Martin McGuinness, the Taoiseach Bertie Ahern, David Trimble, Gerry Adams and John Hume are all in attendance.